



# EC Guidance on the implementation of rule revised consequential to 2<sup>nd</sup> Rules Conference

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# EC Guidance, Standing Orders, etc, revised consequential to 2<sup>nd</sup> Rules Conference

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## **RULE 6. LAY OFFICE: EC STATEMENT**

The Executive Council supports the principle set out in Rule 6 that those who seek to serve on Unite's constitutional committees and as delegates to constitutional conferences should be "accountable representatives of workers" at the time of election. The union is stronger and more representative for the application of this principle.

Rule 6 rightly gives the Executive Council broad scope in determining the definition and implementation of the criteria set down in rule to ensure that those who serve on constitutional committees are genuinely representative of the membership at work but that no-one is unfairly barred from participation in the union's life. The Executive Council carries out its responsibilities in this respect by drawing up Guidelines for the implementation of the Rule. The EC may vary these guidelines at its own discretion, by a simple majority, in the light of its appreciation of changing industrial circumstances affecting the membership, and in the light of issues raised by the application of the Rule and the Guidelines.

For example, the Executive Council accepts that membership of Area Activist Committees should not be restricted in the way prescribed by Rule 6 and should be open to all activists, including those who cannot be workplace representatives because of their circumstances. Additionally, membership of Regional Labour Party Liaison Committees should not be denied to Unite members playing an active part within the Labour Party at all levels, whatever their other circumstances.

In relation to other bodies within the union, the EC will continue to take into account particular circumstances in particular industries, including but not confined to those identified in Rule (construction, contracting, leisure and rural). The definition of what constitutes an "accountable representative of workers" as set out in the Guidelines is under regular review and will be reviewed by the EC prior to the start of each electoral period within the union. It will also take particular care to ensure that those members victimised or blacklisted for their trade union activities are not denied the right to serve on the union's constitutional committees. The EC recognises that particular measures need to be taken to ensure the proper representation of activists in the construction industry and to monitor the impact of the rule in relation to Unite's equalities rules, with the intention of ensuring strong representative equalities committees.

The definition of an "accountable representative of workers" is vested exclusively in the Executive Council, which shall establish a mechanism to ensure that members denied the right to hold office under Rule 6 and its associated Guidelines shall be able to appeal to a sub-committee of the Executive.

## **RULE 6. LAY OFFICE: EC GUIDANCE**

- 6.1 The Executive Council shall make provision to ensure accountability of Regional, Industrial and Equalities Executive Council members and those Executive Council members elected pursuant to Rule 14 shall meet with their respective National Industrial Sector, National Equalities or Regional Committees at least four times per year.
- 6.1.1 Members elected to the Executive Council from a regional seat shall attend the Regional Committee for their region when it meets in an *ex officio* capacity.
- 6.1.2 Members elected to the Executive Council from an industrial seat shall attend the National Committee for their industrial sector when it meets in an *ex officio* capacity.
- 6.1.3. Members elected to the Executive Council to be a national representative for women, shall attend the National Women's Committee when it meets in an *ex officio* capacity.
- 6.1.4 Members elected to the Executive Council to be a national representative for Black, Asian and ethnic minority members, shall attend the national Black, Asian & Ethnic Minority Committee when it meets in an *ex officio* capacity.
- 6.1.5 Members elected to the Executive Council to be a national representative for Lesbian, Bisexual, Gay & Trans members, shall attend the National LGBT Committee when it meets in an *ex officio* capacity.
- 6.1.6 Members elected to the Executive Council to be a national representative for Disabled members, shall attend the National Disabled Members' Committee when it meets in an *ex officio* capacity.
- 6.1.7 Where a member is attending a meeting that is not an Executive Council meeting in their capacity as an Executive Council member they shall have the right to speak, but not to vote, at that meeting.
- 6.2 In order to be eligible to be a candidate for election to the Executive Council and/or any committee, council or other body of the Union provided for by these rules, the member in question must be an accountable representative of workers, with the exception of Area Activists Committees and Regional Labour Party Liaison Committees and the young members' structure, other than the Young Members' delegate to the Executive Council and Regional Committees as specified elsewhere in these Rules.
- 6.2.1 Only members who are elected to represent workers will be eligible to participate in any body of the union, including any conferences, but with the exception of branch and workplace meetings (which all members can

attend) and Area Activists Committees and Regional Labour Party Liaison Committees as specified elsewhere in these Rules.

6.3 The definition of the term ‘accountable representative of workers’ shall be in the exclusive power of the Executive Council, which is empowered to take into account changing industrial realities and the unique nature of some industries (e.g. construction, contracting, leisure, rural, etc.) in formulating such definition. It must nevertheless include branch office holders who are in employment, when employed by an organisation that is not Unite the union, shop stewards, health and safety, equalities and learning representatives, elected at their place of work.

6.3.1 An “accountable representative of workers” must have been elected by the Unite members at a Unite branch or workplace. The workplace must contain a minimum of three members. The election must comply with the guidance under 6.5 below.

6.3.2 The range of relevant elected office may be specified by Executive Council guidance in relation to specific rules, however in all cases where the representative has been elected under this guidance to the following roles, such representatives will count as ‘accountable representatives of workers’:

6.3.2.1 convenor

6.3.2.2 shop steward (or "workplace representative"/"father/mother-of-the-chapel", etc., where such phrases are the local colloquial term for such representative as represents members in bargaining and disciplinary and grievance matters)

6.3.2.3 health and safety representative

6.3.2.4 equalities representative

6.3.2.5 learning representative

6.3.2.6 environmental representative

6.3.2.7 branch secretary/treasurer/chair/equalities officer (where that branch officer is a paid employee of a company or organisation which is not Unite the Union), save with the specific permission of the Executive Council, (taking in to account their current employment).

6.3.2.8 appointment as an “accredited support companion” (aka “lay companion”) in itself would not confer the status of “accountable representative of workers”; to qualify an accredited support companion would also need to hold office as listed above.

6.3.3 To allow for proper representation in those industries with unique characteristics it shall be case:

6.3.3.1 that in most cases Construction Sector members shall be placed in Construction Sector branches and that officers of Construction Sector branches be recognised as accountable representatives of workers irrespective of their employment status

6.3.3.2 that former R&A Sector members who are elected branch officers and are in any form of employment be recognised as accountable representatives of workers.

6.3.4 It is also the case that implementation of the Union's equalities policies sometimes encounter difficulties because of, eg, enduring discrimination in society at large or little opportunity for effective equalities monitoring. The strict application of Rule 6 to some of our equalities committees sometime produces results that are the reverse of what we would wish, ie, that there are too few eligible accountable representative of workers to fill the available committee seats. Therefore the following shall apply:

6.3.4.1 Regional Women's Committees – to sit on any of the Regional Women's Committees a member must be Rule 6 compliant

6.3.4.2 Regional BAEM Committees – to sit on any English Regional BAEM Committee a member must be Rule 6 compliant; for Ireland, Scotland and Wales Rule 6 should not be applied for the election of the Regional BAEM Committees in such constituencies where there have been no nominations from accountable representatives of workers

6.3.4.3 Regional Disabled Members' Committees and Regional LGBT Committees – Rule 6 should not be applied to the election of any of these committees in such constituencies where there have been no nominations from accountable representatives of workers

6.3.4.4 National Women's Committee, National BAEM Committee, National LGBT Committee, National Disabled Members Committee - to sit on one of these four committees a members must be Rule 6 compliant.

6.4 It is further required that a fair procedure be developed by the Executive Council to deal sympathetically with cases where a member's eligibility to stand for election or continue to hold office may be affected by employer victimisation.

6.4.1 In the event of a workplace representative being sacked due to victimisation for trade union activity, or a union activist being denied employment, a report will be submitted by the Regional Secretary after consultation with the RISC, to the Executive Council which will rule on whether that member should continue to hold office as an “accountable representative of workers”.

6.4.1.1 Victimisation, including blacklisting, shall be defined as a member being able to show, to the satisfaction of the Executive Council (or such body or person as the Executive Council shall authorise from time to time), that he or she, for reasons of membership of this Union, has been excluded from employment or prevented from obtaining employment by an employer.

6.4.2 In the event of the dismissed representative taking up alternative employment they shall cease to hold office in relation to their former workplace with immediate effect.

6.4.3 Where the dismissed representative ceases to hold office as a representative for their former workplace, the Executive Council shall consider whether the dismissed former representative should be entitled to continue to attend any such conferences or committees that they would have attended for the remainder of their elected term even if they are replaced within the workplace by a new elected representative.

6.4.3.1 In the event that the Executive Council sees fit to grant such entitlement, the dismissed former representative will be counted for the purposes of this rule as an ‘accountable representative of workers’ until the expiry of their three-year term.

6.4.3.2 In the event that the dismissed former workplace representative wins a case and gets their job back, they will be entitled to resume their elected office in the workplace for the remainder of the three years since their last election.

Rule 18:9 underscores the points made in the guidance to 6.4 above:

*Shop stewards/workplace representatives shall receive the fullest support and protection from the union ... an immediate inquiry shall be undertaken by the appropriate regional industrial sector or regional committee into every case of dismissal of a shop steward with a view to preventing victimisation, either open or concealed. If it is deemed necessary, a ballot for industrial action will be convened.*

6.5 The electoral period to hold lay office shall be three years unless otherwise provided for under these Rules.



6.5.1 All lay representatives must be elected. Elections, other than casual vacancies, should always take place between January and March to ensure synchronisation with other aspects of the union's constitutional structures.

6.5.2 They will be elected to hold office for three years, unless one of the following occurs, in which case an election will be held for a replacement as soon as is practicable:

6.5.2.1 The elected representative changes jobs so that they no longer work in the workplace (or department, or role) that they were elected to represent.

6.5.2.2 More than 50% of the members in the constituency that they were elected to represent, vote or petition to hold a new election for that post.

Should industrial circumstances or particular workplace traditions dictate that elections are necessary more frequently than three years that is permissible, but under no circumstances less frequently.

Refer also to EC Guidance Lay Office – Right of Recall.

6.5.3 There shall be no limit of the number of successive terms that an elected representative may hold, provided that they continue to comply with all other criteria applicable at the time.

6.5.4 Prior to any election, the members in the workplace should be informed of the pending election and invited to volunteer for election or nominate a colleague for election. The precise mechanics of informing the members on the workplace, and dealing with nominations and the election, may vary from workplace to workplace, but any such case will be a fair procedure. In the event of dispute the Regional Officer should be contacted and the Regional Secretary should be informed.

6.5.5 In the event of nominations having been invited from the relevant workplace, and only one candidate having been nominated, or volunteered, that candidate may be declared elected unopposed.

6.5.6 Immediately following the election of any representative notification should follow in accordance with

*Rule 18:7 Following election of a workplace representative the appropriate Regional Officer shall be informed of the election by the elected representative without delay. The Regional Officer shall ensure that the Regional Industrial Sector Committee and the Union's membership department are informed of the date of the election and the identity, constituency and contact details of the elected workplace representative.*

In addition, the Union's regional office should be informed and the representative's membership record should be amended to show that they are an elected representative for that workplace, and the date on which they were elected. The representative should be asked for an e-mail address which can be added to the union's database for activists so that the representative can receive relevant e-mail updates.

6.5.7 The region shall ensure that each elected representative is sent a letter confirming their representative status, and the scope of the role for which they are accredited by the union<sup>1</sup>. (No lay representative is accredited by the union to advise on settlement agreements.)

6.5.8 The regions shall supply the Regional Committee and the Regional Industrial Sector Committee the full list of representatives (showing name and workplace) elected since the prior meeting of that Committee.

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<sup>1</sup> It should state the group of members they are elected to represent; the type of representative role that they have been elected to; and whether they are accredited to represent members in grievance and/or disciplinary hearings. In the case of equalities representatives they may be accredited to represent people in harassment procedures and certain types of equalities grievances. The local officer for the workplace should acquaint him/herself with the representative and advise the region on the suitable scope of representation entitlement. The officer should take into account whether the representative has attended any union training on equalities and /or organising and /or employment law issues, and should also encourage representatives to attend such training. A record of the individual representative's training should be kept on their membership record.

## **LAY OFFICE – RIGHT OF RECALL: EC GUIDANCE**

### **Workplace Representatives**

An “accountable representative of workers” elected in a workplace shall cease to hold office when more than 50% of the members in the constituency that they were elected to represent vote or petition to hold a new election for that post.

As per Rule 6.3, the definition of an “accountable representative of workers” shall be in the exclusive power of the Executive Council. Under the current terms of EC Guidance Clause 6.3.2 the following roles will count as “accountable representatives of workers”:

- convenor
- shop steward (or "workplace representative"/"father/mother-of-the-chapel", etc, where such phrases are the local colloquial term for such representative as represents members in bargaining and disciplinary and grievance matters)
- health and safety representative
- equalities representative
- learning representative
- environmental representative.

It may be case that a “convenor” is not directly elected by members but elected to that position by a committee of workplace representatives. In such circumstances the convenor’s “constituency” shall be the committee of workplace representatives and if s/he is subject to more than 50% of members of that committee voting or petitioning to hold a new election for that post then the convenor shall cease to hold office as convenor.

### **Constitutional Committees**

All Unite fulltime officers assigned to the Union’s constitutional committees are responsible for maintaining an up to date record of constitutional committee members’ credentials in order to ensure compliance with Rule 6. This record is to be reported to all constitutional committee meetings and included in the Minutes.

## **Regional Committee/National Industrial Sector Committee/National Equalities Committee**

Should a member of these Committees cease work during the period of office, particularly if such cessation is due to retirement, the member of the Committee shall report to the constituent committee that elected her/him (RISC, AAC or Regional Equalities Committee) and seek majority approval of that lower committee for the member to see out his/her term of office on the higher committee.

## **Executive Council**

The General Secretary shall be empowered to call a vacancy and a fresh election arising from the failure of any member of the Executive Council, without good reason, to attend two consecutive Executive Council meetings.

## **Branch Officers**

A branch should elect four officers as set out in Rule 17:

- chair
- secretary        }
- treasurer        }        may be the same person
- equalities officer

plus other such officers as it may choose to elect.

A Motion of “no confidence” in any branch officer may be lodged with the branch secretary (or branch chair if the Motion concerns the branch secretary) and will be deemed valid if signed by at least 25% of members of that branch.

The branch secretary (or branch chair) shall convene a meeting of the branch within one calendar month of receiving such a Motion – members must be advised (by notice, post or electronically) that this Motion will be dealt with at the branch meeting.

A branch officer shall cease to hold office if such a “no confidence” Motion is carried by a simple majority at this branch meeting so long as the meeting is quorate.

## **RULE 7 - INDUSTRIAL/OCCUPATIONAL/PROFESSIONAL SECTORS: EC GUIDANCE**

### **Regional Industrial Sector Conferences**

Great care must be taken to ensure that RIS Conferences are properly conducted in accordance with the best democratic practice, and that they elect representative Regional Industrial Sector Committees (RISCs) in conformity with EC Guidance.

The great majority of RISCs are divided into clearly defined constituencies, electing one or more seats onto the RISC.

The EC has determined that only representatives within a constituency will be able to vote for RISC member(s) in that constituency.

Standing Orders for the RIS Conferences agreed by the EC have further mandated that nominations for each constituency must be received in advance of the RIS Conference.

For further clarity, the EC believes that where a multi-seat constituency on a particular committee represents members from more workplaces than there are seats available (eg, a constituency for “smaller workplaces” in a given sector which might provide for seats for representatives from 20 different companies/workplaces) then no one company/workplace should have more than one representative elected onto the RISC.

Under the authority of the EC, Regional Secretaries are required to designate themselves or another appropriate officer as responsible for the proper convening and conduct of each RIS Conference (alongside the lay Chair in each case). The EC directs the General Secretary to make arrangements for the proper briefing of all such officers to ensure that they are fully aware of, and accountable for, their responsibilities in ensuring the smooth running of the RIS Conferences and the RISC elections in particular.

Additionally, Regions should ensure that the list of eligible representatives is updated and as complete as possible before RIS Conferences are convened.

The EC will establish a system for speedily hearing appeals from lay members regarding the conduct of elections, and reserves the power to suspend a RISC from taking office until such appeals are resolved.

### **National Industrial Sector Committees**

National Industrial Sector Committees (NISCs) shall be elected from and by the RISCs.

National Officials for each Sector have a plan, endorsed by the EC, for the make-up of their NISC based on the allocation of seats to each RISC, bearing in mind the following criteria:

1. the size of the membership in each Region;
2. the need to ensure the representation of specific industrial interests within the Sector.

Rule 7.4 allows that “the Executive Council shall have the power to determine additional special constituencies (which may be on a national basis) where they determine it necessary in light of particular industrial circumstances.” Where National Officials believe such a constituency on a NISC is the most effective means of securing representation for a group of members, such a proposal should be accompanied by details as to how a proper election could be conducted for this constituency.

The minimum proportional representation of women and BAEM members on NISCs must be achieved through the allocation of designated seats which must be filled by members of these two categories. The EC has endorsed proposals for the composition of NISCs that include designated seats for women and BAEM members allocated to appropriate RISCs to ensure that the NISC as finally constituted has at least the number of women and BAEM representatives which the proportion of members in such categories in the Sector requires.

Each RISC electing delegates to a NISC should ensure that it also elects/appoints a substitute delegate to ensure that the RISC always has representation on the NISC (see EC Guidance on substitute delegates).

NISCs should not usually have more than 30 members, and smaller Sectors should generally have less.

## **STANDING ORDERS: NATIONAL INDUSTRIAL SECTOR COMMITTEES (NISCs)**

### **1. Purpose**

The National Industrial Sector Committees have the following purpose:

- 1.1. to lead the Industrial Sector and to enjoy full autonomy in the conduct of their own proper industrial business provided that such conduct is not inconsistent with the general policy and objectives of the Union.

### **2. Composition and Size of NISC**

- 2.1. The NISC will be comprised of delegates elected from the Regional Industrial Sector Committees and National Constituencies, as approved by the Executive Council.
- 2.2. The Executive Council will approve the size of the NISCs which shall usually be comprised of a maximum of thirty delegates.
- 2.3. The NISC shall be quorate when more than 50% of the members elected to the NISC are present.

### **3. Delegates and attendees**

- 3.1. Executive Council members, representing the sector but not elected as delegates shall be invited to attend in an *ex officio* capacity.
- 3.2. Each National Industrial Sector Committee shall be empowered to fill vacancies arising from the failure of any National Industrial Sector Committee member, without good reason, to attend 3 consecutive National Industrial Sector Committee meetings or following the resignation of any member.

### **4. Chair**

- 4.1. The Committee shall be chaired by a delegate elected by and from the Committee. The Chair shall, when present, chair all meetings of the NISC and appropriate sub-committees.
- 4.2. The Chair shall have an ordinary vote on all matters.
- 4.3. The Chair shall not have a casting vote.
- 4.4. A Vice-chair will also be elected in the same manner. The Vice-Chair will assume the powers and duties of the Chair when the Chair is not available to chair a meeting.
- 4.5. When neither the Chair nor the Vice-Chair are present at a National Committee meeting, that meeting shall elect a temporary Chair who shall assume the powers and duties of the Chair for the necessary period.

4.6. All references to “the Chair” in these Standing Orders refer to whosoever is exercising the powers and duties of the Chair at the relevant time.

## **5. Secretary**

5.1. The National Official or, in his/her absence, another fulltime official, nominated by the appropriate Assistant General Secretary, shall act as Secretary to the Committee advising the Chair as appropriate and recording decisions taken and the outcome of the elections.

## **6. Order of Business**

6.1. The Order of Business for the Committee shall include:

- 6.1.1. Election of Chair and Vice Chair \*
- 6.1.2. Introductions and Apologies
- 6.1.3. Adoption of Standing Orders \*
- 6.1.4. Minutes of Previous Meeting
- 6.1.5. Matters Arising
- 6.1.6. National Officer’s Sector Report and Organising Report
- 6.1.7. Motions from RISCs
- 6.1.8. Correspondence
- 6.1.9. Executive Council Report
- 6.1.10. AOB

\* first meeting of triennial period only

## **7. Conduct of Elections**

7.1. All nominees in Committee elections shall be individually nominated and seconded.

7.2. Votes shall be cast by show of hands or by ballot.

7.3. Any dispute about the conduct of an election or a decision should be settled by the Chair. If it is not possible to settle any dispute at the Committee, then an appeal should in the first instance be lodged with the National Official.

7.4. In the unlikely event that any such dispute cannot be settled, an appeal against the decision of the Chair can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.



## **8. Conduct of Business**

- 8.1. The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.
- 8.2. The mover of a motion shall be allowed five minutes and subsequent speakers three minutes each. No delegate shall be allowed to speak more than once on any motion except the mover who shall have the right of reply.
- 8.3. Next business, that the vote be taken or such other procedural motions may be moved and seconded by any delegate who has not previously spoken during the debate. There shall be no speeches on such motions.
- 8.4. The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.
- 8.5. A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.
- 8.6. The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.
- 8.7. Save as provided herein, the business of the Committee shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the *ABC of Chairmanship*.
- 8.8. In the event of an equality of votes, the proposition before the Committee shall not be carried.

## **9. Smoking/Alcohol/mobile phones**

- 9.1. There shall be no smoking or consumption of alcohol allowed at the Committee.
- 9.2. All mobile phones should be switched off at all times during the Committee.

## **STANDING ORDERS – REGIONAL INDUSTRIAL SECTOR (RIS) CONFERENCES**

### **1) Purpose**

The Regional Industrial Sector Conference shall have two purposes:

- 1.1 strategic – focus on the industrial situation for the sector in the Region and set a local strategic agenda, including an organising strategy within the parameters of national policy
- 1.2 to elect representatives to attend the Regional Industrial Sector Committees

While one of the purposes of the conference will be to focus on the strategic position of the sector in the region, with a view to formulating an action plan and organising strategy for the RIS Committee, it will not be the purpose of the conference to submit motions to higher bodies of the union.

It will not be the purpose of the conference to decide nominations to other bodies or elect delegations to higher bodies other than the RIS Committee.

### **2) Attendees**

- 2.1 The RIS Conference will be open to all accountable representatives of workers in that Regional Industrial Sector to attend.
- 2.2 The Executive Council will place a requirement upon Regional Secretaries to ensure that there is the maximum participation of women and BAEM accountable representatives at the RIS Conference.
- 2.3 All accountable representatives of workers in the Regional Industrial Sector will be eligible to stand for election to the Regional Industrial Sector Committee.
- 2.4 When the RIS Committee is divided into occupational or other constituencies, only those delegates from that constituency may vote at the conference in the election for that section of the RIS Committee.
- 2.5 The constitution of each RIS Committee is agreed by the Executive Council and will be advised by the Regional Secretary.
- 2.6 The Regional Secretary shall set the date for the Regional Industrial Sector Conferences, and ensure that appropriate National Officials are given sufficient notice of the scheduled dates. The Regional Secretary shall send a calling notice to all appropriate accountable representatives of workers advising of the date, time and venue of their specific RIS conference.

### **3. Chair**

3.1 The conference shall be chaired by the outgoing Chair of the Regional Industrial Sector Committee. Should, for whatever reason, the outgoing Chair not be available then the conference shall elect a delegate to Chair the Conference from amongst the delegates in attendance.

3.2 The Chair shall have an ordinary vote on all matters

3.3 The Chair shall not have a casting vote

### **4. Secretary**

4.1 The Regional Secretary (or other appropriate regional official delegated by the Regional Secretary) shall act as Secretary to the conference – advising the chair as appropriate and recording decisions taken and the outcome of the elections. Subsequent meetings of the Regional Industrial Sector Committee, to be properly constituted, will require the presence of a full time official nominated by the Regional Secretary to act as secretary.

### **5. Order of Business**

5.1 The Order of Business for the Conference shall include:

5.1.1 Report of the Secretary on the conduct of the Conference including the elections.

5.1.2 Apologies for Absence

5.1.3 Election of Tellers

5.1.4 Discussion of Regional Strategy (including organising strategy (including 100% campaign) and bargaining strategy) for the Industrial Sector to be led off by the National Officer. Motions on industrial issues may be taken here.

5.1.5 Equalities

5.1.6 International

5.1.7 Election of delegates to sit on the RIS Committee

### **6. Conduct of election of delegates to sit on the RIS Committee**

6.1 The Regional Administration shall provide details of the number of delegates to be elected to the RIS Committee and the constituencies they shall be elected from as appropriate.

6.2 The Regional Administration shall also provide details of the proportion of women and/or Black and Asian ethnic minority delegates to achieve proportionality on the committee.

6.3 For the purposes of supervising the election the conference shall elect two tellers who are not candidates in the election.

6.4 Nominations will have been made in advance of the conference.

6.5 Votes shall be cast by a ballot vote from amongst those constituency delegates present at the Conference.

6.6 Any dispute about the conduct of an election should be settled by the Chair. If it is not possible to settle any dispute at the Conference, then an appeal should in the first be lodged with the Regional Secretary who has overall responsibility for the conduct of the elections.

6.7 In the unlikely event that any such dispute cannot be settled in the Region, an appeal against the decision of the Regional Secretary can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

## **7. Conduct of Business**

7.1 The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.

7.2 The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.

7.3 A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.

7.4 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.

7.5 Save as provided herein, the business of the Conference shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.

7.6 In the event of an equality of votes, the proposition before the conference shall not be carried.

## **8. Smoking/Alcohol**

8.1 There shall be no smoking or consumption of alcohol allowed at the Conference.

## **Model Agenda for the initial meeting of Regional Industrial Sector Committees 2018**

*The Agenda must include those items marked in bold and may include the other items.*

1. **Election of Chair**
2. **Apologies**
3. Announcements
4. Report by the convening officer of the Regional Industrial Sector Conference
5. **Election of delegates to National Industrial Sector Committee (number to be advised by Regional Secretary)**
6. **Election of 1 substitute delegate to the National Industrial Sector Committee.**
7. **Election of delegate(s) to Regional Committee (number to be advised by the Regional Secretary)**
8. **Election of 1 substitute delegate to the Regional Committee.**
9. Other Relevant Industrial business (this can be listed on the agenda as appropriate)
10. **Dates of future meetings**

## **RULE 8 – REGIONS: EC GUIDANCE**

### **Regional Committees**

Regional Committees are to be composed of representatives elected from and by the RISCs in a given region, the Area Activists' Committees (AACs) where constituted and the four Regional Equalities Committees plus a delegate from the Regional Young members' Committee and an observer from the Regional Retired Members' Co-ordinating Committee.

Each Regional Secretary has a plan, endorsed by the EC, on the make-up of their Regional Committee based on the allocation of seats to these committees, using the following guidelines as a basis.

1. One seat should be allocated to each RISC constituted in the Region. An additional seat or seats may be allocated where the size of the membership, the diversity of the industrial interests requiring representation or the requirements of achieving minimum proportionality for women and BAEM members justifies this.
2. One seat should be allocated to each AAC in the Region. An additional seat or seats may be allocated where the size of the membership or the requirements of meeting minimum proportionality for women and BAEM members justifies this.
3. One seat should be allocated to each Regional Equalities Committee (Women, BAEM, LGBT and Disabled Members).
4. One seat should be allocated to the Regional Young Members' Committee.
5. There should be one observer from the Retired Members' Regional Co-ordinating Committee.

Minimum proportionality must be achieved through the allocation of designated seats to appropriate RISCs (broadly, those with the greatest number of women or BAEM members) and to AACs, in order to ensure that the committee as finally constituted has at least the number of women and BAEM representatives which the proportion of members in such categories across the region requires.

Each RISC, AAC or Regional Equalities Committee electing delegates to a Regional Committee should ensure that it also elects/appoints a substitute delegate to ensure that the RISC AAC or Regional Equalities Committee always has representation on the Regional Committee (see EC Guidance on substitute delegates).

The maximum size of a Regional Committee should be fifty.

## **STANDING ORDERS: REGIONAL COMMITTEES**

### **1. Purpose**

The Regional Committees have the following purposes:

- 1.1. to manage the Union's affairs in the region in conformity with decisions of the Executive Council
- 1.2. to affiliate to Trades Councils and appropriate public bodies in their regions
- 1.3. to convene Area Activists' Meetings.

### **2. The Regional Committee**

- 2.1. The Regional Committee will be comprised of delegates elected from the Regional Industrial Sector Committees, Area Activist Committees, the Regional Equalities Committees and the Regional Young Members' Committee, as approved by the Executive Council.
- 2.2. The Committee may appoint one or more sub committees, in accordance with Rule 8.7 – particularly a Finance & General Purposes Committee.
- 2.3. The Regional Committee shall be quorate when more than 50% of the members elected to the Regional Committee are present.

### **3. Delegates and attendees**

- 3.1. Executive Council members, representing the Region but not elected as delegates shall be invited to attend in an *ex officio* capacity.
- 3.2. The Regional Retired Members Co-ordinating Committee may send an observer delegate to the Regional Committee.
- 3.3. Each Regional Committee shall be empowered to fill vacancies arising from the failure of any Regional Committee member, without good reason, to attend 3 consecutive Regional Committee meetings or following the resignation of any member.

### **4. Chair**

- 4.1. The Committee shall be chaired by a delegate elected by and from the Committee. The Chair shall, when present, chair all meetings of the Regional Committee and appropriate sub-committees.

- 4.2. The Chair shall have an ordinary vote on all matters.
- 4.3. The Chair shall not have a casting vote.
- 4.4. A Vice-chair will also be elected. The Vice-Chair will assume the powers and duties of the Chair when the Chair is not available to chair a meeting.
- 4.5. When neither the Chair nor the Vice-Chair are present at a Regional Committee meeting, that meeting shall elect a temporary Chair who shall assume the powers and duties of the Chair for the necessary period.
- 4.6. All references to “the Chair” in these Standing Orders refer to whosoever is exercising the powers and duties of the Chair at the relevant time.

## **5. Secretary**

- 5.1. The Regional Secretary or, in his/her absence, the Deputy Regional Secretary shall act as Secretary to the Committee advising the Chair as appropriate and recording decisions taken and the outcome of the elections. Subsequent meetings of the Regional Retired Members Co-ordinating Committee, to be properly constituted, will require the presence of a full time official nominated by the Regional Secretary to act as secretary.

## **6. Order of Business**

The Order of Business for the Committee shall include:

- 6.1 Election of Chair and Vice Chair \*
- 6.2 Introductions and apologies
- 6.3 Adoption of Standing Orders \*
- 6.4 Election of appropriate sub-committees \*
- 6.5 Minutes of previous meeting
- 6.6 Matters arising
- 6.7 Regional Secretary’s Report inc Organising Report
- 6.8 Motions from RISCs, AACs, Regional Equalities Committees and Regional Young members’ Committee
- 6.9 Correspondence
- 6.10 Reports:
  - 6.10.1 Executive Council
  - 6.10.2 Regional Sub-Committees
  - 6.10.3 Regional Political Committee
  - 6.10.4 Regional Industrial Sector Committees
  - 6.10.5 Area Activist Committees
  - 6.10.6 Regional Equalities Committees (Women, BAEM, LGBT, Disabled, Young members)
  - 6.10.7 Retired Members Co-ordinating Committee
- 6.11 Any other business



\*First meeting of triennial period only

## **7. Conduct of Elections**

- 7.1. All nominees in Committee elections shall be individually nominated and seconded.
- 7.2. Votes shall be cast by show of hands or by ballot.
- 7.3. Any dispute about the conduct of an election or a decision should be settled by the Chair. If it is not possible to settle any dispute at the Committee, then an appeal should in the first instance be lodged with the Regional Secretary.
- 7.4. In the unlikely event that any such dispute cannot be settled, an appeal against the decision of the Chair can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

## **8. Conduct of Business**

- 8.1. The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.
- 8.2. The mover of a motion shall be allowed five minutes and subsequent speakers three minutes each. No delegate shall be allowed to speak more than once on any motion except the mover who shall have the right of reply.
- 8.3. Next business, that the vote be taken or such other procedural motions may be moved and seconded by any delegate who has not previously spoken during the debate. There shall be no speeches on such motions.
- 8.4. Emergency motions shall be put if in writing to the Regional Secretary. No such motion shall be deemed an 'emergency' that is connected with circumstances which could have been dealt with by any branch/committee allowed to forward motions for the agenda.
- 8.5. The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.
- 8.6. A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.
- 8.7. The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.

8.8. Save as provided herein, the business of the Committee shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the *ABC of Chairmanship*.

8.9. In the event of an equality of votes, the proposition before the Committee shall not be carried.

**9. Smoking/Alcohol/mobile phones**

9.1. There shall be no smoking or consumption of alcohol allowed at the Committee.

9.2. All mobile phones should be switched off at all times during Committee proceedings.

## **RULE 8 – AREA ACTIVISTS’ COMMITTEES**

### **Principle**

From September 2015 the method of electing AACs will be as follows:

AACs should consist of 24 members.

6 seats reserved for:	Community Members	x 2
	Retired Members	x 2
	Young Members	x 2

The remaining 18 seats are for delegates from the Industrial Sectors elected from the activists present at the first AAM of the triennial period, with the proviso that no one Sector may have more than four members on the AAC.

All 24 seats will be used in the calculation of the number of seats for women and BAEM members to meet the Rule Book requirement. For example, if an AAC had 25% women members and 8% BAEM members in its catchment - for a 24 strong AAC there would need to be elected at least 6 women members and at least 2 BAEM members.

Any variation from a 24 member AAC will be by application to the Executive Council.

### **Detail**

Because Rule 6 has been relaxed for constituting Area Activists Committees, it may be the case that a non-Rule 6 compliant self-defined activist attends the AAM without having the opportunity to be nominated in advance. In such circumstances it is in order take nominations from non-Rule 6 compliant self-defined activists from the floor; Rule 6 compliant activists will have been sent nomination papers so should still be nominated in advance.

1. The 6 seats reserved for Retired Members, Community Members and Young Members should be elected in the first instance. If any of these 6 seats are not filled they will remain empty, until filled at a subsequent AAM. Only Retired Members, Community Members and Young Members may vote for RM, CM and YM seats respectively
2. There should then be an election for Women and BAEM members from the Industrial Sectors necessary to meet minimum proportionality. (Regions should advise the convening regional officer of the minimum proportionality requirement for each Area covered by the AAC; the number of any women or BAEM members elected to the 6 reserved CM, RM and YM seats should be deducted from this number.) If any of the seats required to achieve minimum proportionality are not filled they will remain empty, until filled at a subsequent AAM. All Industrial Sector members may vote in these elections.

3. Next should be an election for Industrial Sector members (for which women, BAEM and Young Members in employment are eligible to stand) on the basis of one seat per Sector, from among those Sectors present. Only members of a particular Sector may vote for that Sector's seat.
4. Finally, if there are any unfilled seats in the Industrial Sector category (not including any vacancies that may have arisen under points 1 and 2) they may be filled by open nomination and voting across all of the Industrial Sector members present at the AAM (subject to the proviso that no Sector may have more than 4 members on the AAC).

## **STANDING ORDERS – AREA ACTIVIST MEETINGS (2018)**

### **3) Purpose**

The Area Activist Meetings shall have two purposes:

- 1.3 strategic geographical focus– concentrating on the industrial situation in the geographical area it covers and set a local strategic agenda, including an organising strategy within the parameters of national policy
- 1.4 to elect representatives to attend the relevant Area Activists Committee

### **4) Attendees**

- 2.7 The Area Activist meeting shall be composed of activists in different companies, sectors and branches (including Community and Retired members) across the specific geographical area within the region which it covers.
- 2.8 The Executive Council will place a requirement upon Regional Secretaries to ensure that there is the maximum participation of women and BAEM accountable representatives at the Area Activist Meeting.
- 2.9 Any individual representative is only entitled to attend one Area Activists meeting and stand for election to only the Area Activists Committee to be elected at that meeting. That should be in the Area in which his/her workplace is situated.
- 2.10 When the Area Activist Meeting is divided into occupational or other constituencies, only those delegates from that constituency may vote at the meeting in the election for that section of the Area Activists Committee.
- 2.11 Area Activist Committees will usually consist of not less than 10 delegates and not more than 24.
- 2.12 The Regional Secretary shall set the date for the Area Activist Meetings, and ensure that appropriate Regional Officials are given sufficient notice of the scheduled dates. The Regional Secretary shall send a calling notice to all appropriate accountable representatives of workers advising of the date, time and venue of their specific Area Activists meeting.

### **9. Chair**

- 9.1 The meeting shall be chaired by the outgoing Chair of the Area Activist Committee. Should, for whatever reason, the outgoing Chair not be available then the conference shall elect a delegate to Chair the meeting from amongst the delegates in attendance.

9.2 The Chair shall have an ordinary vote on all matters

9.3 The Chair shall not have a casting vote

## **10. Secretary**

10.1 The Regional Secretary (or other appropriate regional official delegated by the Regional Secretary) shall act as Secretary to the meeting – advising the chair as appropriate and recording decisions taken and the outcome of the elections. Subsequent meetings of the Area Activists' Committee, to be properly constituted, will require the presence of a full time official nominated by the Regional Secretary to act as secretary.

## **11. Order of Business**

11.1 The Order of Business for the Meeting shall include:

11.1.1 Report of the Secretary on the conduct of the Meeting including the elections.

11.1.2 Apologies for Absence

11.1.3 Election of Tellers

11.1.4 Discussion of Regional Strategy (including organising strategy, including 100% campaign) for the geographical area covered by the Area Activists Committee to be led off by the Regional Officer. Motions on organising, campaigning and public policy issues relevant to the particular area may be taken here.

11.1.5 Equalities

11.1.6 International

11.1.7 Election of delegates to sit on the Area Activist Committee

## **12. Conduct of election of delegates to sit on the Area Activists Committee**

12.1 The Regional Administration shall provide details of the number of delegates to be elected to the Area Activists Committee and the constituencies they shall be elected from as appropriate.

12.2 The Regional Administration shall also provide details of the proportion of women and/or Black and Asian ethnic minority delegates to achieve proportionality on the committee.

12.3 For the purposes of supervising the election the meeting shall elect two tellers who are not candidates in the election.

12.4 Nominations will have been made in advance of the meeting.

12.5 Votes shall be cast by a ballot vote from amongst those constituency delegates present at the meeting.

12.6 Any dispute about the conduct of an election should be settled by the Chair. If it is not possible to settle any dispute at the meeting, then an appeal should in the first be lodged with the Regional Secretary who has overall responsibility for the conduct of the elections.

12.7 In the unlikely event that any such dispute cannot be settled in the Region, an appeal against the decision of the Regional Secretary can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

## **13. Conduct of Business**

- 13.1 The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.
  - 13.2 The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.
  - 13.3 A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.
  - 13.4 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.
  - 13.5 Save as provided herein, the business of the Meeting shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.
  - 13.6 In the event of an equality of votes, the proposition before the meeting shall not be carried.
14. **Smoking/Alcohol**
- 14.1 There shall be no smoking or consumption of alcohol allowed at the Meeting.



## **Model Agenda for the initial meeting of Area Activist Committees 2018**

*The Agenda must include those items marked in bold and may include the other items.*

- 11. Election of Chair**
- 12. Apologies**
13. Announcements
14. Report by the convening officer of the Area Activist Meeting
- 15. Election of delegate(s) to Regional Committee (number to be advised by the Regional Secretary)<sup>i</sup>**
- 16. Election of 1 substitute delegate to the Regional Committee.**
17. Other business on organising, campaigning and public policy issues relevant to the particular area (this can be listed on the agenda as appropriate)
- 18. Dates of future meetings**

## **RULE 9. YOUNG MEMBERS: EC GUIDANCE**

9.1 In each Region there shall be a young members' forum open to all members up to and including the age of 27 in that Region commencing from the 2018/21 electoral cycle. (The qualifying age remains at 30 until the 2018/21 electoral cycle).

9.1.1 In addition to 9.2 below, the Young Members' rule is intended as a vehicle to win for young members and as a means of encouraging activism by young members as an investment in the future of the union. The foundation layer of the structure; the Young Members Forums are also intended to help build on their experience through networking with other young members, as well as the wider membership, and giving them some insight in to the union's democratic structures. The Young Members' Forums do not elect delegates to any union body. For this reason, the Executive Council interprets the Young Members' Forums as not being 'bodies' of the union within the meaning of 'Rule 6 Lay Office', and thus all members meeting the age requirement of the rule will be entitled to attend the Young Members Forums, regardless of whether or not they are also an 'accountable representative of workers'.

9.1.2 The Young Members' Forum will meet at least twice a year at a time acceptable to the forum. For the avoidance of doubt these meetings may take place on an evening or at a weekend.

9.1.3 The forums will be convened by the Regional Secretary who shall post on the union's website and otherwise disseminate to young members notice of the date, time and venue of the Youth Forum.

9.1.4 The Chair of the Regional Young Members' Committee shall chair meetings of the Youth Forum. Should s/he not be available the Forum shall elect a young member to chair the Forum from amongst the young members in attendance.

9.2 The purpose of the young members' structure shall be to advocate the industrial and social interests of young workers, to cement links with the Union's industrial and community members and youth organisations both within the labour movement and beyond and to promote relevant policies provided that they are not inconsistent with the general policy and objectives of the Union.

9.2.1 The Young Members structure, including the regional and national young members' committees/conferences and regional forums, is intended to work with other union bodies (in particular the member's own workplace and industrial sector.) Regions and industrial sectors shall assist in facilitating links between their young members and other labour movement bodies. Selection

for youth participation in external conferences and activities may be, but need not necessarily be, from the young members' structure.

9.3 There shall be conferences in each Region every three years for young members. The Regional Secretary shall be responsible for convening these conferences. The Executive Council shall determine the number of delegates to the regional conferences and how they shall be appointed or elected.

9.3.1 The Regional Young Members' Conference will be open to all young members.

9.3.2 The Executive Council will place a requirement upon Regional Secretaries to ensure that there is maximum participation of young women and young BAEM activists at all Regional Young Members Conferences.

9.3.3 The Regional Secretary shall be responsible for convening these conferences. Regional Young Members Officer (or other appropriate regional official delegated by the Regional Secretary) shall act as Secretary to the conference – advising the chair as appropriate and recording decisions taken and the outcome of the elections. The Regional Secretary shall consult with the Regional Young Members Forum, Regional Young Members' Committee and appropriate officers as to the timing and agenda of the conference.

9.3.4 The conference will be chaired by the outgoing Chair of the Regional Young Members Committee. Should s/he not be available the Conference shall elect a delegate to chair the Conference from amongst the delegates in attendance. The Chair shall not have a casting vote.

9.3.5 The purpose of the conference is to network, debate issues, receive reports from the regional young members' committee and forum, discuss Regional Young Members Strategy (including organising strategy and bargaining strategy), and encourage activism, including election of the Regional Young Members' Committee. It will not be the purpose of the conference to submit motions to higher bodies of the union. Motions on matters for young members to the Regional Young Members Committee will be allowed.

9.3.6 It will not be the purpose of the conference to decide nominations or elect delegations to other bodies. The conferences may include workshop/training sessions for prospective activists.

9.5 There shall be a national conference every two years for young members which the Executive Council shall be responsible for convening. The Executive Council shall determine the number of delegates to the national conference and how they shall be appointed or elected.

- 9.5.1 Each of the Regional Young Members' Committees shall elect delegates to the National Conference for Young Members. The number of delegates shall be determined by the EC.
- 9.5.2 The EC shall decide the timetable for the National Conference for Young Members, but in any event, it shall be held every 2 years.
- 9.5.3 The conference will be chaired by the Chair of the National Young Members Committee.
- 5.3.4 The Chair shall not have a casting vote.
- 9.8 There shall be a Young Members' National Committee elected from each Regional Young Members' Committee in such proportion as may be determined from time to time by the Executive Council.
  - 9.8.1 The National Committee shall meet quarterly.
  - 9.8.2 The National Committee will be chaired by a lay Chair elected at the first meeting of the Committee of the electoral period, and the chair shall hold office for three years. The Chair shall not have a casting vote.
  - 9.8.3 Young members to be elected as Unite delegates to the TUC Young Members' conference, Young Labour conference, and British Youth Council conference and other youth organisations will be determined at the National Young Members' Committee, following nominations from the Regional Young Members Committees, subject to endorsement of the Executive Council. Delegates will be required to submit a report to the national and regional young members committees.

### **Supplementary**

The objective of the Rule Change made in 2015 was to broaden the participation of our Young Members beyond the 'activists' we identify formally as shop stewards, branch officers, etc, on our systems. Many of our active young members don't get into these positions but are very active outside the "official" union in campaigns and actions, etc.

The removal of the Rule 6 requirement at a regional level for the Young Members' Conference and Committee opens up new opportunities to involve our YMs. Young Member delegates to Regional Committees and the EC are to remain as Rule 6 compliant.

To involve Young Members beyond the branch attendees, Regions should invite to Young Members' Conference (in addition to known industrial activists) those young people involved in regional campaigns such as the Decent Work for All, hotel/restaurant workers and wider community strategies. The YM Chair and responsible Regional Officer/Community Co-ordinator should be consulted about identifying these colleagues.

In addition, the mailing to branches should ask them to identify any young members known to them who are active/interested in our movement but not holding official positions.

Nominations for the Regional Young Members' Committee will have been called for in advance of the Conference but may also be allowed from the floor on the day of Conference itself. This will open it up to a broader group within the union and should help us build a bigger, more active Young Member group in the region and nationally.

Any correspondence inviting Young Members to attend the Young Members' Conference should also advise that they can attend their local AAM and stand for election to the two YM seats on each AAC.

Young CMs are eligible to attend the Young Members' Conference and stand for election to the Regional Young Members' Committee in the AACs constituencies as appropriate, which would be the Area in which their Unite Community work is based.

## **STANDING ORDERS – REGIONAL YOUNG MEMBERS CONFERENCES 2018**

### **1) Purpose**

The Regional Young Members Conference shall have two purposes:

1.5 strategic – focus on the situation in the Region for young and set a local strategic agenda, including an organising strategy within the parameters of national policy

1.6 to elect representatives to attend the Regional Young Members Committee.

While one of the purposes of the conference will be to focus on the strategic position of the sector in the region it will not be the purpose of the conference to submit motions to higher bodies of the union. Motions on matters for young members to the National Committee will be allowed.

It will not be the purpose of the conference to decide nominations to other bodies or elect delegations to bodies other than the Regional Young Members Committee.

### **2) Attendees**

In accordance with Rule 9 the Regional Young Members Conference will be open to all young members i.e. members who are up to and including the age of 27. This includes Community members.

### **3) Chair**

3.1. The Chair of the outgoing Regional Young Members' Committee shall chair the Conference. Should, for whatever reason, the outgoing Chair not be available then the conference shall elect a delegate to Chair the Conference from amongst the delegates in attendance.

3.2 The Chair shall have an ordinary vote on all matters

3.2. The Chair shall not have a casting vote

### **4) Secretary**

The Regional Secretary (or other appropriate Regional Official delegated by the regional officer) shall act as Secretary to the conference – advising the chair as appropriate and recording decisions taken and the outcome of the elections. Subsequent meetings of the Regional Young Members Committee, to be properly constituted, will require the presence of a full time official nominated by the Regional Secretary to act as secretary.

## **5) Order of Business**

5.1 The Order of Business for the Conference shall include:

- 5.1.1 Report of the Secretary on the conduct of the Conference including the elections.
- 5.1.2 Apologies for Absence
- 5.1.3 Election of Tellers
- 5.1.4 Discussion of Regional Strategy (including organising strategy and bargaining strategy) for Young Members to be led by the AGS/National Officer
- 5.1.5 Motions.
- 5.1.6 Equalities
- 5.1.7 International
- 5.1.8 Election of delegates to sit on the Regional Young Members Committee

## **6) Conduct of election of delegates to sit on Regional Young Members Committee**

- 6.1 The Regional Administration shall provide details of the number of delegates to be elected to the Regional Young Members Committee and the constituencies they shall be elected from as appropriate.
- 6.2 The Regional Administration shall also provide details of the proportion of women and/or Black and Asian ethnic minority delegates to achieve proportionality on the committee.
- 6.3 For the purposes of supervising the election the conference shall elect two tellers who are not candidates in the election.
- 6.4 Nominations will have been made in advance of the conference.
- 6.5 Votes shall be cast by a ballot vote from amongst those constituency delegates present at the Conference.
- 6.6 Any dispute about the conduct of an election should be settled by the Chair. If it is not possible to settle any dispute at the Conference, then an appeal should in the first be lodged with the Regional Secretary who has overall responsibility for the conduct of the elections.
- 6.7 In the unlikely event that any such dispute cannot be settled in the Region, an appeal against the decision of the Regional Secretary can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

## **7) Conduct of Business**

- 7.1 The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.
- 7.2 The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.
- 7.3 A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.

- 7.4 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.
- 7.5 Save as provided herein, the business of the Conference shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.
- 7.6 In the event of an equality of votes, the proposition before the conference shall not be carried.

8) **Smoking/Alcohol**

- 8.1 There shall be no smoking or consumption of alcohol allowed at the Conference.



## **Model Agenda for the initial meeting of Regional Young Members Committees 2018**

*The Agenda must include those items marked in bold and may include the other items.*

- 19. Election of Chair**
- 20. Apologies**
21. Announcements
22. Report by the convening officer of the Regional Young Members Conference
- 23. Election of delegates to National Young Members Committee (number to be advised by Regional Secretary)<sup>2</sup>**
- 24. Election of 1 substitute delegate to the National Young Members Committee. (see footnote 1)**
- 25. Election of 1 delegate to Regional Committee.<sup>3</sup>**
- 26. Election of 1 substitute delegate to the Regional Committee. (see footnote 2)**
27. Other Relevant business (including organising and bargaining (this can be listed on the agenda as appropriate))
- 28. Dates of future meetings**

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<sup>2</sup> The delegates elected to the National Young Members Committee must be Rule 6 compliant. The substitute delegate must be Rule 6 compliant.

<sup>3</sup> The delegate elected to the Regional Committee must be Rule 6 compliant. The substitute delegate must be Rule 6 compliant.

## **RULE 10. MEMBERS IN RETIREMENT: EC GUIDANCE**

10.1 Members in retirement may be organised as “retired members plus” or as ordinary retired members. Only “retired members plus” or members in retirement who chose to pay full contributions may hold office in any retired members’ structures that the Union may establish which shall include attendance at Regional Retired Members’ Conference. Separate arrangements may apply in the Republic of Ireland, Channel Islands and Gibraltar.

10.1.1 At the level of the branch, members who were in retirement before 2 April 2012 and were on a zero contribution rate, eg, T&G Free Card, and continue on a zero contribution rate may have their rights to hold office as branch officers “grandfathered”. Members who retired after 2 April 2012 must be on at least Retired Member Plus to hold branch office. To hold office on Area Activists’ Committees, Regional Labour Party Liaison Committees, Regional Committees, Retired Members’ National Committee, Executive Council or as a delegate to the Retired Members’ National Conference retired members must be on at least Retired Members Plus irrespective of the date of retirement.

10.4 Retired members may be members of the workplace, local or national branches of the union (as defined in Rule 17) or may be organised in retired members’ branches. Members in retirement may not simultaneously be members of more than one branch of the union.

10.4.1 Members in retirement who are branch secretaries of workplace, local or national branches shall pay full contributions (core full time).

10.4.2 Regions may establish retired members’ branches based on AAC boundaries or at the sub AAC level if membership and retired activist numbers warrant.

10.4.3 Retired members’ branches will be recorded on the membership system and will receive the same support, eg, branch mailings and other communications, as other branches of Unite.

10.4.4 As the focus of retired members’ work is outwards to work and campaign in the wider pensioners’ movement and is therefore not primarily focussed on Unite’s industrial work, retired members’ branches may not make nominations for any seat on Unite’s Executive Council.

10.4.5 Retired members’ branches may make a nomination in any future General Secretary election.

10.5 In each Region there shall be a triennial conference of retired members' representatives, which shall be defined as officers of Retired Members' branches and retired members who may hold office in other types of branch. The Regional Secretary shall be responsible for convening the conference.

10.5.1 Eligibility to attend the triennial conference will be (i) all branch officers from retired members' branches and (ii) those retired members who hold office in workplace, local or national branches.

10.6 There shall be Regional Co-ordinating Committees for retired members, elected from the regional conference, in such proportion as may be determined by the Executive Council. These Committees shall elect an observer delegate to their respective Regional Committee of the union as a whole.

10.6.1 The EC has determined that the current size of Retired Members' Regional Co-ordinating Committees is 20 delegates (Rule 11 on gender and ethnic proportionality shall apply).

10.6.2 Retired Members' Regional Co-ordinating Committees shall have the opportunity to nominate delegates, as appropriate, to regional pensioners' and labour movement organisations.

10.6.3 Like every other committee of Unite covered by the Rule Book, the Secretary of the Retired Members' Regional Co-ordinating Committees shall be a full time officer of Unite.

10.8 Retired members who are also Unite branch CLP GC delegates plus up to four nominees (who must be a members of the Labour Party) from the Regional Retired Members' Co-ordinating Committee, elected by the members of that Committee, are entitled to attend the Regional Labour Party Liaison Conference and are eligible to stand for election to at least two additional retired members seats on Regional Labour Party Liaison Committees.

10.8.1 The number of such retired members' seats on Regional Labour Party Liaison Committees will be determined by the Executive Council. Currently 2 seats will be added to each RLPLC to be filled by retired members [Labour Party members] elected at the Regional Labour Party Liaison Conference.

10.8.2 No member who is in receipt of a pension from any funds of the union shall be eligible for election to the retired members' seats on the Regional Political Committees.

10.10 There shall be a National Committee for retired members, elected from the Regional Co-ordinating Committees in such proportion as may be determined by the Executive Council. This Committee shall elect a lay Chair and Co-ordinator to organise the work of the Committee in co-operation with the responsible National Officer; an observer delegate to the National Labour Party Liaison Committee who

must be a member of the Labour Party, as well as delegates to national campaigning and labour movement organisations and, an observer delegate to the Executive Council.

10.10.1 The EC has determined that the current size of Retired Members' National Committee is 20 delegates, 2 from each Region (Rule 11 on gender and ethnic proportionality shall apply).

10.10.2 The Retired Members' National Committee shall have the opportunity to nominate delegates, as appropriate, to national pensioners' and labour movement organisations.

10.11 No member who is in receipt of a pension from any funds of the union shall be eligible for election to the observer positions as set out in Clauses 10.6 and 10.10 of this Rule.

10.11.1 For the avoidance of doubt; retired members in receipt of a union pension may sit on Regional Retired Members' Co-ordinating Committees and the Retired Members National Committee but are ineligible to sit on Area Activists Committees, Regional Committees, Regional and National Labour Party Liaison Committees and the Executive Council as either observers or delegates.

## **STANDING ORDERS – REGIONAL RETIRED MEMBERS’ CONFERENCES**

### **9) Purpose**

The Regional Retired Members Conferences shall have two purposes:

- 1.7 strategic – focus on the situation in the Region for Retired Members, agree motions to the retired members’ regional coordinating committee and set a local strategic agenda, including an organising strategy within the parameters of national policy
- 1.8 to elect representatives to attend the Retired Members’ Regional Coordinating Committee.

While one of the purposes of the conference will be to focus on the strategic position of the sector in the region with a view to formulating an action plan and organising strategy for Retired Members Regional Coordinating Committee, it will not be the purpose of the conference to submit motions to higher bodies of the union. Motions on matters for retired members to the National Retired Members Committee will be allowed.

It will not be the purpose of the conference to decide nominations to other bodies or elect delegations to bodies other than the Retired Members’ Regional Coordinating Committee.

### **10) Attendees**

- 2.13 The Regional Retired Members’ Conference will be open to all officers of retired members’ branches and retired members who are branch officers of workplace, local or national branches of the union
- 2.14 The Executive Council will place a requirement upon Regional Secretaries to ensure that there is the maximum participation of women and BAEM retired members at the Regional Retired Members’ Conferences
- 2.15 All delegates as per clause 2.1 will be eligible to stand for election to the Retired Members’ Regional Coordinating Committee
- 2.16 The constitution of Regional Retired Members’ Co-ordinating Committees will be decided by the Executive Council and will be advised to the conference by the Regional Secretary.
- 2.17 The Regional Secretary shall set the date for the Regional Retired Members’ Conferences and ensure that appropriate AGS/National Official are given sufficient notice of the scheduled dates. The Regional Secretary shall send a calling notice to all Unite Branches advising of the date, time and venue of their specific Regional Retired Members’ conference.

## **15. Chair**

15.1 The Chair of the outgoing Regional Retired Members' Co-ordinating Committee shall chair the Conference. Should, for whatever reason, the outgoing Chair not be available then the conference shall elect a delegate to Chair the Conference from amongst the delegates in attendance.

15.2 The Chair shall have an ordinary vote on all matters

15.3 The Chair shall not have a casting vote

## **16. Secretary**

4.1 The Regional Secretary (or other appropriate regional official delegated by the Regional Secretary) shall act as Secretary to the conference – advising the chair as appropriate and recording decisions taken and the outcome of the elections. Subsequent meetings of the Regional Retired Members Co-ordinating Committee, to be properly constituted, will require the presence of a full time official nominated by the Regional Secretary to act as secretary.

## **17. Order of Business**

17.1 The Order of Business for the Conference shall include:

17.1.1 Report of the Secretary on the conduct of the Conference including the elections.

17.1.2 Election of Chair (should it be necessary, see 3.1)

17.1.3 Apologies for Absence

17.1.4 Election of Tellers

17.1.5 Discussion of Regional Strategy (including organising strategy) for Unite Retired members to be led by the AGS/National Officer

17.1.6 Motions

17.1.7 Equalities

17.1.8 International

17.1.9 Election of delegates to sit on the Retired Members' Regional Coordinating Committee

## **18. Conduct of election of delegates to sit on the Retired Members' Regional Coordinating Committee**

18.1 The Regional Administration shall provide details of the proportion of women and/or Black and Asian ethnic minority delegates to achieve proportionality on the Retired Members' Regional Coordinating Committee.

18.2 For the purposes of supervising the election the conference shall elect two tellers who are not candidates in the election.

18.3 Nominations will have been made in advance of the conference.

18.4 Votes shall be cast by a ballot vote from amongst those delegates present at the Conference.

18.5 Any dispute about the conduct of an election should be settled by the Chair. If it is not possible to settle any dispute at the Conference, then an appeal should in the first be lodged with the Regional Secretary who has overall responsibility for the conduct of the elections.

18.6 In the unlikely event that any such dispute cannot be settled in the Region, an appeal against the decision of the Regional Secretary can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

## **19. Conduct of Business**

19.1 The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.

19.2 The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.

19.3 A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.

19.4 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.

19.5 Save as provided herein, the business of the Conference shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.

19.6 In the event of an equality of votes, the proposition before the conference shall not be carried.

## **20. Smoking/Alcohol**

20.1 There shall be no smoking or consumption of alcohol allowed at the Conference.

## **Model Agenda for the initial meeting of Regional Retired Members Coordinating Committees 2018**

*The Agenda must include those items marked in bold and may include the other items.*

- 29. Election of Chair**
- 30. Apologies**
31. Announcements
32. Report by the convening officer of the officer responsible for convening the Regional Retired Members Conference
- 33. Election of delegates to National Retired Members Committee (number to be advised by Regional Secretary)**
- 34. Election of 1 substitute delegate to the National Retired Members Committee.**
- 35. Election of 1 observer to Regional Committee.**
36. Other relevant business (including organising amongst retired members) (this can be listed on the agenda as appropriate)
- 37. Dates of future meetings**



## **RULE 11 EQUALITIES:**

### **NATIONAL EQUALITIES COMMITTEES**

National Equalities Committees shall be elected from and by the relevant Regional Equalities Committees.

Following consultation with the Equalities AGS/National Officers and Regions, the Executive Council has agreed a plan for the make-up of the National Women's BAEM, Disabled Members' and LGBT Members' Committees based on the allocation of seats to each regional women's, BAEM, disabled members and LGBT committee, bearing in mind the following criteria:

1. the size of the relevant membership in each region
2. the need to ensure the representation of specific industrial interests.

The minimum proportional representation of women and BEAM members on national equalities committees must be achieved through the allocation of designated seats which must be filled by women and BEAM members. The composition of the committee must therefore include designated seats for women and BAEM members allocated to appropriate regional equalities committees to ensure that the committee as finally constituted has at least the number of women and BAEM representatives which the proportion of members requires.

Each regional equalities committee electing delegates to a national equalities committee should ensure that it also elects/appoints a substitute delegate to ensure that the regional equalities committee always has representation on the national equalities committees (see EC Guidance on substitute delegates).

National equalities committees should not usually have more than thirty members.

### **REGIONAL INDUSTRIAL SECTOR COMMITTEES**

Rule 11 was amended at the 2<sup>nd</sup> Rules Conference in 2015 to allow for equalities representation on the RISCs. The EC amended and clarified its Guidance in September 2017 as follows:

1. Delegates from the 4 x Equalities Committees to the RISCs who are "accountable representatives of workers" join the RISC as full voting delegates and are eligible to hold office as Chair and as delegates to the Regional Committee, NISC, Policy Conference, Rules Conference and NIS Conference; those delegates who are not "accountable representatives of workers" join the RISC as non-voting observers and are ineligible for election as delegates elsewhere.
2. In the Irish Region where there are two RISCs for one Sector - Education; Energy & Utilities; Food, Drink & Agriculture; Health (one per jurisdiction) – the 4 x Equalities

Committees may elect delegates to both RISCs; should only a single delegate be available from a particular equality strand that delegate will join the RISC in the jurisdiction where they are based (in accordance with point 1 above) with non-voting observer status on the other RISC.

3. To allow the very few representatives from a numerically small Sector to be able to attend a functioning RISC in some Regions these small Sectors have been linked with a larger, allied sector, or occasionally to the same Sector in an adjoining Region (see table below). It will only be necessary for the lead RISC to include seats for the 4 x equalities delegates. In the unlikely event of a delegate being elected from the equalities committee in the minor sector/region that delegate will join the group of linked delegates.
4. The CAT RISC in the East and West Midlands is the only genuinely joint RISC in the union, catering for a few hundred members in each Region. It is not proposed that each Region will each have 4 x equality seats making eight on the RISC in total. Instead four seats will be created on the RISC, should an excess of delegates be elected it will be the responsibility of the Regions to arrive at an equitable resolution.

Sectors linked within a Region

Region	Lead sector	Linked minor sector	Linked seats
East Midlands	Local Authorities	Govt & Defence	2 Govt & Defence seats linked to Local Authorities RISC
Ireland	Road Transport & Logistics	Docks & Rail	2 Docks & Rail seats linked to RTC RISC
London & Eastern	Engineering & Manufacturing	Metals	1 Metals seat linked to Engineering & Manufacturing RISC
London & Eastern	Local Authorities	Govt & Defence	3 Govt & Defence seats linked to Local Authorities RISC
Scotland	Engineering & Manufacturing	Metals	2 Metals seats linked to Engineering & Manufacturing RISC
South East	Engineering & Manufacturing	Metals	2 Metals seats linked to Engineering & Manufacturing RISC
Wales	Automotive	Engineering & Manufacturing	4 E&M seats linked to Automotive RISC
Wales	Road Transport & Logistics	Docks & Rail	3 Docks & Rail seats linked to RTC RISC

Sectors linked across Regions

Lead region	Linked minor region	sector	Linked seats
East Midlands	West Midlands	Docks & Rail	2 WM Docks & Rail seats linked to EM Docks & Rail RISC
North West	North East, Yorkshire & Humber	CAT	2 NEYH CAT seats linked to NW CAT RISC

## **EC SUPPLEMENTARY GUIDANCE: RULE 11. EQUALITIES**

Increasing involvement and tackling under-representation of Black and Asian Ethnic Minorities

The Executive Council has furthered clarified 'EC Guidance on Rule 11: Equalities' and the need to increase involvement and tackle under-representation of black and Asian ethnic minorities.

The reference to black, Asian and ethnic minorities in Rule 11 aims primarily to tackle the under-representation of black and Asian ethnic minorities, i.e. the particular discrimination faced by 'visible' ethnic minorities. This recognises that black and Asian ethnic minorities face barriers in the labour market and in the union based largely on the combination of colour and ethnic origin.

The EHRC (formerly CRE) also recommends the use of colour and ethnic origin in relation to ethnic monitoring categories.

The EC is issuing this guidance to assist the implementation of Rule 11 and the establishment of Unite committees and conferences. The EC will include the implementation of this rule in any review and will make any further recommendations as necessary.

# **STANDING ORDERS: NATIONAL WOMEN'S, BLACK, ASIAN & ETHNIC MINORITY (BAEM), DISABLED MEMBERS, AND LESBIAN, GAY, BISEXUAL, TRANS (LGBT) COMMITTEES**

## **1 Purpose**

The National Equalities Committees have the following purpose:

- 1.1 to guide the Union in the equalities aspects of the aims of the union as set out in Rule 2, including specifically Rule 2.1.6 that is to promote equality and fairness for all, including actively opposing prejudice and discrimination on grounds of gender, race, ethnic origin, religion, class, marital status, sexual orientation or identity, age or disability; and the implementation of Rule 11 Equalities.

## **2 Composition and Size of National Equalities Committees**

- 2.1 The National Equalities Committees will be comprised of delegates elected from the appropriate Regional Equalities Committees, as set out in Rule 11.7
- 2.2 The Executive Council has approved the size of the National Equalities Committees in line with the decision that National Committees shall usually be comprised of a maximum of thirty delegates.
- 2.3 A National Equalities Committee shall be quorate when more than 50% of the members elected to the Committee are present.

## **3 Delegates and attendees**

- 3.1 Executive Council members, representing the area of equality but not elected as delegates to the committee shall be invited to attend in an *ex officio* capacity.
- 3.2 Each National Equality Committee shall be empowered to fill vacancies arising from the failure of any National Equality Committee member, without good reason, to attend 3 consecutive National Equality Committee meetings or following the resignation of any member.

## **4 Chair**

- 4.1 The Committee shall be chaired by a delegate elected by and from the Committee. The Chair shall, when present, chair all meetings of the Committee and appropriate sub-committees.
- 4.2 The Chair shall have an ordinary vote on all matters.
- 4.3 The Chair shall not have a casting vote.

- 4.4 A Vice-Chair will also be elected. The Vice-Chair will assume the powers and duties of the Chair when the Chair is not available to chair a meeting.
- 4.5 When neither the Chair nor the Vice-Chair are present at a National Committee meeting, that meeting shall elect a temporary Chair who shall assume the powers and duties of the Chair for the necessary period.
- 4.6 All references to “the Chair” in these Standing Orders refer to whosoever is exercising the powers and duties of the Chair at the relevant time.

## **5 Secretary**

- 5.1 An Equalities National Officer or, in her/his absence, another full time official, nominated by the appropriate Assistant General Secretary, shall act as Secretary to the Committee advising the Chair as appropriate and recording decisions taken and the outcome of the elections.

## **6 Order of Business**

The Order of Business for the Committee shall include:

- 6.1 Election of Chair and Vice-Chair \*
- 6.2 Introductions and Apologies
- 6.3 Adoption of Standing Orders \*
- 6.4 Minutes of Previous Meeting
- 6.5 Matters Arising
- 6.6 National Officer’s Equalities Report including Organising Report

Motions from appropriate Regional Equalities Committees

Correspondence

Executive Council Report

AOB (to be advised to the Chair prior to the start of the meeting)

- \* first meeting of the triennial period only

### **Conduct of Elections**

- 7.1 All nominees in Committee elections shall be individually nominated and seconded.
- 7.2 Votes shall be cast by show of hands or by ballot.
- 7.3 Any dispute about the conduct of an election or a decision should be settled by the Chair. If it is not possible to settle any dispute at the Committee, then an appeal should in the first instance be lodged with the National Officer.

7.4 In the unlikely event that any such dispute cannot be settled, an appeal against the decision of the Chair can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

## **8. Conduct of Business**

The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.

8.2 The mover of a motion shall be allowed five minutes and subsequent speakers three minutes each. No delegate shall be allowed to speak more than once on any motion except the mover who shall have the right of reply.

8.3 Next business, that the vote be taken or such other procedural motions may be moved and seconded by any delegate who has not previously spoken during the debate. There shall be no speeches on such motions.

8.4 The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.

8.5 A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.

8.6 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.

8.7 Save as provided herein, the business of the Committee shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.

8.8 In the event of an equality of votes, the proposition before the Committee shall not be carried.

## **9) Smoking/Alcohol/mobile phones**

9.1 There shall be no smoking or consumption of alcohol allowed at the Committee.

9.2 All mobile phones should be switched off at all times during the Committee.

## **REGIONAL WOMEN’S; BLACK, ASIAN & ETHNIC MINORITY; DISABLED MEMBERS AND LGBT COMMITTEES: EC GUIDANCE**

1. Rule 11.4 establishes Regional Women’s, Black, Asian & Ethnic Minority Member, Disabled Members and LGBT Committees.

11.4 There shall be Regional Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and trans members, elected in Sector based constituencies of at least one member per regional Sector at the appropriate regional conference in 11.3, to advance the area of equalities, and to represent and report to the Regional Industrial Sector Committees in such proportion, as may be determined by the Executive Council. Members elected to such Sector based seats shall become full members of the Regional Industrial Sector Committee provided that they are an “accountable representative of workers.” These committees shall each elect a delegate to their respective Regional Committee of the Union as a whole.

2. Note: as Rule 11.4 refers to Rule 11.3, the text of this rule follows:

11.3 There shall be separate conferences in each Region every three years for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and trans members. The Regional Secretary shall be responsible for convening these conferences.

3. The constituencies for Regional Women’s, Black, Asian & Ethnic Minority, Disabled Members and LGBT Committees are for Regional Industrial Sectors as agreed at the Rules Conference.
4. The nomination procedure for Regional Women’s, Black, Asian & Ethnic Minority Members, Disabled Members and LGBT Committees is by branch nomination and self-nomination in advance in line with Rule 6 and EC Guidance.
5. The election procedure for Regional Women’s, Black, Asian & Ethnic Minority Members, Disabled Members and LGBT Committees is as set out in the Standing Orders.
6. Delegates so elected shall represent and report to their Regional Industrial Sector Committee in line with the constituency in which they were elected.
7. Where there is more than one seat allocated to a Sector seat on a regional equalities committee, those delegates elected will elect from their number the member to take up the seat on the RISC.
8. Each Regional Equality Committee shall be empowered to fill vacancies arising from the failure of any Regional Equality Committee member, without good reason, to attend 3 consecutive Regional Equality Committee meetings or following the resignation of any member.



**STANDING ORDERS – REGIONAL EQUALITIES CONFERENCES 2018**  
**Regional Women’s, Black, Asian & Ethnic Minority Members,**  
**Disabled Members and LGBT Conferences**

**11) Purpose**

The Regional Women’s, Black, Asian & Ethnic Minority Members, Disabled Members and LGBT Conferences shall have two purposes:

1.9 strategic – focus on the situation in the Region for the appropriate membership :

- women
- black, Asian & ethnic minority members
- disabled members
- or LGBT members

and set a local strategic agenda, including an organising strategy within the parameters of national policy

1.10 to elect representatives to attend the Regional Women’s, Black, Asian & Ethnic Minority Members, Disabled Members or LGBT Committee in sector based constituencies of at least one member per regional sector

While one of the purposes of the conference will be to focus on the strategic position of the sector in the region, with a view to formulating an action plan and organising strategy for the Regional Women members, Black, Asian & Ethnic Minority Members, Disabled Members or LGBT Committee, it will not be the purpose of the conference to submit motions to higher bodies of the union. Motions on matters for women, BAEM, disabled or LGBT members to the National Women’s, Black, Asian & Ethnic Minority Members, Disabled Members or LGBT Committee will be allowed.

It will not be the purpose of the conference to decide nominations to other bodies or elect delegations to bodies other than the Regional Women’s, Black, Asian & Ethnic Minority Members, Disabled Members or LGBT Committee.

**12) Attendees**

2.18 The Regional Women’s Conference will be open to all women accountable representatives of workers to attend;

2.19 the Regional Black, Asian & Ethnic Minority Members Conference to all BAEM accountable representatives<sup>4</sup>;

2.20 the Regional Disabled Members Conference to all disabled accountable representatives and members; and

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<sup>4</sup> In Scotland, Ireland and Wales, where the number and proportion of BAEM members is low, the conference shall be open to all BAEM members

- 2.21 the Regional LGBT Conference to all LGBT accountable representatives and members.
- 2.22 The Executive Council will place a requirement upon Regional Secretaries to ensure that there is the maximum participation of women and BAEM accountable representatives at all Regional Equalities Conferences.
- 2.23 All accountable representatives of workers who are women, BAEM, disabled or LGBT members will be eligible to stand for election to the Regional Women's, BAEM, Disabled Members or LGBT Committee, as appropriate.<sup>5</sup>
- 2.24 The Regional Women's, BAEM, Disabled Members and LGBT Committees are divided into industrial sector and area activist constituencies, and only those delegates from that constituency may vote at the conference in the election for that section of the Regional Women's, BAEM, Disabled Members or LGBT Committee.
- 2.25 Regional Equalities Committees scheme of representation is as agreed by the Executive Council and will be advised by the Regional Secretary.
- 2.26 The Regional Secretary with the Regional Women's & Equalities Organiser shall set the date for the Regional Equalities Conferences and ensure that appropriate AGS/National Officials are given sufficient notice of the scheduled dates. The Regional Secretary shall send a calling notice to all appropriate accountable representatives of workers<sup>6</sup> advising of the date, time and venue of their specific Regional Equalities conference.

## **21. Chair**

- 3.1 The conference shall be chaired by the outgoing chair of the Regional Women's, BAEM, Disabled Members, or LGBT Committee. Should, for whatever reason, the outgoing Chair not be available then the conference shall elect a delegate to Chair the Conference from amongst the delegates in attendance.
- 3.2 The Chair shall have an ordinary vote on all matters.
- 3.3 The Chair shall not have a casting vote

## **22. Secretary**

- 4.1 The Regional Secretary with the Regional Women's & Equalities Organiser (or other appropriate regional officer with responsibility for the regional equalities committee) shall act as Secretary to the conference – advising the chair as appropriate and

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<sup>5</sup> For Regional BAEM committees in Scotland, Ireland and Wales and for all Regional Disabled Members and LGBT Members Committees, where there is no nomination of an accountable representative of workers, members shall be eligible to stand for election

<sup>6</sup> For the regional equalities committees listed in footnote 2, where members can also attend, a calling notice shall be sent to all branches for distribution

recording decisions taken and the outcome of the elections. Subsequent meetings of the Regional Equalities Committee, to be properly constituted, will require the presence of a full time official nominated by the Regional Secretary to act as secretary.

## **23. Order of Business**

5.2 The Order of Business for the Conference shall include:

- 5.2.1 Report of the Secretary on the conduct of the Conference including the elections.
- 5.2.2 Apologies for Absence
- 5.2.3 Election of Tellers
- 5.2.4 Discussion of Regional Strategy (including organising strategy and bargaining strategy) for Unite Women/BAEM/Disabled/LGBT members to be led off by the AGS/National Officer
- 5.2.5 Equalities report from Regional Women's & Equalities Organiser (or other appropriate officer with responsibility for the regional equalities committee)
- 5.2.6 International
- 5.2.7 Election of delegates to sit on the Regional Women's, Black, Asian & Ethnic Minority Members, Disabled Members, or LGBT Committee

## **24. Conduct of election of delegates to sit on the Regional Women's, BAEM, Disabled Members, or LGBT Committee**

- 6.8 The Regional Administration shall provide details of the number of delegates to be elected to the Regional Women's, BAEM, Disabled Members or LGBT Committee and the constituencies they shall be elected from as appropriate.
- 6.9 The Regional Administration shall also provide details of the proportion of women and/or Black and Asian ethnic minority delegates to achieve proportionality on the committee.
- 6.10 For the purposes of supervising the election the conference shall elect two tellers who are not candidates in the election.
- 6.11 Nominations will have been made in advance of the conference.
- 6.12 Votes shall be cast by a ballot vote from amongst those constituency delegates present at the Conference.
- 6.13 Any dispute about the conduct of an election should be settled by the Chair. If it is not possible to settle any dispute at the Conference, then an appeal should in the first be lodged with the Regional Secretary who has overall responsibility for the conduct of the elections.
- 6.14 In the unlikely event that any such dispute cannot be settled in the Region, an appeal against the decision of the Regional Secretary can be forwarded to the General Secretary, who may delegate handling the appeal to an appropriate senior official.

## **25. Conduct of Business**

- 7.7 The Chair shall be responsible for the conduct of the meeting. Delegates may only speak when called by the Chair. The Chair shall have discretion on whether to allow a delegate to speak more than once on a subject.

- 7.8 The Chair shall have the same speaking rights as any other delegate. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.
- 7.9 A delegate who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say "*point of order*" and hold his/her hand aloft until called by the Chair. Subject to that exception, delegates should not interrupt another speaker.
- 7.10 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the delegates present.
- 7.11 Save as provided herein, the business of the Conference shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.
- 7.12 In the event of an equality of votes, the proposition before the conference shall not be carried.

## 26. **Smoking/Alcohol**

- 8.2 There shall be no smoking or consumption of alcohol allowed at the Conference.

## **Model Agenda for the initial meeting of Regional Equalities Committees 2018**

*The Agenda must include those items marked in bold and may include the other items.*

- 38. Election of Chair**
- 39. Apologies**
40. Announcements
41. Report by the convening officer of the Regional Equalities Conference
- 42. Election of delegates to National Equalities Committee (number to be advised by Regional Secretary)**
- 43. Election of 1 substitute delegate to the National Equalities Committee.**
- 44. Election of delegate(s) to Regional Committee (number to be advised by the Regional Secretary)**
- 45. Election of 1 substitute delegate to the Regional Committee.**
46. Other Relevant Equalities business (including organising and bargaining (this can be listed on the agenda as appropriate))
- 47. Dates of future meetings**

## **RULE 14. EXECUTIVE COUNCIL - EC GUIDANCE**

Rule 14.2.3 No current or former employee of the Union, nor any current employee of any other union, is eligible to stand for, or hold office on the Executive Council

This guidance is intended for this EC term only (to 30<sup>th</sup> April 2017). Each EC shall redefine guidance for this rule at the outset of its EC, having regard to the prevailing circumstances, failing which the guidance will fall away.

*The words “any other union” should be given their normal meaning rather than intended to follow any statutory definition of “Trade Union” that may exist from time to time. The intended normal meaning of “any other union” is that of a union which competes with unite (a “competing union”). The intention of this rule is to ensure that lay democracy of the Union remains independent of those employed by Unite or any other competing union. The intention of the wording is to prevent employees from “other union(s)” where those “other union(s)” actively recruit individual members within sectors, workplaces and industries (most likely by offering organisational branch structures, industrial representation and member benefits) in which Unite retains membership, or may seek in the future to grow membership (a competing union). The intention of the Rule is not to prevent (and was never intended to) those who work in the wider trade union and labour movement (including affiliate organisations or trade union federations) from participating within Unite. Organisations and federations that do not seek to organise workers in the workplace in the manner of Unite (or other such Trade Unions) by offering organisation structures, industrial representation and member benefits, are not a competing union and therefore not intended to be “any other union” for the purposes of this rule. An employee of such an organisation or federation sitting on the Unite Executive Council could not be said to be motivated, by reason of employment, to vote in a manner to damage the best interests of Unite and consequently are not intended to be in the employ of “any other union” for the purposes of Rule 14.2.3 .*

## **EC: BRANCH FINANCING**

### **Background**

Currently, a great disparity exists between what Branches in the two former Sections receive in terms of Branch financing from Unite.

Former Amicus Branches generally (but there are some notable exceptions) receive quarterly Branch financing equal to 3% of what members who are recorded as paying members are expected to pay. Any money not used in a year is clawed back at year end. Separately, Branches submit invoices to Head Office for room rental, postage, etc. which is paid in addition to the 3%.

Former T&G Section Branches have been paid Branch Administration up to a maximum of 10% of actual member contributions received less 100% of any employer fee for administering check-off. The amounts have been fixed in agreement with the Region and vary considerably (for example, most Scottish Branches receive 7%) and, by and large, are paid monthly. There is no clawback on monies paid. Moreover, Branches generally are expected to meet all Branch expenses out of the amount paid, although in some instances room rental to hold Branch meetings and postage is paid in addition. Many T&G Branches also impose a separate levy on members (called Branch Funds which the Union collects and pays over to the Branch) which vary from very small amounts up to £5 per month. In some cases, Branches have special arrangements with the Regions to keep members “clear”.

From a legal and financial perspective, it is important to recognise that these monies in all cases are the property of Unite and therefore can only be used for legitimate Union purposes and are included in the audited accounts of Unite.

### **Revised Proposal**

From 1<sup>st</sup> January 2012, once a Branch has been confirmed as an ongoing Unite Branch, each such Branch shall be eligible to receive Branch Administration of 10% of actual member Core, Apprentice and Special Discounted Rate contributions received less 50% of any employer fee for administering check-off and 100% of any employer charge for seconded reps. Where this confirmation occurs after 1<sup>st</sup> January 2012, payments will be backdated to 1<sup>st</sup> January 2012.

- There is to be no clawback from Branches at year end. Moreover, there is to be no clawback of 2011 payments to former Amicus Branches. Any new Branch established as a consequence of the Branch reorganisation to receive a proportionate split (based on paying members) of the account balance(s) from the Branch(es) from which its members are drawn.
- 2.5% of actual member Core, Apprentice and Special Discounted Rate contributions to be deducted before payment to the Branch and paid directly into a newly established and separately accounted for Unite Dispute Fund. The Union would make an initial contribution to the Fund of £25 million. The Dispute Fund would be

responsible for all costs (excluding the payroll costs for Unite employees) which may be necessary to fight a dispute. This Dispute Fund would be overseen by a Committee of the Executive (Chair, Vice Chair, two other EC members) in conjunction with the General Secretary. The EC would retain full control over this Fund and be able to vary payments from the Fund as may be necessary from time to time. The Dispute Fund would be a clear symbol to employers and members alike that Unite has the means to successfully prosecute an industrial dispute of virtually any size or duration. The dispute fund would be constituted in December 2011 and, as such, Dispute Benefit payments related to the 30<sup>th</sup> November industrial action in the public sector would come out of this Fund.

- Payments in aggregate to Branch Secretaries, other Branch officials, convenors and shop stewards (excluding reimbursement of legitimate expenses and in relation to member servicing as below) for running of Branch to be limited to 2.5% of actual member contributions (inclusive of any tax). Any such payments must be approved by a properly convened Branch meeting, specifically minuted and comply with Unite agreements with HMRC re honorarium.
- No payments to be made by Branches to any employee – officer, organiser or member of staff – of Unite the Union or their immediate family. Any exceptional circumstances where this would be justifiable must be approved by the General Secretary (or his designate).
- Branches to pay, if necessary, for all lay member expenses (including but not limited to loss of pay) to attend non constitutional meetings, unless the meeting has been called by a Regional Secretary or National Officer, and the area activists open to all meetings. This would include funding for combines and national shop stewards meetings. Recognising that some Branches might struggle to pay member expenses for combines and national shop stewards meetings in full and the Union wants to promote such activities, the AGS overseeing the sector covered by the combine will have the ability to agree dispensation for Branches based upon their ability to pay.
- To the best level practical, Branches are responsible to keep up to date the membership records of all members in Branch – especially employer, workplace, address, home phone number, mobile number, email address.
- Branches to pay all expenses of Branch for the running of the Branch – meeting rooms, newsletters, postage, conferences, etc. The intention is for Branches to utilise Union facilities to host Branch meetings. Where/when these are not available, then Regional Secretaries can agree to reimburse such costs out the Regional 1% fund. Upon request, the Union to help Branches arrange cost effective printing and website services to help minimise these costs for Branches.
- Although a primary goal of the Branch reorganisation is to constitute workplace Branches wherever practical and possible, it is recognised that there will still be a need to have geographic or composite Branches to cover smaller workplaces, unorganised workplaces with low Unite density and individual members. It will be



the responsibility of these Branches to service members up to the point of appeal (as a convenor would normally do in an organised workplace) – e.g. providing preliminary advice and guidance, handling 1<sup>st</sup> stage grievance and discipline hearings. The Branch would be able to make payments (to cover reasonable expenses or a modest payment for their time) to individuals (including but not limited to Branch Secretaries and other Branch officials) to perform these duties (an “accredited support rep” concept to be developed). The intention is that Union officials would normally undertake final appeals.

- Upon approval at a Branch meeting, Branches may stipulate that all Branch members pay an amount over and above their basic Union dues (hereinafter called “Branch Fund”) to be collected by the Union and paid directly over to Branch (net of any employer administration charge).
- Branch Administration and Branch Fund to be paid monthly to a Unity bank account in the name of the Branch (Allied Irish Bank in ROI).

### **Administration**

In order to receive the Branch Administration a Branch must:

- Be an active Branch and in compliance with Rule 17 and meet all Branch Standards (to be determined by the EC) including a commitment to Branch Growth through Organising.
- Unite to collect check-off payments directly from employer (not via the Branch Bank Account) and direct debit payments from members. Manual collections by Branches and cash payments by individual members allowed.
- Branches to have Unity Trust Bank account(s) and none with any other Bank (Allied Irish Bank in ROI). Branches must notify Central Office of all Bank Accounts.
- Branches to submit quarterly and annual accounts (calendar year basis) to the Union within 6 weeks of period end. Branch Administration payments may be stopped if Branch has not supplied satisfactory accounts by end of quarter following end of period. Central Office to supply template (eventually will be electronic) for accounts which must be adhered to. Union has the right to audit Branch accounts. Such accounts must be submitted to a duly constituted Branch meeting to be scrutinised and approved and made available to Branch members upon request. The Union will provide the necessary training to Branches to enable them to perform this function.

## **EC: BRANCH STANDARDS**

Branch organisation and branch life are essential to allow for membership participation, democracy and a sense of ownership of the union and for growing Unite.

A vibrant branch life in the union will increase participation with members having a direct influence over decision making thereby making the branch, and through the branch the wider union, directly relevant to them.

Strong membership participation in branches that are organising branches, with a focus on equalities, will ensure that members are active in the community beyond the workplace, particularly in the political life of the community, assisting in building Unite across Britain and Ireland.

Branches that are democratic hubs and are well administered will qualify for branch administration funds to be remitted from the union (10 per cent of membership income less deductions for the central strike fund and to cover for employer check-off charges where applied). Branch administration will be remitted if Unite branches satisfy the following criteria:

1. The branch must meet all rulebook requirements regarding regularity of meetings (which should be properly notified to all members) which must include at least an AGM and the election of branch officers, which under Rule include:
  - chair
  - secretary
  - treasurer
  - equalities officer
2. Other than where the Rule Book allows for a branch secretary to also hold the office of treasurer, members should not usually hold more than one branch officer position.
3. The branch must ensure that elections for the above positions are carried out fairly and democratically. The branch must comply with instructions from regional office to hold such elections triennially at the appropriate point in the calendar and to hold by-elections as necessary.
4. Proper financial records must be maintained, which includes non-audited accounts returned quarterly and audited accounts returned annually to the regional office of the union; branches should ensure that it elects auditors, usually at the same time as its branch officers.
5. Branches must conduct regular membership audits so that membership records may be maintained up to date via the branch secretaries' portal or, in the case of a branch having no computer access, by close liaison with the Regional Office.

6. In cases of grievance and discipline it is an aspiration of the union that branches would take responsibility to provide representation including at appeal hearings; however, it is recognised that many branches will not, at the moment, be able to provide that service.
7. The branch must commit to the campaign for 100 per cent union membership in the workplace(s) which it covers, and must assist, either with full time officials/organisers or on its own initiative, in developing union organisation on “greenfield” sites where and when appropriate in accordance with agreed targets and strategies.
8. Branches have an obligation to promote equal opportunities and tolerance inside and outside the workplace and take action to stamp out sexism, racism, homophobia and other forms of discrimination.
9. The branch should play a part in the broader labour movement locally, including affiliating to the local Trades Council where there is one and, where sought by branch member(s) who is/are member(s) of the Labour Party, to the local Constituency Labour Party (in accordance with Rule 22) where branch representation on the CLP GC will be taken on by a branch member, in line with Party rules. Further branches should support shop stewards’ combine committees where appropriate and give support to community and retired members’ branches.
10. The branch must be conscious of Unite policy on industrial and political issues at all times and must not use union resources, including use of the logo, to publicly campaign against union policy.

## **MODEL BRANCH STANDING ORDERS**

*To be read in conjunction with Rule 17 and the EC's Branch Standards document*

### **1 Notice of Meeting and Quorum**

The branch shall meet at regular intervals, at least quarterly {insert if branch will meet more frequently}. The date, start and finish time and place of the branch {insert if meeting place and time of meeting fixed} meeting shall be posted on the Unite website and otherwise communicated to branch members.

Five branch members present shall form a quorum. If within half an hour of the time appointed for the meeting to commence, a quorum is not present, the meeting shall be dissolved.

### **2 Officers of the Branch**

2.1 Officers of the branch which shall include Chair, Secretary, Treasurer and Equalities Officer who shall be elected at every third AGM of the branch starting from the period January to March 2018.

2.2 In the absence of the elected Chair, the Secretary should not chair the meeting. A branch member should be elected as ad hoc Chair for the duration of the meeting and should sign any paperwork (eg nomination forms) as such.

2.3 Delegates to represent the branch at local Trade Union Councils should be elected annually in the Autumn to take office in the following January and to Constituency Labour Parties annually in the Spring to take office mid-year.

### **3 Agenda and Order of Business**

3.1 The Branch Secretary shall be responsible for receiving all papers and drafting the Agenda.

3.2 The Agenda for a branch meeting would usually include the following items:

3.2.1 Apologies for absence

3.2.2 Minutes of the previous branch meeting and matters arising

3.2.3 Secretary's report on recruitment and organisation, including 100% campaigns and greenfield organising

3.2.4 Treasurer's financial report

3.2.5 Reports from workplace reps and the equalities officer

3.2.6 Other reports, e.g. Trades Union council or Constituency Labour Party

3.2.7 Correspondence

3.2.8 Date of next meeting

3.3 Any member may introduce other business for the consideration of the meeting but must notify the secretary in advance.

3.4 The branch secretary shall be responsible for the taking of Minutes of the branch meeting.

#### 4 Conduct of Business

4.1 The Chair shall be responsible for the conduct of the meeting. Members may only speak when called by the Chair. The Chair shall have discretion on whether to allow a member to speak more than once on a subject.

4.2 The Chair shall have the same speaking rights as any other member. In addition, the Chair may intervene during or at the conclusion of any discussion, to clarify the issues decided and/or to sum up the discussion.

4.3 A member who wishes to raise a point of order (which must be confined to the manner in which the meeting is being conducted) should say “point of order” and hold his/her hand aloft until called by the Chair. Subject to that exception, members should not interrupt another speaker.

4.4 The ruling of the Chair on any question relating to the conduct of the meeting shall be final unless a challenge to the Chair is supported by at least two thirds of the members present.

4.5 Save as provided herein, the business of the Branch shall be conducted in accordance with the normal rules of debate as laid down by Walter Citrine in the ABC of Chairmanship.

4.6 In the event of an equality of votes, the proposition before the Branch shall not be carried.

#### Smoking/Alcohol

5.1 There shall be no smoking or consumption of alcohol allowed at the Branch meeting.

## **RULE 18. WORKPLACE REPRESENTATION: EC GUIDANCE**

18.1 At each workplace, the members employed at that workplace, shall elect from amongst themselves, at least every 3 years, 1 or more of the following representatives:

18.1.1 Shop stewards/workplace representatives

18.1.2 Safety representatives

18.1.3 Learning representatives

18.1.4 Equality representatives 18.1.5 Environment Representatives

The election shall take place at a meeting held between 1<sup>st</sup> January and 31<sup>st</sup> March in each third year, and the elected candidates shall take office for three years. Such workplace representatives as listed above shall be entitled to attend the triennial Regional Industrial Sector Conference.

This Rule allows for workplace reps' elections to take place on a frequency of up to every three years; should industrial circumstances, or particular workplace traditions, dictate that elections are necessary more frequently than three years that is permissible, but under no circumstances less frequently. Elections, other than casual vacancies, should always take place between 1<sup>st</sup> January and 31<sup>st</sup> March to ensure synchronisation with other aspects of the union's constitutional structure.

18.3 The method of election shall be by such means as authorised by relevant guidance which shall be issued by the Executive Council from time to time.

18.3.1 See also EC Guidance on Rule 6 re Lay Office.

18.5 The Executive Council may group workplaces together for the purposes of representation where the number of members at each workplace is so small that representation and bargaining for the individual workplaces is not, in the opinion of the Executive Council, practicable.

18.5.1 Proposals for merger of workplaces will be put to the Regional Committee, and if approved will be put to the Executive Council for approval.

18.7 Following election of a workplace representative the appropriate Regional Officer shall be informed of the election by the elected representative without delay. The Regional Officer shall ensure that the Regional Industrial Sector Committee and the Union's membership department are informed of the date of the election and the identity, constituency and contact details of the elected workplace representative.

18.7.1 See also EC Guidance on Rule 6 re Lay Office, in particular 6.5.6 – 6.5.8 inclusive.

## **RULE 22. POLITICAL ORGANISATION – THE LABOUR PARTY**

### **Introduction**

The political direction of the union rests with the Executive Council. The lay member political structures of the National and Regional Labour Party Liaison Committees frame recommendations for the EC and implement agreed policy and campaigning positions, especially with regard to the Union's relations with the Labour Party.

The Union will hold triennial Regional Labour Party Liaison Conferences usually from late January to early March (commencing 2014) to elect Regional Labour Party Liaison Committees, which will elect the National Labour Party Liaison Committee, for the coming triennial period. The conference times and venues will be determined by each region with agendas agreed between the Regions and the Political Department at Central Office.

This guidance note deals with English, Scottish and Welsh Regions only. Separate political arrangements for the Irish Region shall be determined by the Irish Executive Committee.

### **1. Basis for attendance**

The regional conferences, attendance at which is exclusively for Unite members who are also full members of the Labour Party, will be called on the following delegate basis:

- all Unite branch delegates (inc community members and RM+ members) to CLP GCs (for the 2017 Regional Labour Party Liaison Conference this will include any identifiable UCATT CLP GC delegates)
- all members of the Labour Party on the Unite Regional Committees
- up to four nominees (who must be members of the Labour Party) from each of the Regional Industrial Sector Committees elected by the members of that RISC
- up to four nominees (who must be members of the Labour Party) from each of the Area Activist Committees elected by the members of that AAC
- up to four nominees (who must be members of the Labour Party) from each of the of the 4 Regional Equalities Committees elected by the members of that Regional Equalities Committee
- up to four nominees (RM+ who must be members of the Labour Party) from the Regional Retired Members' Co-ordinating Committee elected by the members of that Regional Retired Members' Co-ordinating Committee
- up to four nominees (who must be members of the Labour Party) from the Regional Young Members' Committee elected by the members of that Regional Young Members' Committee.

Unite Executive Council members resident in a region will be invited to attend as delegates to that Region's conference if they are Labour Party members and are not covered by the above criteria.

There will be a Labour Party membership card check prior to each conference so all attendees must bring their Labour Party membership card with them along with their union card.

## **2. Organisation**

The conferences will be organised in each Region under the direction of the Regional Secretary with the Regional Political Officers undertaking the detailed preparations.

The outgoing Regional Labour Party Liaison Committee Chair will chair the Conference.

## **3. Notification of Conference delegates and deadlines**

Full time officers who are secretaries of constitutional committees will notify the Regional Secretary of the RISC, AAC, Regional Equality Committee, Retired Member and Young Member delegates.

Invitations to Unite CLP delegates, constitutional committee delegates and appropriate members of the Executive Council to the regional conference should be undertaken by the Regional Secretary with advice on eligibility provided by the Political Department as required.

Nomination to the Regional Labour Party Liaison Committee is by self-nomination. A deadline of 10 working days before the conference shall be set for receipt of nominations for election.

## **4. Eligibility for Regional and National Labour Party Liaison Committees**

1. The Regional Labour Party Liaison Committee (RLPLC) is elected from the Regional Labour Party Liaison Conference and the Regional Committees. Any accredited delegate to the Regional Labour Party Liaison Conference (except *ex officio* attendees as set out in point 9 below) may nominate themselves for election to the Regional Labour Party Liaison Committees. Such self-nominations (nominees must be full members of the Labour Party) should be submitted by the deadline for nominations as set out above.
2. If a nominee does not attend the conference and does not send apologies for absence, his/her nomination will be deemed to be void and will be removed from the list of candidates on the day of the conference.
3. Rule 6 applies for all regional nominees to serve on the National Labour Party Liaison Committee who must be “accountable representatives of workers” as defined by the Executive Council.
4. At the level of the Regional Labour Party Liaison Committee, as per the EC Statement carried at the 2011 Rules Conference, Rule 6 should be generally applied other than



Unite members who are Labour Party activists are eligible to stand for election to the Regional Labour Party Liaison Committee.

5. Young Members (who are conference delegates either from a constitutional committee or as a delegate to a CLP GC) are entitled to stand for election to additional Regional Labour Party Liaison Committee seats designated for young members. Young members, if they wish, may stand in the 'general' section. However, should such an option be chosen the delegate would vote in the 'general' section only and not for the Young Members.
6. RM+ members (who are conference delegates either from the Retired Members' Committee or as a delegate to a CLP GC) are entitled to stand for election to additional Regional Labour Party Liaison Committee seats designated for retired members.
7. Community members (who are conference delegates either from an AAC or as a delegate to a CLP GC) are entitled to stand for election to additional Regional Labour Party Liaison Committee seats designated for community/student members.
8. For the 2017/20 triennial period only, members of the UCATT National Political network will join the appropriate Regional Labour Party Liaison Committee, usually on the basis of one delegate to each Regional Labour Party Liaison Committee. These delegates have been nominated by UCATT. These delegates should be invited to the Regional Labour Party Liaison Conference.
9. Unite employees who are CLP GC delegates may attend the Regional Labour Party Liaison Conference on an *ex officio* basis. Labour MPs, MEPs, MSPs and AMs representing a constituency in the Region who are members of Unite may also attend the Regional Labour Party Liaison Conference on an *ex officio* basis.
10. All regional delegates to the National Labour Party Liaison Committee will be elected from and by the Regional Labour Party Liaison Committees.

## **5. Elections to the Regional Labour Party Liaison Committee**

The Regional Labour Party Liaison Conference will elect 24 members to the Regional Labour Party Liaison Committee; the whole conference - other than Retired, Young and Community Members - will elect these members. Retired Members and Community Members will vote in their own section only, not for the 'general' seats. Young Members who have chosen to stand in the Young Members section will vote in their own section only, not for the 'general' seats.

Each Regional Committee is entitled to elect 3 of its members to the Regional Labour Party Liaison Committee, who must be members of the Labour Party. This election is carried out separately to that of the Regional Labour Party Liaison Conference and should be carried out at the January meeting of the Regional Committee prior to the Regional Labour Party Liaison Conference.

Each Regional Labour Party Liaison Committee will have additional seats that may only be filled by Young Members, the number of such seats to be determined by the EC, the number is currently 2. These two Young Members of the Regional Labour Party Liaison Committee will be elected at the regional conference by the Young Members present (other than those Young Members who have chosen to stand in the 'general' constituency).

Each Regional Labour Party Liaison Committee will have additional seats that may only be filled by retired members (RM+), the number of such seats to be determined by the EC, the number is currently 2. These two Retired Members of the Regional Labour Party Liaison Committee will be elected at the regional conference by the RM+ members present.

Each Regional Labour Party Liaison Committee will have additional seats that may only be filled by community members the number of such seats is currently 2. These two Community Members of the Regional Labour Party Liaison Committee will be elected at the regional conference by the community/student members present.

The Regional Labour Party Liaison Committees must conform with the Union's Rules on minimum gender and ethnic proportionality.

## Regional Labour Party Liaison Committees, 2017/20

(membership figures as of M2, Q4, 2016)

Region	Conference (not RM, YM, CM)	Regional Committee	Young Members @ conf	Retired Members @ conf	Community Members @ conf	UCAT (2017/20)	Total	% women	Minimum women	% BAE M	Minimum BAE M
EM	24	3	2	2	2	1	<b>34</b>	23.6	8	9.8	3
LE	24	3	2	2	2	1	<b>34</b>	33.2	11	26.1	9
NE	24	3	2	2	2	2	<b>35</b>	24.2	9	4.4	2
NW	24	3	2	2	2	1	<b>34</b>	26.9	9	4.5	2
SC	24	3	2	2	2	1	<b>34</b>	30.1	10	1.4	1
SE	24	3	2	2	2	1	<b>34</b>	30.0	10	9.0	3
SW	24	3	2	2	2	1	<b>34</b>	25.8	9	4.3	2
WA	24	3	2	2	2	1	<b>34</b>	21.8	7	2.1	1
WM	24	3	2	2	2	1	<b>34</b>	23.4	8	17.0	6

## **6. Elections to the National Labour Party Liaison Committee**

The National Labour Party Liaison Committee is formed by delegates elected from and by each of the Regional Labour Party Liaison Committees.

Regional delegates to the National Labour Party Liaison Committee will be elected from and by the Regional Labour Party Liaison Committees which should convene immediately after the regional conference to (i) elect its Chair for the coming triennial period and (ii) elect its delegates to the National Labour Party Liaison Committee.

The Executive Council will elect or appoint 3 members including the Chair of the Council (if a Labour Party member), of whom at least 1 shall be a woman and all of whom are Labour Party members.

There will be 1 seat for a delegate (Labour Party member) on the National Labour Party Liaison Committee elected from and by the Young Members' National Committee. There will be 1 seat for an observer delegate (Labour Party member) on the National Labour Party Liaison Committee elected from and by the Retired Members' National Committee.

The composition National Political Committee will be:

East Midlands	2 (inc at least 1 woman)
London & Eastern	4 (inc at least 1 woman and 1 BAEM)
N/East, Yorks & Humber	4 (inc at least 1 woman and 1 BAEM)
North West	3 (inc at least 1 woman)
Scotland	2 (inc at least 1 woman)
South East	2 (inc at least 1 woman)
South West	2 (inc at least 1 woman)
Wales	2 (inc at least 1 woman)
West Midlands	2 (inc at least 1 BAEM)
EC	3 (inc at least 1 woman)
YM	1
RM	1 (observer)

For the 2017/20 triennial period only, a member of the UCATT National Political Network will join the National Labour Party Liaison Committee. This delegate has been nominated by UCATT.

## **7. Labour Party Conference delegation**

The Unite delegation to the Labour Party Conference is formed by the National Labour Party Liaison Committee with additional delegates being appointed by the Executive Council.

These additional delegates will be elected as follows (all of whom must be members of the Labour Party):

- 1 from each of the NISCs (20)
  - 1 from each of the National Equality Committees (4)
  - 1 from each of the Regional Committees (9)
  - 1 from each of the Regional Women's Committees (9)
  - 1 from the London & Eastern and West Midlands Regional BAEM Committees (2)
- plus
- 3 from the Executive Council (3 inc at least 1 woman).

plus such numbers of Union employees as determined by the Executive Council.

For the three Labour Party Conferences in the 2017/20 triennial period eight members of the UCATT National Political Network will join the Conference delegation.

Should the delegation not reflect the Union's Rules on minimum gender and ethnic proportionality the EC will use the additional member system to achieve compliance with Rule.

## **RULE 27. DISCIPLINE OF MEMBERS: EC DIRECTIONS**

Rule 27.2 provides that disciplinary hearings shall be organised and conducted under directions issued by the Executive Council. This document sets out those directions and must be read in conjunction with Rule 27.

### **The Disciplinary Process**

The disciplinary process is intended to be fair and conducted in accordance with the principles of natural justice. These directions are designed to ensure that this is the case.

### **Investigation and Charge**

A member may be charged with one OR more of the offences detailed in Rules 27.1.1 to 27.1.7. A member may not be charged with any matter falling outside of these rules, and at the end of these directions a general statement is provided concerning the law in this area. If there is any doubt as to the matter under consideration, then the body proposing to deal with the matter should seek legal advice from the union's Director of Legal Services.

Rule 27.3 provides that charges are to be heard by a Branch (or Branch Committee), a Regional Committee or the Executive Council (or a sub-committee of the Executive Council). Where the charge is to be heard by a Branch (or Branch Committee) the charge shall be brought by the Branch. When the charge is to be heard by the Regional Committee, the charge shall be brought by the Regional Committee. Where the charge is to be heard by the Executive Council (or a sub-committee of the Executive Council) the charge shall be brought by the Executive Council (or a sub-committee of the Executive Council) or the General Secretary.

If the union receives notice of a matter which may lead to a disciplinary charge against one more members, then the situation should be investigated to determine if there should be a charge. The means of investigation shall be determined by a body referred to in Rule 27.3 or by the General Secretary. Notice of the fact of an investigation being undertaken shall be sent to the office of the General Secretary.

The investigation shall be completed as soon as is practicable in the circumstances and the outcome of the investigation shall be recorded in writing. The investigation shall report to the body (or the General Secretary) which commissioned the investigation with a recommendation as to whether there is a charge to answer.

After receipt of the investigation report, there shall be no unreasonable delay before a member is charged.

If a charge is to be brought, a letter shall be sent to the member setting out the circumstances (in outline form) giving rise to the charge and specifying the rule which it is alleged has been breached. The member shall also receive a copy of the investigation report and any associated documents. A copy of the letter of charge shall be sent to the office of the General Secretary.

### **Suspension**

A member charged may be suspended in accordance with Rule 27.4. In cases of a serious nature, as a precautionary measure, Rule 27.4 allows that a member under investigation prior to charges being laid may be suspended from holding office or otherwise representing the union. The General Secretary may also suspend a member under delegated powers if this is deemed by the General Secretary to be in the interests of the union.

Under the terms of Rule 27.4.1 members under disciplinary investigation or charged with a disciplinary offence may not attend:

- meetings of their own branch
- meetings of other branches of the Union
- constitutional committees of the Union

other than in connection with the disciplinary process.

Members under investigation shall not communicate (particularly by way of social media) matters relating to such investigation to fellow members whilst the disciplinary process remains in process.

### **Preparation for the Disciplinary Hearing**

The Union shall ensure that any documents to be relied upon in support of the charge should be sent to the member at least 4 weeks before the disciplinary hearing is to take place. If the union is to allow witness evidence, then witness statements shall be prepared and sent to the member at least 4 weeks before the hearing.

The member must ensure that any additional documents upon which they wish to rely in their defence are received by the body or individual which has charged them at least 2 weeks before the disciplinary hearing is to take place. If the member is to rely on witness evidence, witness statements must be prepared and sent to the body or individual which has charged them at least 2 weeks before the disciplinary hearing.

The body hearing the charge shall arrange for the disciplinary hearing to take place within a reasonable period of the charges being brought. The body hearing the charge shall decide and give the member at least 4 weeks' notice of the date, time and place for the hearing.

### **At the Disciplinary Hearing**

The member may be accompanied and/or represented by another member of the union who is not an employee of the union.

The conduct of the hearing including in relation to attendance of witnesses and cross examination of witnesses shall be in the absolute discretion of the body hearing the case. This can include a decision to rely upon the receipt of witness statements only.

### **After the Hearing**

The body which heard the charge shall write to the member notifying them whether the charge has been upheld, and if it has, any disciplinary sanction imposed in accordance with Rule 27. Reference should be made to Rules 27.5 and 27.6. A copy of the document confirming the outcome of the disciplinary hearing shall be sent to the office of the General Secretary.

### **Appeal**

Rule 27.7 provides that a member has a right of appeal against any disciplinary sanction imposed and sets out general provisions for how the appeal must be conducted. If a member wishes to appeal, notice of the appeal must be received in writing by the relevant body within 14 days of the date on which the result of the disciplinary hearing was sent to the member. The notice of appeal must set out the grounds of the appeal. The relevant body will then send a copy of the appeal to the office of the General Secretary. The union aims to conclude an appeal no later than 10 weeks after it was submitted save in exceptional circumstances.

## LEGAL GUIDANCE

As stated above, the union may only discipline members for conduct which is in breach of rule. In addition, the Trade Union and Labour Relations (Consolidation) Act 1992 directs the union as to the conduct for which disciplinary action can be pursued. If a member is disciplined in breach of the 1992 Act, this can lead to a claim against the union in the Employment Tribunal and the member may be eligible to receive financial compensation.

Members must not be subject to disciplinary action in breach of the 1992 Act. Whilst it may be necessary to take expert legal advice, the following is a list of the reasons for which disciplinary action cannot be taken:-

- a) they have opposed or not participated in a strike or other industrial action;
- b) they have failed to break their contract in connection with industrial action;
- c) they have claimed that the union or one of its officials, representatives or trustees has broken or is proposing to break the law or the union's rules;
- d) they have failed to agree to pay their subscriptions by check-off or have cancelled a check-off arrangement;
- e) they have joined another union or belong to another union;
- f) they work with non-union members or members of another union;
- g) they work for an employer who employs non-union members or members of another union;
- h) they have required the union to do something which is required to do by the 1992 Act;
- i) grounds of political party membership – only be permissible if the membership of that political party is contrary to a rule or objective of the union. There is not currently a Unite rule re. political party membership.

Members may also not be subject to disciplinary action for proposing to do the things outlined above, or for encouraging or assisting others to do these things.

Only the Executive Council and Regional Committees are authorised to expel members and if the conduct in question may lead to expulsion as an appropriate sanction, then guidance should be sought from the union's Director of Legal Services and/or the office of the General Secretary. Advice must be sought in relation to all cases involving proposed disciplinary action in relation to membership of a political party.



## **RULE 28 - COMMUNITY MEMBERSHIP: EC GUIDANCE**

The Executive Council has established a new category of Community membership, confirmed at the 2<sup>nd</sup> Rules Conference, 2015, making Unite membership available to non-employed people at a rate of 50p per week. Existing members of Unite who become unemployed are not in this category of membership and may remain in their existing branch on becoming unemployed if such is their wish.

Community Members were originally placed in new holding “community branches” established parallel to Area Activist Committees. It is recognised that in many cases these branches will cover too extensive a geographic area to function as effective community branches over the longer term and Regions will need to create community branches based on localities where this co-incides with activism.

In parts of the country there may already be a Unite branch in existence which could best function as a “community branch”, or such a branch may come into being as a result of the branch reorganisation process. Such a branch would not be a workplace or sector-based branch, but would include all Unite members (working and non-working) in a given locality who have not been placed in workplace or sector-based branches. Where such a branch exists it may be appropriate for Community Members to be included in it, rather than being placed in a “community branch” based miles away.

In other places, the existing holding community branch may be the most appropriate branch for Community Members to remain in; and in others still, the existing holding branch may be broken down into several community branches where the growth in the number of Community Members warrants it.

The decision as to which form of organisation of Community Members is most appropriate in a particular location is a matter for the Regional Secretary, who should consult with the Regional Committee and the Assistant General Secretary, Steve Turner, as appropriate.

Where community branches exist, or are newly created, it must be understood that no members can be transferred out of workplace branches or sector-based branches except with the explicit prior approval of the Regional Secretary. They may be transferred out of other local branches to join a “community branch” if that is their wish. Likewise, no-one joining Unite as a Community Member can be placed in either a workplace branch or an industrial sector-based branch.

Whatever branch Community Members are placed in, their rights under rule are the same. In particular, for clarity, Community Members are eligible for election to two seats on each Area Activists’ Committee, and to serve on the Regional ~~Political~~ Labour Party Liaison Committee (if they are Constituency Labour Party delegates). They cannot be delegated onwards to the Regional Committee of the union, play any part in Industrial Sector or Equalities Committees, stand for election to the Executive Council or be a delegate to the Policy or Rules Conferences and the Irish and Scottish Policy Conferences. Associate Community Members have no role outside of the Community Branch.

The officers of Community Branches should be invited to attend the AAMs. Regions should also invite those CMs involved in our Community Groups active on campaigning issues locally. The Regional Community Co-ordinator should be consulted about identifying these colleagues.

## **EC: REPRESENTATION ON EXTERNAL BODIES/COMMITTEES**

Many officers, employees and representatives of Unite will be engaged in representing our union's interests on wider labour movement and/or public bodies. While this can sometimes involve their sitting at Employment Tribunal or as elected councillors more often it involves their holding positions on established external bodies/committees at the invitation of the union itself.

This paper is concerned with the position of members of the Executive Council elected or invited by the Executive Council to represent the interests of the union on an external body/committee. Further, this paper proposes a standard protocol for the Executive Council to consider adopting concerning the appointment, accountability and recall of its members holding such positions:

### PROTOCOL FOR EC REPRESENTATION ON EXTERNAL BODIES/COMMITTEES

1. Any Executive Council member(s) delegated to represent this union or the Trades Union Congress on national or international bodies/committees shall only do so subject to the prior endorsement of the Executive Council.
  - If time restraints prevent such prior endorsement authority lays with the General Secretary subject to their reporting such to the next meeting of the Executive Council for endorsement.
  - This requirement extends to invitations received by Unite from the TUC, ETUC, government departments or international bodies such as the EU and ILO.
2. All Executive Council members attending such meetings shall be available to answer any questions from the Executive Council and may on occasion be asked to make a written report.
  - This is not required where Executive Council members are part of a larger delegation (e.g. TUC General Council) where the body is itself subject to report by an Executive Officer.
3. Appropriate agenda time shall be allocated at each meeting of the Executive Council for questions to EC member reports from external body representation.
4. Members holding such delegated positions shall only do so while sitting members of the Executive Council. All and any positions held by members will cease on the members ending their term on the Executive Council. Further, each delegated position shall be subject to fresh endorsement at the start of each Executive Council electoral period.
  - This applies to all delegated positions held by EC members including those which following their first appointment, become seats held in an individual capacity extended without further referral to the union or TUC.

1. The Executive Council can at any time recall the position and remove any delegated representative. Such a recall would necessitate the endorsement of a replacement member.
  - Each Executive Council member agrees to resign any such delegated position on their leaving the Executive Council or following a recall of the position by the Executive Council.

## **SUBSTITUTE DELEGATES ON NATIONAL INDUSTRIAL SECTOR, NATIONAL EQUALITIES AND REGIONAL COMMITTEES**

In the Autumn of 2015 Unite will be reconstituting its National Industrial Sector, National Equalities and Regional Committees for the coming triennial electoral period; each committee made up of named delegates from Regional Industrial Sector Committees, Regional Equalities Committees and, as appropriate, Area Activists Committees.

To deal with the unavoidable absence of committee members due to, for example, holidays or shift patterns, from the Autumn 2015 in addition to the named delegates elected to the National Industrial Sector, National Equalities and Regional Committees there should be a single named substitute delegate also elected who could provide cover if any of the named primary delegates were unable to attend the meeting of the committee. In other words it will not be necessary to elect substitutes for all of the delegates just a single substitute who can cover for the delegation.

The procedure will be that if any primary delegate is unable to attend a meeting of the committee, s/he should advise the National Officer/Regional Secretary; the appropriate officer should then invite the substitute to attend the committee meeting. In other words, there should no informal system whereby the non-attendee contacts the substitute and asks them to cover the meeting.

## **EC DIRECTIONS: LAY MEMBER COMPLAINTS PROCEDURE**

All members have the right to expect a quality service from their union, within the Rules and the Guidance set down by the Executive. Where a member feels that the union, its employees or its agents (e.g. solicitors) have not provided such a service, they have the right to complain and to seek a valid explanation of the Union's actions. Valid complaints may also give the union an opportunity to learn and improve its service to members.

In addition we have standards and codes of conduct as to how we expect Unite employees, lay representatives and members to treat each other.

Where a member's complaint concerns advice from the union union's lawyers, or the conduct of the union's lawyers, the union shall use its usual procedures for legal service review, which may include the solicitors' own internal complaints procedure. The decision shall be final.

This procedure is not designed to cover complaints against fellow members and/or elected lay representatives, complaints of this nature will be dealt with under Rule 27 Membership Discipline.

For the avoidance of doubt a complaint cannot be made about any agreement or arrangement reached and negotiated by Unite or any representative on behalf of members, where members were consulted to ascertain their views as part of that process. Nor can the complaints procedure be used in regards to branch obligations, in respect of local branch rules, protocols, principles or procedures.

1. Members are asked, in the first instance, to seek to resolve their complaints informally, either with the Unite employee concerned, or with the Regional Secretary. The member's branch secretary or workplace representative may have an important role in providing advice and guidance at this point. The Unite employee should have the opportunity to address the complaint.
2. Where this procedure fails to reach a resolution, a formal complaint should be submitted.
3. All complaints should be submitted in writing to the office of the General Secretary. The aim is to acknowledge receipt within a week and allocate a senior officer to investigate.
4. An assessment will be made as to the most appropriate person to investigate that complaint. In respect of Unite employees in the regions, this will normally be the Regional Secretary but may be a National Officer or other official. For head office employees, a decision will be taken by the General Secretary. In cases where the complaint is against the Regional Secretary, another senior officer will be asked to consider the complaint.

5. Any investigation will be conducted fairly and with no initial presumption of fault on either side; at any investigatory meeting/hearing the complainant may be accompanied by another member of Unite.
6. Once completed, if the complaint is not upheld, the investigating officer shall communicate to the member as quickly as possible their decision and the reasons for it. It is hoped that the member will be informed of the decision at most, no more than one month after receipt of the complaint by the investigating officer.
7. The member may ask for a review of the decision. Any request for a review should be submitted to the General Secretary and should specify the grounds on which the member is disputing and appealing against the findings of the investigation.
8. On receipt of this request for a review, the General Secretary shall consider it and shall ask an Assistant General Secretary or other appropriate officer of senior rank, together with the Chair of the Executive Council (or nominated EC substitute), to conduct a review of the case and adjudicate. The decision of the AGS or senior official in this case is final.
9. Should a complaint be upheld, the Regional Secretary, or in the case of head office, the General Secretary, shall consider what remedial action may be necessary.
10. Should a complaint be upheld the complainant will be informed of what remedial action will/has been taken or if the matter has been referred to the employees' disciplinary procedure.
11. If disciplinary action against a Unite employee is deemed appropriate by the Regional or General Secretary this shall be executed under the procedures negotiated with employees' representative bodies for that purpose.
12. To ensure complaints are dealt with in a timely manner the Executive Council will be provided with a quarterly complaints report outlining a brief summary of the complaint, outcome and timescales.

If during an investigation of a serious complaint and/or allegation the complaint is found to be vexatious, malicious or defamatory this may be considered a breach of rule and may lead to disciplinary action under Rule 27: Membership Discipline.

## EXECUTIVE GUIDANCE

### STRIKE FUNDS, A MEMBERSHIP LEVY AND REQUESTS FOR FINANCIAL ASSISTANCE IN SUPPORT OF DISPUTES



This guidance note details the Executive Councils direction on the establishment of Branch Strike Funds and a member 'levy' to support such a fund. Further, it details the process to request wider union and community support for members in dispute, including 'solidarity support' and requests for financial donations at either a Regional, National or even International level<sup>7</sup>.

#### ESTABLISHING A BRANCH STRIKE FUND

Financing a dispute is rightly the responsibility of the national union; propaganda, flyers, leaflets, flags, banners, paying strike pay and other official resources. However, with Branch returns totaling 7.5% of membership income, these can often amount to considerable additional funds being held by the Branch and available to support the dispute. In addition, supplementing these by establishing a 'Strike Fund' is an important element in any strategy to build upon wider solidarity.

- A Strike Fund can be used to pay additional hardship monies to members, fund picket line provisions; entertainment, food and drink, a barbecue and/or braziers or to provide resources for social events that bring together families and our wider community in support of the dispute.
- **There is no need to wait for members to be in dispute before establishing a strike fund.** An on-going member levy and regular transfer from Branch returns could build a considerable sum in a local fund in preparation for future actions and/or disputes.
- Strike Funds can be established at a local Branch, Regional and/or National level depending on the nature and scope of any dispute.

**Many strike funds raise money via a regional or national appeal** to other branches and regions of the union, the wider Trade Union and Labour movement or even internationally. Such requests for financial assistance must be made via the appropriate Regional or National Officer to the either the General or Regional Secretary as appropriate.

- Regional Secretaries are able to action Branch and wider appeals for financial assistance within their Regions while the General Secretary is empowered to action an appeal on a wider national and international basis.
- A National Strike Fund will be held in the name of the dispute at a national level (as part of the National Dispute Fund) and account details will be circulated by the Director of Finance to Branches and others able to make a donation, Regional appeals can be paid into either the Branch Strike Fund or Regional 1% Fund as appropriate.
- The distribution and use of funds from either will be the responsibility of the Local or National Officer as appropriate, in cooperation with the Strike Committee.

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<sup>7</sup> Please read this guidance in conjunction with the Unite Industrial Action Guide



You must ensure that all donations are accounted for and receipted where possible alongside any expenses drawn or payments made. The Branch Secretary should be the named responsible person for this.

#### **PRACTICALITIES:**

Unless the Fund is being held at a Regional or Nationally, your Branch will need to have a bank account that can receive monies.

- Your Unite Branch account with **Unity Trust Bank** will already be established and can operate as an account for your strike fund. Establishing a new account or even changing the name of an existing account will take time and require supporting paperwork, references and signatures.
- You will need to advertise the branch account name, sort code and account number for supporters to make payments either electronically or by cash/cheque. Payments can be made over the counter with this information at any High Street Bank or Building Society.

## SETTING UP A MEMBERSHIP LEVY

Members' contributing to a Branch Strike Fund can be an important tool in winning a dispute. Whether established as a specific solidarity action by members not directly involved in the dispute or as part of an on-going Branch levy to support workplace and wider activities agreed by the Branch.

Many Branches have a small Branch Fund established with members contributing an additional sum each month on top of their membership dues. The sums can vary, anything from 20 pence to £5 and more. Most are deducted at source by the employer under the unions payroll check-off agreement but remember that **some employers still charge an administration fee** for doing this and the fee will apply to any additional monies as well as union dues themselves. **Shop stewards and Officers should be negotiating the removal of these charges** - many of which hark back to the days of manual payroll operations, and can amount to 10% of the monies deducted.

- A membership levy can be particularly useful if not all members at the workplace are directly involved in the dispute itself. **REMEMBER;** selective or strategic strike action can mean smaller groups are called upon to take action on behalf of the entire workforce and in these circumstances its vital that all members affected are part of the action and contributing to its success.
- A membership levy **can only be established if agreed at a properly constituted Branch Meeting** to which all members have been invited and the agenda circulated and posted across the appropriate workplaces. Shop Stewards should have local area/workplace meeting before the Branch to ensure the broadest possible support for the extra payment.
- Whether deductions are made via a check-off arrangement or by Direct Debit, the Branch Secretary **MUST notify the Regional Secretary of the Branch decision to establish the fund** and the Region will then make the necessary arrangements for members union dues to be increased accordingly, recalculating both direct debit and/or

check-off deductions and notifying the Bank and/or Employer accordingly.

## CASH COLLECTIONS

In many disputes members will be involved in taking the dispute to the wider community affected by it or where the members live. Drawing support for the dispute from our communities is important not simply for morale and to mobilise support for local actions; street stalls, political lobbying, protests and demonstrations, but for raising funds.

- High Street collections and street stalls are an important way to raise monies for the dispute and bucket collections can be highly successful. **If conducting a street collection it's important to have identifiable collectors and 'buckets' to prevent fraudulent activity.** Hi visibility 'Unite' vests and buckets can be made available from Regional Offices to assist in this.
- **Monies collected should be regularly picked up by designated branch officers and taken to a central location for counted and safekeeping to avoid any risk to collectors.**
- Cash collections can be held as petty cash for picket/dispute expenses or the cash will need to be banked in the Strike Fund. Whilst cash collections can't be receipted, clear records should be kept of monies raised and accounts kept for expenditure.

## WHAT HAPPENS AT THE END OF THE DISPUTE?

Any monies collected as cash collections or as a result of a Branch strike levy remain the property of the Branch and the Branch officers should account for them at each meeting. The Branch can agree what to do with any monies not used to support the dispute at its end. Many Branches will keep a Branch Fund and use the money to support other workers in dispute or to donate to other national or international solidarity appeals.

- **Why not keep the levy going?** Maybe at a reduced amount, after the dispute, to encourage members to continue raising funds for the activities of the Branch and in support of others. You never know if you may be in another dispute with your employer and accumulated monies over a longer period would be very helpful in such circumstances.

Monies collected and held nationally or at a regional level remain the property of the Regional Committee or Executive Council as appropriate. These monies will be held over and following a notification in the union's magazine and to any identifiable donors, will be transferred into the unions regional or national strike funds to support other members in dispute as and when necessary.

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<sup>i</sup> The delegate to the regional committee and the substitute delegate must be Rule 6 compliant.