

## UCU SCOTLAND RETIRED MEMBERS BRANCH

### BRANCH RULES

**NOTE:** These rules have been modified to fit with our own previously agreed constitution. The only substantive change is that the Returning Officer is no longer a member of the committee. Provision has been made instead (see 3.2) for him/her to have the right to attend committee meetings as an observer.

Various paragraphs from the model rules have been omitted because they are not relevant to a retired members branch.

Variations from the model rules which bring them into line with our own existing constitution are highlighted.

Alastair Hunter, 28 Jan 2014

### GUIDANCE FOR BRANCHES

This guidance is issued in accordance with National Rule 12.6 which states that "branches/local associations shall adopt their own Rules which shall be consistent with the Rules of the Union and with any guidance issued by the National Executive Committee."

The guidance, in the form of model local rules, is issued under five headings:-

1. Name, constitution, membership and finances
2. Officers and Committee members
3. Elections and ballots
4. Conduct and calling of meetings
5. Ratification of agreements, validation and amendment of rules

In order to meet National Rule 12.6, branches may wish to pass the model rules set out below in their entirety. However where branches seek a variation from the model text they must first gain agreement through a process determined by the National Executive Committee. Branches should note that where time limits, numbers or other local procedures are specified by the local rules, the NEC is unlikely to agree a variation.

Branches should use the form here [www.ucu.org.uk/localrules2014](http://www.ucu.org.uk/localrules2014) to submit their local rules for endorsement.

Please note that you should insert the name of your institution in rules 1.1, 1.4 and 1.6. You should also indicate the number of ordinary members on your branch committee in addition to specified officers in rule 2.3

## MODEL LOCAL RULES

### **1 Name, constitution, membership and finances**

- 1.1 The name of the Branch is "The Scottish Retired Members Branch of the University and College Union", subsequently referred to as the Branch.
- 1.2 The Branch is constituted in accordance with the current rules of the University and College Union (UCU). All actions taken by the Branch/Association shall be consistent with the national Rules of UCU.
- 1.3 The aims and objects of the Branch are as set out in National Rule 2 (reprinted as Appendix 1), excluding clause 2.6 which relates to the political objects of UCU. No funds of the Branch will be used for affiliation to a political party, or for the furtherance of the union's political objects. Guidance for branches on the law with regard to political objects is contained at Appendix 2.
- 1.4 In addition the branch shall undertake, as appropriate, Campaigning on issues of relevance to retired members; Assisting local branches on request; Reflecting on educational policy and encouraging public involvement in discussing the future of HE in Scotland; Contributing to UCU Scotland feedback on consultation documents.
- 1.5 Members of the Branch shall be those assigned to the Branch in accordance with national Rule 12 which is reprinted as Appendix 3, in particular 12.4, 5, 6.
- 1.6 Retired members whose last employment was in a Scottish HE institution will be allocated to the Scottish retired members branch unless they inform UCU of their wish to retain membership of their last local branch.
- 1.7 Retired members who have elected to retain membership of their local branch have the right to attend meetings of the Scottish retired members branch, vote in branch elections, and stand for election as an ordinary member of the branch committee. However, such members will not be entitled to stand in elections for officer, Congress delegate or UCU Scotland Executive delegate posts except in their designated branch.
- 1.8 Each member of the Branch will pay, in accordance with procedures determined by the NEC, a subscription to UCU consisting of the current national subscription, as determined by the NEC, and any current local subscription agreed by the Branch. The local subscription will be approved by a decision of a quorate annual general meeting and published to all members.
- 1.9 The finances of the Branch shall be conducted in accordance with arrangements determined by the National Executive Committee which shall include an audit and report prepared in accordance with instructions issued by the National Honorary Treasurer.
- 1.10 Expenditure by the Branch can only be made in furtherance of the objects of the Branch as set out in model local rule 1.3. Appendix 4 contains examples of such appropriate spending.
- 1.11 The funds of the branch may in particular be used for: (1) Costs incurred in the proper conduct of the business of the branch, as agreed by the committee; (2) Payment of the expenses of any members duly appointed by the branch to represent it; (3) Payment of other such expenses as will from time to time be determined by a majority of members present and voting at a quorate general meeting of the branch, subject 1.10 above; (4) Donations to charities or other bodies whose objects are consistent with those of the branch. Donations greater than £50 must be approved by a general meeting of the

branch; donations below this amount may be approved by the committee.

### **Officers and Committee members**

- 2.1 There will be a committee responsible for conducting the day-to-day business of the Branch. The committee will meet not less than once every four months. Not less than one third of those who are at that time members of the committee must be present to form a quorum at any meeting.
- 2.2 If presented with a written request signed by half of the members of the committee, the chair/president must call a meeting of the committee to take place not less than 7 and no later than 14 working days following the day on which that written request is received.
- 2.3 The committee will consist of the Officers as specified below, and up to 2 ordinary members elected annually from members of the Branch.
- 2.4 Any member of the Branch/Local Association who is a member of the National Executive Committee of UCU or the Executive Committee of UCU Scotland but who is not otherwise an elected member of the Committee shall be eligible to attend the Committee on an ex-officio non-voting basis.
- 2.5 The branch will have the following elected officer roles:
  - The chair/president
  - The vice-chair/vice-president
  - The treasurer
  - The secretary
  - The recruitment and membership secretaryAll office bearers will be responsible for being knowledgeable about and committed to addressing issues of equality, and be willing to monitor the implementation of equality policies within the branch, and where appropriate, provide information, encouragement and support to members about equality issues.
- 2.6 These positions will be declared elected annually in the order set out above at the annual general meeting from members of the Branch in accordance with Rule 3. A description of the functions of these Officer roles is set out at Appendix 5.

### **Elections and ballots**

- 3.1 Except where otherwise stated, these provisions shall apply to Officer, Committee, Congress delegate and Regional Committee delegate posts.
- 3.2 The local committee will appoint a returning officer for elections who is neither a candidate for any office in the Branch nor a member of the committee. He or she will be entitled to attend meetings of the committee as an observer. In the event that no returning officer can be found, the branch should seek support from the Regional Office. The returning officer will send a message to all Branch members giving notice of a call for nominations with a closing date.
- 3.3 All nominations will be received in writing by the returning officer by the closing date which will be no later than the day that is 28 days before the following respective events:

- i. for officers and committee, the day of the annual general meeting;
  - ii. for Congress delegates, the final deadline for Branch submission of Congress motions;
  - iii. for UCU Scotland executive delegates, the day of the UCU Scotland congress.
- 3.4 Nominations must be accompanied by the written consent of the nominee and supported by the identifiable signatures of 2 members of the Branch. Nominees may also submit an election address of no more than 150 words, for distribution.
- 3.5 Conduct of elections should comply with the election guidance as used in national elections (reprinted in Appendix 6).
- 3.6 Retiring officers will be eligible for re-election. A member may not normally be declared elected to more than one officer or ordinary position of committee membership.
- 3.7 The term of office of an officer or ordinary member of the committee elected under this rule 9 will be the period from the close of the annual general meeting to the close of the following Annual General Meeting.
- 3.8 In each election, should the number of candidates not exceed the number of vacancies then these candidates will be declared elected. If there is either more than one eligible candidate for any officer vacancy or more candidates than there are vacancies of ordinary members of the committee a ballot of the members of the Branch will be conducted in accordance with these rules.
- 3.9 Not later than the end of the day that is fourteen days before the date fixed for counting the ballot, ballot forms and any accompanying election addresses will be emailed or posted to each member of the Branch. The Returning Officer will supervise the conduct of the ballot including the distribution of ballot forms and will fix the date and time for starting the count of the ballot. The ballot will be secret. Ballots will be counted in accordance with the method determined by the returning officer.
- 3.10 Officer and committee ballots will be counted in the following order: officer and other positions set out in Rule 2, in the order in which they are set out in that rule, followed by ordinary committee members. If a person is a candidate in two or more elections over the same time period for positions that cannot be held concurrently under rule 3.6, after the successful election of that candidate to a position, votes for that candidate will be disregarded in subsequent elections.
- 3.11 The result will be notified in writing by the Returning Officer to the secretary and candidates, and as soon as practicable by the secretary to the members of the Branch and to the General Secretary of UCU via the Regional Office.
- 3.12 In between annual elections, if an office is vacant, the committee is empowered to fill the vacancy temporarily, but giving notice of an election to be held in 28 days' time, and otherwise following the provisions of rules 3.2-3.11 and 3.18, except that officers so elected will retire at the same time as if they had been duly declared elected at the last Annual General Meeting.
- 3.13 Where an elected delegate is unable to attend Congress or other representative body, a substitute may be elected by a quorate general meeting.
- 3.14 Any member of the committee (including the officers and other persons elected to represent the Branch) may be removed from office by resolution at a quorate general meeting (including a quorate extraordinary general meeting) of the Branch provided that

(a) the terms of any such proposed resolution are received by the secretary not later than the end of the day that is fourteen days before the day of the general meeting and (b) not less than 20% of the membership are in attendance at the meeting, or, failing that, the resolution so carried is subsequently endorsed in a branch ballot to be held within 7 days after the meeting. Upon receipt of such a proposal the secretary will take all reasonable steps to ensure that the proposal is received by each member of the Branch not later than the day that is seven days before the general meeting at which it is to be considered and that the general secretary also be advised. Any representative so removed will be replaced by election as under rule 3.12.

- 3.15 Ballots conducted under these rules may be by post or by secure electronic means unless otherwise stated. Officers of the Branch should hold an up to date register of members' physical and electronic contact details for these and other communications purposes.

### **Conduct and calling of meetings**

- 4.1 There will be at least two general meetings of the Branch each year, of which one will be designated as the annual general meeting and one will be designated to discuss Congress business. The Regional Official shall receive notice and minutes of all Branch meetings. The General Secretary or nominee may attend all Branch meetings.
- 4.2 The annual general meeting will be held between 1<sup>st</sup> October and 30<sup>th</sup> November each year. The secretary will take all reasonable steps to ensure that notice of the annual general meeting is received by members not later than 42 days before the day on which the meeting is to be held. The secretary will take all reasonable steps to ensure that the agenda for the meeting is received by members not later than 14 days before the day on which the meeting is to be held. The annual general meeting will normally receive the results of elections of the officers and committee members. It will appoint an auditor or auditors.
- 4.3 The secretary will take all reasonable steps to ensure that notice of other general meetings is received by members not later than 14 working days before the day on which the meeting is to be held.
- 4.4 An extraordinary general meeting of the Branch will be held either at the request of the Committee, or following receipt by the secretary of a requisition signed by at least the number of members' equivalent to a quorum. Such a requisition will specify the topic or topics to be discussed. Requisitioned meetings will be arranged to take place not later than 10 working days after the day on which that requisition was received. The secretary will take all reasonable steps to ensure that notice of the extraordinary general meeting is received by members not later than the day that is 5 working days before the day on which the meeting is to be held.
- 4.5 Where an issue is urgent and an emergency meeting is called by the Officers, the secretary will take all reasonable steps to ensure that notice of the emergency general meeting is received by members not less than 3 working days before the day on which the meeting is to be held.
- 4.6 At all general meetings, including extraordinary general meetings, of the Branch a quorum will be one twentieth of the membership but subject to a maximum of 50 members. In any case, the quorum must be greater than the total size of the committee.
- 4.7 Where an annual general meeting, extraordinary general meeting or general meeting is

unable to complete items of formal business required by national or local Rules, or resulting from trade union legislation, or from membership of the TUC, or in relation to the local finances of the Branch, because the meeting was not quorate, notice of a further meeting will be circulated to members to take place no later than 14 days after the date of the inquorate meeting. The agenda of the further meeting will be restricted to this incomplete, formal business. It will be quorate if three members are in attendance, except that in respect of the local finances of the Branch, these three will not for purposes of the quorum include the Branch treasurer or its local auditors.

- 4.8 A resolution of a general meeting is a motion that has been approved while that meeting was quorate by a simple majority of members present and voting, subject to 4.9-4.13 in these rules.
- 4.9 Any motion or amendment submitted by the Branch to the Congress of UCU or any other representative body of UCU will be circulated to all members of the Branch. Motions and amendments to Congress must be approved and submitted in accordance with the Standing Orders of Congress.
- 4.10 All motions to national Equality bodies, and national meetings and specialist committees of the Special Employment Interest Groups shall be submitted in accordance with national Rules and Standing Orders and should be approved by a quorate Branch meeting.

#### **Ratification of agreements, validation and amendment of rules**

- 5.1 No act done in good faith under these rules by the committee, an officer or any other person or body will be invalidated only by reason of the subsequent discovery of a defect in, or the expiry of, their appointment.
- 5.2 No rule or rules of the Branch will at any time be in conflict with a rule or rules of the UCU currently in force. Changes in the rules of the UCU will, where applicable, automatically constitute changes in these rules of the Branch.
- 5.3 These rules of the Branch may be amended by resolution of any quorate general meeting of the Branch.
- 5.4 Proposed amendments to these rules must be handed in writing to the secretary by the end of the day that is fourteen days before the day of the general meeting at which they are to be considered. The secretary will take all reasonable steps to ensure that these proposed amendments are received by members not later than the day that is ten days before the day on which the meeting is to be held at which they are to be considered. Amendments to these rules require the support of at least two-thirds of the members present and voting at the general meeting at which they are considered, an abstention not being regarded as a vote for this purpose.
- 5.5 Alternatively these rules of the Branch may be amended by membership ballot and, in that case, the support of at least two-thirds of those members casting a valid vote in that ballot would be required. Either the committee or a quorate general meeting may decide to hold such a membership ballot.
- 5.6 All rules of the Branch and amendments to these rules will be subject to approval by the National Executive Committee of the UCU before they can be considered to be in operation.

Date these local rules approved.....17<sup>th</sup> February 2014.....



## **Appendix 1 – UCU national rule 2**

### **2 Aims and objects**

- 2.1** To protect and promote the professional interests of members individually and collectively, to regulate the conditions of their employment and the relations between them and their employers, and to safeguard their interests;
- 2.2** To promote Adult, Further and Higher Education and research;
- 2.3** To provide and maintain such services to members as may be approved by National Congress or the National Executive Committee from time to time;
- 2.4** To promote equality for all including through:
- i. collective bargaining, publicity material and campaigning, representation, Union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits and all other activities;
  - ii. the Union's own employment practices;
- 2.5** To oppose actively all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, sexuality, disability, age, or other status or personal characteristic;
- 2.6** To pursue political objects including those under the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992 as set out in these Rules;
- 2.7** To affiliate to the Trades Union Congress and to cooperate, where appropriate, with it or any of its affiliated unions;
- 2.8** To affiliate to, cooperate with, make donations to or otherwise expend money on or in support of such other trade union or labour organisations, organisations for the advancement of education or other organisations in the UK or abroad which in the opinion of the National Executive Committee or Congress have the same or similar aims, objects or policies as the union.
- 2.9** To pursue by appropriate means approved by the National Executive Committee or Congress lawful acts of solidarity with other trade union or labour organisations, organisations for the advancement of education or other organisations in the UK or abroad which in the opinion of the National Executive Committee or Congress have the same or similar aims, objects or policies as the union.
- 2.10** Notwithstanding any other provision of these Rules no part of any fund of the union, or of any branch/local association, shall be used for, or with a view to, affiliation to any political party.
- 2.11** To do all such other things as may in the opinion of the National Executive Committee or Congress be incidental or conducive to the attainment of these objects.

## **Appendix 2 – use of branch funds for political objects**

UCU has a political fund voted for by members every ten years. By law expenditure by the union on what are called 'political objects' can only be made through this political fund. Political objects- in the words of the Department for Business, Innovation and Skills – "cover what can broadly be described as electoral or other party political activities."

Branches and local associations are therefore NOT permitted to make expenditure on the following:

- on any contribution to the funds of, or on the payment of any expenses incurred directly or indirectly by, a political party;
- on the provision of any service or property for use by or on behalf of any political party;
- in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by a union in connection with any election to a political office (that is the office of Member of Parliament, Member of the Scottish Parliament, Member of the Welsh Assembly, Member of the European Parliament, or member of a local authority, or any position within a political party);
- on the maintenance of any holder of a political office (as defined above);
- 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 (including any expenditure incurred in connection with the attendance of delegates or other participants); or
- 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 or not to vote for a political party or candidate.

Branches and local associations should consult UCU Head Office for further information.

## **Appendix 3 – UCU national rule 12**

### **12 Organisation of members**

- 12.1** Every member shall be assigned by the General Secretary to a branch/local association or, as appropriate, to a central group, where possible on the basis of principal current qualifying employment, but otherwise on the basis of Standing Orders or individual decisions of the National Executive Committee that take account of the Sector and location of the actual employment (if any) and/or past or prospective employment of the member in question.
- 12.2** Members working in more than one institution may belong to and attend meetings of more than one branch/local association and vote on matters concerned with their employment but shall be entitled to stand for office and vote in national elections only in their designated branch/local association/central group.
- 12.2.1** Members belonging to an agency workers branch set up under rule 12.5.1 may belong to and attend meetings of more than one branch/local association and vote on matters concerned with their employment but shall be entitled to stand for office and vote in national elections only in their designated branch/local association/central group.
- 12.3** Members who have left qualifying employment before retirement and who remain in membership shall belong to a central group, unless the member chooses to belong to their former branch/local association instead.
- 12.4** Members who are retired shall belong to a regional retired members' branch or to a branch/local association local to them, unless the member chooses to belong to their former branch/local association instead. On retirement all members will be contacted by HQ to ascertain their chosen branch/local association.
- 12.5** Retired members assigned to a retired members' branch may attend meetings of their former local association/branch, and retired members assigned to a workplace local association/branch may attend meetings of a regional retired members' branch, but in either case they may hold office and vote in national elections only in their assigned branch/local association.
- 12.6** The National Executive Committee may establish a branch/local association at its own volition or in response to a written request to the General Secretary by not less than 20 members working for the same employer. Retired members' branches shall be established to reflect the regional committee structure, and organisation in Scotland, Wales and Northern Ireland, that is current within the union. Branches/local associations shall adopt their own Rules which shall be consistent with the Rules of the Union and with any guidance issued by the National Executive Committee.
- 12.6.1** The National Executive Committee may establish a branch/local association at its own volition or in response to a written request to the General Secretary by not less than 20 members working through an agency contract. Members in such a branch may designate the agency workers branch as their designated branch or may choose a branch of one of the institutions in which they work as their designated branch.
- 12.6.2** Branches and local associations shall have the right and responsibility:
- i. to submit motions and amendments to Annual Congress and the appropriate Sector Conference, in line with rules 16.6.1-16.6.3;
  - ii. to elect delegates to Annual Congress and the appropriate Sector Conference, in line

with Rule 17.2;

- iii. to make representation on any matter of UCU business to the NEC or the appropriate Sector Committee and to receive a timely reply;
- iv. to elect representatives, and submit motions, to the UCU Regional Committee, to UCU Scotland or to the Wales or Northern Ireland Councils of UCU, as appropriate;
- v. to affiliate to local trade union councils within the area where the members of the branch/local association live or work.

**12.7** National Congress shall, from time to time, by resolution, determine Sectors, which shall include Further Education and Higher Education Sectors. Each branch/local association (and thereby its members) shall be assigned to one of the Sectors of the Association by the National Executive Committee according to criteria determined by National Congress, except for retired members' branches, which are not sectoral.

**12.8** In these Rules, the terms "branch" or "local association" carry equal weight and any branch or local association may opt to use the title of their choice on notification to the General Secretary in writing.

**12.9** The National Executive Committee may make provision by Standing Order for liaison between branches/local associations in the same institution.

#### **Appendix 4 – appropriate spending by branches and local associations**

The model local rules state that 'expenditure by the Branch can only be made in furtherance of the objects of the Branch as set out in Model Local Rule 1.'

Model local rule 1 states that the 'objects of the Branch are as set out in National Rule 2 excluding clause 2.6 which relates to the political objects of UCU. No funds of the Branch will be used for affiliation to a political party, or for the furtherance of the union's political objects.'

National rule 2 is reprinted in full as Appendix 1.

With these caveats, it is for members to determine what appropriate expenditure by their branch and local association is. However, it is helpful to consider types of spending which are appropriate under the model local rules. For example:

- Spending on such areas as meeting room hire, refreshments, internal elections, authorised expenses of elected officers or others would ordinary be considered to be appropriate
- Spending on affiliations would ordinarily be considered appropriate subject to two caveats – first that such spending is not on 'political objects' (see Appendix 4), and second that such spending is consistent with the aims and objectives of national UCU (see Appendix 1).

This means, for example, that a branch could not use funds to hold a rally encouraging support or non-support for a candidate for political office or a political party.

It also means, for example, that a branch affiliation to the local League for the Protection for Cats is unlikely to fall within the union's aims and objects, whereas an affiliation to a local education campaign would do so.

Within these parameters it is for quorate branch and local associations or for the elected Committee where delegated to make decisions on what available money should be spent on. In all cases branch and local association officers should keep transparent records of expenditure and be prepared to account for such spending to members.

## **Appendix 5 – description of officer roles**

*Note: the list of officers and committee positions in these model rules is not exhaustive. Branches may – and are encouraged to – add further elected officer roles (under rule 2.7) or specific elected committee roles (which can be added as 2.3.1), such as representative of staff on casualised contracts and/or part time staff, representative for environmental issues, representative of academic-related staff, faculty or department representatives, or representatives for other significant groups of employees who may not otherwise be represented on the committee.*

### **Chair/President**

The chair/president will chair all general meetings and all committee meetings of the Branch and perform such other duties as are laid upon the chair/president by any rule or are decided by the committee. In the absence of the chair/president these duties will be performed by the vice-chair/vice-president, failing which another officer as the committee decides. In accordance with normal practice, the chair/president may, between meetings of the committee, take any action on behalf of the committee which is both urgent and necessary. Such Chair's Action must be reported for approval to the next committee meeting.

### **Vice-chair/Vice-president**

The vice chair/vice president will carry out the chair's/president's duties in the absence of the chair/president, the chair/president in their role, and perform any other such duties as are decided by the committee.

### **Secretary**

The duties of the secretary are to call general and committee meetings of the Branch; to ensure that minutes of those meetings are kept; to organise membership circulations as the committee deems necessary; to arrange notification of local election and ballot results to all members; and to perform such other duties as are laid on the secretary by any rule or are decided by the committee. In the absence of the secretary, the secretary's duties will be performed by another officer as the committee decides.

### **Treasurer**

The treasurer will have custody of the funds of the Branch and authority to make payments from them in accordance with the rules as the need arises. The treasurer's duties will be to keep the books of the Branch; to present the accounts of the Branch for auditing as necessary; to present these audited accounts to a general meeting of the Branch, to publish them to all members of the Branch, and to submit a copy forthwith to the honorary treasurer of UCU. In the absence of the treasurer, the treasurer's duties will be performed by another officer as the committee decides.

### **Membership and Recruitment Secretary**

The membership/recruitment secretary will be responsible for recruitment and for keeping any membership records that are necessary at local level. The membership secretary will provide membership information promptly to UCU in accordance with instructions from UCU Head Office or Regional Office to enable statutory and rule requirements of membership records to be met. In the absence of the membership secretary, these duties will be performed by another officer as the committee decides.

### **Equality officer**

The equality officer will:

- i) have knowledge of and commitment to relevant issues, and be willing to undertake training according to the needs of UCU, monitor the implementation of equality policies within the institution, and, where appropriate, encourage and support local negotiations on equality matters
- ii) monitor the volume and nature of personal casework which involves equality issues to ensure that the Branch has appropriate mechanisms in place for handling such cases
- iii) where appropriate, provide information, encouragement and support to members about equality issues
- iv) ensure that UCU's national annual meetings, and any other relevant events and opportunities for women, black members, lesbian, gay, bisexual and transgender members and disabled members are publicised locally, that members from all groups are encouraged to participate, and that the Branch maximises the opportunities for recruitment and organisation amongst all groups
- v) where appropriate, provide liaison between the Branch and UCU's equality structures

In the absence of the equality officer, these duties will be performed by another officer or officers as the committee decides.

## **Appendix 6: NEC elections – guidance (model local rule 3.5)**

*Note: this guidance may change from time to time by decision of the NEC. To check the up-to-date guidance, go to [www.ucu.org.uk/elections](http://www.ucu.org.uk/elections), or contact a member of the Constitution and Committees team at UCU head office.*

### **OFFICER AND NEC ELECTIONS 2014**

#### **GUIDANCE NOTES**

- 1 Candidates are asked to take note of the Union's wish that their campaign materials and comments, although vigorous and critical, will not be gratuitously offensive, abusive or defamatory, nor refer in a derogatory way to the race, religion, sexual orientation, age or other personal characteristic of candidates.
- 2 It is expected that particular care will be taken not to make any such remarks about members of UCU staff who may not be in a position to reply.
- 3 Candidates are encouraged to campaign through the positive promotion of their candidacy, rather than through negative campaigning about other candidates.
- 4 Points 1, 2 and 3 do not in any way infringe the right of a candidate to write an election address with the content they wish, recognising that all liability for ALL remarks in a candidate's election address rests with the candidate and not the Union.
- 5 The Union will distribute election addresses of candidates along with supplementary trade union service information as part of the ballot material for any ballots held. The Union will make available on its website the election addresses and trade union service information of candidates.
- 6 Other than the specific provision made in paragraph 5 above, candidates are not permitted the use of UCU funds or resources for the purposes of campaigning. Except as permitted by UCU, use by candidates of sensitive personal data held by UCU or any of its officials and/or officers (elected or paid) is not permitted under any circumstances. Breach of either of these clauses by a candidate may result in exclusion from the ballot.
- 7 Email lists which are held by UCU's head offices and regional offices are a resource of the union and cannot be used for campaigning by NEC candidates. Candidates must not approach UCU staff in relation to campaigning in NEC elections. Candidates should not use member email discussion lists administered by UCU (such as the activists' list) for NEC election campaigning. Candidates may have in their possession email lists based on their personal contacts. Such email lists are a matter for the individual.
- 8 The use of email lists held by branches, for contacting all branch members, is a matter for branches. Use of them (or not) for election campaigning must be a decision of the branch, not of an individual who has access to such a list because of their role within the branch.

A branch may wish to promote a particular candidate, and it can do so. However, the NEC recommends and encourages branches to circulate information about all candidates standing in any one election. This allows members, as voters, to make better informed decisions, and reduces the likelihood of complaints (whether justified or unjustified) or accusations of unfairness.

The language of any communication should be measured. Any opinions expressed about

candidates and their suitability for election should be fair and grounded in fact. Branches should note that they are liable for any defamatory statements made about candidates in their communications.

Branches should deal with any emails relating to NEC elections in the usual way that they administer emails to members, and must not release contact details of members, including email lists, directly to candidates.

- 9 The principles of 7 and 8 apply equally to any circulations made in hard copy by the branch, such as local newsletters.

## **Appendix 7: Standing Orders for the Conduct of Business at Branch Meetings**

The arrangements for the quorum, calling of meetings and circulation of motions to meetings are as given in the rules of the branch.

### **1 Business of the meeting**

In advance of the general meeting, the committee will determine the agenda and prepare recommendations as to the order in which the business is to be conducted. The committee will also decide on the duration of the meeting. The competent business of the general meeting will be the matters stated in the agenda circulated to members in accordance with the local rules.

### **2 Chairing**

The chair will chair the meeting. In the absence of the chair, the vice chair will chair the meeting, and in the absence of the vicechair, another officer of the branch. If there are no officers present, the meeting will elect a chair.

### **3 Conduct of meetings**

The conduct of meetings will be the responsibility of the chair. The chair will have power to lay down time limits for the discussion of items on the agenda. The chair will rule on any question under the standing orders, or on points of order or information. A challenge to a ruling by the chair must be moved, formally seconded, there should be one speech in favour of the ruling, and then the challenge should be put to the vote without further debate. In a vote, such a challenge will require the support of two-thirds of the members present and voting at the meeting, an abstention not being regarded as a vote for this purpose.

### **4 Minutes**

Minutes will be kept of all general meetings. The minutes of the previous meeting having already been circulated, the chair will call for any questions regarding their accuracy. When there are no further questions the chair will declare them (as amended, if necessary) confirmed. Members will then be at liberty to raise points arising out of the minutes, except on matters appearing elsewhere on the agenda.

### **5 Voting**

Voting will be by show of hands, unless the chair directs otherwise. Tellers will be appointed at the beginning of the meeting. Decisions will be taken by a simple majority of those present and voting, unless otherwise directed by these standing orders or the rules of the branch.

### **6 Motions**

All motions must be moved and seconded. Movers of motions may speak for five minutes. All other speakers may speak for a maximum of three minutes. Except at the discretion of the chair, no member will speak more than once on any motion, except that the mover of the motion will have a right to reply. Any member may formally second any proposition and reserve his or her speech until a later period in the debate.

Amendments from the floor of the meeting will be taken at the chair's discretion. All amendments must be moved and seconded.

### **7 Motions to close debate**

Any member of the meeting may seek to end the debate on a motion or amendment by moving 'that the meeting proceed to next business' or 'that the question be now put', provided that

there has been at least one speech each for and against the motion or amendment under discussion. Such motions must be seconded and no speeches will be allowed on them but the vote on them must be taken straightaway. If either motion be lost, the same motion will not be moved until at least ten minutes have elapsed.

## **8 Effect of motions to close debate**

If the motion 'to proceed to next business' is carried, the debate will cease and no vote may be taken on the main question nor on any amendment; if it is lost, the debate will continue as if 'next business' had not been moved.

If the motion 'that the question be now put' is carried, the meeting will vote immediately on the proposition before it.

## **9 Points of order**

Any member may, at any time, raise a point of order.

## **10 Points of information**

Any member may, with the leave of the chair, raise a point of information.

## **11 Withdrawal of propositions**

Permission to withdraw any proposition that is before the meeting may be granted by a simple majority of those present and voting at the meeting, an abstention not being regarded as a vote for this purpose.

## **12 Reference of motions**

Any motion to refer a motion to the committee either for examination or for re-drafting will, if seconded, rank as an amendment with precedence over any other amendment. Any motion which is left on the agenda at the end of a meeting will be considered by the committee at their next meeting.

## **13 Suspension of standing orders**

Any of the above standing orders will be suspended by the meeting for a specified purpose if a motion to that effect is moved, seconded and supported by two-thirds of those present and voting, an abstention not being regarded as a vote for this purpose. Standing orders will again apply as soon as the specified issue has been concluded.

## **14 Alteration of standing orders**

These standing orders may be altered by a resolution of a general meeting of the branch, provided that notice of any proposed amendment is received by members not later than the day that is 14 days before the day on which that general meeting takes place. Such a resolution requires the support of two thirds of the members present and voting, an abstention not being regarded as a vote for this purpose.