



ASLEF Response to the BEIS Consultation on the transitional period for the political funds opt-in – August 2016

1. The Associated Society of Locomotive Engineers and Firemen (ASLEF) is the UK's largest train driver's union representing approximately 20,000 members in train operating companies and freight companies as well as London Underground and light rail systems. Of the union's active members, 96% pay into the political fund.
2. ASLEF strongly opposed legislation that introduced the new system of political fund opt-in. We believe that the government is hoping that inertia and oversight will lead to a reduction in the membership of union political funds. In fact, it has little to do with consent.
3. Another major area of concern is that the new legislation will create a substantial burden and cost to unions. For this reason our view is that a significant transition period will be needed.
4. ASLEF believes that it is important that the Certification Officer (CO) issues model rules on political funds before the start of the transition period. It is unrealistic to expect unions to be able to prepare rulebook changes and other administrative amendments until the model rules are available. It has become customary for the Certification Officer to provide guidance and model rules when changes are legislated for and this must remain the case. In addition our view is that the CO must consult with unions when drafting these.

5. Unions are democratic organisations and will be required to make changes to rule books in order to comply with new legislative provisions. Such changes are implemented at specific rule changes conferences. ASLEF holds these on alternate years with the next one due to take place in May 2018. Under ASLEF's rules the rule changes need to be proposed by the Executive Committee and would need to be submitted by the 2nd Monday of the December prior to the conference and circulated to members by the 2nd Monday of January.
6. After the conference, the Executive Committee meets to determine how to implement the motions which have been adopted. The new rule book itself is compiled according to these changes and then has to be agreed by the union's executive committee before it is finalised and distributed.
7. The whole process therefore begins around six months before the conference and concludes a month or so after.
8. ASLEF would not want to make any internal administrative and operational changes until the rule book had been properly amended. Clearly certain changes will be legislative while other areas around enforcement and processing will be at the union's discretion. As a democratic union we want the sovereign body of the union, our conference, to make those decisions before dedicating time, money and resources to administrative and operational changes.
9. One of the fundamental challenges for unions will be having two sets of rules for members according to when they joined. It is likely that this will require us to change our membership system to facilitate the separation of membership between those who joined under the old political fund regime and those who became members under the new system. This could also have an effect on the way our finance department manage the political fund.

10. ASLEF will want to ensure our representatives across the rail industry have detailed training about the workings of the new political fund rules and the benefits of the fund itself in order to assist members in making an informed decision as to whether they opt-in or opt-out. Providing our representatives with appropriate training, guidance and support will require a substantial amount of time, money and resources. If members are going to be able to making a fully informed decision on this matter we have a duty to provide them with the very best information that they need.

11. Each ASLEF application for membership is completed on a paper form. The union will therefore need to completely redesign our membership form and print new ones to ensure that each branch secretary has the correct forms before the end of the transition period. To stop unnecessary expense and waste, a longer transition period would assist the union in using up existing forms and other recruitment materials rather than simply disposing of them and bring in new paperwork.

12. The introduction of the opt-in will require the union to reconsider the political fund subscription level for members who opt in. This will also need communication through various means which will involve time and higher costs. A decision on this would have to be made and passed at conference.

13. ASLEF is a small union with a small administrative team and finance department. These changes could well affect ASLEF disproportionately as our capacity to work on the relevant changes, whilst dealing with day to day operational matters would be limited by the amount of staff the union employs. Whilst of course we have fewer members than large unions to process and deal with, the base work that will have to be carried out by all unions will fall on fewer shoulders at smaller organisations.

14. We therefore believe that in order for the changes to political funds to avoid being punitive and having an excessive effect on unions as well as a disproportionate cost, the transitional period must be considerably longer than the minimum 12 months set by the Act.

Mick Whelan
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