

i) Motion- Executive Committee Recommendation – Branch Rules; New Rule – Gifts & Hospitality

1. Introduction –

1.1 Gifts from members to activists are a long standing and accepted feature of a trade union Branch. Most activists do their union work on top of their day job. We are all volunteers, usually because other members are not prepared to get involved. The impact a union can have a members life can be significant. Saving someone's job can also save their careers and family home. Simply being there as an advocate for members when they are in dire straits and have no one else they can talk to and really trust is an underrated function except by those who have benefited. It is therefore not unreasonable that members want to sometimes express their gratitude in the form of a gift. We do need to be cautious however as some members are managers who we may sit across the table from in future negotiations.

1.2 Hospitality from employers or suppliers to the Branch is less common. The most that is usually offered is coffee and biscuits. Occasionally this may extend to a modest lunch required when involved in all day negotiations. However we need to be aware that some employers most obviously in the private sector, see hospitality on a grand scale as a tool to be used to influence those they work with. This may be from offering an executive box at Carrow Road on match day to a purely social meal at a swanky restaurant or hotel. Although not a current issue for us it makes sense to future proof our Branch Rules to cover this area if we are looking at the receipt of gifts.

1.3 On the back of receipt of a £100 gift voucher from a member I sought UNISON advice on what we should do when receiving a gift that goes beyond the norm. I was surprised to learn that UNISON has no guidelines on this. The advice from the Regional Manager was;

“A thank you gift when you've done a good job for them (members) is fine, but that anything that might be seen to potentially influence the branch's negotiating stance or decisions on purchasing etc would be wrong”

It seems wise to formalise these principles in the Branch Rules.

2. Proposed New Branch Rule 15

“15 Gifts & Hospitality

It is recognised that members may wish to give a Branch representative a thank you gift in recognition of a job well done. Likewise, on occasions employers or organisations the branch purchases from may suggest a working lunch to facilitate a lengthy meeting or presentation. This is considered perfectly reasonable as long as it could not be seen as an attempt to influence the Branch's negotiating stance or decisions on any other matter. Until UNISON provides national guidelines the following standards must be followed by all Branch representatives.

15.1 Any gift or voucher valued at £30 or less can be kept without declaring this to the Branch. Any gift or voucher exceeding £30 must be declared to the Branch Secretary, or if given to the Branch Secretary to the Branch Chair. They will decide, in consultation with the Regional organiser whether or not the gift could be seen as trying to influence the Branch. If not the Branch Secretary/Chair will decide whether the gift can be kept or should be returned to the sender.

15.2 Any hospitality beyond a standard working lunch must be declared to the Branch Secretary or if offered to the Branch Secretary, to the Branch Chair. They will decide in consultation with the Regional Organiser whether attendance at the event is appropriate. For guidance a “standard working lunch” would take place in a location associated with business meetings and the focus would be on work not leisure.

15.3 If in any doubt about the motive or how the hospitality or gift (even if under £30) may be perceived by the membership, advice must be sought from the Branch Secretary/Chair. In the long term absence of either post holder the matter should be referred to the Deputy Branch Secretary or Vice Chair.

3. Additional Comments

3.1 The reality is that gifts over £30 will be acceptable but it makes sense for us to have a transparent system in place that involves Regional Office to ensure there can be no allegations of malpractice. This we think is good practice but it also gives surety for activists given that many will work for an employer where there are strict rules on the receipt of gifts.

3.2 The Regional Manager also checked out the tax implications for us on the HMRC website and her view is the kind of gifts we are talking about would not bother them. Clearly by referring all gifts over £30 to Region if they believe a gift is offered that may be an issue for HMRC they can advise accordingly.

Proposed by Jonathan Dunning on behalf of the Executive Committee