



CENTRAL ARBITRATION COMMITTEE



Annual Report

2024/25

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Chair's Review of the Year



I'm sure you can recall that there was a General Election in July 2024 leading to a change in government. This has led to a whole host of proposed changes in the sphere of employment rights. Some of these changes will affect the work of the CAC as there will be a number of amendments to Schedule A1 of the Trade Union Labour Relations (Consolidation) Act 1992 which sets out the process for statutory trade union recognition and derecognition. The CAC is also being given additional powers in relation to 'Right of Access' which will allow independent trade unions access to a workplace outside of the statutory recognition process. As you can imagine, this is an exciting time for us, and I will touch more on the changes later in this Report.

Back to the matter at hand, I will report on the CAC's caseload over the past year. The number of case receipts for trade union recognition under Part I of Schedule A1 has fallen this year. We received 63 cases compared to last year's exceptional figure of 81. There were no applications made under Parts II, IV, V and VI but we did receive one

application under Part III. This is after receiving none under this part of the Schedule for eight years. This I will expand on later. The total figure of cases received rises to 77 when I include the applications made under the CAC's other jurisdictions. In comparison, last year there were 87 applications in total. Across all jurisdictions, 81 cases were concluded or withdrawn whereas the total for the previous year was 83.

The opening stage in the statutory process for trade union recognition is to determine whether an application can be accepted. This stage is simply to decide whether an application can proceed to the next stage in the statutory process. Most applications made to the CAC are accepted and in this reporting period, there was no deviation from this. The next stage in the process is to invite the parties to reach an agreement as to the appropriate bargaining unit if no agreement was reached prior to the application being made. If the parties fail to reach an agreement during this period the CAC will determine the appropriate bargaining unit before moving forward. I am pleased to report that just as in previous years, the parties have been able to reach agreement in the majority of cases that have reached this stage. It is good to see that this practice is continuing. This year the CAC decided the appropriate bargaining unit in only eight cases, which is the same as last year's figure. In six cases out of the eight in which a determination was necessary, the Panel decided that the bargaining unit proposed by the union was appropriate. At the next stage, a union can request that the CAC declares it recognised without a ballot if certain criteria are met. This option is available to the union if it has majority membership within the agreed or determined bargaining unit. If the union can provide evidence to substantiate this and

none of the qualifying conditions are met, there is no requirement to hold a secret ballot. In this period there were 15 cases where unions were awarded recognition without a ballot being held. Last year there were 16 cases. There were slightly more ballots held this year. In total there were 11 compared to last year's figure of nine. The last stage of the statutory process is for the parties to reach an agreement on the method of collective bargaining. To put it simply this is the mechanism as to how collective bargaining between the parties will operate. If the parties are unable to come to an agreement, the CAC can be asked to determine the method. There was only one instance this year where a decision was required. Last year the CAC received two requests to decide the method of collective bargaining.

One of the principles of the legislation is for the parties to have the opportunity to reach their own agreements throughout the statutory process. Following the submission of an application to the CAC, I am pleased to report that 17 voluntary agreements were reached, which is only one less than last year's figure. Included in this figure are voluntary agreements where assistance was provided by our colleagues in Acas. It should be noted that this figure does not include the number of times that the parties were able to reach agreements on specific matters during the statutory process.

In my earlier remarks, I mentioned that the CAC had received an application under Part III of Schedule A1. This is only the fifth such application in the CAC's 25-year history. For an employer or union to submit an application under this part of the Schedule, the CAC must have previously issued a declaration that a union is recognised as

entitled to conduct collective bargaining on behalf of the workers that constituted the original appropriate bargaining unit. In this case, an employer was of the opinion that the original bargaining unit was no longer appropriate and submitted an application for the CAC on this basis. The declaration for recognition in respect of this particular union was dated 7 December 2022 and there was an agreed method of collective bargaining in force between the employer and the union. The employer argued that the bargaining unit as it stood was no longer compatible with the effective management of the organisation following changes to the original bargaining unit. The union provided its views regarding this. After careful consideration, the CAC Panel determined that the original bargaining unit was still appropriate.

There were more complaints received this year under the Disclosure of Information provisions, which can be seen at Appendix I. This year eight cases under this jurisdiction were closed, with one by way of a panel determination, which is the same as last year's figure. As has been reported in previous years, in the majority of these complaints the parties have been able to reach a settlement with assistance from the CAC Panel Chair on an informal basis. One application/complaint was received under the Transnational Information and Consultation of Employees Regulations 1999. This was the same as last year's figure. After four years without any applications or complaints being submitted, the CAC received five under the Information and Consultations Regulations.

Judicial Reviews and Appeals

There were several appeals outstanding which I reported on in my last review. I shall now provide you with further updates on these.

Regarding the appeal at the EAT for EWC/38(2021) HSBC Continental Europe, this was held on 22 May 2024. The background of this was that the European Works Council (EWC) was arguing that the CAC should have upheld its complaint about the employer not complying 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. In a further appeal it argued that the CAC should have decided whether it had jurisdiction under the amended Transnational Information and Consultation of Employees Regulations (TICER) amongst other matters. The judgment from the EAT upheld the CAC decision and all grounds of appeal were dismissed.

In the case of EWC/32(2020) Adecco Group the Court of Appeal upheld the employer's appeal finding that the CAC had erred in its decision. It ordered that the matter should be remitted back to the CAC. The matter was then stayed at the CAC pending the determination of the appeal in the EAT for case EWC/38(2021) HSBC Continental Europe. This was so it could be heard with appeal EWC/37(2021) Adecco Group. The parties were able to reach an agreement outside of the court proceedings and the complaints before the CAC were withdrawn.

I previously informed you that the employer's appeal for the case EWC/41(2022) 2 Sisters Food Group was still before the EAT. This was withdrawn and the parties entered into negotiations to establish an EWC. No agreement was reached so a hearing took place for the CAC Panel to determine whether an Order should be made as a consequence of the original complaint in

respect of the employer's failure in establishing an EWC being upheld. At the hearing the employer presented evidence that following a corporate restructure it was no longer a Community-scale group of undertakings as described in Regulation 2(1) of TICER, and as such it was no longer under any obligation to take steps to establish an EWC. The panel therefore did not make an Order against the employer as it had become solely a UK based undertaking.

The Employment Rights Bill

At the beginning of my report, I informed you that there would be changes to the legislation that governs the work of the CAC. This is following the publication of the Government's draft Employment Rights Bill. This is currently being scrutinised by both Houses of Parliament before it receives Royal Assent and becomes law. The initial changes to Part I Trade Union Recognition are that, at the acceptance stage the workers in the union's proposed bargaining unit or the agreed bargaining unit, will be frozen on the day the application is received at the CAC. Also, the majority likely to favour test will no longer apply. This means that unions will no longer be required to show evidence of likely support such as by way of a petition. At the ballot stage the union will no longer have to reach the 40% support threshold in the bargaining unit to gain recognition as long as the majority of votes cast in the ballot are in its favour. The consultation which concluded in December 2024, included areas pertaining to other changes to this legislation, such as a trade union having the option to be given physical access to the workers at the bargaining unit stage. Until these amendments are finalised, I will save comment for when these further changes happen.

In respect of the Right of Access framework, the outline of which was included in the Employment Rights Bill, this will give the CAC new powers. In essence, it is a provision that allows independent trade unions access to the workplace in order to recruit members and to organise. This is still in the early stages of its formation, so once again I will not comment further. I am however confident that I will be able to provide more details on this in the next Annual Report.

The Committee and Secretariat

The CAC recruited 22 new Committee Members last year. This consisted of six deputy chairs, seven employer members and nine worker members. Their details can be found later in this report.

We also said farewell to eight of our Committee Members. Two of whom relinquished their positions, whilst six terms of appointment came to an end. Those that relinquished their positions were Deputy Chair, Tariq Sadiq and Worker Member Janice Beards. Both Tariq and Janice had been with the CAC since late 2019. They used their vast knowledge, experience, and expertise to great use to determine very complex issues during their time with the CAC. In regard to those whose appointments came to an end, these were Deputy Chair Sarah Havlin, Worker Members Anna Berry, Michael Clancy, Stephanie Marston, Hannah Reed and David Coats. I would like to thank them for their commitment and hard work, but I want to express special thanks to David. He had been with the CAC since 2005, so I was sad to see him go after 19 years with us. He handled some 103 cases across almost all jurisdictions during his time in office, which was a great achievement.

His perspective on cases was extremely valuable. I wish all of them the very best for the future.

I do have both sad and good news regarding the CAC Secretariat. We said farewell to Laura Leumont who retired earlier this year. Laura was the Finance Supervisor and Assistant Case Manager. She excelled in this post and was without exception reliable in all that she did. It was sad to see her departure due to retirement. The good news is that we welcomed Sileas MacInnes as the Video and Content Manager. She was recruited to allow the CAC to continue to reach our audience on social media platforms. Sileas has a wealth of experience, and you can find out more about her, later in this report.

Our stakeholders

The CAC's stakeholders are Acas, the Department for Business and Trade (DBT), CBI and the TUC. I am glad to report that we continue to have a good relationship with them all.

Conclusion

It would be amiss of me not to mention the valuable role the CAC Secretariat plays in supporting the Committee Members and myself. To add to this, I would also like to express my thanks to the Committee Members. It is due to their professionalism, knowledge and expertise that the CAC continues to hold such high regard with our customers and stakeholders. I could not ask for anything more from them.

To finish, there is going to be a great deal of change in how the CAC operates in the coming year as new legislation comes into force both in respect to the amendments to the trade union recognition and derecognition

process as well as the new powers the CAC will be gaining as the body responsible for resolving issues over trade union access rights. I am glad that the government views the CAC as having the capability to manage and implement these new measures. It is splendid news for the CAC that we are to be part of this changing work environment, which should provide better employment relations between employers and their workforce. I look forward to updating you in the next report once these changes have been introduced.

Stephen Redmond | Chair



Membership of the Central Arbitration Committee at 31 March 2025



Chair

Stephen Redmond

Deputy Chairs

Professor Alan Bogg

Professor of Labour Law, University of Bristol; Barrister, Old Square Chambers

Benjamin Burgher

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

Naeema Choudry

Solicitor (England & Wales) and Partner at Eversheds Sutherland and Fee Paid Employment Judge, Employment Tribunals (England & Wales)

Susan Cox

Retired Employment Judge (England & Wales)

Lisa Gettins

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

Jonathan Gray

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

Andrew James

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

Rohan Pirani

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

Laura Prince K.C.

Barrister at Matrix Chambers and specialist in Employment law

Stuart Robertson

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

Paul Swann

Employment Judge (England & Wales) Midlands East Region

Members with experience as representatives of employers

Amanda Ashworth	Non-Legal Member of the Employment Tribunal. Previously held a number of senior ER roles across the retail, manufacturing, chemicals and utilities sectors
Julia Buck	Head of HR Operations, Norfolk and Norwich University Hospitals NHS Foundation Trust and Employment Tribunal Non-legal Member
David Cadger	People Director, Justice & Immigration at Serco Limited
Joe Corcos	Independent HR consultant and Former Public Sector Director of People
Derek Devereux	HR Coach and Mentor, Former HR Director of Constellation Europe and Matthew Clark
Deborah England	HR Consultant working in education and charity sectors, Non-Legal member of the Employment Tribunal Service and Charity Trustee. Formerly worked in senior HR roles in Higher Education and Financial Services.
Mustafa Faruqi	Employee Relations Director for BT Group
Richard Fulham	Independent Employee Relations Consultant; previously held senior employee relations roles across consumer healthcare, energy and financial services sectors
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, Previously Chief People Officer
Robert Light	Board Chair and Non-Executive Director, Former Local Government Leader
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, Colleague Relations, ASDA
Mark Penniford	Current NHSPRB Member, Magistrate & NED, ex-CPO of Essar Oil (UK) Ltd and a former HRD at Nissan Sunderland, Jaguar Land Rover and Tata Chemicals (Europe) Ltd
John Rawling	Independent People Management Consultant; Experienced HR Director; independent committee member

Members with experience as representatives of workers

Joanna Brown	Former Chief Executive, the Society of Chiropractors and Podiatrists (SCP) and the College of Podiatry (COP)
Christopher Burrows	Former Chairman of Greater Manchester Police Federation and No1 CopperPot Credit Union. Currently Senior Stakeholder Manager in the construction industry
Nicholas Childs	Senior Regional Officer for the National Education Union (NEU)
Nigel Cotgrove	Former National Officer at the Communication Workers' Union (CWU)
Steve Gillan	General Secretary of Prison Officers Association; and member of the TUC General Council
Ian Hanson QPM	Former Chairman of Greater Manchester Police Federation, Lay Member of the General Optical Council Fitness to Practise Panel, Lay Member of the Nursing & Midwifery Council Fitness to Practise Panel, and Independent Member of the Taxation Disciplinary Board
Brian Hooper	Former Trade Union Official, Executive Council Member, FBU
Dr Steve Jary	Retired National Secretary, Prospect and current Member of the London Central Employment Tribunal
Joanne Kaye	Former Regional Secretary UNISON South West, Non-Legal Member Employment Tribunals
Paul Moloney	National Officer, Pharmacists Defence Association Union (PDAU) and Consultant, British Airline Pilots Association (BALPA)
Paul Morley	Regional Development Officer for the National Education Union (NEU)
Paul Noon OBE	Former General Secretary, Prospect
Andy Peart	Industrial Relations Manager, Brighton and Hove City Council, Non-Legal Employment Tribunal Member at London South, Former Assistant General Secretary (NEU)
Tim Rose	Former General Secretary of Nationwide Group Staff Union (NGSU)
Matt Smith OBE DL JP	Former Scottish Secretary, UNISON
Sean Starbuck	Former National Officer for the Fire Brigades Union (FBU)
Morris Stemp	Orchestras and H&S Official Musicians' Union, Non-Legal Member of the Employment Tribunal in the North West
Claire Sullivan	Director, Employment Relations and Union Services, Chartered Society of Physiotherapy

Chief Executive's Report



Performance

The Chair's report has provided the information on the number of trade union applications that have been received in this period. You will see that there was a decline in the number of the applications received compared to last year. As has been reported in previous years, such a fluctuation is not unusual and without any conclusive evidence, we are unable to explain for certain why this occurs. All I can say is that this has been the pattern for case receipts since the CAC's inception in its current form back in June 2000.

The CAC has always endeavoured to provide the best service possible. To achieve this, it has continued to ask for feedback from its customers. This is requested via an online questionnaire that is sent to trade unions and employers when a case reaches a conclusion. The level of satisfaction for the service provided this year was 92%, the same as last year's figure. This remains a great endorsement on how much our customers value the expertise and professionalism of Committee Members and the CAC Secretariat.

Looking at the average time lapsed for the completion of a trade union recognition case, this was 22 weeks, which is higher than last year's figure of 19 weeks. This figure is calculated from the date the application is received to the date when either a declaration of recognition or non-recognition is issued. This figure also includes cases in which a ballot took place. In those cases that did go to ballot, the average length of time taken to complete the statutory process was 28 weeks, the same as last year. In respect of cases where the union was declared recognised without the need for a ballot, the average time taken was 17 weeks. This is more than last year's figure of 14 weeks, but still much less time than if a ballot is required. It should also be noted that these figures do not take into account any stays in proceedings that were requested by trade unions during the course of an application to allow for voluntary negotiations between the parties to take place.

The Secretariat welcomes enquiries from our customers. These are received either by telephone or in writing. For this reporting period we received 76 telephone enquiries, with the majority relating to trade union recognition and 192 written enquiries. In comparison to last year, we received 65 telephone enquiries and 195 written enquiries.

The Employments Rights Bill

The Chair has mentioned in his review some of the changes that will result from this Bill that will affect the legislation under which the CAC operates. As part of this, the CAC provided information on the statutory process to support the Department for Business and Trade's (DBT) work in formulating this legislation. This of course, is scrutinised in the usual way by the

Houses of Parliament before it can become law. It is anticipated that the legislative process regarding the changes to the statutory process will be completed in the coming months. There is more to come, most notably the new legislation on 'Right of Access' for independent trade unions in the workplace. The CAC remains in touch with DBT in preparation for these new measures.

Development

To improve the service it provides, the CAC continues to assess its knowledge-sharing. This is very important with its changing workforce. By doing this the CAC has been able to remain in a very good position and will continue to do this moving forward.

There have been no further developments to the CAC's *gov.uk* website, but changes to update information will be added to it when the amendments to Schedule A1 come into force. In the customer survey, we also ask about the usefulness of the CAC's LinkedIn page. The respondents' level of satisfaction was 98% which shows the CAC is doing very well in reaching its audience using this additional platform. To use this resource, you can access it on:

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

The CAC continues to offer training to parties on the statutory process. With the changes in the legislation fast approaching, I would encourage all interested parties to utilise this free service.

Stakeholders

In the Chair's report he mentioned that the CAC has a good relationship with its major stakeholders. These are the CBI, TUC and DBT. As has been reported in previous reports, this is achieved through informal contact.

I am pleased to state there continues to be no issues raised over the CAC's operational performance.

Public interest

The activities of the CAC are reported on its website on *gov.uk*, which is updated regularly. Every decision made by the CAC is published on the site and we ensure this is done as soon as possible after being promulgated but not before it has been served on the parties concerned.

The CAC has responsibilities under the UK General Data Protection Regulations (UK GDPR) and the Freedom of Information Act (FOIA). Up to 31 March 2025, the CAC received 10 requests under FOIA which is one less from last year's total of 11. Of these, seven were answered by Acas on the CAC's behalf and all were processed within the set timescale. As in previous years, no requests were received under the UK GDPR provisions.

Administration and accountability CAC Costs

The CAC's expenditure in this reporting period has decreased significantly due to accommodation related costs. You can view the breakdown of the CAC's caseload in Appendix I and the expenditure in Appendix II.

Governance

Acas provides resources and the staff for the CAC Secretariat. The CAC continues to cooperate and comply with Acas's corporate governance requirements. There is a Memorandum of Understanding, which sets out the CAC's relationship with Acas and with DBT. This is currently under review to ensure that, as an independent body, the CAC receives suitable support. It also assures Acas and DBT that the CAC's activities and the resources used are

appropriate and compliant with public sector policies.

Equality

The activities of the CAC are completed in accordance with the principles of fair and equitable treatment for its members, staff, and users. The CAC strives to ensure that its policies and practices do not discriminate against any individual or group. The CAC communicates its information in a way that meets users' needs. Since the CAC is resourced by Acas, it 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

The CAC Secretariat is a small team and comprises Case Managers, an Administrative Team and a Social Media Team. We welcomed a new member to the Secretariat this year. This was Sileas MacInnes and she has joined the Social Media Team to continue to build the CAC's presence on suitable social media platforms. Sileas has a vast amount of experience, and you can read more about this later in the Annual Report.

We also said farewell to Laura Leumont, the Finance Supervisor and Assistant Case Manager. She was with the CAC for 15 years in this position and was very well-liked and a highly respected member of the team. She was known for her excellent work by not only her colleagues, but also the Chair and the Committee Members. If a job was given to Laura, you could be certain that it would be done. Laura will be sorely missed but we wish her all the best in her retirement.



Laura Leumont
Finance Supervisor and Assistant
Case Manager

The CAC continues to have Gold IIP accreditation having held this standard since 2020. Therefore, it is only right that I end this report by thanking the Secretariat for the excellent service they provide behind the scenes to the Chair, Committee Members, and to our customers. The team is always willing to develop their skills and this year has seen the introduction of the new Acas performance appraisal system, which the CAC has embraced. We are always looking to improve our working practices and will continue to do this to benefit the aforementioned and our customers.

There are changes on the horizon for the CAC with the new legislative provisions coming into force shortly, along with the measures being introduced within the coming months relating to trade union access outside the statutory recognition process. The CAC welcomes these additional responsibilities and looks forward to implementing these changes on behalf of the government to improve working relations between trade unions and employers.

Maverlie Tavares | Chief Executive

Remarks from Sileas MacInnes, Video and Content Manager



I am delighted to have been successful in becoming the new Video and Content Manager for the CAC, a role I began in April 2024. Prior to joining the organisation, I spent over a decade working in the television industry as a producer and edit producer, specialising in documentaries and specialist factual programmes. During this time, I created programmes for all the UK's major broadcasters – including the BBC, Channel 4, Sky and Discovery. One of the highlights of my career was receiving a BAFTA for a documentary exploring addiction in Scotland, a project that reinforced my belief in the power of storytelling to drive change.

I've always loved creativity and art in all its forms, and that interest really took shape during my time at the University of St Andrews, where I studied Art History. It gave me a great grounding in visual storytelling and how creative work can influence and connect with people.

Last year, when I took the leap into a new industry, I was understandably nervous. Moving away from a career I'd worked on for such a long time was a significant adjustment, and I wasn't sure how it would unfold. Thankfully, the entire CAC Secretariat have been incredibly supportive and welcoming, and their encouragement has made this transition far smoother than I ever imagined.

Over the past year, I've been learning more about the CAC and its mission to promote fair and inclusive workplace arrangements. It's work I deeply believe in, and I have every confidence in the messaging of the CAC. In my role, I hope to help that message reach more people - raising the CAC's online presence and making its work more accessible and engaging to a wider audience.

It's a privilege to be part of a team that's committed to creating real, positive change, and I'm excited to continue supporting that mission using storytelling and visual content as powerful tools for connection and change.

Sileas MacInnes | Video and Content Manager

The CAC's Caseload in 2024-25

Trade Union Recognition

In the year ending 31 March 2025, the CAC received 63 applications for trade union recognition under Part I of the Schedule^[1]. This is fewer than the 81 applications received last year but more than the 53 received in 2022-23. There were no applications received under Parts II, IV, V and VI of the Schedule. One application was received under Part III of the Schedule, the first since 2017.

Over the years we have gathered statistics for the size of the employer against whom applications have been made. For this year, the size of the employer ranged from 17 to 47,000 with the larger figure being attributed to Mitchells Butlers Retail Ltd. The percentage of cases under Part I which involved fewer than 200 workers was 43%. This is an increase on last year's figure of 40%. The average size of the bargaining unit has decreased in this period to 93, whereas last year it was 148 and in 2022-23 it was 98. In respect of the proportion of applications involving a bargaining unit of 100 workers or fewer, this figure also continues to fluctuate each year. This year it was 73%, a slight decrease on last year which was 75%, but still more than 70% in 2022-23. The fluctuations in size are also evident in the average size of the bargaining units. This year it ranged from 1 worker to the largest being 869 workers. Regarding the proportion of applications received from the manufacturing, transport and communications sectors, this accounted for 38%, a drop from last year's figure of 42% and 43% in 2022-23.

The statutory process for trade union recognition begins with the requirement for a panel to decide whether an application should be accepted. For this reporting period, 41 applications were accepted and two were not. The proportion of applications accepted was 93%, a significant increase from last year's figure of 82%.

[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.

In the two cases that were not accepted, in one application the union's proposed bargaining unit differed to that set out in its request letter to the employer without it having been agreed with the employer. In the other application, the union did not meet the majority likely to favour test.

A total of 21 applications were withdrawn prior to a decision on acceptance being made by the panel. The reasons for this are as follows: two unions withdrew their applications as they were submitted prematurely. Another trade union withdrew its application because it was premature but also to pursue a voluntary agreement with the employer. A further three unions withdrew their applications to pursue voluntary agreements with the employer. One union did not make a request to the employer for recognition before submitting its application to the CAC. Another two unions withdrew their applications because their proposed bargaining units were incorrect. Another union did likewise but in addition its formal request letter to the employer was deficient. Two unions incorrectly identified the employer in their applications with one of these unions also having incorrectly identified the employer in its formal request for recognition. Another two unions withdrew their applications as they decided to either revise or pursue a different bargaining unit to the one that they originally proposed. Two unions that were making a joint application were unable to provide the information needed to allow for a check of union membership in the proposed bargaining unit to be conducted. On the subject of membership checks, one union withdrew its application following a check having been undertaken. Two unions did not

provide a reason for withdrawing their applications. In the remaining three applications, the unions reached voluntary agreements with the employers.

The second stage in the statutory process is for the parties to engage and reach agreement in respect of the bargaining unit if no agreement was reached prior to the application being made. If the parties are unable to agree, the CAC will decide an appropriate bargaining unit. As in previous years, in the majority of cases that reach this stage the parties have been able to reach an agreement over the bargaining unit rather than it needing to be determined by the CAC. For the year ending 31 March 2025 agreement was reached in a total of 23 cases with only eight cases requiring a decision, which is the same as last year's figure. This means that from the time the current statutory provisions were introduced in 2000, the proportion of bargaining units being agreed at this stage is 63%, which is the same as last year's figure. Eight applications, which is the same number as last year, were withdrawn at this stage of the process. In all of these eight cases the parties reached a voluntary agreement. When 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 again the same as last year's figure. None of the union's application were found to be invalid when the admissibility tests were applied.

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. There were 15 cases this year in which recognition was declared without a ballot, one fewer than last year. Since the statutory recognition provisions were introduced in 2000, there have been 278 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 on 243 occasions, which remains constant at 87% of these cases. There is one final opportunity before the balloting provisions are triggered for the parties to reach a voluntary agreement and there were seven cases that were withdrawn at this stage this year. Of these, six reached a voluntary agreement and the remaining one was withdrawn as the parties decided that they did not want a ballot to be arranged.

A ballot is held in all cases where a union did not have majority membership in the bargaining unit. This year there were 11 ballots held. Of these, there were six in favour of the union being recognised and five against. The number of ballots resulting in recognition has increased to 55% from last year's figure of 33%. This year's figure remains lower than the historical average of 62%. The average participation rate in a CAC-commissioned ballot decreased from 70% to 66% this year. One complaint was received that a party had used an unfair practice during the balloting period. It was not upheld as it was submitted outside of the prescribed time limit.

The final stage of the statutory process is for the parties to agree, or, in the absence of any agreement, the CAC will need to determine, a method of collective

bargaining. In the overwhelming majority of cases the parties have been able to come to an agreement. There were 24 agreements as to the method reached this year and only one case where a decision was needed. The historical average for the proportion of cases where the parties reach an agreement as to the method of collective bargaining is 91%, a one percent increase on last year's figure.

No applications have been received under Parts II, IV, V and VI of the Schedule but one application was received under Part III, which is reported on below. For Part III to apply the CAC must have previously issued a declaration that the union is recognised to conduct collective bargaining on behalf of a group of workers with the employer. Then either the union or the employer can apply to the CAC if it believes that this bargaining unit is no longer appropriate or ceases to exist. For Parts II to VI, no cases were brought forward from 2022-23.

TUR3/004(2024) Royal Society of Arts and Independent Workers' Union of Great Britain

Part III covers cases where recognition was awarded by the CAC but subsequently one of the parties deem the original bargaining unit to no longer be appropriate or if the employer believes the bargaining unit has ceased to exist. If the panel determines that this is the case, it is then required to decide what would constitute an appropriate bargaining unit.

The union had been declared recognised for a group of workers by the CAC on 7 December 2022 and a method of collective bargaining had been agreed between the parties in March of the following year. The

employer submitted an application to the CAC on 16 April 2024 on the grounds that the original bargaining unit was no longer appropriate. It explained that there had been a change in the organisational structure and that due to this the bargaining unit as defined in the CAC's declaration was no longer compatible with effective management. It proposed that there should be a new bargaining unit. The union disagreed with the employer and argued that there had not been a change in the structure of the business. The panel considered both parties evidence and did not accept the employer's application. The full details of this decision can be found on the CAC's website.

Disclosure of Information

The CAC received seven complaints from trade unions in relation to an employer failing to disclosure 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 two complaints carried forward from the previous year. Eight complaints were concluded without the need for a formal decision. There was one complaint outstanding at the end of the year. It continues to be the case that the majority of these complaints are resolved through direct informal intervention, either with the CAC's assistance or through Acas conciliation.

The Information and Consultation of Employees Regulations 2004

Five complaints were received under these Regulations. Two complaints were concluded. One was withdrawn whilst the other needed a formal decision. There were

three complaints outstanding at the end of the year.

Requests under Regulation 7

There were two requests received from employees under Regulation 7. This is where employees can make a request for the establishment of information and consultation arrangements through 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 35.

IC/67(2024) – Mozzachiodi and Goldsmiths College, University of London

The complainant submitted an application to the CAC as an employee's representative. The complaint was that the employer had failed to comply with the terms of a negotiated agreement or one or more of the standard information and consultation provisions. When further information was sought on the negotiated agreement the complainant referred to a Trade Union Recognition Agreement (TURA) from 2010 and the policy Managing Organisational Change (PMOC) from 2013. The employer explained that the TURA and PMOC were not agreements in accordance with the information and consultation regulations. Regarding the PMOC it further explained that this was not initiated according to the Regulations and neither was it signed on the employees' behalf nor did it allow for the appointment of I&C representatives.

For this complaint to be valid there must have been a valid employee request or a valid employer notification leading to a

negotiated agreement in accordance with the Regulations. As there was no evidence of this the application was not accepted.

The Transnational Information and Consultation of Employees Regulations 1999

The CAC received one complaint under these regulation, whilst action continued on the three complaints carried forward from the previous year. Of these, two complaints were withdrawn, with one further requiring a decision. This leaves one outstanding case being carried forward.

EWC/44(2024) British Council

A complaint was submitted that the British Council had failed to comply with Regulation 21 of The Transnational Information and Consultation of Employees Regulations (TICER), (disputes about the operation of European Works Council (EWC)) in relation to a project it was undertaking. It was alleged that, because of the failure of the Central Management, the provisions of the Schedule under which the EWC operated nor Regulation 18A had been complied with, or the information which had been provided by the management under Regulation 18A was false or incomplete in a material particular. In essence there were two complaints: that the employer had failed to hold an in-person meeting and had failed to provide adequate information in respect of the project. Following an informal meeting attended by the Panel Chair and the parties the Complainant withdrew its second complaint concerning the failure to provide adequate information. The matter to be determined at the formal hearing was whether an exceptional meeting of the EWC could ever be held online using a platform

such as Microsoft Teams. Having heard the parties' submissions the panel concluded that whilst TICER gave an EWC a right to meet in an exceptional information and consultation meeting it was silent as to the format of that meeting and as to whether that format needed to be agreed between the parties. Further, and more importantly, Regulation 9 of the Schedule related to the payment of expenses rather than to a decision regarding the format or location of the meeting and the employer did not require EWC consent in order for a meeting to be held in an online format. The complaint was not upheld.

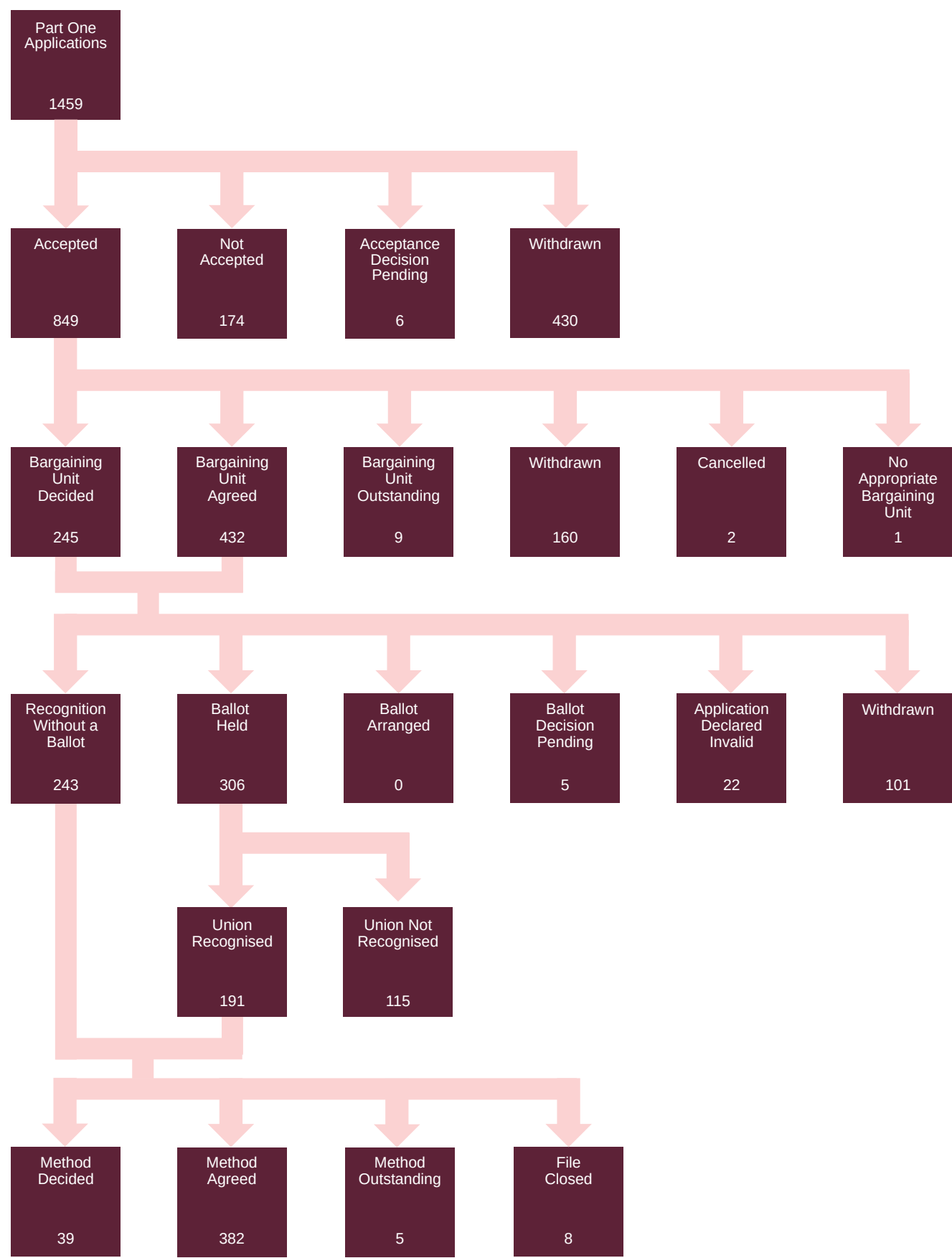
The European Public Limited-Liability Company (Employee Involvement) (Great Britain) Regulations 2009

There continues to be no applications 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 97%.*

- 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 fairly satisfied or very satisfied.

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

Target: 90% - *The CAC received 192 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 10 requests in 2024-25. Three requests were responded to by the CAC. Seven 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 2024 to 31 March 2025

Jurisdiction	Brought forward from 31 March 2024	Received between 1 April 2024 & 31 March 2025	References completed or withdrawn	References outstanding at 31 March 2025
Trade Union and Labour Relations (Consolidation) Act 1992:				
VOLUNTARY ARBITRATION s212	-	-	-	-
DISCLOSURE OF INFORMATION s183	2	7	8	1
TRADE UNION RECOGNITION				
Schedule A1 – Part One	30	63	68	25
Schedule A1 – Part Two	-	-	-	-
Schedule A1 – Part Three	-	1	1	-
Schedule A1 – Part Four	-	-	-	-
Schedule A1 – Part Five	-	-	-	-
Schedule A1 – Part Six	-	-	-	-
The Transnational Information and Consultation of Employees Regulations 1999:	3	1	2	2
The European Public Limited-Liability Company (Employee Involvement)(Great Britain) Regulations 2009:	-	-	-	-
The Information and Consultation of Employees Regulations 2004:	-	5	2	3
Total:	35	77	81	31



Appendix II

CAC Resources and Finance: 1 April 2024 to 31 March 2025

CAC Committee

Committee Members		48
Of which	Chair and Deputy Chairs	12
	Employer and Worker Members	36

CAC Secretariat

Secretariat staff	9
Committee fees, salary costs and casework expenses	£632,850

Other Expenditure

Accommodation and related costs	£40,850
Other costs	£12,657
Total CAC expenditure from 1 April 2024 to 31 March 2025	£686,357

CAC Expenditure

The CAC's overall expenditure has decreased. This is primarily attributed to reductions in accommodation and related costs, as well as general expenditure.

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 2024-25.



Appendix III

CAC Staff at 31 March 2025 and Contact Details

Chief Executive	Maverlie Tavares
Operations Manager	Bola Olayinka
Senior Case Manager	Nigel Cookson
Case Managers	Kaniza Bibi Joanne Curtis Kate Norgate
Video and Content Manager	Sileas MacInnes
Content Creator	Caroline Griffiths
Finance Supervisor and Assistant Case Manager	Emma Bentley

Central Arbitration Committee
PO Box 80600
London
E15 9JX

Telephone: 0330 109 3610
E Mail: enquiries@cac.gov.uk
Web Site: <https://www.gov.uk/cac>
LinkedIn:
<https://www.linkedin.com/company/centralarbitrationcommittee/>



**CENTRAL
ARBITRATION
COMMITTEE**



PO Box 80600 London E15 9JX

T: 0330 109 3610

E: enquiries@cac.gov.uk

<https://www.gov.uk/cac>

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