Certification Office for Trade Unions and Employers' Associations

Application to make a complaint against a trade union

Before completing this form please ensure you have read the guidance "Making a Complaint to the Certification Officer against a Trade Union".

IMPORTANT MESSAGE REGARDING DELIVERY OF MAIL TO THE CERTIFICATION OFFICE

The Certification Office is currently experiencing difficulties with the delivery of Royal Mail post. Royal Mail are aware of the problem and are working to rectify it.

In order to guarantee this application reaches the office quickly you are strongly advised to deliver by hand, fax it or send by e-mail. This is particularly important when submitting complaints that have to be submitted within strict time limits. The Certification Officer has no discretion to vary these limits.

Certification Office e-mail: info@certoffice.org
Certification Office fax: 0207 210 3612

Revised July 2011

Certification Office for Trade Unions and Employers Associations

Making a Complaint under the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)

The details requested on this form are to help the Certification Officer progress your complaint as speedily and effectively as possible. **Before completing this form please read the guidance on "Making a Complaint to the Certification Officer against a Trade Union …".** Please then fully complete all relevant sections. Missing information may result in a delay in processing your complaint. You should be aware that a copy this form will normally be provided to the union you are complaining about.

Most complaints must be made within a limited time. Details of these time limits are set out at paragraph 6 and Appendix A of the leaflet 'Making a Complaint to the Certification Officer....'. Further information on time limits can be obtained by telephoning the Certification Office on 020 7210 3734.

YOUR DETAILS

1. Your name.

   Title:…….
   First Name:…….
   Last Name:…….

2. Your contact details

   Address…….
   ……..
   ……..
   ……..

   Telephone …….
   Mobile…….
   E-Mail ……

   Fax…….....

(Please advise the Certification Office of any changes)

THE UNION COMPLAINED ABOUT

3. What is the name and address of the union you are complaining about?

Name…….
Address…….
…….
…….
…….

4. Are you currently a member of this union?

YES/NO

5. Are you a member of a branch or section of this union?

YES/NO

If so, which branch and/or section?

Name of Branch/Section…….

6. Is your complaint about a branch or section of the union?

YES/NO

If yes, state the name and address of the branch or section and the number of members of that branch/section.

Name of Branch/Section…….
Address…….
…….
…….
…….

8. Were you a member at the time of the events complained about?

YES/NO

7. What is (or was) your union membership number?
(A photocopy of your most recent membership card would be helpful)

9. If you are complaining about an election, were you a candidate in that election?

YES/NO

10. Are you (or were you) an employee of the union?
YES/NO

If so, please describe your position.

BREACH OF UNION RULE COMPLAINT

The Certification Officer's jurisdiction to determine breach of union rule complaints is limited to union rules relating to certain matters. The matters within the Certification Officer's jurisdiction are set out at part 3 (i) on page 2 of the "Making a Complaint …" guidance.

On breach of union rule complaints, the Certification Officer may refuse to accept an application to him unless the applicant has taken, or attempted to take, all reasonable steps to resolve the claim by the use of any internal complaints procedure of the union or other means of there is no complaints procedure.

11. Do you think there has been a breach of the rules of the union relating to a matter within the jurisdiction of the Certification Officer (see section 12b below)

If **YES** answer 12 below.
If **NO** go to section 17.

NOTE: If you consider more than one rule has been breached, please answer questions 16 (a) to (d) fully and separately for each rule you allege has been breached. Use a separate supplementary sheet for each rule you allege has been breached.

12. (a) Which union rule do you allege has been, or is about to be, breached by the union. The rules that you identify must relate to one of the matters below.

(b) The Certification Officer's jurisdiction to determine breach of union rule complaints is restricted to union rules relating to the matters below. Please tick which of the following matters the alleged breach of rule relates to.

• the appointment or election of a person to, or the removal of a person from, any office;	☐
• disciplinary proceedings by the union (including expulsion);	☐
• the balloting of members on any issue other than industrial action;	☐
• the constitution or proceedings of any executive committee or of any decision making meeting;	☐
political fund rules or political fund ballot rules.	☐

(c) Why do you allege that this rule has been broken? Set out the facts on which you rely.

(d) When (on what date) do you allege the union breached or threatened to breach this rule?

13. (a) Have you complained to your union about the breach or threatened breach of these rules (see part 7 of the Making a Complaint ... leaflet)?

YES/NO

(b) If so, please state on what date you complained to your union in respect of each rule you allege has been breached?

14. How did you complain?
(Please enclose copies of any relevant correspondence, minutes of meetings etc.)

15. Has there been any outcome from your complaint? If so, what is it?

16. If your complaint is still being dealt with, when do you expect it to be resolved?

BREACH OF STATUTE COMPLAINTS

17. Do you think there has been a breach of the 1992 Act?

If YES, complete section 18.
If NO, go to section 11 (Breach of Union Rule Complaints)

NOTE: If you consider more than one section of the 1992 Act has been broken, please answer questions 14(a), (b) and (c) fully and separately for each alleged breach. Use a separate supplementary sheet for each statutory provision you allege has been breached.

18. (a) Which section of the 1992 Act do you allege has been broken?

(b) When (on what date) do you allege this section was broken?

(c) In what respect(s) do you think that section has been broken? Set out the facts on which you rely.

GENERAL

19. Have you at any stage started Court proceedings in respect of the events about which you are now complaining

YES/NO

20. Is there anything else you would like to add?

21. Have you enclosed copies of all relevant documents and material in your possession which you think are relevant?

YES/NO

22. Is there any compelling reason why your name should not be supplied to the union as the person making the complaint

YES/NO

If yes, please explain.

Print Name…….

Signature…….

Date…….

Please return this form, with all supporting documents, to the Certification Office for Trade Unions and Employers' Associations, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ.

Supplementary Sheet

(Please complete a separate sheet for each alleged breach)

For Breach of Rule please provide answers to Q12 – Q16
For Breach of Statute please provide answers to Q17-Q22