



**The Professional Trade Union for Prison
Correctional, Public and Private Mental Health
Trust Services Providers and Immigration Services**

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POA Circular 010/2026

**For information: England & Wales, Northern Ireland, Scotland, Special Hospitals,
Private Sector, Immigration Services**

16th February 2026

Dear Colleagues

CHANGES TO THE POLITICAL FUND

The Employment Rights Act 2025 has changed how Trade Union Political Funds will operate in England, Wales and Scotland. There is no change in Northern Ireland.

The Act has replaced the old opt-in system with a new opt-out system for political fund contributions.

- All members will automatically contribute unless they choose to opt out.
- Opting out is voluntary and can be done at any time.
- Your choice will not affect your rights, representation, or access to union services.

If you joined the union between 1st March 2018 and 17th February 2026, you fall under transitional rules. This means:

- Your current opt-in/opt-out status will continue for now.
- You will receive further information explaining how and when the new system applies to you.

The Certification Officer has issued new statutory requirements for what must be included in Political Fund Rules. These updates ensure:

- Clearer explanations of your rights.
- Accurate wording reflecting the new opt-out system.
- Transparent processes for how political fund decisions are made.

The POA Political Fund Rule has been updated to reflect these statutory changes and have been approved by the Certification Officer. As these changes are required, by law, by 17th February 2026, they have been approved by the NEC as per Rule 10.10, 12.4 and 9.1 (b).

As a result of these changes, a new Membership Form has been devised, and it is now available on the POA Website. It will also be sent out in a Branch Secretary Circular. Please dispose of all old Membership Forms that may be present in POA Offices. There is no change to the Northern Ireland Membership Form.

I attach the new Political Fund Rules for your information.

Please bring this Circular to the attention of all members.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Gillan', with a small flourish at the end.

STEVE GILLAN
General Secretary

ENCLOSURE

Model rules for political fund

Note: These model rules have been updated to reflect changes introduced by the Employment Rights Act 2025, which has amended the Trade Union and Labour Relations (Consolidation) Act 1992 in relation to political funds.

Under the new rules, all members are broadly treated the same in that they are considered opted in to the political fund unless they choose to opt out. Exceptions to this are explained in the transitional arrangements in the final section, which cover members who joined the union between 1 March 2018 and 17 February 2026 (inclusive).

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POA

Political fund rules

Introduction

1. The objects of the POA include the furtherance of the political objects to which section 72 of the amended Trade Union and Labour Relations (Consolidation) Act 1992 (the 1992 Act) applies. Those political objects are:

72 Political objects to which restriction applies.

(1) The political objects to which this Chapter applies are the expenditure of money—

(a) on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;

(b) on the provision of any service or property for use by or on behalf of any political party;

(c) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;

(d) on the maintenance of any holder of a political office;

(e) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;

(f) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

(2) Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of subsection (1)(e), be taken to be expenditure incurred on the holding of the conference or meeting.

(3) In determining for the purposes of subsection (1) whether a trade union has incurred expenditure of a kind mentioned in that subsection, no account shall be taken of the ordinary administrative expenses of the union.

(4) In this section—

“candidate” means a candidate for election to a political office and includes a prospective candidate;

“contribution”, in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

“electors” means electors at an election to a political office;

“film” includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

“local authority” means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

“political office” means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

2. Any payments in the furtherance of these political objects shall be made out of a separate fund of the union. This fund shall be called the political fund.
3. The union shall make clear how much of any regular contribution is for the political fund. The political fund is included in regular contributions, and the union specifies that £0.15 of each monthly contribution is for the political fund. The union shall ensure that members who have opted out do not pay this amount, by reducing or removing it from their contribution.
4. Any member who chooses not to contribute to the political fund of the union shall not be excluded from any benefits of the union or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund). Any form (including an electronic form) that a person has to complete to become a member of the union must include a statement to that effect, as well as a statement to the effect that the person may opt out of contributing to the political fund.

5. Any member who claims to be aggrieved by a breach of these political fund rules may complain to the Certification Officer. After making such enquiries as they think fit, the Certification Officer shall give both the complainant and a representative of the union an opportunity to make written representations. They may also give both the complainant and a representative of the union an opportunity to make oral representations. After this, if the Certification Officer considers that such a breach has been committed, they make such order for remedying the breach as they think appropriate in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in sections 82(4A) and 82(4B) of the 1992 Act.
6. Contribution to the political fund of the union shall not be made a condition for admission to the union, and members of the union who choose not to contribute to the political fund must not be placed under any obligation to do so.
7. The union shall ensure that a copy of the political fund rules is available, free of charge, to any member of the union who requests a copy.

Opt-out information notices

8. As soon as possible, and no later than eight weeks after the union votes to adopt political objects, the union shall publish the notice at Appendix 1 to every member.
9. The union will publish the notice using the same methods it normally uses for important information. At present, this includes:
Publishing it in the union's magazine; posting it on the union's website and including it in POA circulars
10. The same notice shall be published again, within eight weeks of each ten-year anniversary of a vote to adopt political objects (including any vote that took place before the commencement of the new section 84A of the 1992 Act, as substituted by the Employment Rights Act 2025), unless the resolution has been rescinded or otherwise ceases to have effect.

Submitting an opt-out notice

11. Any member can give notice to opt out of contributing to the political fund at any time.
To do so, members can:
 - a) Use the official opt-out notice form, or
 - b) Send a written request that clearly states that they do not want to contribute to the political fund. Such a written request can be delivered

in person, sent by post, email, or through any electronic form the union provides.

12. Members can get a copy of the official opt-out notice form:
 - a) From the union, by emailing membership@poauk.org.uk
 - b) From the Certification Officer by emailing info@certoffice.org
13. The official opt-out notice form in use can be found at Appendix 2.
14. When the union receives an opt-out notice from a member, it will send the member an acknowledgement to the address provided.

When the opt-out notice takes effect

15. The opt-out takes effect on the 1 January in the year following the year in which the notice is given.
16. The union shall make sure that members who have opted out do not pay into the political fund.

Withdrawing an opt-out notice

17. Any member who has opted out of contributing to the political fund may withdraw their opt-out at any time. Doing so means the member will start contributing to the political fund again. To withdraw an opt-out notice, the member should give the union an opt-out withdrawal notice, which is a written statement saying they wish to withdraw their opt-out notice and start contributing to the union's political fund again.
18. The opt-out withdrawal notice can be delivered in person, sent by post, email, or through any electronic form the union provides.
19. When the union receives the opt-out withdrawal notice, it will send the member an acknowledgement to the address provided and process the withdrawal of the opt-out notice as soon as reasonably practicable.

Transitional arrangements for members who joined the POA between 1 March 2018 and 17 February 2026

Between 1 March 2018 and 17 February 2026, members were not automatically opted in to the political fund. Instead, they had to actively opt-in. The Employment Rights Act 2025 has amended the Trade Union and Labour Relations (Consolidation) Act 1992, so that new members are treated as opted-in unless they choose to opt-out. The

following rules explain how unions must handle members who joined between 1 March 2018 and 17 February 2026.

Default opt-outs for certain members

20. Any member who joined the union between 1 March 2018 and 17 February 2026 and was not contributing to the political fund immediately before 18 February 2026, is treated by law as having given an opt-out notice under the new section 84 of the 1992 Act, substituted by the 2025 Act. This opt-out remains in effect until the member gives a withdrawal notice in accordance with these rules. The union does not need to take any action to process these opt-outs, as they apply automatically under the law. This automatically applied opt-out notice is treated as effective from 18 February 2026 and will remain in effect until the member gives an opt-out withdrawal notice to cancel it (as addressed above in paragraphs 17-19).

Transitional period for opt-in withdrawals

The following rules (21-24) apply to members who joined the union between 1 March 2018 and 18 February 2026 and submitted an opt-in notice that remains in force on 18 February 2026. These rules cover the four-week period until (and including) 17 March 2026. After that period, these members will be captured by the processes described earlier in these rules.

21. Any member who joined the union between 1 March 2018 and 18 February 2026 and, during that time, submitted an opt-in notice, may for a short period give a withdrawal notice under section 84 of the 1992 Act, as it stood before the 2025 Act.
22. During the transitional period until (and including) 18 March 2026, if a member who submitted an opt-in notice wishes to stop contributing to the political fund, they may give the union an opt-in withdrawal notice, which is a written statement saying they no longer wish to contribute.
23. The opt-in withdrawal notice can be delivered in person, sent by post, email, or through any electronic form the union provides.
24. The opt-in withdrawal notice takes effect one month after the date on which it is given.

Appendix 1: Opt-out information notice

Notice to Members in accordance with the Trade Union and Labour Relations (Consolidation) Act 1992

The POA has a political fund. This fund is used for activities connected with political objects as defined by section 72 of the above Act. All spending on these activities comes from this separate political fund.

Every member has the right not to contribute to the union's political fund. To exercise this right, you must give the union an opt-out notice.

You can give an opt-out notice in any of these ways:

- Deliver it in person, by post, or through a person you have asked to deliver it on your behalf
- Send it by email to membership@poauk.org.uk
- Complete an electronic form provided by the union and submit it online following the union's instructions.

A form of opt-out notice can also be obtained:

- From the union, by emailing membership@poauk.org.uk
- From the Certification Officer by emailing info@certoffice.org

If you later change your mind, you can give a withdrawal notice to cancel your opt-out. This will put you back into contributing to the political fund.

Date	
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Appendix 2: Opt-out notice

POA	
Political fund opt-out notice	
I do not want to contribute to the union's political fund. By giving this notice, I will be exempt from making any payments to the political fund.	
Signature	
Print name	
Postal or email address	
Date	



General Secretary
Date: 28th January 2026



National Chair
Date: 28th January 2026



Deputy General Secretary
Date: 28th January 2026