

# Guidance: IsItWaste tool: for advice on the by-products and end of waste tests

*Updated:* We've updated information on how to use our Definition of Waste Service to get an opinion on whether your waste derived material can be classed as non-waste.

Use the user guide to:

- access the IsItWaste tool
- do a self assessment to help you decide whether your material is likely to be waste
- ask the Environment Agency Definition of Waste Service for an opinion

The IsItWaste tool is for England only. It's based on English and Welsh case law. Northern Ireland and Wales may have similar tools.

---

## Certification Officer: amendments to the lists

31 March 2022

The Certification Officer has carried out a review of the Trade Unions and Employers' Associations on her lists to determine whether they still met the statutory definitions. This review resulted in some organisations being removed. The updated lists can be found on her [website](#)

### **22 September 2021**

Equal Justice The Union has been entered on the list of trade unions held by the Certification Officer with effect from 22 September 2021.

### **19 August 2021**

National Union of Professional Foster Carers (NUPFC) has been entered on the list of trade unions held by the Certification Officer with effect from 19 August 2021.

## **12 August 2021**

UK Private Hire Drivers Union has been entered on the list of trade unions held by the Certification Officer with effect from 12 August 2021.

## **10 August 2021**

CWOATA Trade Union has been removed from the list of trade unions maintained by the Certification Officer, because it dissolved.

Incorporated Guild of Hairdressers, Wigmakers and Perfumers was removed from the schedule of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **9 July 2021**

Change of Name: The College of Podiatry

The Certification Officer has approved an application from The College of Podiatry to change its name to The Royal College of Podiatry with effect from 9 July 2021..

## **28 June 2021**

Association of Trade Union Political and Public Sector Staff has been removed from the list of trade unions held by the Certification Officer with effect from 28 June 2021 because it has ceased to exist from 31 December 2018

UK Cinema Association Ltd was removed from the List of Employers' Associations with effect from 28 June 2021 because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **7 June 2021**

Association of Local Council Clerks has been removed from the schedule of trade unions and has been entered on the Official list of trade unions held by the Certification Officer with effect from 7 June 2021.

## **15 March 2021**

PPU has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 2 February 2021.

## **9 March 2021**

Autonomous Workers' Union (AW Union) has been entered on the list of trade unions held by the Certification Officer with effect from 9 March 2021.

## **5 March 2021**

Trade Union for Ethnic Minority Social Workers (TUEMSW) has been entered on

the list of trade unions held by the Certification Officer with effect from 5 March 2021.

### **06 November 2020**

British Lace Federation was removed from the List of Employers' Associations with effect from 05 November 2020 as it ceased to be an Employers' Association

### **13 July 2020**

App Drivers and Couriers Union has been entered on the list of trade unions held by the Certification Officer with effect from 13 July 2020.

### **29 June 2020**

Criminal Justice Workers Union (CJWU) has been entered on the list of trade unions held by the Certification Officer with effect from 29 June 2020.

### **27 March 2020**

Change of Name: National Hairdressers' Federation Limited to National Hair and Beauty Federation Limited

The Certification Officer has approved an application from National Hairdressers' Federation Limited to change its name to National Hair and Beauty Federation Limited with effect from 27 March 2020.

### **18 March 2020**

Union Workers' Union has been entered on the list of trade unions held by the Certification Officer with effect from 18 March 2020.

### **20 February 2020**

The City Screen Staff Forum has been removed from the list of trade unions held by the Certification Officer with effect from 20 February 2020 because it has ceased to exist.

### **22 January 2020**

Leicestershire Overmen Deputies and Shotfirers Association has been removed from the list of trade unions held by the Certification Officer with effect from 08 January 2020 because it has ceased to exist.

### **11 November 2019**

CU Staff Consultative Group has been removed from the list of trade unions held by the Certification Officer with effect from 11 November 2019 because it has ceased to exist.

## **25 October 2019**

Scottish Building Federation has been removed from the schedule of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **22 October 2019**

WALGAS TU has been entered on the list of trade unions held by the Certification Officer with effect from 21 October 2019.

## **22 October 2019**

Radio, Electrical and Television Retailers' Association (RETRA) Limited has been removed from the schedule of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **10 October 2019**

Mastic Asphalt Council has been removed from the list of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **20 September 2019**

British Allied Trade Federation has been removed from the schedule of employers' associations held by the Certification Officer with effect from 20 September 2019 because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **31 August 2019**

R&C Trade Union has been removed from the list of trade unions held by the Certification Officer with effect from 31 August 2019 because it has ceased to exist.

## **07 June 2019**

CWOATA Trade Union has been entered on the list of trade unions held by the Certification Officer with effect from 07 June 2019.

## **01 April 2019**

Perth and District Master Plumbers Association has been removed from the schedule of employers' associations held by the Certification Officer because it dissolved on 31 December 2018.

## **15 January 2019**

Lanarkshire Master Plumbers' Association has been removed from the schedule of employers' associations held by the Certification Officer because it

dissolved on 31 December 2017.

### **31 October 2018**

Psychotherapy and Counselling Union has been entered on the list of trade unions held by the Certification Officer with effect from 31 October 2018.

### **2 October 2018**

Poole Greyhound Trainers Union has been entered on the list of trade unions held by the Certification Officer with effect from 2 October 2018.

### **14 August 2018**

Change of Name: The Society of Chiropodists and Podiatrists to The College of Podiatry

The Certification Officer has approved an application from The Society of Chiropodists and Podiatrists to change its name to The College of Podiatry with effect from 13 August 2018.

### **9 August 2018**

ASPSU has been removed from the list of trade unions maintained by the Certification Officer because it ceased to be a trade union on 31 July 2017.

### **5 July 2018**

National Union of Mineworkers (North East Area) and National Union of Mineworkers (Scotland Area) have been removed from the schedule of trade unions on the grounds that neither of them meet the statutory definition of a trade union.

### **2 July 2018**

Britannia Staff Union has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 1 July 2018.

### **7 June 2018**

Scottish Colliery Enginemen Boilermen and Tradesmens Association has been removed from the schedule of trade unions as it ceased to be a trade union on 1 March 2018.

### **9 May 2018**

Change of Name: Retained Firefighters Union to Fire and Rescue Services Association.

The Certification Officer has approved an application from Retained Firefighters Union to change its name to Fire and Rescue Services Association

with effect from 9 May 2018.

## **7 February 2018**

Change of Name: Leeds Building Society Staff Association to Leeds Building Society Colleague Association.

The Certification Officer has approved an application from Leeds Building Society Staff Association to change its name to Leeds Building Society Colleague Association with effect from 7 February 2018.

## **5 February 2018**

Association of Somerset Inseminators has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 1 September 2017.

## **9 January 2018**

National Union of Mineworkers (Northumberland Area) has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 30 November 2017.

## **3 November 2017**

Confederation of British Surgery has been entered on the list of trade unions held by the Certification Officer with effect from 3 November 2017.

## **21 September 2017**

CU Staff Consultative Group has been entered on the list of trade unions held by the Certification Officer with effect from 21 September 2017.

## **4 September 2017**

Welsh Local Government Association was added to the list on 12 June 2017.

## **1 September 2017**

As a result of an amalgamation between the two unions, Association of Teachers and Lecturers and National Union of Teachers have been removed from the list of trade unions maintained by the Certification Officer. The new, amalgamated, union, National Education Union, has been added to the list.

## **21 August 2017**

Change of Name: Graphic Enterprise Scotland to Print Scotland

The Certification Officer has approved an application from "Graphic Enterprise Scotland" to change its name to "Print Scotland" with effect from 21 August 2017.

## **21 August 2017**

Ellington Branch of the North East Area of the National Union of Mineworkers has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 21 August 2017

## **2 August 2017**

Change of Name: National Association of Stable Staff to National Association of Racing Staff

An application to change the name of National Association of Stable Staff to National Association of Racing Staff was approved on 2 August 2017.

## **22 May 2017**

National Union of Mineworkers (Scottish Area) has been removed from the schedule of trade unions as it ceased to be a trade union on 22 May 2017

## **24 April 2017**

Fencing Contractors Association has been removed from the schedule of employers' associations maintained by the Certification Officer because it dissolved on 31 December 2016

## **20 March 2017**

Lancaster Morecambe and South Lakeland Master Plumbers Association was removed from the List of Employers' Associations with effect from 17 March 2017 as it ceased to be an Employers' Association

## **15 September 2016**

Pursuant to section 4 of the Trade Union and Labour (Relations) Consolidation Act 1992 ("the 1992 Act"), the Certification Officer removed the National Association of Colliery Overmen, Deputies and Shotfirers from the list of trade unions on the grounds that it is no longer a trade union within the meaning of the 1992 Act ([Listings Decision: National Association of Colliery Officials Deputies and Shotfirers \(C0/L/2/16-17\)](#)).

## **24 August 2016**

Society of Local Council Clerks has been removed from the schedule of trade unions as it ceased to be a trade union on 17 August 2016.

## **18 August 2016**

The Certification Officer has approved an application from "Cinema Exhibitors Association Ltd" to change its name to "UK Cinema Association Ltd" with effect from 18 August 2016.

## **18 August 2016**

Shield Guarding Staff Association has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 21 May 2016.

## **17 August 2016**

Association of Local Council Clerks has been entered on the schedule of trade unions held by the Certification Officer with effect from 16 August 2016.

## **24 June 2016**

National Union of Mineworkers (Leicester Area) removed from the list of trade unions maintained by the Certification Officer following a decision by the Certification Officer that it was no longer a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 ([Listings Decision: National Union of Mineworkers \(Leicester Area\) \(C0/L/16-17\)](#)).

## **11 May 2016**

Whatman International Staff Association has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 9 October 2015.

## **30 March 2016**

Cleaners and Allied Independent Workers Union (CAIWU) has been entered on the list of trade unions held by the Certification Officer with effect from 16 March 2016.

## **16 March 2016**

The Association of Professional Ambulance Personnel has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 31 December 2015.

## **18 November 2015**

The Union of Country Sports Workers has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 30 June 2015.

## **1 October 2015**

The Bus Workers Alliance has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 29 May 2015.

## **3 September 2015**

The Certification Officer refused the application by Equal Justice to be entered in the list of trade unions ([Listings decision: Equal Justice](#)).



## **11 August 2015**

The Federation of Professional Railway Staff has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 30 June 2015.

## **11 August 2015**

The Pop-Up Union has been removed from the list of trade unions maintained by the Certification Officer. The Certification Office last had contact with the Pop-Up Union in May 2013, when it was entered on the list of trade unions. Since then all attempts at contacting the organisation have been unsuccessful. It appears that the Pop-Up Union had ceased to exist by the end of 2013. In the circumstances it never came under a duty to supply this office with an annual return.

## **30 July 2015**

British Ceramic Confederation has been removed from the schedule of employers' associations held by the Certification Officer with effect from 30 July 2015 because it is no longer an employers' association.

## **25 June 2015**

The Certification Officer has approved an application from "Local Government Yorkshire and Humber" to change its name to "Yorkshire and Humber (Local Authorities) Employers' Association" with effect from 25 June 2015.

## **22 May 2015**

National Association of Colliery Overmen, Deputies and Shotfirers (South Wales Area) has been removed from the schedule of trade unions maintained by the Certification Officer because it dissolved on 22 May 2015.

## **6 May 2015**

The Certification Officer has approved an application from "Whatman Staff Association" to change its name to "Whatman International Staff Association" with effect from 6 May 2015.

## **16 April 2015**

European SOS Trade Union has been entered on the list of trade unions held by the Certification Officer with effect from 13 April 2015.

## **26 February 2015**

Newspaper Society has been removed from the list of employers' associations maintained by the Certification Officer because it ceased to exist on 16 June 2014.

## **9 February 2015**

Equality For Workers Union (EFWU) has been entered on the list of trade unions held by the Certification Officer with effect from 09 February 2015.

## **20 January 2015**

R&C Trade Union has been entered on the list of trade unions held by the Certification Officer with effect from 20 January 2015.

## **19 November 2014**

Driver and General Union has been entered on the list of trade unions held by the Certification Officer with effect from 18 November 2014.

## **3 November 2014**

Artists' Union England has been entered on the list of trade unions held by the Certification Officer with effect from 3 November 2014.

## **29 October 2014**

Driver and General Union has been entered on the schedule of trade unions held by the Certification Officer with effect from 29 October 2014.

## **22 October 2014**

Aberdeen Fish Curers & Merchants Association Ltd has been removed from the schedule of employers' associations maintained by the Certification Officer because it dissolved on 19 September 2014.

## **13 August 2014**

Artists' Union England has been entered in the schedule of trade unions held by the Certification Officer with effect from 1 August 2014.

## **29 July 2014**

PTSC has been entered on the list of trade unions held by the Certification Officer with effect from 29 July 2014.

## **22 July 2014**

London Fish Merchant Association (Billingsgate) Limited has been removed from the schedule of employers' associations held by the Certification Officer with effect from 22 July 2014 because it is no longer an employers' association.

## **4 July 2014**

Covent Garden Tenants Association Ltd has been removed from the schedule of employers' associations held by the Certification Officer with effect from 2

July 2014 because it is no longer an employers' association

---

## **Certification Officer: Announcements**

### **22 November 2022**

An application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from Solid Trade Union. Any person who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

### **9 November 2022**

#### **Breach of union rules decision: McKay v UNISON (D/17/22-23)**

Mr McKay made a complaint of a breach of rule relating to disciplinary proceeding by the Union under section 108A(1) of the Trade Union and Labour Relations (Consolidation Act). The Union conceded the breach and the parties agreed to the steps needed to remedy the breach. The Certification Officer made an Order that the Union implements the agreement between the parties, set out at paragraph 13 of decision.

### **7 November 2022**

#### **Breach of union rules decision: Eager v Equity (D/16/22-23)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Eager made a complaint of a breach of a union rule relating to balloting of the union's members on proposed rule changes. The Certification Officer struck out the complaint under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had no reasonable prospect of success.

### **2 November 2022**

Solid Trade Union has been entered on the list of trade unions held by the Certification Officer with effect from 31 October 2022.

### **10 August 2022**

#### **Breach of union rules decision: Taylor v NASUWT (D/15/22-23)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Taylor made a complaint of a breach of

union rule relating to disciplinary proceedings by the Union. The Certification Officer struck out the complaint under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had no reasonable prospect of success.

## **9 August 2022**

The application for a certificate of independence from the Criminal Justice Workers Union was approved by the Certification Officer on 9 August 2022.

## **1 August 2022**

### **[Breach of statute decision: Sidhu v National Education Union \(D/14/22-23\)](#)**

Mr Sidhu made a complaint relating to District 7 of the NEC Executive seat elections in January 2021. The Certification Officer struck out the complaint under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had no reasonable prospect of success.

## **22 July 2022**

### **[Breach of union rules decision: Lowe v National Education Union \(D/12-13/22-23\)](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Lowe made two complaints of breaches of union rules relating to disciplinary proceedings by the Union. The Certification Officer struck out the complaints under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they had no reasonable prospect of success.

## **15 July 2022**

The [Annual Report](#) of the Certification Officer, Sarah Bedwell, was laid before Parliament on 14 July 2022. The report describes the work of the Certification Officer over the year 1 April 2021 to 31 March 2022 and provides detailed information on all trade unions and employers' associations. The statistical information it contains is drawn from the annual returns received during the reporting period, which relate mainly to the year ending 31 December 2020.

## **8 July 2022**

### **[Breach of union rules decision: Evans \(2\) v Prospect \(D/4-11/22-23\)](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Evans made eight complaints of

breaches of union rules, six relating to disciplinary proceedings by the Union and two relating to the 2021 General Secretary election. The Certification Officer struck out the complaints under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they had no reasonable prospect of success.

### **Breach of union rules decision: Dawes v Royal College of Nursing of the United Kingdom (D/1-3/22-23)**

This decision relates to three complaints made by Mr Dawes of breaches of rules relating to the disciplinary process.

The Certification Officer struck out two of the complaints under Section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they had no reasonable prospect of success and/or were otherwise misconceived.

The Certification Officer dismissed the other complaint upon withdrawal by the applicant.

## **5 July 2022**

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from Criminal Justice Workers Union. Any person who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

## **1 April 2022**

### **NEW POWERS FOR THE CERTIFICATION OFFICER**

In May 2016 the government passed the Trade Union Act 2016 into law, which introduced new statutory requirements relating to trade unions and new powers for the Certification Officer. Today, the government brings the last tranche of those new powers into force. These give the Certification Officer powers to:

- \*Require trade unions and employers' associations to pay a levy to fund the costs of some of her functions.

- \*Consider whether an organisation has breached statutory responsibilities set out in the Trade Union and Labour Relations (Consolidation) Act 1992, without having first received a complaint from a member of that organisation or another eligible party.

- \*Investigate allegations that an organisation has breached statutory responsibilities, by requiring the organisation to provide her with specific documentation and/or by appointing an inspector to investigate the matter on her behalf.

\*Impose a financial penalty order or conditional financial penalty order where she finds that an organisation has breached its statutory responsibilities and/or its rules.

\*Enforce any order that she makes.

[The Trade Union and Labour Relations \(Consolidation\) Act 1992](#), as amended by the Trade Union Act 2016, provides the definitive description of these powers.

The Certification Officer has published [guidance](#) on her website which explains how she intends to apply these powers in practice.

Sarah Bedwell Certification Officer

## **31 March 2022**

The Certification Officer has carried out a review of the Trade Unions and Employers' Associations on her lists to determine whether they still met the statutory definitions. This review resulted in some organisations being removed. The updated lists can be found on her [website](#)

## **25 March 2022**

### **[Access to accounting records decision: Embery v Fire Brigades Union \(D/18/21-22\)](#)**

The applicant made a complaint that Fire Brigades Union breached section 30(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 in failing to comply with his request to access accounting records of the union. Following consideration of the parties' written submissions, the Certification Officer upheld the complaint and made an enforcement order to ensure the applicant's access to the relevant records.

## **18 January 2022**

### **[Breach of Union rule decision: Embery v Fire Brigades Union \(2\) \(D/16-17/21-22\)](#)**

The applicant made two complaints under 108A (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the union breached its rules relating to the disciplinary process.

Following a hearing by Video Conferencing, the Certification Officer refused both complaints.

## **15 December 2021**

### **Implementation of the Trade Union Act 2016**

Over the last two weeks the Government has taken some significant steps

towards implementing the remaining provisions of the Trade Union Act 2016.

Last week, statutory instruments covering the powers of the Certification Officer to deal with suspected breaches of the 1992 Act, to investigate those breaches and to enforce any orders they make, were made, and these powers will come into force on 1 April 2022.

Yesterday, the Government laid in Parliament the regulations framing the power of the Certification Officer to require trade unions and employers' associations to pay a levy and allowing her to impose financial penalties on them. Subject to parliamentary approval, these powers will also come into force from 1 April 2022.

My office has prepared some , which sets out how I intend to administer these powers once they have been implemented. At this stage, the guidance is in draft form and I would be grateful for your view as to whether it is sensible, easy to understand and helpful to your organisation.

I intend to publish finalised guidance on these matters at the point at which the new powers come into force and so it would be helpful if you could submit any comments or questions you have to [info@certoffice.org](mailto:info@certoffice.org) before 11 March 2022. I should stress that the guidance will be subject to change after that date, being continually updated to reflect my experience of using these powers in practice.

Sarah Bedwell Certification Officer

## **30 November 2021**

### **[Breach of Union rules decision: Meechan & Others v British Air Line Pilots Association \(D/15/21-22\)](#)**

Mr Meechan and Members of the Virgin Atlantic Company Council submitted three complaints of breaches of rules relating to the General Secretary election.

The Certification Officer struck out the complaints under Section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they has no reasonable prospect of success and/or were otherwise misconceived.

## **24 November 2021**

### **[Breach of Union rules decision: Morley v Unison \(D/14/21-22\)](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Morley made a complaint of a breach of a union rule in relation to the Lancashire branch secretary election. Mr Morley made a complaint of a breach of a union rule in relation to the Lancashire branch secretary election.

The Union conceded the breach and the Certification Officer made a

declaration to that effect, however she did not consider it appropriate to make an enforcement order.

## **23 November 2021**

### **[Breach of Union rules decision: Embery v Fire Brigades Union \(D/13/21-22\)](#)**

This decision related to Mr Embery's application under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Embery made a complaint of a breach of a union rule in relation to the constitution or proceedings of any executive committee or of any decision-making meeting. The Certification Officer struck out the complaint under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis it had no reasonable prospect of success.

## **16 November 2021**

### **[Breach of Union rules decision: Watkins v British Medical Association \(D/12/21-22\)](#)**

This decision relates to Dr Watkins' application under 108A (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the union breached its rules relating to the disciplinary process. This was originally determined by the Certification Officer on 14 October 2019. On appeal, the Employment Appeal Tribunal remitted one of Dr Watkins' complaints back to the Certification Officer for a new decision. Following a hearing, the Certification Officer did not uphold the complaint.

## **8 November 2021**

### **[Breach of Union rules decision: Foden v National Education Union \(D/11/21-22\)](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Foden made three complaints of breaches of union rules in relation to disciplinary proceedings. The Certification Officer struck out the complaints under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis they had no reasonable prospect of success.

## **26 October 2021**

### **[Breach of Union rules decision: Morley v Unison \(D/10/21-22\)](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Morley made two complaints of breaches of a union rules in relation to a branch election. The Certification Officer struck out the complaints under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis they had no reasonable



prospect of success.

## **11 October 2021**

### **Breach of Union rules decision: Wilson v Unison (D/9/21-22)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Wilson made a complaint of breach of a union rule in relation to a branch election. The Certification Officer struck out the complaint under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had no reasonable prospect of success.

## **5 October 2021**

The application for a certificate of independence from Aircrew Officers Association Europe (AOAE) was approved by the Certification Officer on 5 October 2021

## **4 October 2021**

### **Breach of Union rules decision: Parry v USDAW (D/4-8/21-22)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Parry submitted five complaints of breaches of rule relating to local branch elections. Mr Parry withdrew two complaints; the Certification Officer struck out one complaint; and the union conceded breaches of two complaints. The Certification Officer made a declaration for the two breaches conceded by the Union but did not make an Order as the Union had started election procedures to rectify the breaches.

## **22 September 2021**

Equal Justice The Union has been entered on the list of trade unions held by the Certification Officer with effect from 22 September 2021.

## **19 August 2021**

National Union of Professional Foster Carers (NUPFC) has been entered on the list of trade unions held by the Certification Officer with effect from 19 August 2021.

## **12 August 2021**

UK Private Hire Drivers Union has been entered on the list of trade unions held by the Certification Officer with effect from 12 August 2021.

## 10 August 2021

CWOATA Trade Union has been removed from the list of trade unions maintained by the Certification Officer, because it dissolved.

Incorporated Guild of Hairdressers, Wigmakers and Perfumers was removed from the schedule of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## 9 August 2021

### [Breach of Union rule decision: Kelly v Musicians' Union \(D/3/21-2\)](#)

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer dismissed the application upon withdrawal by the applicant.

### [Breach of Union rule decision: Morley v GMB \(D/2/21-2\)](#)

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer dismissed the application upon withdrawal by the applicant.

## 3 August 2021

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from the Aircrew Officers Association Europe (AOAE). Any persons who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

## 9 July 2021

Change of Name: The College of Podiatry

The Certification Officer has approved an application from The College of Podiatry to change its name to The Royal College of Podiatry with effect from 9 July 2021.

## 8 July 2021

The [Annual Report](#) of the Certification Officer, Sarah Bedwell, was laid before Parliament on 8 July 2020. The report describes the work of the Certification Officer over the year 1 April 2020 to 31 March 2021 and provides detailed information on all trade unions and employers' associations. The statistical information it contains is drawn from the annual returns received during the reporting period, which relate mainly to

the year ending 31 December 2020.

## **28 June 2021**

Association of Trade Union Political and Public Sector Staff has been removed from the list of trade unions held by the Certification Officer with effect from 28 June 2021 because it has ceased to exist from 31 December 2018

UK Cinema Association Ltd was removed from the List of Employers' Associations with effect from 28 June 2021 because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **8 June 2021**

### **Implementation of the remaining parts of the Trade Union Act 2016**

The Government has today announced its plans to implement the remaining parts of the [Trade Union Act 2016](#) which give the Certification Officer additional powers. These are:

- Section 17 – Increased investigatory powers and the power to act without an application
- Section 19 – Power to impose financial penalties following a finding against a Union
- Section 20 – Power to impose a levy on trade unions and employers' associations to contribute to the costs of the Certification Office

More details about the Government's announcement is available from the [Department for Business, Energy and Industrial Strategy](#).

Any enquiries regarding the government plans should be sent to: [enquiries@beis.gov.uk](mailto:enquiries@beis.gov.uk)

## **7 June 2021**

Association of Local Council Clerks has been removed from the schedule of trade unions and has been entered on the Official list of trade unions held by the Certification Officer with effect from 7 June 2021.

## **20 May 2021**

### **[Breach of Union rule decision: McFadden v Unite the Union \(D/1/21-22\)](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer dismissed the application upon withdrawal by the applicant.

## **15 March 2021**

PPU has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 2 February 2021.

## **9 March 2021**

Autonomous Workers' Union (AW Union) has been entered on the list of trade unions held by the Certification Officer with effect from 9 March 2021.

## **5 March 2021**

Trade Union for Ethnic Minority Social Workers (TUEMSW) has been entered on the list of trade unions held by the Certification Officer with effect from 5 March 2021.

## **23 February 2021**

### **[Breach of Union rule decision: Simpson v Unite the Union \(2\) \(D/23-25/20-21\)](#)**

The applicant made three complaints under 108A (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the union breached its rules relating to the disciplinary process.

Following a hearing by Video Conferencing, the Certification Officer refused all three complaints.

## **7 January 2021**

### **[Breach of Union rule decision: Hussain v Communication Workers Union \(2\) \(Part 2\) \(D/22/20-21\)](#)**

Mr Hussain made 5 complaints of breach of union rules in relation to the elections at the South East No.5 branch of the Union. Complaints 2-5 were struck out previously (D/20-23/19-20). The Certification Officer struck out the remaining complaint under Section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived previously .

## **23 December 2020**

### **[Political funds decision: Jennings v GMB \(D/21/20-21\)](#)**

The applicant made a complaint under section 72A of the Trade Union and Labour Relations (Consolidation) Act 1992 for an alleged breach of Section 71(1) against the union for using £240 from its General Fund for political purposes. The Certification Officer struck out the complaint under section 256ZA of the 1992 Act on the basis that it had no reasonable prospect of

success and/or is otherwise misconceived.

## **11 December 2020**

### **The Workers' Union**

We have had number of enquiries relating to The Workers' Union. The Workers' Union is a commercial organisation offering services to members. It is not a trade union as defined by the Trade Union and Labour Relations (Consolidation) Act 1992 Act and is not subject to the Certification Officer's powers.

## **9 December 2020**

### **[Breach of union rules decision: Kidd v Musicians' Union \(D/20/20-21\)](#)**

The applicant made a complaint under 108A (1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the union breached its rule with regards to the eligibility criteria for the election of the General Secretary.

The Certification Officer struck out the complaint under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had no reasonable prospect of success.

## **23 November 2020**

### **[Breach of union rules decision: Singh v University College Union \(UCU\) \(D/18-19/20-21\)](#)**

The applicant made two complaints under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached its rule relating to the election and removal of a workplace representative. Following a hearing on 29 October , the Certification Officer refused both the complaints.

## **6 November 2020**

British Lace Federation was removed from the List of Employers' Associations with effect from 05 November 2020 as it ceased to be an Employers' Association.

## **4 November 2020**

### **[Breach of union rules decision: Alam v Unite the Union \(D/15-17/20-21\)](#)**

Mr Alam made three complaints of breach of union rules in relation to branch elections. The Certification Officer struck out complaints one and two under

section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they had no reasonable prospect of success and/or are otherwise misconceived. The Union conceded complaint three. The Certification Officer declined to make an Enforcement Order.

## 21 October 2020

### Breach of Statute decision: Simpson v Unite the Union (3) (D/14/20-21)

Mr Simpson made a complaint that Unite the Union breached section 30(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 in failing to comply with his request to access accounting records of the union.

The Certification Officer found that the union had not breached Section 30 of the 1992 Act in respect of the Applicant's complaint that he had been denied access to the Union's accounting records.

## 7 October 2020

### **CERTIFICATION OFFICE RECOGNISED AS INVESTOR IN PEOPLE**

Investors in People has awarded the Certification Office it's Silver accreditation. Achieving this internationally-recognised standard demonstrates the Certification Office's commitment to excellence through quality people management.

Sarah Bedwell, the Certification Officer, said:

"I'm really proud of everyone for achieving this award – it recognises how well we all work together and our commitment to providing a good service. We will build on our success by continuing to develop together and deliver improvements for our customers and stakeholders. The award, recognises a highly empowered workforce, supportive management and an embedded commitment to developing individuals. Silver is a fantastic achievement and something only 20% of the organisations that IIP assess achieve."

Investors in People (IIP) aims to make work better through investing in the right blend of talent, motivation and leadership. The IIP framework assesses organisations in three areas:

- Leading: Inspiring people ; living the organisation's values and behaviours; and empowering and involving people
- Supporting: Managing performance; rewarding and recognising high performance; and structuring work
- Improving: Building capability; delivering continuous improvement; and creating sustainable success

These are some of the things the assessor said:

"The Certification Office works as a team aiming to provide an open, accessible and efficient service... [P]eople confirmed they have clear

direction, guidance and support from managers. People believe they are trusted and have been encouraged to get involved and/or participate in projects and initiatives. Partnerships with ACAS and BEIS have strengthened. Business as usual continues and there is now a focus on conducting virtual hearings.”

“Daily meetings have been embraced and people believe this has created greater cohesion across the team. Telephone conversations are encouraged to help minimise emails. Remote working has been a positive experience, and everyone will have a choice about when and how they return to the office. This will be a blended approach with plans in place to work with different colleagues each week.”

“The Certification Office welcomes feedback. It has continued to improve systems, processes and how it manages and develops people. The team are optimistic about future developments and are keen to capture the positives on how they have worked during the pandemic. Increased delegation has created a greater level of trust and improved accountability. This has been instrumental in helping to achieve a higher level of accreditation as an Investors in People organisation”

## **5 October 2020**

Voice merged into Community on 1 October 2020. Please note that Voice ceased to exist from 1 October 2020 and has been removed from the list of trade unions maintained by the Certification Officer.

## **15 September 2020**

### **[Breach of union rules decision: Dunbobbins v UNISON \(D/13/20-21\)](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer dismissed the application upon withdrawal by the applicant.

## **24 August 2020**

An application to register the Instrument of Transfer of Voice to Community was received by the Certification Officer on 19 August 2020.

## **21 July 2020**

### **[Breach of union rules decision: Simpson v Unite the Union \(4\) \(D/2-12/20-21\)](#)**

Mr Simpson made 12 complaints of breach of union rules in relation to his appeal hearing. The Certification Officer struck out the complaints under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they have no reasonable prospect of success and/or are otherwise misconceived.

## 13 July 2020

App Drivers and Couriers Union has been entered on the list of trade unions held by the Certification Officer with effect from 13 July 2020.

## 9 July 2020

The [Annual Report](#) of the Certification Officer, Sarah Bedwell, was laid before Parliament on 9 July 2020. The report describes the work of the Certification Officer over the year 1 April 2019 to 31 March 2020 and provides detailed information on all trade unions and employers' associations. The statistical information it contains is drawn from the annual returns received during the reporting period, which relate mainly to the year ending 31 December 2018.

## 1 July 2020

### [Breach of union rules decision: Professor Pollock v British Medical Association \(D/1/20-21\)](#)

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer dismissed the application upon withdrawal by the applicant.

## 29 June 2020

Criminal Justice Workers Union (CJWU) has been entered on the list of trade unions held by the Certification Officer with effect from 29 June 2020.

## 12 June 2020

Certification Office's [Operational Plan for 2020-2021](#) published.

## 27 March 2020

Change of Name: National Hairdressers' Federation Limited to National Hair and Beauty Federation Limited

The Certification Officer has approved an application from National Hairdressers' Federation Limited to change its name to National Hair and Beauty Federation Limited with effect from 27 March 2020.

## 25 March 2020

### **Coronavirus (COVID-19) – Impact on Trade Unions and Employers' Associations**

The Certification Officer recognises that trade unions and employers' associations may find it difficult to comply with some of the requirements



set out in the Trade Union and Labour Relations (Consolidation) Act 1992 ("the Act") because of the impact of the coronavirus pandemic

The Certification Officer is clear that the priority for trade unions must be to comply with the government's guidance on dealing with the pandemic, and that the safety of their staff and members is paramount.

Where a trade union believes that it cannot comply with the Act, that it will miss any deadlines set for it by the Certification Officer, or that it must breach its rules relating to any of the matters set out in Section 108A of the Act, it should seek to notify the Certification Officer at the earliest opportunity.

The Certification Officer will consider any representations made to her relating to any of these issues on a case-by-case basis, and she will seek to accommodate any requests made in those representations. The health and safety of Union Members, staff and the general public will be her primary concern.

It is important to note that the Certification Officer and her staff will be working away from the office for the foreseeable future. If you need to contact us please do so by email. It would be helpful if you could copy all emails to [info@certoffice.org](mailto:info@certoffice.org) to ensure that we can deal with your issue if your contact is not available.

It is possible that, whilst our premises are closed, we may not be able to offer our full range of service or to reply to you as quickly as usual. You should, however, continue to contact us as normal and we will get back to you as soon as you can.

## **18 March 2020**

Union Workers' Union has been entered on the list of trade unions held by the Certification Officer with effect from 18 March 2020.

## **24 February 2020**

### **[Breach of Union Rules decision: St John v Unite the Union \(D/29/19-20\)](#)**

The applicant made one complaint under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached a provision of its EC Guidance relating to the election of workplace representatives.

Following a hearing on 7 January 2020, the Certification Officer refused the complaint.

## **20 February 2020**

The City Screen Staff Forum has been removed from the list of trade unions held by the Certification Officer with effect from 20 February 2020 because

it has ceased to exist.

## **28 January 2020**

Independent Democratic Union merged into Community on 27 January 2020. Please note the Independent Democratic Union ceased to exist from 27 January 2020 and has been removed from the list of trade unions maintained by the Certification Officer.

## **22 January 2020**

Leicestershire Overmen Deputies and Shotfirers Association has been removed from the list of trade unions held by the Certification Officer with effect from 08 January 2020 because it has ceased to exist.

## **13 January 2020**

### **[Breach of statutory balloting procedures \(D/27-28/19-20\)](#)**

The applicant made two complaints under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached rules relating to the appointment and/ or removal of a person from office.

Following a hearing on 17 December 2019, the Certification Officer refused both the complaints.

## **10 January 2020**

### **[Breach of statutory balloting procedures \(D/26/19-20\)](#)**

Mr Crew made a complaint under s46 of the Trade Union and Labour Relations (Consolidation) Act 1992 relating to the election for Assistant General Secretary for the Union's Aegon Branch. The Certification Officer upheld the complaint and made an enforcement order in relation to the breach of Section 46(1)(a) of the 1992 Act.

## **17 December 2019**

### **[Breach of Union Rules decision: Jones v UNISON \(D/25/19-20\)](#)**

Mr Jones made a complaint of a breach of union rule relating to the 2019-2021 NEC Election Procedures. The Certification Officer struck out the application under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived.

## **22 November 2019**

## **Breach of Union Rules decision: Dunham v Society of Radiographers (D/24/19-20)**

Mr Dunham made a complaint under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached a disciplinary rule in relation to the disciplinary proceedings. The Certification Officer dismissed his complaint.

### **11 November 2019**

An application to register the Instrument of Transfer of Independent Democratic Union to Community was received by the Certification Officer on 8 November 2019.

CU Staff Consultative Group has been removed from the list of trade unions held by the Certification Officer with effect from 11 November 2019 because it has ceased to exist.

### **4 November 2019**

## **Breach of Union Rules decision: Hussain v CWU (2) (Part 1) (D/20-23/19-20)**

Mr Hussain made 5 complaints of breach of union rules in relation to the elections at the South East No.5 branch of the Union. The Certification Officer struck out complaints 2-5 under Section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived.

Complaint 1 is yet to be determined by the Certification Officer.

### **25 October 2019**

Scottish Building Federation has been removed from the schedule of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

### **22 October 2019**

WALGAS TU has been entered on the list of trade unions held by the Certification Officer with effect from 21 October 2019.

Radio, Electrical and Television Retailers' Association (RETRA) Limited has been removed from the schedule of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

### **22 October 2019**

## **Breach of Statute decision: Parlour v NASUWT (D/19/19-20)**

Mrs Parlour made one complaint under s46 of the Trade Union and Labour Relations (Consolidation) Act 1992 relating to the election of the General Secretary. The Certification Officer upheld the complaint but did not find it appropriate to make an enforcement order as the union had already started the process of electing a General Secretary.

## **22 October 2019**

## **Breach of union rules decision: Watkins v British Medical Association (D/13-18/19-20)**

Dr Watkins made six complaints of breaches of rules relating to the union's disciplinary procedure. The Certification Office dismissed complaints 2-6. Complaint 1 was conceded by the union. The Certification Officer declined to make an enforcement order as Mr Watkins period of suspension ended and had no bearing for his eligibility to stand for Council elections in 2018.

## **10 October 2019**

Mastic Asphalt Council has been removed from the list of employers' associations held by the Certification Officer because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **20 September 2019**

British Allied Trade Federation has been removed from the schedule of employers' associations held by the Certification Officer with effect from 20 September 2019 because it ceased to meet the definition of an employers' association under the TULRC 1992 Act.

## **5 September 2019**

The [Annual Report](#) of the Certification Officer, Sarah Bedwell, was laid before Parliament today 5 September 2019. The report describes the work of the Certification Officer over the year 1 April 2018 to 31 March 2019 and provides detailed information on all trade unions and employers' associations. The statistical information it contains is drawn from the annual returns received during the reporting period, which relate mainly to the year ending 31 December 2017.

## **31 August 2019**

R&C Trade Union has been removed from the list of trade unions held by the Certification Officer with effect from 31 August 2019 because it has ceased to exist.

**30 August 2019**

**Political funds decision: Oley & Others v Unite the Union (D/12/19-20)**

Mr Oley and Others made a complaint under section 72A(1) of the Trade Union and Labour Relations (Consolidation Act) 1992 for an alleged breach of Section 71(1) against the union for using £1,965.34 from its General Fund for political purposes. The Certification Officer made a declaration but did not make an Order as the Union had repaid the monies in its General Fund

**02 August 2019**

**Breach of union rules decision: Watkins v British Medical Association (D/11/19-20)**

Dr Watkins made a number of complaints of breach of union rules in relation to disciplinary proceedings. The Certification Officer struck out his Complaint 7 under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had no reasonable prospect of success.

**25 July 2018**

The Certification Officer's Annual Report 2018-19 will not be published in July 2019 as planned. It will now be published after the Parliamentary summer recess.

**05 July 2019**

**Breach of union rules decision: Tavsanoglu v GMB (D/8/19-20)**

Dr Tavsanoglu made a complaint of breach of union rule in relation to her alleged removal from office. The Certification Officer struck out the application under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived.

**3 July 2019**

**Breach of union rules decision: Bell v Unite the Union (D/10/19-20)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer dismissed the application upon withdrawal by the applicant.

## **2 July 2019**

**Bluechip Staff Association merged into Community on 2 July 2019. Please note that Bluechip Staff Association ceased to exist from 2 July 2019 and has been removed from the list of trade unions maintained by the Certification Officer.**

## **26 June 2019**

### **Breach of union rules decision: Simpson v Unite the Union (D/9/2019-20)**

Mr Simpson made 3 complaints of breach of union rules in relation to disciplinary proceedings. The Certification Officer struck out complaint 3 under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it had reasonable prospect of success and/or is otherwise misconceived.

Complaints 1 and 2 were struck by the Certification Officer in the decision D/5-6/19-20.

## **19 June 2019**

### **Breach of union rules decision: Dinsdale v Unite the Union**

Mr Dinsdale made 3 complaints of breach of union rules in relation to the election of the Sellafeld Site Shop Stewards and the Sellafeld Branch Committee . The Certification Officer struck out complaint 3 under Section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived.

Complaints 1 and 2 have yet to be determine by the Certification Officer.

## **7 June 2019**

CWOATA Trade Union has been entered on the list of trade unions held by the Certification Officer with effect from 07 June 2019.

## **6 June 2019**

### **Breach of union rules decision: Simpson v Unite the Union**

Mr Simpson made 3 complaints of breach of union rules in relation to disciplinary proceedings. The Certification Officer struck out complaints 1 and 2 under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they have no reasonable prospect of success and/or are otherwise misconceived.

Complaint 3 has yet to be determined by the Certification Officer.

## **6 June 2019**

### **Breach of union rule decision: Dosanjh v POA**

Mr Dosanjh made a complaint of breach of union rule in relation to the election of the Deputy General Secretary. The Certification Officer dismissed the application upon withdrawal by the applicant.

## **24 May 2019**

An application to register the Instrument of Transfer of Bluechip Staff Association to Community was received by the Certification Officer on 16 May 2019.

## **20 May 2019**

### **Breach of union rule decision: Bromfield v GMB**

Mr Bromfield made two complaints of breach of union rule in relation to disciplinary proceedings. The Certification Officer struck out the application under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived.

## **12 April 2019**

### **Breach of union rules decision: McFadden v Unite the Union**

The applicant made a number of complaints under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached its rules relating to disciplinary proceedings.

Following a preliminary hearing on Thursday 21 March 2019, the Certification Officer determined that the complaints would proceed to a full hearing to decide the applicant's complaints

## **5 April 2019**

### **Breach of union rule decision: Newton v Musicians' Union**

Mr Newton made a complaint of breach of union rule in relation to disciplinary proceedings. The Certification Officer struck out the application under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived.

## **3 April 2019**

### **Breach of union rule decision: Connolly v Usdaw**

The applicant made one complaint under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached rules relating to disciplinary proceedings.

The Certification Officer made a declaration that the Union breached its rule in removing her from her position as a shop steward.

The Certification Officer declined to make an enforcement order.

## **1 April 2019**

Perth and District Master Plumbers Association has been removed from the schedule of employers' associations held by the Certification Officer because it dissolved on 31 December 2018.

## **11 March 2019**

### **Breach of union rule decision: Morley v GMB**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992.

The Certification Officer dismissed the application upon withdrawal by the applicant.

## **8 February 2019**

### **Breach of union rule decision: Kelly v Musicians' Union**

The applicant made six complaints under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached rules relating to disciplinary proceedings.

A hearing on the first complaint was held on 8 January 2019. Following the hearing, the Certification Officer upheld the complaint and considered it appropriate to make an enforcement order. The Certification Officer ordered that:-

1. Mr Kelly be restored to membership of the Musicians' Union
2. Mr Kelly be reinstated to the Recording and Broadcast Committee
3. Mr Kelly be restored as an Approved Musicians' Union Contractor
4. The Union must not remove Mr Kelly's Approved Musicians' Union Contractor Status, or include him within the Ask us First List, on the basis of any disciplinary or other Union process which arises from Mr Kelly's membership of the Union and which is based on information which was considered as part of the disciplinary process which began with the General Secretary's letter of 24 January 2018.



**24 January 2019**

**[Access to accounting records decision: Ali v RMT](#)**

This application was made under Sections 30(2)(a), 30(2)(b) and 30(2)(c) of the Trade Union and Labour Relations (Consolidation) Act 1992.

The Certification Officer dismissed the application upon withdrawal by the applicant

**15 January 2019**

Lanarkshire Master Plumbers' Association has been removed from the schedule of employers' associations held by the Certification Officer because it dissolved on 31 December 2017.

**13 December 2018**

**[Breach of union rule decision: Robinson v GMB](#)**

The applicant made one complaint under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached rules relating to removal from office.

Following a hearing on 28 November 2018, the Certification Officer refused the complaint.

**12 December 2018**

**[Breach of union rule decision: Leahey v Unison](#)**

This application was made under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992.

The Certification Officer dismissed the application upon withdrawal by the applicant

**5 December 2018**

**[Breach of union rule decision: Blackledge v University and College Union](#)**

The applicant made seven complaints under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached rules relating to disciplinary proceedings.

Following a hearing on 13 November 2018, the Certification Officer refused all these complaints.

## **3 December 2018**

The application for a certificate of independence from Cleaners and Allied Independent Workers Union (CAIWU) was approved by the Assistant Certification Officer on 3 December 2018

## **26 November 2018**

### **Breach of union rule decision: Lascelles v Prospect**

Upon an application made by Mr Lascelles under section 108A(1) of the Trade Union and Labour Relations Act 1992 that Prospect had breached an implied rule of the union relating to the balloting of members on any issue other than industrial action.

The application is dismissed upon withdrawal by Mr Lascelles.

## **19 November 2018**

### **Breach of union rules decision: Hussain v Communication Workers Union**

The applicant made two complaints under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 relating to branch elections. Prior to the hearing, the union conceded that the breaches had occurred. The Certification Officer upheld two complaints in relation to a breach of rules of the branch constitution and considered it appropriate to make an enforcement order. The Certification Officer ordered that:-

The Union undertake the remaining stages of the current ballot, which was originally concluded in December 2017 and which is the subject of the complaints made by Mr Hussain, in accordance with the Union's Rules. The result of the ballot should be declared by 3 December 2018.

## **12 November 2018**

### **Breach of union rules decision: Taylor v Unite the Union**

The applicant made three complaints under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 relating to the union's West Midlands Regional Committee elections.

The Certification Officer dismissed the application upon withdrawal by the applicant.

## **31 October 2018**

Psychotherapy and Counselling Union has been entered on the list of trade unions held by the Certification Officer with effect from 31 October 2018.

## **23 October 2018**

### **Breach of union rules decision: Armstrong v Unite the Union**

The applicant made a complaint under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached a disciplinary rule in relation to the applicant's suspension from a branch office.

The Certification Officer dismissed this complaint by a decision dated 15 October 2018.

## **23 October 2018**

### **Breach of union rules and breach of statute decision: McAllister v Usdaw**

The applicant made one complaint under Section 55(1) and two complaints under Section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 relating to the union's presidential and council elections.

The Certification Officer dismissed the application upon withdrawal by the applicant.

## **9 October 2018**

### **Breach of union rules decision: Coyne & Brooks v Unite the Union (2)**

The applicants made 10 complaints in relation to the 2017 election of the General Secretary of Unite the Union. This decision of Assistant Certification Officer, Mr Jeffrey Burke QC, deals with complaints 2 to 10 that were determined following a five day hearing held between 25 and 29 June 2018. The Assistant Certification Officer dismissed all nine complaints.

Complaint one was determined following a hearing on 27 March 2018 before Mr Burke QC. In a decision dated 4 May 2018 he dismissed the complaint.

[D/2/18-19](#)

## **2 October 2018**

Poole Greyhound Trainers Union has been entered on the list of trade unions held by the Certification Officer with effect from 2 October 2018.

## **28 September 2018**

### **Breach of union rules decision: Peros v Napo – the Trade Union and Professional Association for Family Court and Probation Staff**

The applicant made four complaints Under section 108A(1) of the Trade Union

and Labour Relations (Consolidation) Act 1992 concerning breaches of union rules in relation to disciplinary proceedings against him.

The Certification Officer upheld all the complaints but declined to make an Enforcement Order.

## **11 September 2018**

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from the Cleaners and Allied Independent Workers Union (CAIWU). Any persons who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

## **14 August 2018**

Change of Name: The Society of Chiropodists and Podiatrists to The College of Podiatry

The Certification Officer has approved an application from The Society of Chiropodists and Podiatrists to change its name to The College of Podiatry with effect from 13 August 2018.

## **9 August 2018**

ASPSU has been removed from the list of trade unions maintained by the Certification Officer because it ceased to be a trade union on 31 July 2017.

## **25 July 2018**

### **[Breach of union rules decision: Gates v Society of Chiropodists and Podiatrists](#)**

The applicant made a complaint under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the Union had breached a provision of its handbook in relation to a representative post in NHS Highland.

On 16 July 2018 the Certification Officer refused this complaint having found that the handbook does not form part of the Union's rules.

## **18 July 2018**

The Certification Officer's Annual Report 2017-2018 will not be published in July 2018 as planned. It will now be published after the Parliamentary summer recess.

## **5 July 2018**

National Union of Mineworkers (North East Area) and National Union of Mineworkers (Scotland Area) have been removed from the schedule of trade unions on the grounds that neither of them meet the statutory definition of a trade union.

## **2 July 2018**

Britannia Staff Union has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 1 July 2018.

## **8 June 2018**

### **[Breach of union rules decision Dawson v University and College Union](#)**

The applicant made two complaints under 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the union had breached its rules relating to the disciplinary process. The Certification Officer dismissed the application upon withdrawal by the applicant.

## **7 June 2018**

Scottish Colliery Enginemen Boilermen and Tradesmens Association has been removed from the schedule of trade unions as it ceased to be a trade union on 1 March 2018.

## **9 May 2018**

Change of Name: Retained Firefighters Union to Fire and Rescue Services Association.

The Certification Officer has approved an application from Retained Firefighters Union to change its name to Fire and Rescue Services Association with effect from 9 May 2018.

## **9 May 2018**

### **[Breach of union rules decision Dinsdale v GMB](#)**

The applicant made two complaints under 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 that the union had breached its rules around branch elections. The Certification Officer refused both of these complaints.

## **4 May 2018**

### **[Breach of union rules decision Coyne & Brooks v Unite the Union](#)**

The applicants made 10 complaints in relation to the 2017 election of the General Secretary of Unite the Union. Assistant Certification Officer, Mr Jeffrey Burke QC, held a hearing on 27 March 2018, to determine the preliminary point, dealt with in Complaint 1, that, under the Union's rules, there was no power to hold the election at all, at the time it was held. The Assistant Certification Officer resolved this preliminary point in favour of the Union. The remaining complaints will be heard over 5 days commencing on 25 June 2018. The details of the venue will be confirmed shortly.

## **2 May 2018**

### **[Breach of union rules decision Cullen v Unite the Union](#)**

Mr Cullen made a complaint of breach of union rules in relation to removal from a post. The Certification Officer struck out the application under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that it has no reasonable prospect of success and/or is otherwise misconceived.

## **1 May 2018**

NACO merged into USDAW on 1 May 2018. Please note that NACO ceased to exist from 1 May 2018 and has been removed from the list of trade unions maintained by the Certification Officer.

## **23 March 2018**

### **[Breach of union rules decision Mr M Rolfe v POA](#)**

Mr Rolfe made three complaints of breach of union rules in relation to a disqualification from holding NEC posts until 2016. Two complaints were dismissed upon withdrawal by Mr Rolfe. The Certification Officer upheld one complaint in relation to a breach of union rule 10.9 and considered it appropriate to make an enforcement order. The Certification Officer ordered that:-

The NEC remove the disqualification of Mr Rolfe from holding any National Executive post which was imposed on him under rule 10.9 following his resignation as a Prison Officer on 3 May 2017. This order will take effect from the date of this decision.

## **15 March 2018**

### **[Breach of union rules decision Pollock v Accord](#)**

The applicant made a complaint alleging that the Union breached a rule

relating to its Executive Committees. The complaint was dismissed upon withdrawal by the applicant.

## **7 March 2018**

The application for a certificate of independence from National House Building Council Staff Association was approved by the Assistant Certification Officer on 7 March 2018

## **7 February 2018**

Change of Name: Leeds Building Society Staff Association to Leeds Building Society Colleague Association.

The Certification Officer has approved an application from Leeds Building Society Staff Association to change its name to Leeds Building Society Colleague Association with effect from 7 February 2018.

## **5 February 2018**

Association of Somerset Inseminators has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 1 September 2017.

## **2 February 2018**

### **[Access to accounting records decision: Mr Markham v GMB](#)**

Mr Markham made a complaint alleging that GMB breached section 30(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 in failing to comply with his request to access branch accounting records. The Certification Officer upheld the complaint after the union conceded the breach. No enforcement order was made as Mr Markham had been granted access to the requested records.

## **1 February 2018**

Staff Union West Bromwich Building Society merged into Community on 1 February 2018. Please note that Staff Union West Bromwich Building Society ceased to exist from 1 February 2018 and has been removed from the list of trade unions maintained by the Certification Officer.

## **19 January 2018**

### **[Breach of union rules decision Chisholm v Unite the Union](#)**

The applicant made two complaints under 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 about her alleged removal from office as branch secretary. The Certification Officer refused both of these complaints.

**16 January 2018**

**Breach of union rules decision Boswell and Ors v United Road Transport Union (URTU)**

The claimants made three complaints alleging that URTU had breached its rules relating to disciplinary proceedings. The Assistant Certification Officer upheld one complaint that the union had breached its rules and dismissed the other two complaints. The ACO has now received further submissions from parties following the findings in this decision and is now considering the appropriate remedy.

**9 January 2018**

National Union of Mineworkers (Northumberland Area) has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 30 November 2017.

**19 December 2017**

**Breach of union rules decision Prof Barron v University College Union**

Prof Barron made nine complaints of breaches of rule of the LSE branch of the UCU pursuant to s.108A(2) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Assistant Certification Officer (ACO) made a declaration that breaches had occurred in relation to complaints 2 and 8.

Complaint 2 – the ACO made a declaration that the union had breached 9.1 of the LSE branch rules by failing to ensure the branch committee appointed a returning officer for elections.

Complaint 8 – the ACO made a declaration that the union breached rule 11 of the LSE branch rules by failing to ensure the delegates to the 2017 Congress were elected from members of the LSE branch.

The ACO did not make any enforcement orders.

Complaint 3 was dismissed as it fell outside the Certification Officer's jurisdiction. Complaint 5 was dismissed as it was submitted out of time. Complaints 1,4,6,7 and 9 were dismissed as no breach or threatened breach had been found.

**19 December 2017**

An application to register the Instrument of Transfer of Staff Union West Bromwich Building Society (SUWBBS) to Community was received by the Certification Officer on 18 December 2017.



**12 December 2017**

**Breach of union rules decision Dr Elliott & Dr Borbora v British Medical Association**

Dr Elliott made four complaints and Dr Borbora made three complaints alleging breaches of union rule relating to disciplinary procedures under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992.

The Certification Officer refused both Dr Elliott's and Dr Borbora's applications.

**14 November 2017**

**Breach of union rules decision Mr Alec McFadden v Unite the Union**

The applicant made two complaints under section 108A(1) of the Trade Union Labour Relations (Consolidation) Act 1992 that Unite the Union had breached its rules relating to disciplinary proceedings. Following submissions from the parties on two preliminary issues the Assistant Certification Officer, appointed by the Certification Officer to hear the complaints, decided to uphold the applicant's complaints of breach of rules.

**13 November 2017**

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from the National House Building Council Staff Association (NHBC Staff Association). Any persons who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

**3 November 2017**

Confederation of British Surgery has been entered on the list of trade unions held by the Certification Officer with effect from 3 November 2017.

**30 October 2017**

**Breach of Union Rule decision: Mr Tully v National Crime Officers Association**

The applicant made five complaints under section 108A(1) of the Trade Union Labour Relations (Consolidation) Act 1992 that the National Crime Officers Association had breached its rules relating to disciplinary proceedings. The Certification Officer made five declarations that the union had breached its rules. The following enforcement orders were made: 1.The National Executive Committee's decision at its meeting on 7 to 8 September 2016 to expel Mr Tully from membership of the NCOA is null and void. 2.The Union make arrangement to restore Mr Tully to membership of the NCOA by 19 November

2017.

## **13 October 2017**

### **[Financial irregularity decision: National Union of Mineworkers \(Northumberland Area\)](#)**

The Certification Officer has decided not to exercise his discretion to appoint an inspector to investigate the financial affairs of National Union of Mineworkers (Northumberland Area). He has written to the union to inform them of his decision and his reasons. The letter to the union, which contains background information and comment, is published here.

## **21 September 2017**

CU Staff Consultative Group has been entered on the list of trade unions held by the Certification Officer with effect from 21 September 2017.

## **13 September 2017**

### **[Breach of Union Rules Decision: Penkethman & Walker v Communication Workers union](#)**

Ms Penkethman and Mr Walker made one complaint alleging a breach of rule relating to canvassing during the 2017 elections in the Midland No 7 branch of the CWU under section 108A(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Walker made a further separate complaint relating to the receiving of a voting paper during the same election.

The Certification Officer refused both of the claimants' applications

## **4 September 2017**

Welsh Local Government Association was added to the list on 12 June 2017.

## **1 September 2017**

Association of Teachers and Lecturers and National Union of Teachers amalgamated to form National Education Union on 1 September 2017. Please note that both Association of Teachers and Lecturers and National Union of Teachers ceased to exist from 1 September 2017 and have been removed from the list of trade unions maintained by the Certification Officer. The new, amalgamated, union, National Education Union, has been added to the list.

## **21 August 2017**

The application for a certificate of independence from the United Voices of the World was approved by the Assistant Certification Officer on 21 August 2017.

Change of Name: Graphic Enterprise Scotland to Print Scotland – The Certification Officer has approved an application from “Graphic Enterprise Scotland” to change its name to “Print Scotland” with effect from 21 August 2017.

Ellington Branch of the North East Area of the National Union of Mineworkers has been removed from the list of trade unions maintained by the Certification Officer because it ceased to exist on 21 August 2017

## **9 August 2017**

### **Breach of Union Rules Decision: McFadden v Unite the Union**

The claimant alleges that Unite the Union breached its rules in relation to disciplinary proceedings against him. Following a preliminary hearing the Assistant Certification Officer identified the issues in dispute which fall to be determined at a full hearing of the complaints. The Certification Officer also identified a preliminary issue to be decided by him before any further hearing. He set directions for the full hearing.

## **2 August 2017**

Change of Name: National Association of Stable Staff to National Association of Racing Staff

An application to change the name of National Association of Stable Staff to National Association of Racing Staff was approved on 2 August 2017.

## **18 July 2017**

The [Annual Report](#) of the Certification Officer, Gerard Walker, was laid before Parliament today 18 July 2017. The report describes the work of the Certification Officer over the year 1 April 2016 to 31 March 2017 and provides detailed information on all trade unions and employers' associations. The statistical information it contains is drawn from the annual returns received during the reporting period, which relate mainly to the year ending 31 December 2015.

## **22 May 2017**

### **Burgess and ors, Wakefield, Bannister and Rogers v UNISON: The Public Service Union**

The applicants made 16 complaints that UNISON had breached its rules in relation to its 2015 General Secretary election. Many of these complaints contained multiple allegations of breaches. In addition it was alleged that the Union breached section 49(4) and 49(6) of the 1992 Act also in relation to the 2015 UNISON General Secretary election.

The Assistant Certification Officer made decisions relating to all of the

above complaints. She made one declaration that the union had breached its rules. No enforcement order was made.

## **22 May 2017**

National Union of Mineworkers (Scottish Area) has been removed from the schedule of trade unions as it ceased to be a trade union on 22 May 2017.

## **19 May 2017**

### **Breach of union rules decision: Mr K Johnson v GMB**

The applicant made four complaints under section 108A(1) of the Trade Union Labour Relations (Consolidation Act) 1992 that the GMB had breached rules of the Union relating to matters specified in section 108A(2).

The Certification Officer dismissed the application upon withdrawal by the applicant.

## **28 April 2017**

An application to register the Instrument of Amalgamation of the Association of Teachers and Lecturers and the National Union of Teachers was received on 25 April 2017.

## **24 April 2017**

Fencing Contractors Association has been removed from the schedule of employers' associations maintained by the Certification Officer because it dissolved on 31 December 2016

## **1 April 2017**

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from the United Voices of the World. Any person who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

## **20 March 2017**

Lancaster Morecambe and South Lakeland Master Plumbers Association was removed from the List of Employers' Associations with effect from 17 March 2017 as it ceased to be an Employers' Association.

## **20 March 2017**

## **Listings decision: Disabled Workers Union**

Under section 3(3) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer refused the application by Disabled Workers Union to be entered in the list of trade unions.

**10 March 2017**

## **Mr Fernandez and Ors v Unite the Union**

The claimants made four complaints of that the Union breached its rules on relation to branch officer elections in union's LE/2000 Branch and one complaint of a breach of section 30 (2) of the 1992 Act in relation to the request for access to accounting records. The Certification Officer upheld one complaint of breach of rule and dismissed the other complaints. No enforcement order was made.

**23 January 2017**

## **Mathewson v NUM**

Mr Mathewson made seven complaints alleging the union had breached its rules and one complaint of the union's breach of Chapter IV of the Trade Union and Labour Relations (Consolidation) Act 1992. Following correspondence, the Certification Officer struck out all eight complaints under section 256ZA(1)(a) of the Trade Union and Labour Relations (Consolidation) Act 1992 on the grounds that they had no reasonable prospect of success and/or were otherwise misconceived.

**23 January 2017**

The Union of Construction, Allied Trades and Technicians (UCATT) merged into Unite the Union on 1 January 2017. Please note that UCATT ceased to exist from 1 January 2017 and has been removed from the list of trade unions maintained by the Certification Officer

**20 January 2017**

UFS merged into Community on 1 January 2017. Please note that UFS ceased to exist from 1 January 2017 and has been removed from the list of trade unions maintained by the Certification Officer.

**20 January 2017**

Broadcasting Entertainment Cinematograph and Theatre Union merged into Prospect on 1 January 2017. Please note that Broadcasting Entertainment Cinematograph and Theatre Union ceased to exist from 1 January 2017 and has been removed from the list of trade unions maintained by the Certification Officer.

**10 January 2017**

**Laws v GMB**

The applicant made a complaint under section 108A(1) of the Trade Union Labour Relations (Consolidation Act) 1992 that the GMB had breached rules of the Union relating to matters specified in section 108A(2).

The Certification Officer dismissed the application upon withdrawal by the applicant.

**1 December 2016**

An application to register the Instrument of Transfer of UFS to Community was received by the Certification Officer on 17 November 2016.

**16 November 2016**

**Abrahams & Ors v URTU**

The applicants made three complaints relating to the 2016 Election for General Secretary of the Union. These included two alleged breaches of Chapter IV of the Trade Union and Labour Relations (Consolidation) Act 1992 and one alleged breach of one of the Union's rules. The Certification Officer upheld all three complaints and made a single enforcement order in relation to the breach of Section 47(1) of the 1992 Act – Complaint 2.

**9 November 2016**

The Association of Principal fire Officers (APFO) merged into Prospect on 7 November 2016. Please note that APFO ceased to exist from 6 November 2016 and has been removed from the list of trade union maintained by the Certification Officer.

**27 October 2016**

**Beaumont v Unite the Union (No.5)**

The claimant made seven complaints that the union had allegedly breached its rules in relation to eligibility to hold lay office on its Executive Council, and related issues. The Certification Officer dismissed all the complaints.

**24 October 2016**

An application to register the Instrument of Transfer of Broadcasting Entertainment Cinematograph and Theatre Union to Prospect was received by the Certification Officer on 18 October 2016.

**19 October 2016**

**Burgess & Ors, Rogers, Wakefield and Bannister v UNISON: The Public Service Union**

The claimants alleged that Unison breached its rules and the 1992 Act in relation to the election for the position of General Secretary of UNISON in late 2015. At the preliminary hearing on 6th October 2016, the Assistant Certification Officer determined that the complaints from all four applicants should be consolidated and determined at a single hearing. In addition the issues to be determined were identified and agreed. The ACO also gave directions for the full merits hearing which is to be heard on 19,20 and 21 December 2016.

**15 September 2016**

Pursuant to section 4 of the Trade Union and Labour (Relations) Consolidation Act 1992 ("the 1992 Act"), the Certification Officer removed the National Association of Colliery Overmen, Deputies and Shotfirers from the list of trade unions on the grounds that it is no longer a trade union within the meaning of the 1992 Act ([Listings Decision: National Association of Colliery Officials Deputies and Shotfirers \(C0/L/2/16-17\)](#)).

**30 August 2016**

**Bannister v UNISON: The Public Service Union**

Mr Bannister brought five complaints in which he alleged that UNISON: The Public Service Union breached its rules in relation to the UNISON 2015 General Secretary election. Three of Mr Bannister's complaints were struck out under section 256ZA(1)(a) of the Trade Union and Labour Relations (Consolidation) Act 1992 on the basis that they had no reasonable prospect of success and/or were otherwise misconceived. The remaining two complaints are to proceed to a full hearing in order to be determined.

**26 August 2016**

**Brough v Union of Construction, Allied Trades and Technicians (UCATT) (No. 2)**

Mr Brough made a complaint alleging that UCATT had breached section 24(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 by failing to ensure, so far as is reasonably practicable, that the entries in its register of members were accurate and kept up-to-date. The Certification Officer upheld the complaint but considered it was inappropriate to make an enforcement order.

## **24 August 2016**

Society of Local Council Clerks has been removed from the schedule of trade unions as it ceased to be a trade union on 17 August 2016.

## **18 August 2016**

The Certification Officer has approved an application from "Cinema Exhibitors Association Ltd" to change its name to "UK Cinema Association Ltd" with effect from 18 August 2016.

Shield Guarding Staff Association has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 21 May 2016.

## **17 August 2016**

Association of Local Council Clerks has been entered on the schedule of trade unions held by the Certification Officer with effect from 16 August 2016.

## **9 August 2016**

### **[Forbes v Scottish Secondary Teachers' Association](#)**

Mr James Forbes made two complaints against the Scottish Secondary Teachers' Association ("the Association") in which he alleged that the Association breached its rules in relation to its internal disciplinary procedure and breached section 47(1) of the Trade Union and Labour Relations (Consolidation) Act 1992. Mr Forbes died on 18 April 2016. On 20 July 2016 his complaints were withdrawn on behalf of his estate. The Certification Officer dismissed Mr Forbes' complaints upon withdrawal by his estate.

## **14 July 2016**

The [Annual Report of the Certification Officer \(2015-2016\)](#) is published and laid before Parliament. It is available to be downloaded from the Certification Officer's website.

## **7 July 2016**

### **[Bentham v Union of Construction, Allied Trades and Technicians \(UCATT\) \(No. 3\)](#)**

Mr Bentham brought two complaints in which he alleged that UCATT breached its rules in relation to its internal disciplinary procedure. The complaints were struck out under section 256ZA(1)(a) of the Trade Union and Labour Relations (Consolidation) Act 1992 ("the 1992 Act") on the basis that they had been brought to the Certification Officer outside the time limits set out in section 108A(6) and (7) of the 1992 Act.



## **24 June 2016**

National Union of Mineworkers (Leicester Area) removed from the list of trade unions maintained by the Certification Officer following a decision by the Certification Officer that it was no longer a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 ([Listings Decision: National Union of Mineworkers \(Leicester Area\) \(C0/L/16-17\)](#)).

## **2 June 2016**

The application for a certificate of independence from the Artists' Union England was approved by the Assistant Certification Officer on 2 June 2016.

## **11 May 2016**

Whatman International Staff Association has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 9 October 2015.

## **31 May 2016**

### **[Fletcher v Unite the Union](#)**

The claimant made a complaint alleging that Unite the Union breached section 30(2) of the Trade Union and Labour Relations (Consolidation) Act 1992 in failing to comply with his request to access accounting records of the union. Upon the union providing the records the claimant withdrew the complaint. The complaint was dismissed upon withdrawal by the claimant.

## **17 May 2016**

### **[Fernandez Castillo and Ors. v Unite the Union](#)**

The claimants alleged that Unite the Union breached its rules in relation to the 2015 Branch LE/2000 election and breached section 30(2)(a) of the Trade Union and Labour Relations (Consolidation) Act 1992. At the preliminary hearing the Certification Officer determined which branch constitution was valid at the time of the election and that the Branch Balloting Protocol constituted rules of the union. The Certification Officer also determined which complaints made by the claimants would proceed to a full hearing.

## **17 May 2016**

### **[Brough v Union of Construction, Allied Trades and Technicians \(UCATT\) \(No 3\)](#)**

Mr Brough made two complaints alleging the union had breached its rules relating to disciplinary matters. Following correspondence, the Certification Officer struck out both complaints under section 256ZA(1)(a) of the Trade

Union and Labour Relations (Consolidation) Act 1992 on the grounds that they had no reasonable prospect of success and/or were otherwise misconceived.

## **4 May 2016**

Mr Chapman made five complaints relating to disciplinary proceedings by the Union. Mr Chapman alleged that the Union breached a number of its own rules during disciplinary proceedings against him and in handling a complaint by him against another Union member. The Certification Officer refused four of the claimant's applications but declared in the claimant's favour on the fifth complaint. The Certification Officer did not make any enforcement order.

## **13 April 2016**

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from the Artists' Union England. Any person who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

## **30 March 2016**

Cleaners and Allied Independent Workers Union (CAIWU) has been entered on the list of trade unions held by the Certification Officer with effect from 16 March 2016.

## **22 March 2016**

### **Henderson v GMB**

Mr Henderson made five complaints relating to the Union's election for the position of General Secretary and Treasurer. These included four alleged breaches of 47(1) Trade Union and Labour Relations (Consolidation) Act 1992 and one alleged breach of one of the Union's by-laws. The Certification Officer refused all five of the claimant's applications.

## **16 March 2016**

The Association of Professional Ambulance Personnel has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 31 December 2015.

## **12 January 2016**

### **Mills v Unite the Union**

The claimant made a complaint alleging that Unite the Union had breached section 30(2)(a) of the Trade Union and Labour Relations (Consolidation) Act 1992 in failing to comply within 28 days with her request to access

accounting records of the union. The Certification Officer upheld the complaint and made an enforcement order.

## **25 November 2015**

### **Sweeney (No. 2) v Union of Construction, Allied Trades and Technicians (UCATT)**

Mr Sweeney brought two complaints in which he alleged that UCATT breached its rules in not paying his or the person accompanying him their travel expenses in order to attend an appeal hearing before the General Council of UCATT. The complaints were struck out under section 256ZA(1)(a) of the Trade Union and Labour Relations (Consolidation) Act 1992 on the grounds that they had no reasonable prospect of success and/or were otherwise misconceived.

## **18 November 2015**

The Union of Country Sports Workers has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 30 June 2015.

## **17 November 2015**

### **Rowlandson v UNISON**

Mr Rowlandson made five complaints alleging that the union had breached its rules in relation to branch elections and one complaint in relation to disciplinary procedures. The union conceded breaches for four of the six complaints and the Certification Officer declared, by consent, that the relevant rules had been breached as alleged. He made a single enforcement order in relation to these complaints. The Certification Officer refused to make a declaration on the remaining two complaints.

## **22 October 2015**

### **Radford v Equity (No.2)**

Mr Radford made three complaints alleging that the union had breached two of its rules in relation to disciplinary procedures. The Certification refused the claimant's application in relation to the first complaint. The Certification Officer upheld the second and third complaints for which he also made enforcement orders. The decision was issued to the parties on 22 October 2015 and reviewed, following an application from the Union, on 12 November 2015.

## **15 October 2015**

### **Ritson v National Union of Teachers (NUT)**

Mr Edward Ritson made six complaints alleging that the NUT breached its rules

in relation to the nomination procedure followed by its Sefton Branch for local officers and committee. Following a settlement between the parties, Mr Ritson withdrew his complaints, which were dismissed by the Certification Officer upon withdrawal.

## **2 October 2015**

### **Murray v Unite the Union**

Mr Murray made a complaint alleging that the union had breached one of its rules in relation to the election of the Scottish Regional representative to its Executive Council that took place in 2015. The union conceded a breach of the rule. The Certification Officer made an enforcement order that the election be re-run.

## **1 October 2015**

The Bus Workers Alliance has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 29 May 2015.

## **3 September 2015**

The Certification Officer refused the application by Equal Justice to be entered in the list of trade unions ([Listings decision: Equal Justice](#)).

## **11 August 2015**

The Federation of Professional Railway Staff has been removed from the list of trade unions maintained by the Certification Officer because it dissolved on 30 June 2015.

The Pop-Up Union has been removed from the list of trade unions maintained by the Certification Officer. The Certification Office last had contact with the Pop-Up Union in May 2013, when it was entered on the list of trade unions. Since then all attempts at contacting the organisation have been unsuccessful. It appears that the Pop-Up Union had ceased to exist by the end of 2013. In the circumstances it never came under a duty to supply this office with an annual return.

## **30 July 2015**

British Ceramic Confederation has been removed from the schedule of employers' associations held by the Certification Officer with effect from 30 July 2015 because it is no longer an employers' association.

## **29 July 2015**

### **Brough v Union of Construction, Allied Trades and Technicians**

## **(UCATT)**

Mr Brough made a complaint alleging that the union had breached its rules in relation to its internal disciplinary procedure. The Certification Officer dismissed the complaint.

## **20 July 2015**

The [Annual Report of the Certification Officer \(2014-2015\)](#) is published and laid before Parliament. It is available to be downloaded from the Certification Officer's website. Hard copies of the report are available upon request to the Certification Office ([info@certoffice.org](mailto:info@certoffice.org)).

## **25 June 2015**

The Certification Officer has approved an application from "Local Government Yorkshire and Humber" to change its name to "Yorkshire and Humber (Local Authorities) Employers' Association" with effect from 25 June 2015.

## **23 June 2015**

### **Wilson v UNISON: The Public Services Union**

The claimant alleged that the union breached its rules in relation to a ballot of members of the Doncaster Local Government Branch Retired Members Section. The application was struck out under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the grounds that the complaint advanced by the claimant had no reasonable prospect of success and/or was otherwise misconceived.

## **19 June 2015**

The Staff Association of Bank of Baroda (UK Region) merged into Unite the Union on 19 June 2015. Please note that the Staff Association of Bank of Baroda (UK Region) ceased to exist from 18 June 2015 and has been removed from the list of trade unions maintained by the Certification Officer.

## **4 June 2015**

The application for a certificate of independence from the National Crime Officers Association was approved by the Assistant Certification Officer on 4 June 2015.

## **3 June 2015**

### **Stevens v Union of Democratic Mineworkers**

The claimant brought five complaints against the Union of Democratic Mineworkers. The complaints alleged breaches of rule relating to:

- the notices required for branch meetings;
- the voting of a branch delegate at the Union's Council;
- the election of a National Executive Committee member;
- the attendance of a trustee at a National Executive Committee; and
- a rule change relating to sections of the union.

Two of these complaints were upheld, two were dismissed and one was struck out by the Certification Officer under section 256ZA(4) of the Trade Union and Labour Relations (Consolidation) Act 1992. The Certification Officer did not make any enforcement orders.

## **22 May 2015**

National Association of Colliery Overmen, Deputies and Shotfirers (South Wales Area) has been removed from the schedule of trade unions maintained by the Certification Officer because it dissolved on 22 May 2015.

## **19 May 2015**

### **Todd v Unite the Union**

The claimant brought five complaints against Unite the Union. The complaints alleged breaches of rule relating to the complainant being prevented from speaking to the National Industrial Sector Committees of the Union and the handling of her complaints relating to the issue. The Certification Officer struck out all five complaints under section 256ZA of the Trade Union and Labour Relations (Consolidation) Act 1992 on the grounds that the complaints had no reasonable prospect of success and/or were otherwise misconceived.

## **15 May 2015**

### **Boothroyd v UNISON**

The claimant made a complaint alleging that UNISON breached its rules in removing him from membership. The claimant withdrew his complaint on the Union reinstating his membership. The Certification Officer dismissed the complaint upon withdrawal by the claimant.

## **15 May 2015**

### **Beaumont (No. 4) and Mansell v Unite the Union**

The claimants brought five complaints against Unite the Union. One complaint related to eligibility to sit on its Executive Council and was upheld. The other four related to the Executive Council election in 2014. Two of these complaints were upheld and two were dismissed. The Certification Officer did not make any enforcement orders.

## **7 May 2015**

An application to register the Instrument of Transfer of the Staff Association of Bank of Baroda (UK Region) to Unite the Union was received by the Certification Officer on 7 May 2015.

## **6 May 2015**

The Certification Officer has approved an application from "Whatman Staff Association" to change its name to "Whatman International Staff Association" with effect from 6 May 2015.

## **5 May 2015**

Unity merged into GMB on 16 April 2015. Please note that Unity ceased to exist from 15 April 2015 and has been removed from the list of trade unions maintained by the Certification Officer.

## **17 April 2015**

### **[Street and Street v UNISON \(on remission from the EAT\)](#)**

The complaint, as remitted to the Certification Officer by the Employment Appeal Tribunal, following the Certification Officer's decision ([D/28-29/12-13](#)) and EAT judgement (UKEAT/0256/13) was dismissed by the Certification Officer.

## **16 April 2015**

European SOS Trade Union has been entered on the list of trade unions held by the Certification Officer with effect from 13 April 2015.

## **26 February 2015**

Newspaper Society has been removed from the list of employers' associations maintained by the Certification Officer because it ceased to exist on 16 June 2014.

## **11 February 2015**

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from the National Crime Officers Association. Any person who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

## **9 February 2015**

Equality For Workers Union (EFWU) has been entered on the list of trade unions held by the Certification Officer with effect from 09 February 2015.

## **23 January 2015**

The application for a certificate of independence from the Independent Workers Union of Great Britain (IWGB) was approved by the Certification Officer on 23 January 2015.

## **20 January 2015**

R&C Trade Union has been entered on the list of trade unions held by the Certification Officer with effect from 20 January 2015.

## **25 November 2014**

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from the Independent Workers Union of Great Britain (IWGB). Any person who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

## **21 November 2014**

Yorkshire Independent Staff Association (YISA) merged into Aegis the Union on 21 November 2014. Please note that YISA ceased to exist from 20 November and has been removed from the list of trade unions maintained by the Certification Officer.

## **19 November 2014**

Driver and General Union has been entered on the list of trade unions held by the Certification Officer with effect from 18 November 2014.

## **3 November 2014**

Artists' Union England has been entered on the list of trade unions held by the Certification Officer with effect from 3 November 2014.

The Instrument of Transfer in respect of the merger of the British Association of Colliery Management – Technical Energy and Administrative Management (BACM-TEAM) to Prospect was registered by the Certification Officer on 3 November 2014. The Instrument comes into effect on 3 November 2014.

BACM-TEAM ceased to exist with effect from the date of registration of the Instrument and its name has been removed the Certification Officer's list of



trade unions.

## **29 October 2014**

Driver and General Union has been entered on the schedule of trade unions held by the Certification Officer with effect from 29 October 2014.

## **22 October 2014**

Aberdeen Fish Curers & Merchants Association Ltd has been removed from the schedule of employers' associations maintained by the Certification Officer because it dissolved on 19 September 2014.

## **3 October 2014**

An application to register the Instrument of Transfer of YISA (Yorkshire Independent Staff Association) to Aegis was received by the Certification Officer on 3 October 2014.

## **17 September 2014**

An application to register the Instrument of Transfer of British Association of Colliery Management – Technical Energy and Administrative Management (BACM-TEAM) to Prospect was received by the Certification Officer on 17 September 2014.

## **13 August 2014**

Artists' Union England has been entered in the schedule of trade unions held by the Certification Officer with effect from 1 August 2014.

## **29 July 2014**

PTSC has been entered on the list of trade unions held by the Certification Officer with effect from 29 July 2014.

## **22 July 2014**

London Fish Merchant Association (Billingsgate) Limited has been removed from the schedule of employers' associations held by the Certification Officer with effect from 22 July 2014 because it is no longer an employers' association.

## **4 July 2014**

Covent Garden Tenants Association Ltd has been removed from the schedule of employers' associations held by the Certification Officer with effect from 2 July 2014 because it is no longer an employers' association

## 25 March 2014

The application for a certificate of independence from the PPU was approved by the Certification Officer on 25 March 2014.

## 13 January 2014

Notice is hereby given that that an application for a certificate of independence under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992 has been received from PPU. Any persons who wishes to submit any information relevant to this application should do so within one calendar month of the date of this notice.

---

## Collection: Forestry Commission statistical release announcements

*Updated:* Quarterly update.

Forestry Commission statistical release announcements.

---

## Guidance: Statutory market values for oil

*Updated:* The daily values for all Category 1 crude oils for September 2018 have been added.

If you're a participator in a UK oil field, you must use these defined market value rates if you dispose of:

- crude oil
- liquefied petroleum gases (LPGs)
- condensate

Each taxable crude blend has a separate market value. There's 2 types of crude oil for valuation purposes.

Do not use these rates for arm's length sales.

## Category 1 oil

These are the crude oils valued using Price Reporting Agency data.

The crudes for category 1 are:

- Brent
- Ekofisk
- Flotta
- Forties
- Statfjord

This publication shows category 1 values from 2015 to 2018. Earlier years are on the

[National Archives website](#).

## Category 2 oil

All other blends (including LPGs and condensates) are classed as category 2.

Category 2 oils are valued using deal data supplied to the Large Business (LB) Oil and Gas Sector in Petroleum Revenue Tax Returns.

The valuation methods used are similar to the way each particular blend is sold at arm's length, and are agreed with industry.