

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

Annual Report

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Certification Officer Functions

2021-22



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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 2021 to 31 March 2022.

Review of the year

We have faced some significant changes over the last year including the preparation for the implementation of the remaining parts of the Trade Union Act 2016, which I have addressed in more detail in this report. We have also completed a comprehensive review of all organisations on the lists of trade unions and employers' associations and implemented changes to the way we approach the initial stages of our complaints process.

This has been against the background of significant changes to the way we work as we have moved to a new building which, together with the remaining impact of the COVID 19 pandemic, has necessitated a move to hybrid working for the team. I am proud of my team for their achievements over this year and pleased that we are all now able to spend more time in the office together. I am also grateful for the support we have received from stakeholders and our wider team in Scotland.

Implementation of Trade Union Act 2016

The government implemented the remaining parts of the Trade Union Act 2016 on 1 April 2022. The Act enables me to consider potential breaches of statute without first receiving a complaint from a union member. It also enables me to raise a levy on trade unions and employers' associations to cover some of the costs of the office. The first levy payment will cover the year beginning 1 April 2022 and will fall due the following year.

It is fair to record that there has been considerable opposition to these provisions and I understand why this is the case. I am grateful, however, for the constructive approach taken by the TUC and others when responding to my consultations ahead of implementation. This has enabled me to provide guidance which explains my approach and, I hope, helps organisations to understand the impact of the new powers. I will, of course, keep my guidance under review during the implementation period and encourage anyone who has any comments or suggestions to improve the guidance to contact my office for an informal discussion.

Review of the Lists

We conducted a review of all trade unions and employers' associations known to us. We began the review to ensure that organisations seeking to join the list were treated consistently with those who had been listed for some time. It brought the additional benefit of ensuring that only those organisations who fall within the relevant part of the 1992 Act will be liable for the levy.

My team have worked hard to ensure that organisations were given sufficient time to demonstrate that they remained a trade union or employers' association. We have almost completed the review with just a small number of decisions outstanding. As at 31st March we have removed 11 trade unions and 32 employers' associations from the lists.

Complaints from Members

We have made changes to the initial stages of our complaints process to ensure that only those complaints which have a reasonable prospect of success move forward to a hearing. In practice this means that we are asking applicants to be more explicit about the nature of their complaint and why they believe that the union breached its rules or statute. We are also seeking some supporting information from them which shows that they can evidence their complaint. We continue to encourage applicants and unions to engage in mediation or other dispute resolution where this may resolve a complaint without the need for a hearing. We have, over the last year, held two hearings by video conference and I have considered three cases on paper where there was no factual dispute between the parties. Our intention is

to continue to hold hearings by video conference over the coming year unless there is a clear reason to meet in person.

Costs

The net cost of the office was £655,054 which is a decrease of £88,524. This saving arose because we moved into shared office space with Acas. It is estimated that the costs of services such as IT equipment, its maintenance, HR and other support services provided by Acas was £279,899.

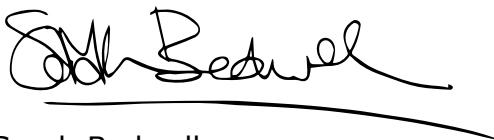
My salary as Certification Officer was £132,075 which is taxed under PAYE. This is pensionable with an employer's contribution to my pension of £40,019.

Looking Forward

Over the next year we will, necessarily, focus on the implementation of the 2016 Act. This will include strengthening our accountability arrangements and delivering greater transparency. We have already shared our business plan for the year with the TUC and other listed organisations and listened to their feedback. We will also be working with Acas to identify a more accurate costing of the services which they provide for my team.

We will keep our costs under continuous review and identify potential savings. This work has already begun as we will be bringing the work of the Assistant Certification Officer for Scotland into our core London team. Similarly, our plans to digitise our key records and make them available online will reduce our storage costs in future years.

Finally, I would like to record my thanks to Christine Stuart who has undertaken the role of Assistant Certification for Scotland since 2004. Christine, supported by Yvonne Wonnacott, has been a great source of advice and support to me, my predecessors and my team, and we will miss them. I wish both Christine and Yvonne well for the future.



Sarah Bedwell
Certification Officer
24 June 2022

Overview of 2021-22

Trade union finances

Total funds down 4% from £1.72 billion in 2019-20 to £1.65 billion in 2020-2021

Total value of political funds up 24% from £42 million in 2019-20 to £52 million in 2020-2021

Trade union membership

Up by 1% – from 6.6 million in 2019-2020 to 6.7 million in 2020-2021

Lists of trade unions and employers' associations

3 trade unions added to the list, 13 removed

34 employers' associations removed from the list

Casework

30 complaints from trade union members determined

12 withdrawn

11 struck out

4 upheld and 3 dismissed

1 enforcement order made

Chapter 1 – Lists of Trade Unions and Employers’ Associations; the Review of the Lists

I am required by the Trade Union and Labour Relations (Consolidation) Act 1992 to keep a list of trade unions and a list of employers’ associations. This is my primary statutory responsibility.

Review of the Lists

In my Operational Plan for 2021-22, I committed to undertaking a review of organisations on the lists to ensure that only those who meet the statutory definitions of a trade union or employers’ association are included in them.

Those statutory definitions require that a trade union or employers’ association is mainly or wholly made up of workers and employers respectively, or other trade unions or employers’ associations for ‘federated’ organisations, like the Trade Unions Congress. The definitions also require that organisations undertake the ‘regulation of relations’ between workers and employers, or between their members, again for ‘federated’ organisations.

The first element of the definition is largely uncontroversial, with the majority of organisations who seek to be listed, being able to demonstrate that their membership meets the relevant requirement, although there are some exceptions (see the NUPFC listing decision, below). The second element, the requirement to regulate relations, is more complex. The relevant case law in this area, [Mr A Akinosun \(on behalf of General & Health Workers v The Certification Officer\)](#) requires that organisations be able to show that they are actively engaging with employers on collective issues. The scope of these collective issues is not formally defined, but we consider it to include anything relating to the employment of members of the union, from collective grievances, to negotiations on pay, hours, annual leave or health and safety.

I also used this opportunity to end the practice of maintaining a public ‘schedule’ to the official lists. The schedule included the names of organisations that met one of the statutory definitions but had not applied to be added to the relevant official list. Ending the practice of keeping an accompanying schedule will help avoid any confusion about the status of an organisation and its statutory obligations. Consequently, the official lists now include every organisation which meets the relevant statutory definition under the 1992 Act.

The review was undertaken in four stages:

Stage one – We wrote to organisations inviting those who believed they no longer met a statutory definition to apply to be voluntarily withdrawn from the list.

Stage two – We identified information already in our possession and in the public domain which confirmed that an organisation on one of the lists met the statutory definition.

Stage three – Where there was insufficient publicly available information about the status of an organisation and that organisation had not made an application to voluntarily withdraw from a list, we made enquiries with them to obtain evidence that they met the statutory definition.

Stage four – Formal decisions were made in respect of every organisation considered under stage three. Where an organisation could not evidence that they met the statutory definition, they were removed from the relevant list.

There is a route of appeal to the Employment Appeal Tribunal for organisations that disagree with my decision to remove them from the official list. We are not aware of any organisation seeking to appeal my decision in this way.

Findings of the Review

Prior to commencing the review, our contact with employers' associations ("EAs") had largely been limited to processing their annual returns and dealing with applications from them to be removed from the Certification Officer's list.

The information we received from those organisations had given us the impression that the employment relations landscape had shifted in recent years, with employers' associations taking less of an active role in the regulation of relations between an employer and trade unions or workers, as required by the statutory definition set out in the Act. Our starting assumption was therefore that many EAs would be unable to demonstrate that they met the statutory definition and that they would apply to be removed from the list.

As at 31 March, 32 (38%) of EAs were removed from the list, with a small number to be removed in the coming months. The remaining organisations provided compelling evidence of the regulation of relations, clearly demonstrating that they had an active role in the regulation of relations. We were also pleased to note that while EAs may not attract the clear benefits from being listed that trade unions do, many of them explained they derived a significant intangible benefit from being listed. For instance, they considered they gained a credibility with employers and trade unions, that is valuable to them.

The review of the lists of trade unions also delivered the result we had anticipated. During stage one we received a very small number of applications from trade unions for voluntary removal. In stage two, the office quickly identified clear evidence that the larger, more established unions were actively engaged in the regulation of relations between workers and an employer. Stage three focused largely on corresponding with small unions. A significant proportion of these organisations were well established in a single employer or a particular area of employment and were able to quickly provide us with compelling evidence that they met the statutory definition.

A smaller number of organisations were only able to demonstrate that they were representing individual members in disputes with employers, not undertaking the collective work required by the definition, and were removed from the list. Our impression is that these organisations had either taken a strategic decision to focus on individual representation or had failed to attract sufficient membership with a single employer to generate the kinds of collective issues that would enable them to meet the definition.

We also identified a final group of organisations that were effectively defunct, either because the employers and industries that they specialised in had ceased to operate on a large enough scale to generate collective issues, or because their leadership and membership appeared to have largely retired from employment.

As at 31 March, 11 (8%) of TUs were removed from the list as they no longer undertook collective activity; a small number of unions are likely to be removed in the coming months.

Listing Applications

In parallel with the review, we considered applications from four new organisations seeking to be listed as trade unions. Three applications were accepted and the organisations added to the list. One application was not accepted as it was not supported by evidence to show that they undertook or were seeking to undertake collective regulation of relations as required by the statutory definition.

We continue to make improvements to the listing application process, to help organisations understand what information they need to submit in support of their application. We are also committed to providing high-quality support and assistance to organisations seeking to be listed prior to them submitting a formal listing application form.

Following the changes we have made to our process we were pleased to receive the following positive feedback:

“thank you for your professionalism and shared knowledge throughout this process. It has been invaluable and appreciated”
(Equal Justice The Union, added to the list of TUs in 2021/22)

Trade Unions Added to the List

National Union of Professional Foster Carers (NUPFC)

The union was entered on the list on 19 August 2021. Its members are largely foster care workers. My predecessor had previously determined that the NUPFC could not be listed as a trade union because case law had established that foster carers were not workers, and so the organisation could not meet the first limb of the statutory definition, that it be made up wholly or mainly of workers. The NUPFC appealed that decision, first to the Employment Appeals Tribunal and then to the [Court of Appeal](#). The Court of Appeal found that for the purpose of [s1 of the Trade Union and Labour Relations \(Consolidation\) Act 1992](#), the definition of worker in Section 296(1) should extend to persons who are parties to a foster care agreement with a fostering service provider within the meaning of [of regulation 27 \(5\) of the Fostering Service \(England\) Regulations 2011](#). This led to me receiving a fresh application from the NUPFC to be listed and that application being approved.

UK Private Hire Drivers Union

The union was entered on the CO’s list on 12 August 2021. Its members are largely app-based transport workers. The union joins a number of other trade unions representing workers in this sector. The increase in organisations appear to be as a result of recent decisions in the higher courts on the status of gig economy workers such as Uber drivers.

Equal Justice The Union

The union was entered on the CO’s list on 22 September 2021. It aims to represent workers from ‘discriminated against groups’. As reported last year, we have seen an increase in applications from organisations seeking to represent workers from specific cultural or ethnic groups or with links to particular regions of the world.

Organisations Removed from the List

13 Trade Unions and 34 Employer’s Associations were removed this year as they did not meet the relevant statutory definition (11 TUs and 32 EAs as a result of the review). The names of these organisations can be found on my website.

The Official Lists		
	At 31 March 2021	At 31 March 2022
Total number of trade unions	141	131
Total number of employers’ associations	84	48

The current lists of trade unions and employers’ associations, are available on the Certification Officer’s [website](#).

Amendment to Listing application Fee

Alongside implementing the remaining provisions of the Trade Union Act 2016 (Chapter 4) the government reviewed the fee for listing applications. The fee for an application to join the list of trade union's or employers' associations has increased from £150 to £519 from 1 April 2022. This fee represents the average cost of processing an application. The reason for the significant rise in the fee is two-fold: statutory fees have not been revised since 2005 and there has been a commensurate increase in the cost of the work required to process applications. Many recent applicants are new to trade union work and we have undertaken significant work with them to assist them to demonstrate that they meet the relevant statutory definition.

It is essential that the listing fee accurately reflects the work undertaken by the office to process applications. This is because the legislation governing the levy on trade unions and employers' associations prohibits the Certification Officer from recovering costs associated with the processing of listing applications through the levy and these costs must be met separately.

The regulations amending the fees can be found on the government [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. A certificate of independence is a prerequisite to an application for formal recognition with an employer to the Central Arbitration Committee (CAC).

Aircrew Officers Association Europe was issued with a certificate of independence this year.

Alongside implementing the remaining provisions of the Trade Union Act 2016 the government reviewed the fee for making an application for a certificate of independence. The fee for an application for a certificate of independence has decreased from £4099 to £997 from 1 April 2022. This fee represents the average cost of processing an application. The reason for the significant reduction in the fee is because there has been a decrease in the cost of the work required to process applications.

The regulations amending the fees can be found on the government [website](#).

Chapter 2 – Annual Returns

Annual Returns

All trade unions and employers' associations are required to submit an annual return to me every year. The return contains information about the union's membership, income and expenditure, industrial action ballots held, and industrial action taken. All [returns](#) are available on our 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, which means their returns are due before 1 June in the following year. Failure to submit a return to me can result in prosecution.

In 2021-22 some unions continued to find it difficult to submit returns on time due to the ongoing effects of the COVID pandemic on their ability to safely access workplaces, to convene the relevant bodies required to approve the annual returns and to coordinate their activity with auditors. Despite these difficulties, by 31 March 2022, 100% of returns due had been received (compared to 98.7% last year). All returns were completed and submitted digitally. Now that the COVID restrictions have been lifted, I will continue to seek full compliance with the statutory requirements and will work with those organisations who consistently submit late returns to help improve their compliance.

The annual return template is downloadable from our website. 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 can 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 me, as part of their return, to demonstrate that they are meeting the statutory requirements.

Industrial Action and Ballots

18 unions reported on ballots and Industrial action, nine reported both ballots being held and action being taken, eight reported only ballots and one reported only taking industrial action. I have no powers to investigate trade unions over the information reported to me about industrial action and ballots other than to publish the information as part of the union's annual return to me.

Statement to Members

Trade unions must send a statement to all members containing certain information from the union's annual return within eight weeks from the day the annual return is sent to the me. The union is also required to send a copy of this statement to me.

Information from the Annual Returns

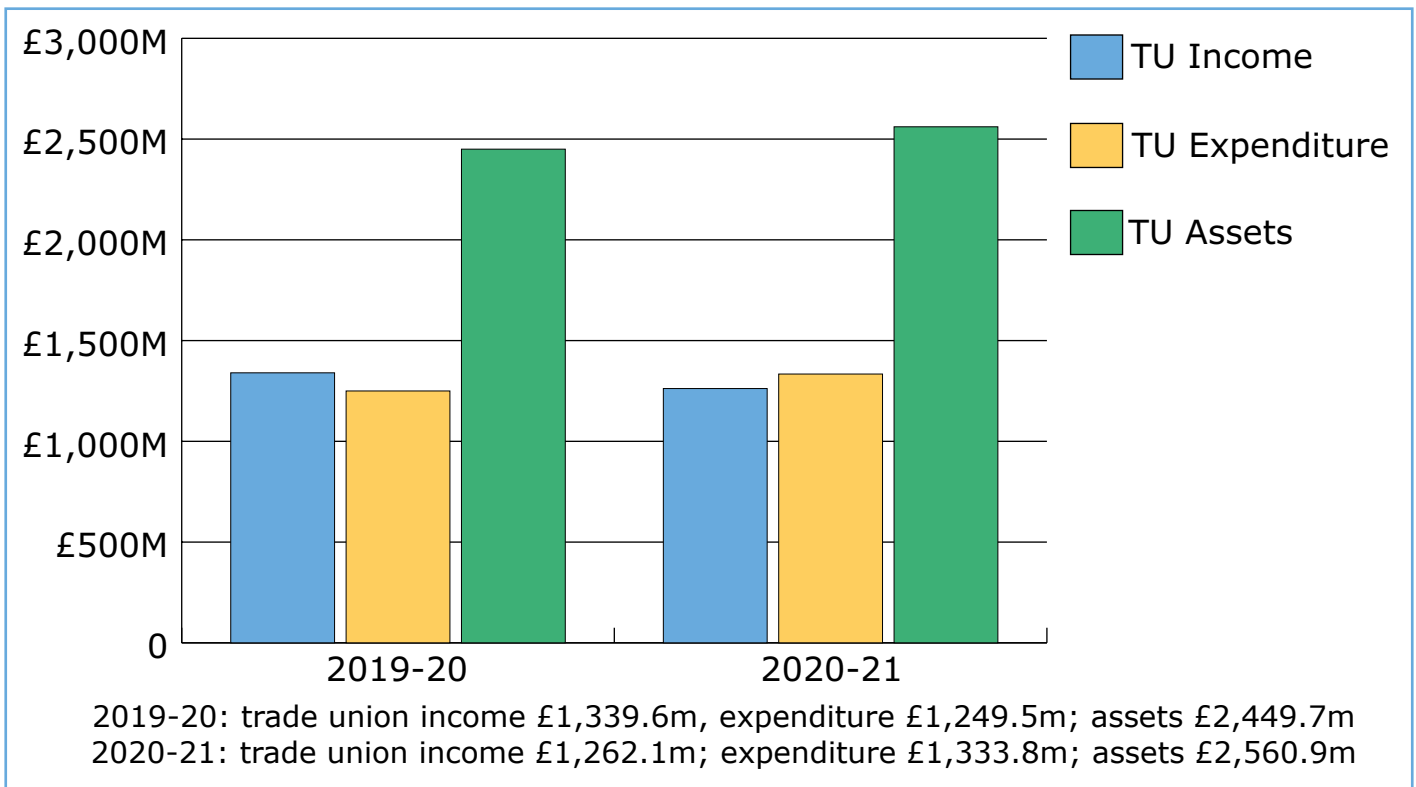
Figures 1 - Distribution of trade union membership 2020-21

Number of Members	Number of Unions	Membership
Under 100	15	378
100-499	20	4620
500-999	17	11,869
1,000-2,499	20	30,105
2,500-4,999	12	39,177
5,000-9,999	9	64,045
10,000-14,999	3	34,874
15,000-24,999	11	209,078
25,000-49,999	10	363,906
50,000-99,999	4	250,881
100,000-249,999	5	802,136
250,000 and over	7	4,921,901
Total	133	6,732,970

The total union membership of 6,732,970 is an increase of 66,488 members from last year's reported membership of 6,666,482.

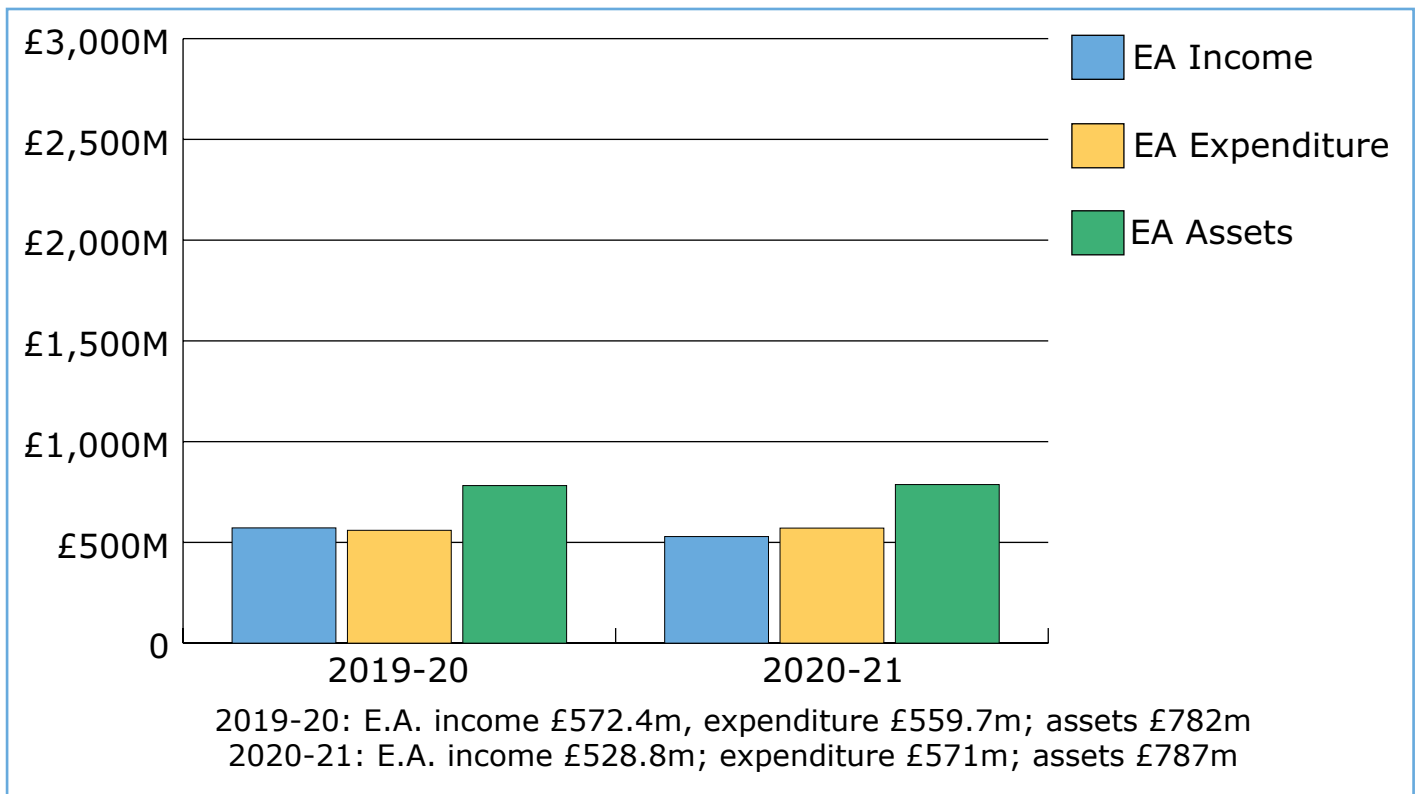
I did not receive returns from eight unions who were removed from the list before their return fell due.

Figure 2 – Comparison of Trade Union finances



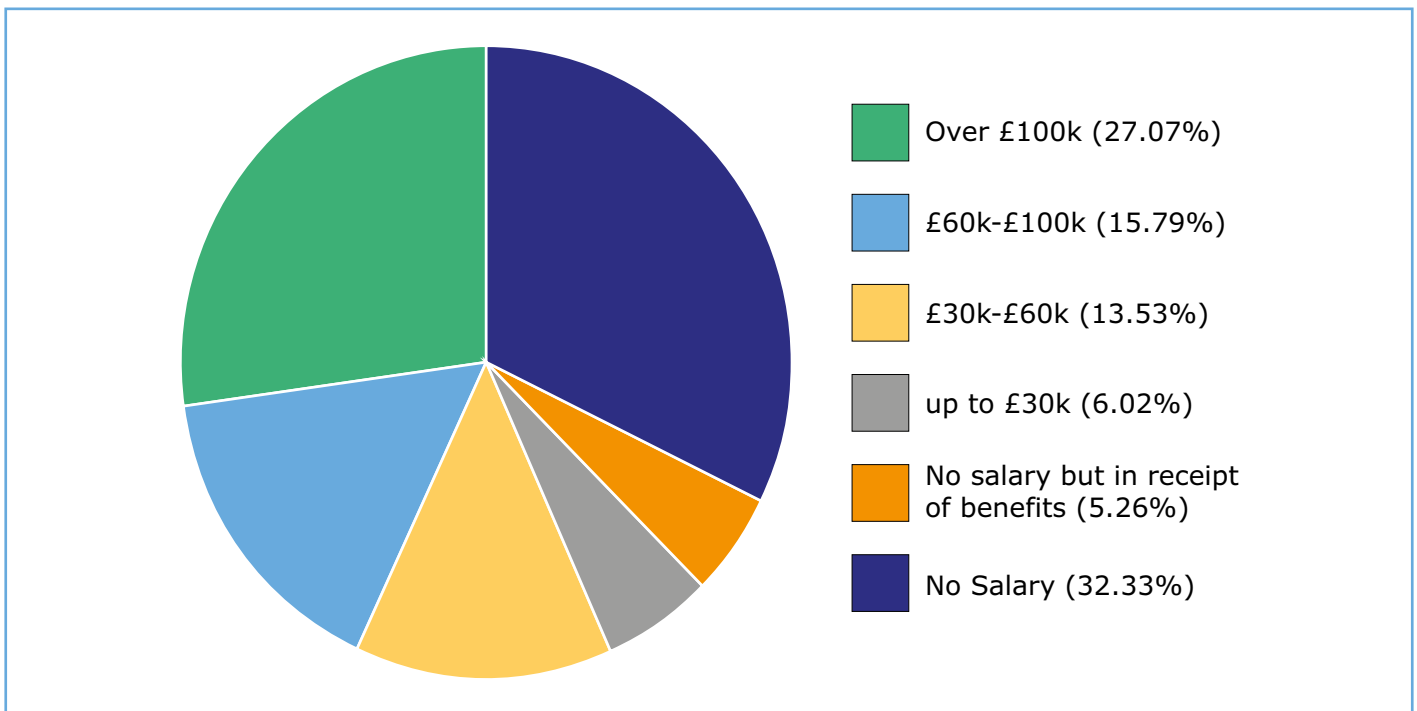
The total funds of trade unions were £1,651 million compared to £1,724 million the previous year, a decrease of 4.25%. Appendix 3 provides detail of the income, expenditure and assets of trade unions.

Figure 3 – Comparison of Employers’ Association finances



The total funds of employers’ associations were £297 million compared to £359 million the previous year, a decrease of 17.13%. Appendix 5 provides detail of the income, expenditure and assets of employers’ associations.

Figure 4 – Percentage of trade unions paying Salaries and Benefits to their General Secretary



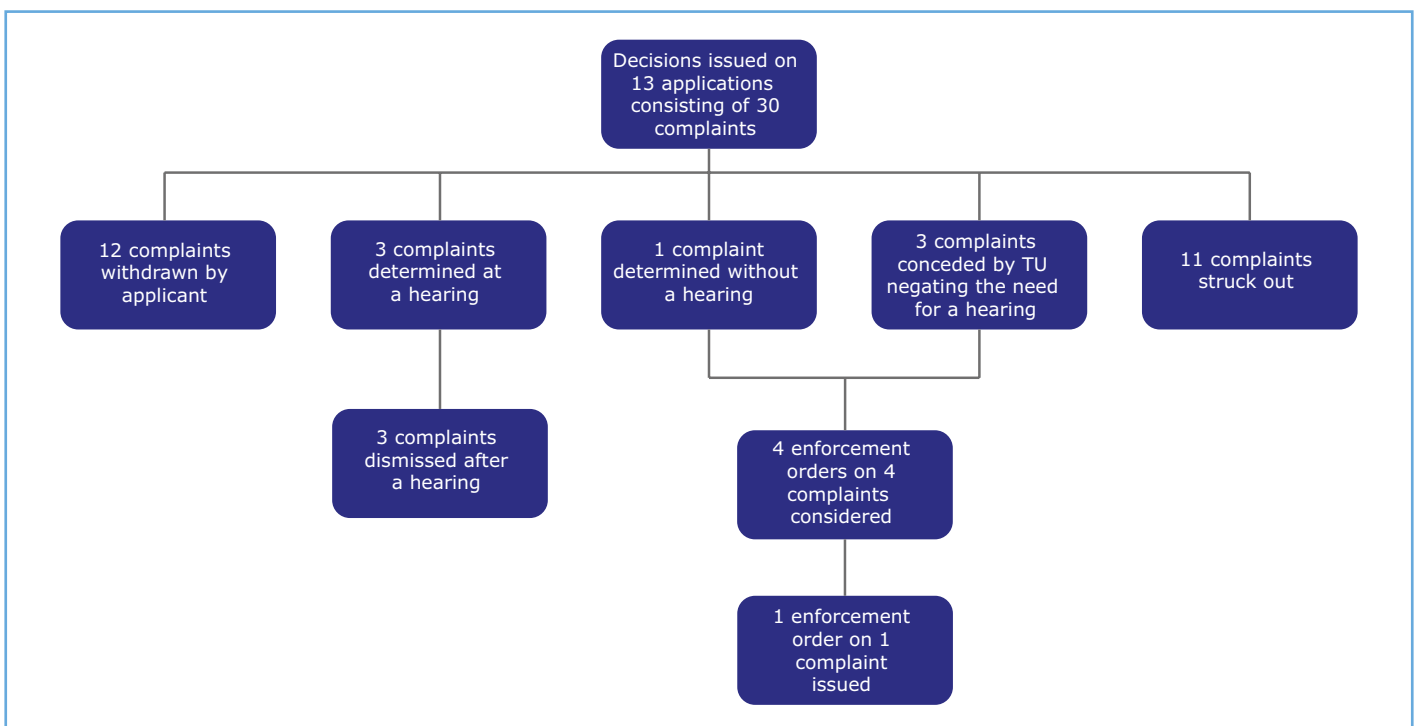
Appendix 4 provides detailed information on the salary and benefit payments paid by unions to their general secretary.

Chapter 3 – Operational Work Summary

Complaints

Trade union members can bring a complaint to me if they believe 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 me. If I accept a complaint, my team will make enquiries with the parties. I will give reasons for all of my decisions in writing. If I agree that the union has breached its rules, or statute, I may make an enforcement order. Further details of my powers regarding complaints are at Appendix 8.

Figure 5 – Summary of decisions issued



As set out in my Operational Plan for 2021-2022 my team has adopted a new approach to complaints. We have guided applicants so that they are clear about the tests we apply before complaints can be accepted. This is aimed at ensuring that complaints are arguable and well evidenced, reducing the time and effort that individuals invest in preparing a case that has no reasonable prospect of success.

As shown in Figure 5 above, of the 30 complaints subject to formal decisions, 7 reached the stage of substantive determination. Four of these were decided on paper without the need for a formal hearing by agreement of the parties, saving time and costs.

We also dealt with a further 47 complaints received in the year which were not subject to formal decisions. Of these, nine were withdrawn by the applicant prior to being copied to the trade union, the office closed 15 as they fell outside of my powers and 23 were under consideration as of 31 March 2022.

Feedback from applicants on our handling of complaints has generally been favourable as the following comments illustrate:

“I thank you for your time, diligence and considered response with regards to my complaint...”

and

“I thank your office for its professionalism and the time in dealing with my complaint in the fair manner that you have.”

All complaints received this year bar one were determined within six months, the target set out in the 1992 Act and in the Operational Plan. The extended period for one complaint was largely to enable the parties to attempt to reach a voluntary resolution.

Cases of Interest

Watkins v British Medical Association ([D/12/21-22](#))

Dr Watkins originally complained to me in 2018 and I found against him. Following an appeal, the Employment Appeal Tribunal remitted part of the complaint back to me for a new decision ([UKEAT/0125/20/JOJ \(V\)](#)).

This complaint related to a rule which stipulated that the disciplinary process should not be used to stifle debate. Another union member had submitted a complaint about Dr Watkins and that complaint was dismissed by the Union three weeks later. Dr Watkins had argued that, whilst the complaint was being considered, it had the impact of stifling debate during an election period. He argued that the complaint should have been closed at an early stage to prevent debate being stifled.

My original finding was that the rule required there to be an intention to stifle debate; however, the EAT judge concluded that there was no need for there to be an intention to stifle the debate. I therefore considered whether, regardless of intention, the complaint against Dr Watkins was one that should not have proceeded because of an actual or potential stifling effect and, if so, whether dismissal after a 3 week period was sufficient to achieve compliance with the rule.

Following a hearing, in which I considered the parties' legal submissions and witness evidence, I did not uphold the complaint.

A further appeal by Dr Watkins related to this decision has been accepted by the Employment Appeal Tribunal with a listing date pending.

Embery v Fire Brigades Union ([D/18/21-22](#))

Mr Embery's complaint was the Union had failed to comply with his request to access the Union's accounting records, including expenses claims by Union officers.

The Union agreed that Mr Embery was entitled to access the records; however, they submitted that Mr Embery should sign a confidentiality agreement before viewing them. In their view, this was necessary to enable them to comply with other legislation in respect of the individuals to whom the records related, especially the UK General Data Protection Regulation and the Right to Respect for Private and Family Life in the European Convention on Human Rights.

Having considered both parties views, I found in Mr Embery's favour, making an enforcement order to ensure his access to the relevant records.

Elections for Certain Positions

Section 46 of the 1992 Act specifies that elections for the positions of president, general secretary and members of the executive committee must be held every five years. Elections must be by postal ballot of the union's members and conducted in accordance with the relevant provisions in the 1992 Act.

We received one complaint regarding a statutory election in this reporting period which was later withdrawn by the applicant.

From 1 April 2022, I will be able to consider potential breaches of Section 46 even if I have not received an application from a trade union member, providing that the alleged breached occurred on or after 1 April 2022.

Financial Irregularities

The 1992 Act allows me 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. I can take action only where it appears to me 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.

I received allegations of financial irregularities against four trade unions. I took no action in relation to the allegations against two of these unions as I did not consider that any of the above grounds existed. My team continue to make enquiries about allegations made against the other two trade unions. I am yet to decide whether to appoint an inspector in either of these cases.

Political Funds

Any trade union wishing to spend money on political objects, for example campaigning for a political party, must establish a separate fund for this, called a political fund. The decision to adopt a political fund must be endorsed by a ballot. A ballot must then be held every ten years to ensure that the membership wishes to retain the fund.

Members can choose whether or not to contribute to a political fund. Members who joined before 1 March 2018 would have been automatically opted in to making payments but may choose to opt out. Members who joined from 1 March 2018 need only pay into the fund if they have confirmed their willingness to contribute via an "opt-in" notice.

As at 31 March 2022, 21 trade unions had political fund resolutions in force.

Trade union members can complain to me about the political expenditure of their union, for example if they believe that the union has spent monies on political objects from a fund other than political fund. I did not determine any such complaints this year.

I approved minor changes to one trade union's political fund rules and have given preliminary approval for amendments to another. My focus in such cases is to ensure that the political fund rules are clear and continue to reflect the statutory provisions, thus reducing the likelihood of complaints from members.

From 1 April 2022, I will be able to consider potential breaches of the political fund provisions even if I have not received an application from a trade union member, providing that the alleged breached occurred on after 1 April 2022. Details of my new powers can be found in Chapter 4.

Key Figures on Political Funds

The total income of political funds for 2020-2021 was £23.69 million compared with £24.75 million the previous year, a decrease of 4.28%. The total expenditure from political funds was £13.57 million compared with £24.22 million in the previous year, a decrease 43.97%.

The total amount held in political funds at the end of the reporting period was £51.88 million, an increase of 23.9% over the £41.87 million reported in the previous year.

4,094,287 union members contributed to a political fund in this reporting year compared with 4,213,849 in the previous year, a decrease of 2.84%.

Detailed statistical information is at Appendix 6.

Protected Disclosures

I am a designated or a prescribed person under the Public Interest Disclosure Regulations 2014 in relation to relevant disclosures by employees/workers of trade unions and employers' associations.

Under Part IVA of the Employment Rights Act 1996 and the 2014 Regulations, employees/workers of a trade union or employers' association may be protected if they make a relevant disclosure to me. A relevant disclosure 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 I received no relevant disclosures.

Chapter 4 – Trade Union Act 2016: Implementation of the CO's remaining powers

Background

In May 2016, the Government passed the [Trade Union Act 2016](#) into law, giving me additional powers. Some of the provisions of the 2016 Act were implemented immediately, while others remained on the statute books awaiting implementation. In June 2021, the Government announced its plans to implement the remaining parts of the 2016 Act. These powers came into force on 1 April 2022.

From that date, I have the power to:

- Require trade unions and employers' associations to pay a levy to fund the costs of some of my functions.
- Consider whether an organisation has breached its statutory responsibilities set out in the Trade Union and Labour Relations (Consolidation) Act 1992, without having first received a complaint from a member of that organisation or another eligible party.
- Investigate allegations that an organisation has breached its statutory responsibilities, by requiring the organisation to provide me with specific documentation and/or by appointing an inspector to investigate the matter on my behalf.
- Impose a financial penalty order or conditional financial penalty order where I find that an organisation has breached its statutory responsibilities and/or its rules.
- Enforce any order that I make.

The introduction of these powers represents a significant change to my role, transforming the office of Certification Officer from a registry function and adjudicator to a modern, proactive regulator of trade unions and employers' associations. The introduction of the levy on trade unions and employers' associations means that post-implementation, the office will effectively be funded by the members of those organisations, increasing the requirement for the work of the office to be transparent and open to scrutiny, ensuring that trade unions, employers' associations and their members can feel assured that we provide value for money.

Preparation for Implementation

To prepare for implementation, my team have worked closely with officials from the Department for Business, Energy and Industrial Strategy (BEIS), ensuring that the regulations which underpin the levy and financial penalties are clear, concise and accurate.

We have produced detailed guidance for trade unions, employers' associations, their members and members of the public which clearly sets out how I intend to use those powers. We shared this guidance with all of the organisations affected and incorporated their feedback into the final draft of the guidance, which has now been published on our [website](#). The intention is that this guidance will continue to be updated as I use these powers, to reflect my experience and any relevant case law. We continue to welcome suggestions on how to further improve the guidance and would be happy to discuss any of the content set out in it.

Work has also been undertaken to prepare for the implementation of the levy on trade unions and employers' associations. Once the levy regulations had been finalised, we produced a spreadsheet which translates the regulations into a calculation, allowing my team to quickly and easily determine the various levy rates that the different categories of organisations will have to pay after the end of the first levy period in March 2023.

The review of the lists of trade unions and employers' associations has been an essential part of ensuring that, at the beginning of the first levy period, only those organisations who meet the statutory definition appear on the lists and will be required to pay the levy. After the review was completed, I wrote to all the organisations that remain on the lists to provide an indication of what levy rate they are likely to pay at the end of the first levy period. This letter has led to a number of helpful discussions with trade unions and employers' associations about the levy calculation. We encourage any organisation who wishes to discuss the levy, and its impact, to get in touch with us.

I have also given some consideration as to how I might use my powers of proactive investigation. Prior to the implementation of my new powers I was reliant on a member of a trade union or employers' association, or another eligible party, to bring a complaint to me about an alleged breach of statute and/or the rules of a trade union. From 1 April 2022, I have the ability to consider potential breaches of statute even where I have not received a complaint. I may also consider taking action following media articles or information brought to me by a member of the public.

I have also considered areas where my team could take steps to ensure that any breaches are identified at the earliest opportunity. To that end, this year we have amended our annual return forms to capture dates of elections of trade unions officers, ensuring that we can quickly and easily identify any breaches or potential breaches of the requirement in Chapter IV of the 1992 Act that those officers are elected to their positions at least every five years.

I have also given some consideration as to how information received about the operation of political funds might be used to ensure that organisations continue to adhere to provisions in the 1992 Act governing political expenditure.

Useful links

- [The Trade Union and Labour Relations \(Consolidation\) Act 1992](#) ("1992 Act"), as amended by the Trade Union Act 2016, provides the definitive description of these powers.
- The Levy [regulations](#) provide detailed instructions about how the levy should be calculated.
- The Financial Penalties [regulation](#) sets out the levels of financial penalty that can be imposed. The CO's guidance sets out the process she intends to use in determining whether to impose a financial penalty. She can only impose financial penalties where she finds that a breach occurred on or after 1 April 2022.
- The Certification Officer [guidance](#) on how she intends to apply these new powers in practice.

Appendices

- Appendix 1 List of Trade Unions at 31 March 2022
- Appendix 2 List of Employers' Associations at 31 March 2022
- Appendix 3 Summary of Statistics – Trade Unions, returns received during the period 1 April 2021 to 31 March 2022
- Appendix 4 Salary and Benefits of Trade Union General Secretaries
- Appendix 5 Summary of Statistics – Employers' Associations, returns received during the period 1 April 2021 to 31 March 2022
- Appendix 6 Summary of Statistics - Political Funds of Trade Unions
- Appendix 7 Superannuation Schemes
- Appendix 8 Certification Officer Functions

Appendix 1

List of Trade Unions at 31 March 2022

Notes:

Italics Denotes a trade union first entered in the list during 1 April 2021 to 31 March 2022.

* Denotes a trade union holding a certificate of independence at 31 March 20202.

(P) Denotes a trade union with a political fund resolution in force at 31 March 2022.

(F) Denotes a federated trade union

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

England and Wales

- * Accord
- * Advance
- * Affinity
- * Aircrew Officers Association Europe
- Alliance for Finance (F)
- 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 Flight Attendants (Council 07) (#)
- * Association of Local Authority Chief Executives
- Association of Local Council Clerks
- * 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)
- * Communication Workers Union (P)

Community (P)
Confederation of British Surgery
Confederation of Shipbuilding and Engineering Unions (F)
Criminal Justice Workers Union
Currys Supply Chain Staff Association (CSCSA)

Driver and General Union

Employees General Union
Employees Representatives
Employees United
Equal Justice The Union
Equality for Workers Union (EFWU)
* Equity (Incorporating the Variety Artistes Federation)

* FDA
* Finance Services Union
* Fire and Rescue Services Association
* Fire Brigades Union (P)
* Fire Officers Association

G4S Care and Justice Services Staff Association
* GMB (P)

* Hospital Consultants and Specialists Association

*Independent Pilots Association
*Independent Workers Union of Great Britain (IWGB)
*Industrial Workers of the World
*Institute of Journalists (Trade Union)
International Transport Workers Federation (F)
* 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 (South Wales Area)
National Union of Professional Foster Carers (NUPFC)
* 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)

* 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

* Royal College of Podiatry, The

* 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

Trade Union for Ethnic Minority Social Workers (TUEMSW)

Trades Union Congress (F)

* Transport Salaried Staffs Association (P)

UK Private Hire Drivers Union

* Undeb Cenedlaethol Athrawon Cymru (National Association of Teachers of Wales)

Union of General and Volunteer Workers

* Union of Shop Distributive and Allied Workers (P)

Union Workers' Union

* UNISON – The Public Service Union (P)

* Unite the Union (P)

* United Road Transport Union

* United Voices of the World

* University and College Union (P)

WALGAS TU

Warwick International Staff Association

Welsh Rugby Players Association

* Workers of England Union

* Workers Uniting (F)

* 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

Professional Footballers' Association Scotland

Scottish Artists Union

- * Scottish Secondary Teachers' Association
Solidarity

Appendix 2

List of Employers' Associations at 31 March 2022

Note:

(F) Denotes a federated employers' association.

England and Wales

Association of Circus Proprietors of Great Britain
Association of Plumbing and Heating Contractors

British Amusement Catering Trades Association
British Footwear Association
British Printing Industries Federation
British Printing Industries Federation Ltd
Building & Engineering Services Association

Chemical Industries Association Ltd
Confederation of Paper Industries Ltd
Co-operative Employers' Association Limited

East Midlands Councils
East of England Local Government Association
EEF Limited (F)
Electrical Contractors' Association
Engineering Construction Industry Association

Federation of Master Builders

Improvement and Development Agency (F)

Leather Producers' Association
London Councils

National Association of Farriers Blacksmiths and Agricultural Engineers
National Farmers Union
National Federation of Retail Newsagents
National Federation of Roofing Contractors Ltd
National Trainers Federation
North East Regional Employers' Organisation for Local Authorities
North Western Local Authorities Employers' Organisation

Producers Alliance for Cinema and Television

Refractory Users Federation
Retail Motor Industry Federation Ltd

Showmen's Guild of Great Britain, The
Smithfield Market Tenants' Association London
Society of London Theatre 'SOLT'
South East Employers
South West Councils

UK Theatre Association
Universities and Colleges Employers' Association

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

Scottish and Northern Ireland Plumbing Employers' Federation
Scottish Association of Master Bakers
Scottish Association of Meat Wholesalers
Scottish Decorators' Federation
Scottish Engineering
Scottish Motor Trade Association Limited

Appendix 3

Summary of Statistics – Trade Unions, returns received during the period 1 April 2021 to 31 March 2022

The figures used in this Appendix are taken from the summary sheets of the annual returns and provide a simple analysis of each union's financial affairs for the year. Individual annual returns are available on the [website](#).

The information in the table relates to returns received during the reporting period. The table includes returns from trade unions with year ending dates ranging from October 2020 to September 2021 and therefore due in this office between 1 April 2021 and 31 March 2022.

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, 2020-2021: Appendix 3

Notes – see previous page

	Number of Members	GROSS INCOME			GROSS EXPENDITURE	TOTAL FUNDS			GROSS ASSETS					
		From Members	From Investments	Other Income		Total Income	Total Expenditure	Beginning of The Year	End of The Year	Fixed Assets	Investment Assets	Other Assets	Total Assets	Total Liabilities
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
UNISON: The Public Service Union	1,417,637	171,000	336	10,690	182,026	268,178	108,281	22,129	104,053	12,955	185,844	302,852	280,723	
Unite the Union	1,246,429	169,699	2,500	8,554	180,753	164,811	439,018	454,960	231,983	70,275	164,323	466,581	11,621	
GMB	601,907	72,334	1,138	6,190	79,662	76,510	117,400	120,552	40,580	49,589	34,990	125,159	4,607	
Royal College of Nursing of the United Kingdom	483,683	52,552	815	2,087	55,454	47,440	47,713	55,727	0	45,929	24,450	70,379	14,652	
National Education Union	457,368	62,732	1,480	4,903	69,115	69,036	51,105	51,184	50,413	31,004	41,874	123,292	72,108	
Union of Shop Distributive and Allied Workers	402,958	39,316	821	2,036	42,173	42,433	57,659	57,399	18,058	77,064	8,482	103,604	46,205	
National Association of Schoolmasters Union of Women Teachers	311,919	31,810	806	2,144	34,760	26,754	38,609	46,615	16,995	36,365	9,907	63,266	16,652	
Communication Workers Union	189,369	30,438	108	698	31,244	32,768	13,651	12,127	20,567	7,197	18,938	46,702	34,575	
Public and Commercial Services Union	177,103	22,845	869	-7,962	15,752	17,878	43,651	41,524	24,210	1,552	18,827	44,588	3,063	

British Medical Association	158,405	49,384	7,186	83,675	140,245	140,892	130,384	129,737	10,422	139,517	53,833	203,772	74,035
Prospect	150,730	22,185	2,962	1,055	26,202	24,507	24,549	26,244	13,901	39,971	8,320	62,192	35,948
University and College Union	126,529	24,423	31	3,306	27,759	19,001	34,275	43,033	13,203	1,678	35,624	50,504	7,471
Total for above unions with 100,000 members or more	5,724,037	748,718	19,052	117,376	885,145	930,208	1,106,295	1,061,231	544,385	513,096	605,412	1,662,893	601,660
Total for unions with less than 100,000 members	1,008,933	215,959	10,792	150,228	376,979	403,550	616,201	589,630	254,552	454,472	170,946	897,970	290,340
Total for 2020-2021	6,732,970	964,677	29,844	267,604	1,262,124	1,333,758	1,722,496	1,650,861	798,937	967,568	776,358	2,560,863	892,000
Total for 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

Appendix 4

Salary and Benefits of Trade Union General Secretaries

	Title	Salary		Benefits	
		£		£	
England and Wales					
Accord	General Secretary	133,407		18,657	
Advance	General Secretary	16,404		5,562	
Affinity	General Secretary	107,770		30,978	
Associated Society of Locomotive Engineers and Firemen	General Secretary	106,226		27,877	
Association of Educational Psychologists	General Secretary	72,797		8,736	
Association of School and College Leaders	General Secretary	139,860		19,716	
Bakers, Food and Allied Workers' Union	General Secretary	51,311		18,070	
Boots Pharmacists' Association (BPA), The	Chief Executive Officer	0		15,114	(a)
British Air Line Pilots Association	General Secretary	115,736		22,817	
British Association of Journalists	General Secretary	35,000		1,283	
British Dental Association	General Secretary	75,000		0	
British Medical Association	Chairman	180,000		0	
Cabin Crew Union UK	General Secretary	8,650		0	
Chartered Society of Physiotherapy	Chief Executive	130,162		22,020	
Communication Workers Union	General Secretary	104,315		26,051	
Community	General Secretary	118,515		16,902	
Confederation of Shipbuilding and Engineering Unions	General Secretary	90,132		19,695	
Curry's Supply Chain Staff Association (CSCSA)	General Secretary	30,171		3,017	
Driver and General Union	General Secretary	17,957		94	
Equality For Workers Union (EFWU)	General Secretary	37,140		1,806	
Equity (Incorporating the Variety Artistes' Federation)	General Secretary	127,231	(b)	9,300	(b)
FDA	General Secretary	111,098		27,614	
Financial Services Union	General Secretary	132,115		30,000	
Fire and Rescue Services Association	Chief Executive	45,542		3,960	
Fire Brigades Union	General Secretary	79,318		65,893	
Fire Officers' Association	General Secretary	40,465		1,572	

	Title	Salary		Benefits	
		£		£	
G4S Care and Justice Services Staff Association	General Secretary	49,154	(b)	4,235	(b)
General Federation of Trade Unions	General Secretary	77,475		22,918	
GMB	General Secretary	222,000		37,000	
Guild of Professional Teachers of Dance, Movement to Music and Dramatic Arts	General Secretary	15,390		0	
Headmasters' and Headmistresses' Conference	General Secretary	143,117	(b)	59,786	
Hospital Consultants and Specialists Association	General Secretary	18,000		0	
Independent Pilots Association	General Secretary	41,912		2,497	
Independent Workers Union of Great Britain (IWGB)	General Secretary	33,098	(b)	4,302	(b)
Institute of Journalists (Trade Union)	General Secretary	46,454		2,798	
International Transport Workers Federation	General Secretary	205,000		31,000	
Locum Doctor's Association	Chairperson	0		300	(c)
Musicians' Union	General Secretary	145,030		33,093	
NAPO – The Trade Union and Professional Association for Family Court and Probation Staff	General Secretary	85,044		5,044	
National Association of Head Teachers	General Secretary	165,036		28,973	
National Association of NFU Group Secretaries	General Secretary	17,236		0	
National Association of Racing Staff	Chief Executive	66,380		3,301	
National Association of Schoolmasters Union of Women Teachers	General Secretary	116,582		54,596	
National Crime Officers Association	Secretary	39,933		1,198	
National Education Union	General Secretary	219,848	(b)	46,982	(b)
National Society for Education in Art and Design	General Secretary	44,178		1,191	
National Union of Journalists	General Secretary	89,559		12,467	
National Union of Mineworkers	Secretary	37,129		8,893	
National Union of Mineworkers (Colliery Officials and Staffs Area) Region No 4	General Secretary	0		2,500	(c)
National Union of Mineworkers (South Wales Area)	General Secretary	49,114		1,287	
National Union of Rail, Maritime and Transport Workers	General Secretary	109,542		39,802	
Nationwide Group Staff Union	General Secretary	90,012		18,902	
Nautilus International	General Secretary	100,533		23,817	
News Union	General Secretary	88,009		6,918	

	Title	Salary		Benefits	
		£		£	
PDA Union	General Secretary	0		5,000	(c)
POA	General Secretary	77,733		39,700	
Professional Cricketers Association	General Secretary	143,045	(b)	27,745	(b)
Professional Footballers' Association	General Secretary	3,098,382	(d) (e)	57,151	
Prospect	General Secretary	123,000		24,000	
Public and Commercial Services Union	General Secretary	96,851		15,435	
Retail Book Stationery and Allied Trades Employees Association	President	46,967		19,108	
Royal College of Midwives	General Secretary	133,044	(f)	27,241	(f)
Royal College of Nursing of the United Kingdom	General Secretary	175,538	(g)	14,189	
RSPB Staff Association, The	Chairman	0		1,200	(c)
Rugby Players Association, The	General Secretary	154,359		6,816	
Social Workers Union, The	General Secretary	67,650		1,756	
Society of Authors, The	General Secretary	104,100		9,162	
Society of Radiographers	Chief Executive	118,867	(h)	27,059	
The Royal College of Podiatry	General Secretary	108,769		8,702	
Trades Union Congress	General Secretary	112,395		39,957	
Transport Salaried Staffs Association	General Secretary	93,080		18,151	
Undeb Cenedlaethol Athrawon Cymru (The National Association of the Teachers of Wales)	General Secretary	52,955		10,809	
Union of Democratic Mineworkers	General Secretary	27,369	(c)	0	
Union of General & Volunteer Workers	General Secretary	0		790	(c)
Union of Shop Distributive and Allied Workers	General Secretary	112,800		40,742	
UNISON: The Public Service Union	General Secretary	119,513		12,756	
Unite the Union	General Secretary	80,864		10,752	
United Road Transport Union	General Secretary	69,002		59,019	
University and College Union	General Secretary	104,841		22,121	
WALGAS	General Secretary	0		3,570	
Welsh Rugby Players Association	General Secretary	49,479		1,297	
Workers of England Union	General Secretary	22,774		497	
Writers Guild of Great Britain	General Secretary	65,037		5,832	

	Title	Salary £		Benefits £	
Scotland					
Aegis	General Secretary	66,252		21,681	
Association of Headteachers and Deputes in Scotland	General Secretary	78,322		18,473	
Educational Institute of Scotland	General Secretary	111,162		33,571	
Independent Federation of Nursing in Scotland	General Secretary	50,431	(b)	0	
Professional Footballers of Scotland	General Secretary	66,756		1,950	
Scottish Secondary Teachers Association	General Secretary	102,451		17,811	
Solidarity	General Secretary	8,129		2,070	

Notes:

- (a) £15,114 consultancy fees
- (b) Total paid in respect of two people holding the office of General Secretary and is not the sum paid to one individual.
- (c) Honorarium.
- (d) Includes £700,000 bonus.
- (e) Includes termination payment of £1,200,000
- (f) Salary paid to General Secretary includes all aspects of the College and not just the Union.
- (g) This includes payment of £57,295 (32.64%) made in respect of the General Secretary's role as Chief Executive of the RCN Charter Body. The remaining £118,243 (67.36%) relates to trade union responsibilities
- (h) 50% of salary is recharged to the College of Radiographers

Appendix 5

Summary of Statistics – Employers’ Associations, returns received during the period 1 April 2021 to 31 March 2022

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](#). 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. The table includes returns from employers’ associations with year ending dates ranging from October 2020 to September 2021 and therefore due in this Office between 1 April 2021 and 31 March 2022.

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, 2020-2021: Appendix 5

Notes – see previous page

	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)	(b)	£000's	(c)	£000's	£000's	£000's	£000's	£000's	£000's	(12)	(13)
Employers' Associations with over £2,500,000 total income	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
England and Wales Cricket Board Limited	0	477	208,333	208,810	223,685	17,097	2,222	639	130,194	45,072	175,905	173,683	416
London Councils	46,319	-336	10,293	56,276	75,022	-10,269	-29,014	1,084	0	21,710	22,794	51,808	33
National Farmers' Union	33,276	1,012	15,698	49,986	43,213	129,193	135,966	15,760	92,156	63,431	171,347	35,381	77,762
Welsh Local Government Association	2,347	4	29,736	32,087	32,422	-820	-1,154	0	0	20,859	20,859	22,013	28
EEF Limited	15,226	1,454	14,546	31,226	42,470	52,246	41,002	19,098	41,087	12,513	72,698	31,696	1,733
Freight Transport Association Limited	25,849	13	1,359	27,221	29,257	836	-1,200	5,267	18	11,972	17,257	18,457	18,187
Road Haulage Association Limited	8,410	375	2,848	11,633	11,045	3,437	4,025	1,514	100	7,346	8,960	4,935	7,450
National Federation of Retail Newsagents	2,937	123	8,530	11,590	3,428	3,337	11,499	9,411	2,163	1,466	13,040	1,541	10,375
Building & Engineering Services Association	3,302	-638	8,543	11,207	8,645	540	3,103	1,361	6,088	14,741	22,190	19,087	1,132
Electrical Contractors Association	3,502	1,320	4,241	9,063	10,138	62,017	60,942	1,406	13,826	52,162	67,394	6,452	2,646
Retail Motor Industry Federation Limited,	4,043	745	3,609	8,397	9,502	24,234	23,129	3,622	24,135	828	28,585	5,456	9,498
Federation of Master Builders Ltd	4,093	157	1,690	5,940	5,624	7,831	8,147	4,616	2,436	4,158	11,210	3,063	7,366

Glass and Glazing Federation	1,037	845	2,263	4,145	3,613	10,275	10,807	6,093	3,588	4,042	13,723	2,916	417
Scottish Motor Trade Association Limited	465	13	3,646	4,124	3,749	2,905	3,280	672	479	3,156	4,307	1,027	1,415
East of England Local Government Association	665	2	3,421	4,088	6,011	-2,903	-4,827	0	0	3,229	3,229	8,056	50
Chemical Industries Association Limited	3,465	6	577	4,048	3,546	2,095	2,598	126	0	6,676	6,802	4,204	91
Society of London Theatre "SOLT"	228	32	3,442	3,702	4,007	1,552	1,247	1,489	0	17,945	19,434	18,187	227
NFU Scotland	2,291	55	891	3,237	3,241	3,059	3,055	693	2,203	1,029	3,925	870	8,815
British Printing Industries Federation	2,027	0	1,128	3,155	2,808	-3,768	-3,421	382	0	773	1,155	4,576	2
Electrical Contractors Association of Scotland	1,134	557	1,395	3,086	2,927	6,198	6,357	3,022	2,168	1,825	7,015	658	1,264
Dairy UK Limited	1,330	2	1,276	2,608	2,423	7,660	7,845	8,062	422	1,248	9,732	1,887	163
Total for above Employers' Associations with over £2.5M income	161,946	6,218	327,465	495,629	526,776	316,752	285,608	84,317	321,063	296,181	701,561	415,953	149,070
Total for 53 Employers' Associations with less than £2.5M	25,078	1,361	6,775	33,214	44,324	22,719	11,609	17,509	20,774	47,236	85,519	73,910	21,224
Total for 2020 - 2021	187,024	7,579	334,240	528,843	571,100	339,471	297,217	101,826	341,837	343,417	787,080	489,863	170,294
Total for 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

Appendix 6: Political Funds of Trade Unions, 2020-2021

	Number of Members contributing to the Political Fund	Number of Members not contributing to the Political Fund	Number of Members exempt from contributing to the Political Fund	Political Fund (a)			
				Income £	Expenditure £	Fund at Beginning of Year £	Fund at End of Year £
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Associated Society of Locomotive Engineers and Firemen	20,426	3,199	0	260,221	122,886	99,626	236,961
Bakers Food and Allied Workers Union	15,768	657	0	31,003	43,037	35,378	23,344
Communication Workers Union	146,048	43,321	34,603	1,552,025	761,645	1,351,250	2,032,264
Community	14,304	37,292	34,191	231,000	174,000	264,000	321,000
Educational Institute of Scotland	36,157	20,146	18,545	664,272	133,840	2,919,470	3,449,902
Fire Brigades Union	25,869	6,776	89	258,917	158,448	580,479	680,948
GMB	469,624	132,283	20,399	2,377,000	1,420,000	281,000	1,238,000
Musicians' Union	17,722	13,637	271	69,000	28,000	32,000	73,000
National Association of Schoolmasters Union of Women Teachers	210,234	101,685	16	143,569	5,220	347,140	485,489
National Education Union	268,752	188,616	36,825	537,201	255,432	341,575	623,344
National Union of Mineworkers	95	104	0	1,350	3,414	26,573	24,509
National Union of Rail Maritime and Transport Workers	76,063	6,141	204	248,000	135,000	260,000	373,000
POA	20,376	10,857	6,888	37,105	30,644	8,610	15,071
Prospect	82,018	68,712	0	50,000	49,000	632,000	633,000
Public and Commercial Services Union	149,137	27,966	13,908	184,509	59,688	773,520	898,341
Society of Radiographers	23,398	9,801	2,867	55,160	5,535	169,712	219,337
Transport Salaried Staffs Association	13,630	4,581	322	114,710	48,971	59,704	125,443

Union of Shop Distributive and Allied Workers	350,667	52,291	0	1,838,000	1,308,000	719,000	1,249,000
UNISON: The Public Service Union	1,214,582	203,055	5,837	8,123,000	5,999,000	16,488,000	18,612,000
Unite the Union	867,458	378,971	0	6,767,000	2,681,000	16,462,000	20,548,000
University and College Union	71,959	54,570	51,900	145,995	145,903	15,607	15,699
Total for the 21 unions with political funds which reported in this period	4,094,287	1,364,661	226,865	23,689,037	13,568,663	41,866,644	51,877,652
Total for the 21 unions with political funds which reported in the previous period	4,213,849	1,197,694	184,520	24,752,991	24,215,864	41,329,517	41,866,644

Notes: The information in the table is derived from annual returns received during 2021-2022.

Appendix 7

Superannuation schemes

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 such schemes in existence. Four of these require periodical valuation whilst, for the other four, the Union has applied for exemption from periodical examination under section 41(1)(b) of the 1992 Act.

Details are set out in the tables below.

Schemes requiring periodical valuation		
Union/scheme	Report due	Last report received
Unite the Union – BASSA Members' Superannuation Fund	31/12/21	29/12/2021
RMT – Orphan Fund	31/12/21	29/12/2021
GMB – BMS Section Members' Superannuation Fund	31/12/21	29/12/2021
Unite the Union – AEEU Section Superannuation Scheme	31/12/22	

Schemes exempt under section 41(1)(b) from the requirement for periodical valuation		
Union/scheme	Date exemption was granted	Last confirmed in existence
Unite the Union – Plate Preparers Superannuation Fund	22/01/2001	09/01/2018
Unite the Union – MSF Section Craft Members (formerly known as Sheet Metal Workers) Superannuation Fund	29/04/2009	09/01/2018
Unite the Union – TGWU Section Members Superannuation Fund	30/06/1976	09/01/2018
Unite the Union – Litho Printers Superannuation Fund	16/12/2020	31/12/2020

Appendix 8

Certification Officer Functions

The 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;

- [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;

- [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;

- [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;

- [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;

- [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;

- [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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