

NFRN Response to the Further Consultation on the Trade Union Act 2016 & the Certification Officer's Levy

Your name

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What organisation do you represent (if any)?

National Federation of Retail Newsagents

If you are representing an organisation, what type of organisation is it?

- Trade union
- Federated trade union or Employers' association
- Federated employers' association
- Individual
- Other organisation (please describe)

1. Following the 2017 consultation, the Government proposes excluding both the costs of external inspectors and the cost of external legal advice from the levy. Do you agree with this approach?

Yes/No

Are there any other significantly variable costs that should be excluded and why?

The NFRN is not aware of any other significant variable costs but the certification officer should be able to designate any unforeseen costs as such and exclude them accordingly.

2. The Government proposes keeping the existing fees for listing and certificates of independence, instead of subsuming them into the levy. Do you have any comments on this approach? Does this create any unintended consequences?

The NFRN believes this approach to be fair as those using the particular services pay the certification officers costs.

3. These existing statutory fees have not changed since 2005, and no longer represent the cost to the Certification Officer of providing the function. Do you believe the Government should consider the level these fees are set at?

Yes/No

Do you have any views on how such a review should be conducted?

The review should be conducted by an external body and reviewed every couple years to ensure that the fees continue to cover the actual costs.

4. Do you agree with the principle of having exemptions and a limited subsidy regime?

Yes/No

5. The Government proposes setting the affordability cap at 2.5% of annual income. Do you agree with this level? Yes/No

Please give reasons for your answer.

The NFRN is deeply concerned about the damage the levy could do to its ability to support the independent retailers who form its membership if the levy and the bandings are set incorrectly. As a not for profit organisation that delivers a large range of services and support through a small but dedicated team of staff, including a respected field team, and with a limited ability to raise additional funds, a levy in the tens of thousands of pounds would severely degrade our ability to provide the support our members need.

It is therefore important that the exemptions and tiers are reflective of the costs incurred in servicing employers' associations, and not just a fixation on income, which bears no relation on ability to pay.

6. Do you agree that this approach meets our objectives as set out on page 3 of this document? Yes/No

Are there any unintended consequences or potential risks we should consider?

While the proposals may be equitable, simple and predictable, we are, as indicated above, concerned that they are affordable to a not for profit organisation. Until the certification officer publish their proposals on the structure and level of the levy, we will not be able to comment on the affordability of the government's proposals.