



CENTRAL ARBITRATION COMMITTEE

**Annual Report
2023/24**



This report of the activities of the Central Arbitration Committee (CAC) for the period 1 April 2023 to 31 March 2024 was sent by the Chair of the CAC to the Chair of Acas on 24 September 2024, and was submitted to the Secretary of State for the Department for Business and Trade on 1 October 2024.

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Chair's Review of the Year



Once again we have seen an interesting year in the landscape of UK employment relations. We have continued to see industrial action taking place within a number of sectors, but not on the scale that we saw in the previous year. This can be viewed as positive as the inference is that employment relations are becoming more harmonious. It will be good to see how this progresses in the coming year.

I return to the purpose of this review, which is to reflect on what has taken place in the CAC over the last year. It is notable that there has been a substantial increase in the number of case receipts for applications for trade union recognition under Part I of Schedule A1. This rose from 53 last year to 81, a 53% increase. As is usual there were no applications made under Parts II, III, IV and VI but we did receive our first ever application under Part V. This I will expand on later. When the applications made under the other CAC jurisdictions are included, the total figure for cases received this year is 87 compared to the total of 86 received in 2022-23. Whilst this may give the

impression that the case receipts are on par with last year, this is not as it appears since we received an unusually high number of Disclosure of Information applications, relating to the industrial action that was taking place that year between one union and the various Train Operating Companies. Across all jurisdictions, 75 cases were concluded or withdrawn whereas the total for the previous year was 83.

In the statutory process for trade union recognition, the opening stage is to determine whether an application is accepted. This is simply whether an application can proceed for further consideration. The majority of the applications received by the CAC are accepted and this remained the case for this reporting period. The next stage in the statutory process is for an appropriate bargaining unit to be agreed or determined by the panel. A decision is only needed if the parties are unable to reach an agreement between themselves. As in previous years the CAC has not been required to arrive at a decision in every case. It is always encouraging that so many bargaining units are agreed by the parties. This year the CAC decided the appropriate bargaining unit in eight cases, which is slightly more than last year's figure of six. Following this stage, a union can request that the CAC awards it recognition without a ballot. A union has the option to do this if it has majority membership within the agreed or determined bargaining unit. If this is so, there is no requirement to hold a secret ballot. In this period there were 16 cases where unions were awarded recognition without a ballot being held. This is the same as last year. Nine ballots took place in this period compared to last year's figure of five. The final stage of the statutory process is

for the parties to reach an agreement on the method of collective bargaining. This is simply the mechanism as to how collective bargaining between the parties will operate. If they are unable to come to an agreement, the CAC can be asked to determine the method. There were only two instances where the CAC received requests for our assistance this year, with the CAC deciding the method of collective bargaining on both occasions. This is less than last year where there were four cases determined.

It should be noted that an underlying principle of the legislation is for the parties to be given the opportunity to reach their own agreements throughout the process. This is a principle that is greatly encouraged by the CAC, and I am pleased to report that a staggering 18 voluntary agreements for recognition were reached this year following an application being submitted. This figure includes where assistance has been provided by our Acas colleagues, but it does not take into consideration the number of times that the parties were able to reach agreements on particular matters during the statutory process.

As I mentioned earlier, this year saw the CAC receive one application under Part V of Schedule A1. This is where the union was awarded recognition without a ballot under Part I of Schedule A1 and once three years have passed since the date of the CAC's declaration, the employer has recourse to make an application to the CAC for derecognition if it believes that there is no longer majority union membership in the bargaining unit. The panel will consider the admissibility of the application and check whether or not the union has fewer than 50%

of the workers in the bargaining unit in membership. The application was accepted and went to a ballot where the workers in the bargaining unit were asked whether they wanted the current collective bargaining arrangements to end. The outcome was that the workers in the bargaining unit wanted the union to continue to negotiate on their behalf for collective bargaining.

The number of complaints received under the Disclosure of Information provisions decreased considerably from last year's 30 to only four this year. As I explained in the last report, the high number received last year was due to one union which was involved in industrial action submitting 24 identical complaints against different employers, although 10 of these were withdrawn shortly after being submitted. For this reporting period five cases under this jurisdiction were closed, with one by way of a panel determination. It continues to be the case that in the majority of these complaints, assistance from the CAC Panel Chair on an informal basis, has aided the parties to resolve their issues through negotiation. There was one case received under the Transnational Information and Consultation Regulations 1999 which was a decrease from the three received in the previous year. Finally, as in the previous three years, no applications or complaints were received in respect of the Information and Consultation Regulations.

Judicial Reviews and Appeals

There continues to be several appeals outstanding which I reported on in my last review. The following paragraphs provide further updates on these.

Following the union's application for leave to appeal to the Supreme Court in the case of TUR1/985(2016) IWGB & Rooffoods Ltd, its application was granted, and the hearing was heard on 25th and 26th of April 2023. However, in a judgment handed down on 21st November 2023, the union's appeal was dismissed.

In the case of EWC/32(2020) Adecco Group the employer's appeal to the Court of Appeal was heard on 13th June 2023. This was following its appeal on the CAC's interpretation of 'transnational matters' being dismissed at the EAT and the EWC's application for a penalty notice being granted. A penalty notice totalling £25,000 was imposed upon the employer. The Court of Appeal judgment was handed down on 26th July 2023 and found that the CAC had erred in its decision and the matter was to be remitted back to be heard anew. The EWC sought leave to appeal to the Supreme Court, but its application was rejected on 24th January 2024. The matter is currently stayed at the CAC pending the determination in the EAT in EWC/38(2021) HSBC Continental Europe, so that it can be heard with EWC/37(2021) Adecco Group.

In the previous Report I informed you that the employer appealed directly to the Court of Appeal in the case of EWC/36(2021) easyJet. This was on a number of grounds with one being that the CAC did not have the jurisdiction to hear the EWC's complaint. The hearing took place on 23rd June 2023 with the judgment dismissing the employer's appeal being promulgated on 30th June 2023. This means that the easyJet EWC which existed prior to exit day, continues to exist.

The EAT is due to hear the appeal in EWC/38(2021) HSBC Continental Europe on 22nd May 2024. This relates to the EWC's appeal in respect of the CAC not upholding its complaint about the employer had not complied with the terms of the agreement in excluding its UK business from the scope of the agreement and excluding UK representatives from the EWC following the relocation of its Central Management representative from the UK to Ireland post-Brexit. The EWC in a further appeal, argued that the CAC should have decided whether it had jurisdiction under the amended Transnational Information and Consultation Regulations amongst other matters.

The remaining outstanding appeal is for EWC/41(2022) 2 Sisters Food Group. You may recall that the employer appealed to the EAT on 7th March 2023 regarding the CAC's decision dated 25th January 2023 that the employer had failed to establish an EWC following an initial request made on 27th July 2015. The employer argued that the CAC had erred in law when it reached the decision that it had refused to commence negotiations. The employer also submitted that it was not obliged to establish an EWC following Brexit. The appeal was only permitted to proceed on the second ground. The employer did request that this appeal was stayed pending the outcome of the EWC/36(2021) easyJet appeal, which I reported on earlier. Whilst there is still no news on when the employer's appeal will be heard the parties have asked the CAC to stay its proceedings until July 2024 whilst negotiations continue. The complainant's appeal to the EAT for a penalty notice against the employer for not establishing an EWC has been withdrawn.

The Committee and Secretariat

I am pleased to announce the CAC has completed its recruitment drive for new Committee Members. It was great to see that we have such a breadth of industrial relations experience joining us. I look forward to introducing them in the next report.

Regarding our current Committee Members, we have to say farewell to Roger Roberts whose appointment with the CAC came to an end on 31st March 2024. Roger had been an employer member since 1st August 2005 and he has sat on a wide range of cases covering almost the full scope of the CAC's legislation. This included being a panel member determining the extremely complex issues on the only Part VI of Schedule A1 case that went through the entire statutory process. He also sat on the panel in TUR1/985(2016) IWGB & RooFoods Ltd T/A Deliveroo which is the only CAC case to go to the Supreme Court where the original CAC decision was upheld. He was very well respected by all that worked with him and I want placed on record that we will miss him.

The CAC Secretariat welcomed the return of Bola Olayinka from maternity leave. This meant that Kate Norgate has returned to her role as a Case Manager. I would like to commend Kate for doing such a great job in Bola's absence.

Our stakeholders

The CAC continues to have a good relationship with its stakeholders. These are Acas, CBI, TUC, and DBT (the Department for Business and Trade).

Conclusion

It may seem that I'm repeating myself, but I once again want to say how much I highly value the contribution made by the Secretariat team. The Committee Members agree with this, and we acknowledge the hard work and support they provide to us. It would also be amiss of me to not praise the exemplary work of the Committee Members. Without their knowledge and expertise the CAC would not have been able to continue to meet the standards for us to be respected by our stakeholders and customers. I'll finish by stating that there may well be changes afoot over the coming year following a general election. It will be interesting to see how this, if at all, affects the work environment within which the CAC operates.

Stephen Redmond | Chair



Membership of the Central Arbitration Committee at 31 March 2024



Chair

Stephen Redmond

Deputy Chairs

Naeema Choudry

Solicitor and Partner at Eversheds Sutherland and Fee Paid
Employment Judge

Lisa Gettins

Solicitor (England & Wales); Director, Employee Relations
EMEA - Adobe Systems Europe

Sarah Havlin

Solicitor, President of the Industrial Court of Northern Ireland
& former Certification Officer of Northern Ireland

Rohan Pirani

Regional Employment Judge, Employment Tribunals (England
& Wales), South West Region

Laura Prince

Barrister at Matrix Chambers and specialist in Employment
law

Stuart Robertson

Regional Employment Judge, Employment Tribunals (England
& Wales), North-East Region

His Honour Judge
Tariq Sadiq

Designated Civil Circuit Judge for Lincolnshire and Visiting
Circuit Judge of the Employment Appeal Tribunal

Members with experience as representatives of employers

David Cadger	People Director, Justice & Immigration at Serco Limited
Derek Devereux	HR Coach and Mentor, Former HR Director of Constellation Europe and Matthew Clark
Mustafa Faruqi	Head of Reward and Workplace Relations at Tesco
Richard Fulham	Employee Relations Advisor and former Head of Employee & Industrial Relations, Haleon
Kieran Grimshaw	Senior Director of HR Business advisory and employee relations at Equinix; formerly Head of Employee Relations and European HR at easyJet
Susan Jordan	NED Former VPHR/DHL
Alastair Kelly	Assistant Chief Officer for Leicestershire Police
Martin Kirke	HR Consultant, Coach and Non-Executive Director
Rob Lummis	Chair of Trustees, Jaguar Land Rover Trustees Limited, formerly Group Employee Relations Director, Jaguar Land Rover
Sean McIlveen	Managing Director at Infinite Perspective Consulting Ltd
Alistair Paton	Senior Director, Labour Relations and Policy, ASDA
Roger Roberts	Employee Relations Consultant, Former Employee Relations Director, Tesco Plc

Members with experience as representatives of workers

Janice Beards	Former Trade Union Officer, NUT & NAHT. Employment Tribunal Non-legal Member
Anna Berry	Former Trade Union Official, UNISON and NASUWT, and Non-legal Member at London East Employment Tribunal
Joanna Brown	Former Chief Executive, the Society of Chiropractors and Podiatrists and the College of Podiatry
Nicholas Childs	Senior Regional Officer for the National Education Union
Michael Clancy	General Secretary and Chief Executive of Prospect
David Coats	Honorary Professor, Future of Work, University of Leicester
Steve Gillan	General Secretary of Prison Officers Association; and member of the TUC General Council
Ian Hanson QPM	Chairman of Greater Manchester Police Federation
Stephanie Marston	Former Trade Union Official, Prospect and Connect
Paul Moloney	National Officer, Pharmacists Defence Association Union
Paul Morley	Regional Development Officer for the National Education Union
Paul Noon OBE	Former General Secretary, Prospect
Hannah Reed	Co-ordinator of Constitutional Affairs at Unite the Union
Matt Smith OBE DL	Former Scottish Secretary, UNISON
Claire Sullivan	Director, Employment Relations and Union Services, Chartered Society of Physiotherapy



Chief Executive's Report



Performance

As you will have read in the Chair's Report, there was a significant increase in the volume of trade union recognition cases. This follows the increase in the caseload received last year. We have no conclusive evidence to explain why this has occurred, but it should be noted that this has been a pattern for the CAC since its inception in its current form in June 2000. Although faced with a much higher caseload, the CAC's level of customer service to its customers and stakeholders has remained the same, which I believe is very good news for all.

For the CAC to achieve such high level of service, it continues to seek feedback where it can from our customers. The opinions of our customers are highly valued and, based on this feedback, the CAC will continue to strive to improve the service provided. Following the conclusion of cases, we issue a questionnaire to the trade unions and employers. Changes were made to this form to better capture the views of our customers. The CAC received a 92% level of satisfaction for the service it provided. This is a great testimony to the professionalism as well as the conduct and experience of our Committee Members and the CAC Secretariat.

In respect of the average time lapsed for the completion of a trade union recognition case this was 19 weeks, which is slightly higher than last year's figure. This is calculated from the date the application is received to the date when either a declaration of recognition or non-recognition is issued. The figure also includes cases where a ballot took place. For these cases, completion averaged at 28 weeks, which was from receipt of the case to the declaration. In cases in which the union was declared recognised without a ballot, the average

lapsed time continues to be shorter, at 14 weeks, which remains the same as the figure for the last two years. It does however mean overall that the length of time taken for cases to go through the statutory process has increased this year. Having reached this conclusion I would add that these figures do take into account any stays in proceedings requested by trade unions during the course of an application to allow for voluntary negotiations to take place.

The Secretariat continues to answer enquiries, whether they are received by telephone or in writing. These cover all of our jurisdictions. Up to 31 March 2024, we received 65 telephone enquiries, with the majority being related to trade union recognition. This is a significant increase on last year's figure of 53. However, we received 195 written enquiries which is a marked increase compared to last year's figure of 154.

Development

As in previous years the CAC assesses its knowledge-sharing as part of its objectives in order to improve the service provided. This has kept the CAC in a good position with its changing workforce.

There have been no further developments of the CAC's website on the gov.uk platform. As part of the customer survey one question we ask is about the usefulness of the website but this year we also added a similar question concerning our LinkedIn page. The respondents' level of satisfaction was 100% which is a marked increase on previous years. This demonstrates that the approach being taken to have a CAC presence on social media is helping our customers. I encourage all of our customers to continue to use these resources, particularly as we are continuing to add information to our LinkedIn page. This can be accessed on:

<https://www.linkedin.com/company/centralarbitrationcommittee/>

This year we resumed delivery of training to the parties on the statutory process. The feedback received has been very positive and we encourage any parties who are interested in this free service to discuss this with us.

Stakeholders

The CAC has kept in touch with our major stakeholders: CBI, TUC, and DBT (the Department for Business and Trade). This continues to be achieved through informal contact as there have been no issues raised over the CAC's operational performance, which is the same as previous years.

Public interest

The CAC provides information on its activities on its website. This is updated regularly. Every decision made by the CAC is published within a short period after it has been issued to the parties concerned.

The CAC maintains its responsibilities under the UK GDPR (the UK General Data Protection Regulations) and the Freedom of Information Act. For this reporting period, we have received 11 requests under the Freedom of Information Act which is an increase from last year's total of seven. All these were answered by Acas on our behalf and all were processed within the set timescale. No requests were received under the GDPR provisions.

Administration and accountability **CAC Costs**

CAC expenditure in 2023-24 has increased significantly due to accommodation related costs. The breakdown of the CAC's caseload can be viewed in Appendix I and our expenditure in Appendix 2.

Governance

The CAC's Secretariat and other resources are provided by Acas, and the CAC continues to cooperate and comply with Acas's corporate governance requirements. The relationship with Acas is set out in a Memorandum of Understanding, which includes our relationship with DBT. This is reviewed periodically to ensure that, as an independent body, the CAC receives suitable support. By doing this, it also assures Acas and DBT that our activities and resources used are appropriate and compliant with public sector policies.

Equality

The CAC conducts its affairs completely in accordance with the principles of fair and equitable treatment for its members, staff, and users. Our policies and practices do not discriminate against any individual or group and, we communicate information in a way that meets users' needs. As the CAC is

resourced by Acas, the CAC is covered by the Acas Equality and Diversity Policy and corresponds with Acas's published equality objectives. The documents regarding this are available on the Acas website (www.acas.org.uk).

Secretariat

There has been a change within the Secretariat this year, which was briefly touched upon in the Chair's Review of the Year. Bola Olayinka, the Operations Manager has resumed her duties having returned from maternity leave. Kate Norgate has resumed her role as a Case Manager. I would like to welcome Bola back and thank Kate for all of her dedication, support, and hard work during this period.

As I finish my report, I would like to say a huge thanks to the Secretariat for the stellar service they provide behind the scenes to the Chair, Committee Members, and our

customers. The Part I trade union recognition caseload increased considerably, yet the team remained professional and committed to providing the best service. Our customers noticed this too, which can be seen from the survey results mentioned earlier in the Report.

It is not clear if this will remain the new 'norm' as far as the level of case receipts are concerned but, if it does turn out to be the case, I am sure that the CAC will cope admirably.

Maverlie Tavares | Chief Executive



The CAC's Caseload in 2023-24

Trade Union Recognition

In the year ending 31 March 2024, the CAC received 81 applications for trade union recognition under Part I of the Schedule^[1]. This is a 53% increase on the 53 applications received last year, and a 76% increase on the 46 received in 2021/22. There were no applications received under Parts II, III, IV and VI of the Schedule. One was received under Part V of the Schedule which is the first application since the CAC began in its current form in June 2000. More will be said on this later in the Report.

A look at the statistics for this year shows that the size of the employer has ranged from 2 to 75,000 with the latter figure being Amazon UK Services Ltd. 40% of the cases under Part I involved cases where the employer employed fewer than 200 workers, which is an increase on last year's figure of 32% but a slight decrease on the figure in 2021-22 which was 43%. The average size of a bargaining unit has increased this year to 148 compared to last year's average of 98 but was still fewer than the 158 in 2021-22. The proportion of applications involving a bargaining unit of 100 workers or fewer was 75% which is an increase from last year's figure of 70% but again fewer than 78% for the year 2021-22.

As has been reported previously, the average size of bargaining units has always been subject to fluctuation. For this reporting period, it has ranged from zero (this application was later withdrawn); the next smallest bargaining unit consisted of five workers, with the largest being 3058 workers. This year saw a minor decrease in the proportion of applications received from the manufacturing, transport and communications sectors. This year they accounted for 42% of our caseload compared to 43% of the applications received last year and the figure of 21% in 2021-22.

^[1] Schedule A1 to the Trade Union and Labour Relations (Consolidation) Act 1992, inserted by the Employment Relations Act 1999 and amended by the Employment Relations Act 2004.

The first stage of the statutory process requires a panel to decide whether an application should be accepted. In 2023-24, 47 applications were accepted and 10 were not. The proportion of applications accepted was 82%, a minor decrease from last year's figure of 83%. In the 10 cases that were not accepted, in two applications the union failed to state in its formal request for recognition to the employer that its proposed bargaining unit was for more than one site. In another application the union's formal request to the employer stated its proposed bargaining unit covered two sites but in its application to the CAC it was for three sites. In a further two cases the unions brought applications where the proposed bargaining units were different to those that were in the formal requests to the employers. In another two cases the unions formal request to the employer failed to mention that the request was made under the Schedule. One union submitted an application in a name other than that on the certificate of independence upon which it relied. In a further case the union did not provide sufficient evidence to demonstrate that a majority of workers in the proposed bargaining unit would be likely to favour recognition of the union for its application to be accepted. In the final case, the panel found that there was already in force an existing collective agreement for recognition covering workers in the union's proposed bargaining unit.

At the acceptance stage a total of 28 applications were withdrawn prior to a decision being made. One union withdrew its application as it was submitted prematurely. Another union decided to withdraw its application following

discussions with worker representatives. A further union withdrew its application as its request letter to the employer did not meet the requirements of the Schedule. Two unions withdrew their applications as they did not provide sufficient evidence to demonstrate that they could meet the majority likely to favour test. Another two unions wanted to amend the information on their applications so withdrew them. One union decided the application submitted was incorrect. A further union's proposed bargaining unit in its application differed to the one in its formal request to the employer, whereas another union wanted to review its proposed bargaining unit before continuing with the statutory process. One union wanted to see if it could reach a voluntary agreement with the employer outside of the statutory process. Another union's formal request letter was not received by the employer and one union failed to serve its application and supporting documentation on the employer. Another union withdrew its application as there was already a collective agreement in force. Six unions provided no explanation for their applications being withdrawn. For the remaining eight applications, the unions reached voluntary agreements with the employers.

The next stage in the statutory process calls for the parties to agree the bargaining unit, if they have not done so previously, and if they fail to reach an agreement, the CAC will decide an appropriate bargaining unit. Over the years it has been found that parties would reach an agreement over the bargaining unit rather than it needing to be determined by the CAC. This pattern has continued with agreements being reached in 25 cases and with only eight cases requiring

decisions. The proportion of bargaining units being agreed is 63%, which is a decrease from last year's figure of 76%. Eight applications were withdrawn at this stage of the process. In seven of these cases the parties reached a voluntary agreement and in one, a ballot was conducted outside of the statutory process leading to the union to withdraw its application. This number of withdrawals at this stage is higher than last year's figure of two. If a bargaining unit is changed from that proposed by the union, whether by agreement or determination, the CAC has to decide if the application remains valid. There were four cases in which the validity of the application had to be determined, which is lower than last year's figure of seven. One union's application was found to be invalid when the admissibility tests were applied as the panel was not satisfied that a majority of the workers constituting the new bargaining unit would be likely to favour recognition of the union as entitled to conduct collective bargaining on behalf of the bargaining unit.

The next stage in the statutory process is for the CAC to decide if a union should be awarded recognition without a ballot or whether a ballot should be held. This year there were 16 cases in which recognition was declared without a ballot, the same as last year. Since the statutory recognition provisions were introduced in 2000, there have been 263 cases in which a union has claimed majority membership in the agreed or determined bargaining unit and the CAC has declared recognition without a ballot in 228 (87%) of these cases. There remains one last opportunity before the balloting provisions have been triggered for the

parties to reach a voluntary agreement and there were five cases that were withdrawn at this stage this year. Three of these reached a voluntary agreement, one was withdrawn as the bargaining unit ceased to exist and no reason was provided by the union in the remaining case.

Nine ballots were held in cases in which a union did not have majority membership in the bargaining unit. The results were three in favour of the union being recognised and six against. The number of ballots resulting in recognition has decreased to 33% from last year's figure of 80%, which is much lower than the historical average of 63%. The average participation rate in a CAC-commissioned ballot increased to 70% compared to 66% in the previous year. No complaints were received that a party had used an unfair practice during the balloting period.

To conclude the statutory process, the parties have to agree, or, in the absence of any agreement, the CAC will need to determine, a method of collective bargaining. The parties have continued to come to an agreement in the overwhelming majority of cases. There were 15 agreements as to the method reached this year and in only two cases were decisions needed. The historical average for the proportion of cases where the parties reach an agreement as to the method of collective bargaining is 90%. This year sees a slight decrease on previous years.

No applications have been received under Parts II, III, IV and VI of the Schedule but one application was received under Part V,

which is reported on below. Part V concerns derecognition of a union where recognition was awarded without a ballot through the statutory process. For Parts II to VI, no cases were brought forward from 2022-23.

TUR5/001(2023) Noble Foods and Unite the Union

This part of the Schedule covers those cases where recognition was awarded without a ballot on the basis that a majority of the workers in the bargaining unit were members of the union. Once the period of three years starting with the date of the CAC's declaration has expired, an employer can bring an application under this part of the Schedule that fewer than half of the workers constituting the bargaining unit were members of the union.

As part of the process, the employer was required to write to the union to request it to agree to end the collective bargaining arrangements. The CAC found that the employer's request was valid. One of the admissibility tests is that the CAC has to be satisfied that fewer than half of the workers constituting the bargaining unit are members of the union. A membership check was conducted which established that this was the case and, with the remaining admissibility tests having been met, the application was accepted.

The next stage in the process required a ballot to be arranged to see if the workers in the bargaining unit wanted the collective bargaining arrangements to end. The outcome of the ballot was that the workers did not support this proposition and so the bargaining arrangements remain in place.

One consequence of this result is that the employer is now barred from submitting a further application for three years. This was the first application received under this part of the Schedule.

Disclosure of Information

The CAC received four complaints from trade unions in relation to employers failing to disclose information for the purposes of collective bargaining. This provision is under section 183 of the Trade Union and Labour Relations (Consolidation) Act 1992. Action also continued on three complaints carried forward from the previous year. Five complaints were concluded with one requiring a formal decision. There were two complaints outstanding at the end of the year. As has been reported previously, the majority of complaints continue to be resolved through direct negotiations, with the CAC's assistance or through Acas conciliation.

The Information and Consultation of Employees Regulations 2004

No complaints were received under these Regulations, and neither were any brought forward from last year.

Requests under Regulation 7

The CAC received two requests from employees under Regulation 7. This is where employees can make a request for the establishment of information and consultation arrangements via the CAC rather than directly to their employer. This means that the total number of such requests received since the Regulations came into effect is now 33.

The Transnational Information and Consultation of Employees Regulations 1999

One complaint was received under these regulations and action continued on four complaints carried forward from the previous year. Of these, two complaints were withdrawn. This has left three outstanding cases being carried forward.

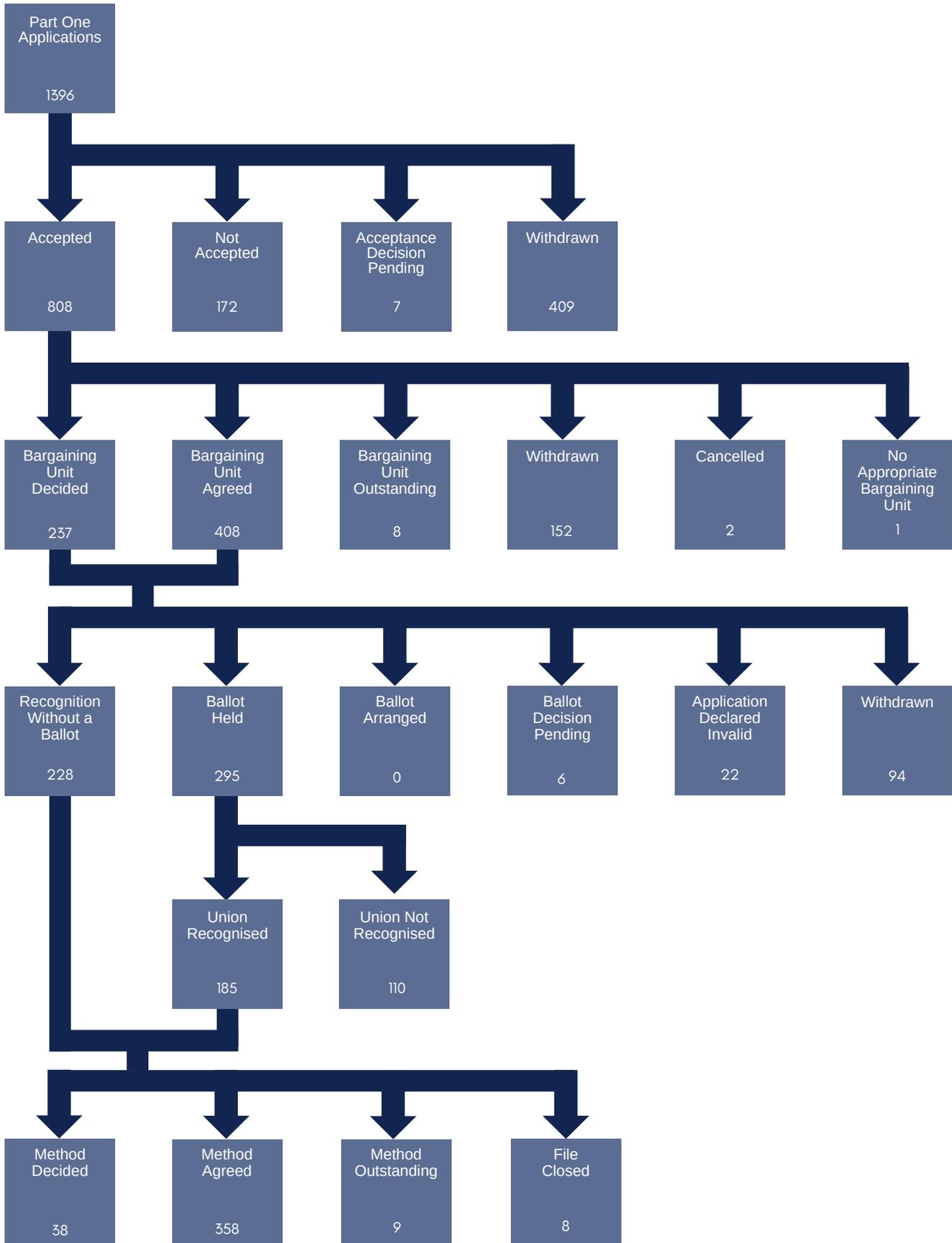
The European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009

No applications were received under the European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009.





Progress chart of applications for recognition





The CAC's Aims

Our role is to promote fair and efficient arrangements in the workplace, by resolving collective disputes (in England, Scotland and Wales) either by voluntary agreement or, if necessary, through adjudication. The areas of dispute with which the CAC currently deals are:

- i.** applications for the statutory recognition and derecognition of trade unions;
- ii.** applications for the disclosure of information for collective bargaining;
- iii.** applications and complaints under the Information and Consultation Regulations;
- iv.** disputes over the establishment of European Works Councils where negotiations commenced, but were not concluded before 1 January 2021, and disputes over the operation of European Works Councils;
- v.** complaints under the employee involvement provisions of regulations enacting legislation relating to European companies, where the provisions will continue to be applicable from 1 January 2021 to the UK Societas domestic framework.

The CAC and its predecessors have also provided voluntary arbitration in collective disputes. This role has not been used for some years.



Our objectives are:

- 1.** To achieve outcomes which are practicable, lawful, impartial, and where possible voluntary.
- 2.** To give a courteous and helpful service to all who approach us.
- 3.** To provide an efficient service, and to supply assistance and decisions as rapidly as is consistent with good standards of accuracy and thoroughness.
- 4.** To provide good value for money to the taxpayer, through effective corporate governance and internal controls.
- 5.** To develop a CAC secretariat with the skills, knowledge and experience to meet operational objectives, valuing diversity and maintaining future capability.

Our performance measures and targets based on these objectives are:

- Proportion of applications for which notice of receipt is given and responses sought within one working day

Target: 95% - *achieved 100%*.

- Proportion of users expressing satisfaction with administration and conduct of the case and/or the procedural guidance provided to them

Target: 85% - 92% of those who responded to the customer survey, which is sent to all users, rated their level of satisfaction as good or very good.

- Proportion of written enquiries and complaints responded to within three working days

Target: 90% - *The CAC received 195 enquiries in writing or by e-mail and we responded to 100% within this timescale.*

- Proportion of Freedom of Information requests replied to within the statutory 20 working days

There were 11 requests in 2023-24. All requests related to information which fell within Acas' sphere of responsibility. Replies to all requests were provided within the statutory timescale.

User Satisfaction

If you are asked for your views on any aspect of our service, we would appreciate your co-operation. But if you have comments, whether of satisfaction, complaint or suggestion, please do not wait to be asked. If you are dissatisfied with any aspect of our service, please let us know so that we can put things right. If you cannot resolve your problem with the person who dealt with you originally, please ask to speak to their manager or, if necessary, the Chief Executive who will investigate your complaint. If you wish to complain in writing, please write to:

Maverlie Tavares
Chief Executive
Central Arbitration Committee
PO Box 80600
London
E15 9JX

In the event of any complaint, we hope that you will let us try to put things right. But if necessary, you can write to your MP, who can tell you how to have your complaint referred to the Parliamentary and Health Service Ombudsman.



Appendix I

Analysis of References to the Committee: 1 April 2023 to 31 March 2024

Jurisdiction	Brought forward from 31 March 2023	Received between 1 April 2023 & 31 March 2024	References completed or withdrawn	References outstanding at 31 March 2024
Trade Union and Labour Relations (Consolidation) Act 1992:				
VOLUNTARY ARBITRATION s212	-	-	-	-
DISCLOSURE OF INFORMATION s183	3	4	5	2
TRADE UNION RECOGNITION				
Schedule A1 – Part One	24	81	75	30
Schedule A1 – Part Two	-	-	-	-
Schedule A1 – Part Three	-	-	-	-
Schedule A1 – Part Four	-	-	-	-
Schedule A1 – Part Five	0	1	1	0
Schedule A1 – Part Six	-	-	-	-
The Transnational Information and Consultation of Employees Regulations 1999:	4	1	2	3
The European Public Limited-Liability Company (Employee Involvement)(Great Britain) Regulations 2009:	-	-	-	-
The Information and Consultation of Employees Regulations 2004:	-	-	-	-
Total:	31	87	83	35



Appendix II

CAC Resources and Finance: 1 April 2023 to 31 March 2024

CAC Committee

Committee Members		35
Of which	Chair and Deputy Chairs	8
	Employer and Worker Members	27

CAC Secretariat

Secretariat staff	9
Committee fees, salary costs and casework expenses	£529,393

Other Expenditure

Accommodation and related costs	£168,500
Other costs	£45,193
Total CAC expenditure from 1 April 2023 to 31 March 2024	£743,086

CAC Expenditure

The CAC's overall expenditure has increased due to accommodation and related costs and the costs associated with managing cases.

Acas, which provides the CAC with its resources, also apportions to the CAC budget the costs of depreciation and shared services. That apportionment is not included in the above figures but will be included in the Acas Annual Report and Accounts for 2023-24.



Appendix III

CAC Staff at 31 March 2024 and Contact Details

Chief Executive	Maverlie Tavares
Operations Manager	Bola Olayinka
Operations Manager	Kate Norgate
Senior Case Manager	Nigel Cookson
Case Managers	Kaniza Bibi Joanne Curtis
Content Creator	Caroline Griffiths
Finance Supervisor & Assistant Case Manager	Laura Leumont
Finance & Case Support Officer	Emma Bentley

Central Arbitration Committee
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LinkedIn:
<https://www.linkedin.com/company/centralarbitrationcommittee/>



CAC Committee Members' Meetings





**CENTRAL
ARBITRATION
COMMITTEE**



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