

Decision of the Certification Officer on an application made under Section 31(1) of the Trade Union and Labour Relations (Consolidation) Act 1992

Embery (3)

v

Fire Brigades Union

Date of Decision

18 January 2024

### Decision

Upon an application made by Mr Embery on 29 June 2023, under section 31(1) of the Trade Union and Labour Relations (Consolidation) Act 1992, that the Fire Brigades Union had breached section 30(2) of the 1992 Act by failing to comply within 28 days with Mr Embery's request on 6 June 2023 for access to accounting records of the Union containing details of payments made to a now-retired national officer as part of a settlement agreement between him and the union.

I listed this matter for a hearing on 18 January 2024.

On 16 January 2024 the Union informed me that, in light of my decision and reasoning in *Sartin v Unison* dated 18 December 2023 (D/2/23-24), it was prepared to concede that it had not complied with section 30 of the Trade Union & Labour Relations (Consolidation) Act 1992.

On 17 January 2024 Mr Embery told me that he had been given access to the accounting records he sought.

Consequently, I find that Mr Embery's complaint was well founded. It is not appropriate for me to make an enforcement order as Mr Embery has confirmed that he has been given access to the records.



Sarah Bedwell

The Certification Officer