



## **NORFOLK COUNTY BRANCH**

### **CONSTITUTION AND RULES**

(amended March 2016)

#### **1. TITLE.**

The organisation shall be called "NORFOLK COUNTY BRANCH OF UNISON"

#### **2. ACCEPTANCE AND CONSTITUTION.**

The Branch accepts the Constitution and Rules of UNISON and of the Eastern Regional Council (herein after called "The Regional Council") together with any subsequent alterations or additions thereto, to ensure that the Constitution and Rules of the Branch shall always be consistent with those of the Union and the Regional Council. Any member may have a copy of the Union's Rules, the Rules of the Welfare Fund and any regulations made by the National Executive Council, if s/he requires.

#### **3. OBJECTS.**

- 3.1 To organise within the Branch all those eligible directly or indirectly employed by Norfolk County Council and such other organisations providing services to the public in the County, and to engage in Trade Union activities on their behalf.
- 3.2 To improve the pay and conditions of its members and promote their interests.
- 3.3 To provide and to maintain educational and welfare facilities.
- 3.4 To promote Health and Safety at Work.
- 3.5 To seek to ensure equality of treatment for all members and to work for the elimination of discrimination on the grounds of race, gender, class, sexual orientation, disability, age or any other cause.
- 3.6 To pursue the social and international policies of UNISON.
- 3.7 Whilst a UNISON requirement, to achieve the aims and targets set annually by the Executive Committee through the Branch Assessment.

#### **4. ELIGIBILITY FOR MEMBERSHIP.**

Those eligible for membership and the classes of membership are set out in the National Rules. Staff directly or indirectly employed as per 3.1 above.

## **5. STEWARDS.**

- 5.1 One or more stewards shall be elected for each constituency by the members in that constituency. Each steward shall be a member of the Common Interest Group from which s/he is elected, Norfolk County Council, Voluntary Sector, Higher Education etc.
- 5.2 As far as is reasonably possible the objectives is to have a ratio of one steward for each 30 members. Nominations and elections, as appropriate, will be yearly.
- 5.3 The Branch Executive Committee shall make arrangements for such elections and shall determine the number of stewards to be elected by each Common Interest Group.
- 5.4 The election of each steward shall be reported to the Branch Executive Committee for ratification and accreditation.
- 5.5 The Branch Executive shall ensure effective representation and determine the arrangements for Stewards of Common Interest Groups to come together in a Stewards' Committee. The Stewards' Committees shall meet regularly as appropriate but no less than quarterly.
- 5.6 The functions of the Stewards' Committees shall be:
  - a) To consider problems affecting their members including matters relating to Health and Safety.
  - b) To mandate negotiators.
  - c) To make agreements on issues that are solely departmental and not in contravention of Branch Policy subject to approval from the appropriate Service Group.
  - d) To arrange regular meetings with management to discuss matters of interest or concern to either side and to endeavour to reach agreement within the policies of the Union.
  - e) Determine occasions where it is not appropriate to represent individual or groups of members on the grounds that they have/are undermining the union. This must be done in consultation with the Branch Secretary. These should be reported to the next Branch Executive Committee where member(s) may ask for the Committee to overturn such a decision. Between meetings of the Executive Senior Stewards/Branch Secretary can make this decision when a delay is not appropriate.
  - f) On a yearly basis to elect a senior steward(s) from amongst the stewards in the section. For the Norse Convenor, nominations will be sought from Norse Stewards and an appointment made by an interview panel including the Regional Organiser and the Branch Secretary or their nominated substitutes and a representative from Norse.
- 5.7 Where a matter cannot be resolved to the satisfaction of a Stewards' Committee the matter shall be referred to the Branch Executive Committee.

- 5.8 It will be the senior steward(s) responsibility for ensuring that the Stewards' Committee meets regularly and delivering the functions stated above in paragraph 5.6. The Senior Steward(s) shall also be responsible for providing support to stewards and particularly new stewards as stipulated in the UNISON Code of Good Branch Practice.
- 5.9 Full-time Officials and/or Branch Executive Committee members shall be entitled to attend meetings of the Stewards' Committees (without voting rights).

## **6. ANNUAL GENERAL MEETINGS.**

- 6.1 There will be one Annual General Meeting per year whose primary function will be to:
- i) receive an Annual Report from the Executive Committee
  - ii) to receive the Branch Accounts (including the separate accounts for the Welfare Fund and Retired Members)
  - iii) to elect Branch Officers for the following year
  - iv) to appoint a Branch Auditor
  - v) to set Branch policies
- 6.2 The AGM may be held in more than one location. Branch Officers will have the right to attend all meetings as would a member moving or seconding a motion. The right to vote is limited to one meeting only.
- 6.3 Votes on common agenda items will be aggregated and will form Branch policy.
- 6.4 Special meetings of the Branch shall be called:
- a) in accordance with a resolution by the Branch Executive
  - b) at any time within 28 days of the receipt by the Branch Secretary of a requisition in writing signed by at least 80 members of the Branch stating fully the reasons for such a meeting.
- 6.5 The quorum of the Branch shall be 80 members, calculated from the attendance at AGMs.
- 6.6 The Branch Executive Committee shall make arrangements for Annual General Meetings to be convened in such towns or localities it considers desirable. Nothing within these rules shall preclude the Branch Executive Committee calling a number of meetings at which decisions of the Branch can be determined by an aggregated vote.

## **7. HEALTH AND SAFETY.**

- 7.1 The Branch Executive Committee shall make arrangements for the election of Safety Representatives. Stewards may also be appointed as Safety Representatives or the Stewards Committee shall seek the election of Safety Representatives in accordance with the arrangements approved by the Branch Executive Committee.
- 7.2 Each Safety Representative shall be a member from within the constituency from which s/he is elected.
- 7.3 Health and Safety should be a standing item for all Branch Meetings.

## **8. ELECTION OF OFFICERS.**

8.1 The following Officers of the Branch shall be elected at the Annual General Meetings:

Chairperson  
Vice-Chairperson  
Branch Secretary  
Deputy Branch Secretary  
Breckland Convenor \*  
Deputy Breckland Convenor \*  
Communications and International Officer  
Treasurer  
Assistant Branch Treasurer  
Subscription Officer  
Education & Lifelong Learning Officer  
Black Members' Officer  
Women' Officer  
Lesbian, Gay, Bisexual & Transgender Members' Officer (x2)  
Disabled Members' Officer  
Equalities Officer  
Welfare Secretary  
Health and Safety Officer  
Labour Link Officer (elected by those who pay the political levy only)  
Young Members' Officer

= to be elected by Breckland District Council members

All officers will receive a job description.

8.2 The Retired Members Section shall elect their own Secretary.

8.3 The Branch Auditor will not be classed as a Branch Officer but will be appointed by the AGM.

8.4 All nominations shall be received by the Branch Secretary not less than twenty one days before the date of the Annual General Meetings and each nomination shall carry the signature of the member indicating her/his willingness to stand. If there is more than one candidate for any office other than Branch Secretary, a ballot shall be taken at the Annual General Meetings and each member of the Branch present shall be entitled to one vote in respect of each office to be filled. Votes must be recorded on the official ballot papers supplied and will be aggregated. Any election for Branch Secretary will be by a secret home ballot of all the membership. Election addresses can be sent with the ballot papers.

8.5 Should it prove necessary to conduct an election for an Officer post then the candidates will be entitled to circulate an election address with the other Annual General Meeting papers to all Branch members not less than seven days before the commencement of the Annual General Meetings.

8.6 In the event of a vacancy occurring in any of the offices referred to in rule 8.1, the Executive Committee shall for and on behalf of the Branch appoint a suitable person to fill the vacancy.

8.7 If a Branch Officer or Steward cannot be found to represent the Branch on a

Committee, Working Group etc, then the Executive Committee can elect a lay member who will be entitled to attend the Executive.

**9. BRANCH EXECUTIVE COMMITTEE.**

9.1 The Committee will operate as per the UNISON Rules (section G paragraph 2) and the Code of Good Branch Practice (section 11.2.4) as applicable for a large branch.

9.2 The Branch Chairperson and Branch Secretary will be responsible for ensuring the list of delegates is kept up to date and adheres to UNISON requirements.

9.3 All other Branch Officers and stewards can attend the Executive Committee should they wish with full speaking rights.

**10. BRANCH MANAGEMENT GROUP.**

10.1 The Branch Management Group shall comprise Branch Secretary, Deputy Branch Secretary, Branch Chair, Branch Vice Chair, Branch Treasurer, Convenor (Breckland) and others as appropriate

10.2 The Branch Management Group will liaise on any urgent matter that requires a decision between Executive Committees and which cannot be deferred until the next Executive. Any such decision will be reported to the next Executive Committee.

**11. PROPORTIONALITY AND FAIR REPRESENTATION.**

11.1 The Branch will work towards achieving proportionality and fair representation for branch officer, steward and other posts elected within the branch including conference delegations.

11.2 The Branch Committee will encourage individuals and provide support and training for them towards this aim.

NOTE "Proportionality" is the representation of women and men in fair proportion to the Branch membership. "Fair Representation" is the broad balance of representation of branch members taking account of part-time and full-time workers, manual and non-manual workers, different occupations, skills, responsibilities, race, gender, sexual orientation and disability.

**12. AFFILIATED POLITICAL FUND.**

The Branch shall make separate arrangements for political activities in respect of the Affiliated Political Fund (APF) which is affiliated to the Labour Party.

These arrangements shall ensure that:-

- i) All APF levied payers may meet separately to discuss such issues as
  - a) Affiliation and the election of delegates to the Labour Party at all levels
  - b) Delegations to the Regional or National Political Forum

- c) Motions to be submitted to the Regional Political Committee or forum
  - d) Any other issues relating to this fund or to the Labour Party.
- ii) All decisions of the Political section of the Branch may be passed onto the Branch Committee for information purposes only.
  - iii) The Branch may also elect a Labour Link Officer who must be a levy payer into the Affiliated Political Fund. S/He shall be responsible for co-ordinating Labour Link activities within the Branch in liaison with the Regional Labour Link Officer, where appropriate. It will be open to the Branch Committee to co-opt the Branch Labour Link Officer to attend Branch Committee meetings for the purposes of information sharing.

### **13. PAYMENT OF EXPENSES.**

These shall be paid out of the funds of the Branch the reasonable cost of carers, travelling, subsistence and childcare and dependent allowances and other expenses properly incurred by:

- a) Members including stewards and Officers attending meetings or carrying out functions on behalf of the Branch.
- b) Members attending meetings of the Branch.
- c) Attending UNISON or Branch approved training and Education.

### **14. HONORARIA PAYMENTS.**

Honoraria payments for Branch Officers and Senior Stewards will adhere to the National UNISON guidelines.

14.1 Any honoraria paid to a branch officer or senior steward will only be made in accordance with the scheme for Honoraria in Branches contained in the Branch Finances handbook

14.2 The Branch Secretary will make a written recommendation to the Branch Executive Committee of honoraria to be paid the following year. This report will be submitted towards the end of the proceeding calendar year. The Executive Committee will consider this report and agree its recommendations to the Annual General Meeting of the following calendar year for which year the rates will apply. If the AGMs are inquorate the Branch Executive recommendation will be referred to the Regional Committee for a binding decision.

### **15. AUTONOMY OF SELF ORGANISED GROUPS.**

Each group shall have autonomy in determining the activities it wishes to convene and the events officers wish to attend subject to notional annual budgets determined by the Executive Committee and the policies and principles of the union. The Branch Equalities Officer is responsible to ensure the proper functioning of Self-Organised Groups with particular regard to Rule 3.5.

**16. DUTIES OF THE BRANCH AUDITORS.**

The Branch Auditors shall act in accordance with the general principles issued by the National Executive Council for the guidance of Branch Auditors in regard to the conduct of an efficient Branch audit. Branch Auditors will receive an audit fee for their time spent on their duties. The amount will be set by the Branch Executive and shown separately in the Branch Annual Accounts.

**17. INSPECTION OF BOOKS AND RECORDS.**

The Financial Officer of the Union shall be entitled to inspect the books and financial records of the Branch.

**18. BRANCH BANKERS.**

The Branch's Bankers shall be the Unity Trust Bank.

**19. PRESS COMMUNICATIONS.**

Communications to the Press and media on behalf of the Branch shall be made only by the Branch Secretary or any other officer or member authorised by the Branch Executive Committee.

**20. AFFILIATION TO OTHER ORGANISATIONS.**

The Branch may affiliate to organisations in accordance with the rules and policies of the Union via the Branch Executive or AGMs.

**21. CONDUCT OF MEETINGS.**

21.1 All meetings of the AGM, Branch Executive Committee and Action Groups shall be conducted in accordance with the Standing Orders of the Branch.

21.2 The Branch Executive Committee shall be empowered to determine such supplementary Standing Orders as it may deem necessary in respect of itself, its Action Groups and Stewards' Committees, provided that such Standing Orders do not conflict with those of the Branch. The individual(s) will have the right to state their case.

**22. DISCIPLINARY ACTION.**

Disciplinary action will be conducted as per UNISON national rules and schedules.

**23. BRANCH STAFF.**

23.1 The Branch Secretary will be responsible for the employment direction and supervision of any staff employed by the Branch consistent with employment law and current good practice

23.2 Pay and conditions of service will be broadly in line with UNISON's national conditions of service with any variations negotiated locally with the UNITE trade union

23.3 In the event of any first stage hearings of staff disciplinary or grievance matters,

the Branch Secretary will be joined by another senior branch officer other than the Branch Chair

23.4 Any appeal arising from a first stage grievance or disciplinary hearing will be heard by the Branch Chair and other senior branch officer not involved in the first stage hearing

23.5 The outcome of any disciplinary or grievance will remain confidential and the outcome only will be reported to the Branch Executive Committee on its conclusion.

#### **24. ALTERATION OF RULES.**

These rules shall not be altered or rescinded, except with the consent of at least two-thirds of the members present and voting at the Annual General Meetings or at Special Meetings and the notice convening the meeting shall set forth the terms of the proposed alteration, provided that no alteration or rescission shall be operative until approved by the National Executive Council.

#### **25. DISSOLUTION.**

25.1 The Branch may be dissolved by resolution passed at a General Meeting of the Branch provided that:

- a) At least 28 days notice in writing of the proposal to dissolve has been given by the Branch Secretary to each member of the Branch.
- b) At least three-fourths of the members present and voting vote in favour of the proposal.

25.2 It shall not be competent for the Branch to dissolve and re-form if such action would enable the Branch to escape any penalty or disqualification provided for in the Union's Rules.

#### **26. TRANSFER OF ASSETS ON DISSOLUTION.**

Where the Branch is dissolved all net assets of the Branch shall be dealt with as the National Executive Council may decide in consultation with the Regional Council and the members of the Branch.

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