

UNISON – DENBIGHSHIRE COUNTY BRANCH

CONSTITUTION AND RULES

1. Name of the Branch

The name of the branch shall be UNISON Denbighshire County Branch, and is referred throughout the rules as “the branch”

2. Acceptance of Constitution

- a) The Branch accepts the Constitution and Rules of UNISON, which is referred to as “the Union”, and to which the Branch shall be affiliated. The Constitution and Rules of the Union shall be referred to as “the National Rules”.
- b) The Branch accepts the Constitution and Rules of the Regional Council, which shall hereafter be referred to as Regional Council.
- c) The Branch further accepts any subsequent alterations or additions thereto, with the intent that the Constitution and Rules of the Branch shall always be consistent with those of the Union and Regional Council.
- d) All members may have a copy of the National Constitution and Rules, the Rules of the Welfare Fund, The Regional Council Constitution and Rules, the Branch Constitution and Rules and any regulations made by the National Executive Council, on request.

3. Interpretations of Rules

Except where any of these rules provide otherwise, these rules are to be interpreted according to definitions in the National Rules.

4. Proportionality and Fair Representation

UNISON is committed to proportionality and fair representation; they are integral to the union at all levels and cannot be treated as separate or optional to branch structures.

- a) Proportionality – the representation of women and men in fair proportion to the relevant number of female and male members comprising of the electorate.
- b) Fair representation – the broad balance of representation of members of the electorate, taking into account such factors as the balance between part-time and full-time workers, manual and non-manual workers, different occupations, skills, qualifications, responsibilities, race, sexuality and disability.

5. Aims and Objectives of the Branch

- a) To support and pursue the Aims and Objectives contained in the UNISON Rule Book, and the Objectives agreed by UNISON's National Executive Committee annually, and in particular:
- b) To achieve the aims and targets set annually through the branch assessment.
- c) To submit motions through Regional Council, or otherwise, for consideration by the National Executive Council, or the appropriate Conference of the union.
- d) To assist and support other unions, organizations, charities or individuals and to affiliate to Trades Councils and other organizations, where this is consistent with aims and objectives of the Union and the Branch.

6. Eligibility for Membership

- a) Eligibility for membership shall be in accordance with the Rules of the union.
- b) Full membership of the Branch shall be open to any person within the scope of National Rules who are employed by:
 - i. Denbighshire County Council
 - ii. Any body contracted to provide services on behalf of Denbighshire County Council
 - iii. Any body funded or owned by Denbighshire County Council
 - iv. Any body undertaking functions previously undertaken by Denbighshire County Council or its predecessor authorities
 - v. Any body within the Local Authority Sector within Denbighshire
 - vi. Any other body approved by the Branch Committee.
- c) Full membership of the Branch shall extend to persons who are not so employed but are eligible under National Rule C.2.3

7. Rights and Benefits of Membership

- a) All members of the Branch are eligible for the Union Rulebook benefits (as provided for in the National Rules) in accordance with the category of membership, provided that they have paid the subscription required under Schedule A of the National Rules.
- b) Full members of the Branch shall be entitled to vote in Union elections from the date of inclusion on the Union's central membership register or from the qualifying date for participation in an election as specified in regulations made by the National Executive Council. The voting rights of members who are not full members shall be provided in the National Rules.
- c) All members are entitled to seek support of the Branch on any matter arising out of their employment.
- d) The rights and benefits of membership shall be personal to members and shall not be transferable or transmissible.

8. Obligations of membership

- a) All members shall agree to comply with the Rules of the Branch and of the Union.
- b) It is the obligation of the member to ensure that subscriptions are paid.

9. Branch Structure

- a) There will be an Annual General Meeting of the branch to confirm the election by ballot of branch officers and members of the branch committee, to receive the branch accounts and report on branch development from the branch committee. The AGM may comprise one meeting or a series of aggregate meetings based on sections or geographical areas in order to maximise the active participation of members.
- b) The AGM will determine the basis of representation in the branch and the number of stewards and other representatives to be elected in each work group or workplace.
- c) Other general meetings may be called by the branch committee or by 2.5 % of the membership.
- d) The quorum for any general meeting, including the annual meeting is 2.5% of the branch at a single meeting or through aggregate meetings.
- e) The branch committee will comprise all elected branch officers (see rule 13 below), and stewards, and will be responsible for the general organisation and development of the branch and for policy and decision making on matters affecting all members within the branch between general meetings.
- f) The branch management group will be responsible for the day to day management of the branch in accordance with the decisions and authority delegated by the branch committee. Its membership and role is as described in rule 11 below.

10. Branch Committee

- a) Representation on the branch committee will be agreed by the AGM and will include:
 - Branch officers
 - Representatives of self-organised groups
 - All stewards.
- b) The branch committee shall administer branch business in accordance with UNISON rules and guidance.
- c) The quorum for the branch committee shall be 33 $\frac{1}{3}$ % (one third) of the members of the committee or 7 members of the committee, whichever is the greater.
- d) The branch committee shall ensure that sections within the branch are appropriately and equitably resourced to ensure the effective participation of members, recruitment and organisation, representation, and collective bargaining and campaigning on behalf of members in each section.
- e) The branch committee will establish arrangements for the individual representation of members.
- f) The branch committee shall meet at least six times a year. Not less than 5 days notice shall be given to its members.

- g) Branch Committee meetings may be convened by one of the following methods:
 - i. As arranged by the Branch Secretary or in their absence the Assistant Branch Secretary or Branch Chairperson.
 - ii. By written request of one third of the members of the Committee.
- h) Where appropriate the Branch Committee may use electronic means (e.g. e-mail, video or telephone conferencing, etc.) to allow for online meetings of the Branch Executive Committee for urgent decisions and to nominate candidates for UNISON elections.

11. Branch Management Group

- a) The Branch Management Group shall comprise the branch secretary, assistant branch secretary, branch chair, branch treasurer, the branch equalities officer (and others as appropriate)
- b) The Branch Management Group will meet weekly either in person or via electronic means to ensure the effective day to day management of the branch within the parameters of the decisions and guidance issued by the branch committee. The Branch Management Group may commit to no expenditure, policy decision or affiliation that has not been previously agreed by the branch committee.

12. Conduct of meetings

- a) All meetings will be conducted in a fair and democratic manner.
- b) All meetings will be advertised widely as far in advance as possible (in the case of the AGM, all members will be notified in writing at least 12 weeks before the meeting (or first aggregate meeting)).
- c) The procedures to be used at the meeting will be explained clearly.
- d) The branches will maintain records of all meetings and other appropriate records to enable the branch to function.

13. Branch officers

- a) the branch shall elect the following officers annually in accordance with rule 13b:
 - Chairperson
 - Secretary
 - Assistant Secretary
 - Treasurer
 - Education co-ordinator/Lifelong Learning co-ordinator
 - Equality officer(s)
 - Health and safety officer
 - Communications and Publicity officer
 - International officer
 - Membership officer
 - Young members officer
 - Women's officer
 - Welfare officer

- Labour link officer (elected by the members who pay the political levy only)
 - Retired members' secretary (elected by the retired members)
 - Minute Secretary
 - Sports and Social Officer
 - Auditors (2)
 - Others to be determined as necessary for the effective operation of the branch
- b) election of branch officers
- i. branch officers may be nominated by the branch committee or any two members, with the exception of the Labour Link officer who will be elected by the APF members only.
 - ii. nominations will be invited 12 weeks before the AGM and nomination forms will be made available through the branch web-site. All nominations must be received in writing at least 7 weeks before the AGM
 - iii. each nominee will be notified and given the right to withdraw not later than 6 weeks before the AGM.
 - iv. if there is more than one candidate, a vote will be held.
 - v. the vote will be conducted by postal ballot in accordance with the procedure and timescales contained in the Code of Good Branch Practice.
 - vi. where no valid nomination has been received before the deadline, nominations may be called for and candidate elected at the AGM, or endorsed by the branch committee subject to ratification by the next general meeting.
- c) Any office may be shared by one or more person.

14. Stewards

- a. The role of Steward is set out in National Rules and the Code of Good Branch Practice
- b. Stewards shall be elected annually by members of the workgroup they represent
- c. Senior Stewards shall be elected annually by members of the Service Directorate/Service that they represent.
- d. Each department shall notify the Branch Secretary of its Stewards and Senior Stewards for the forthcoming year at least 14 days prior to the Annual Branch Meeting (or first aggregate AGM), failing which such appointments may be made subject to approval by the Branch Committee.

15. Media communications

Communications to the media on behalf of the branch shall be made only by officer(s) authorised by the committee.

16. Affiliations

- a) Affiliations to relevant constituency Labour Parties will be decided by the APF membership.
- b) Affiliations to trade councils shall be determined by the AGM or branch committee.

17. Finance

- a. The branch shall keep a bank/building society account in the name of the branch and will maintain a financial record of all assets and transactions in accordance with UNISON guidelines.
- b. The Branch may fix a local levy provided this is no greater than one sixth of the annual subscription in any year. Such Levy is subject to the conditions set out in National Rules
- c. The financial year of the Branch shall be from the first day of January to the 31st day of December of the same year.

18. Donations

Donations shall be agreed by the AGM or branch committee in accordance with the union's policies and objectives and subject to provisions of national rule.

19. Expenses

Rates of expenses for members attending meetings or carrying out other activities on behalf of the branch shall be agreed by the AGM in accordance with the Scheme for Branch Expenses contained in the Branch Finances Handbook.

20. Honoraria

Any honorarium paid to a branch officer will only be made in accordance with the Scheme for Honoraria Payments in Branches contained in the Branch Finances Handbook.

21. Branch Hardship Fund

The Branch will establish an Industrial Action Fund in accordance with the UNISON Scheme for Branch Industrial Action Funds and the relevant section of UNISON's Rule Book.

22. Branch staff

- a) The branch secretary will be responsible for the employment, direction and supervision of any staff employed by the branch consistent with employment law and current good practice.
- b) In the event of any first stage hearings of staff disciplinary or grievance matters, the branch secretary will be joined by another senior branch officer other than the branch chair.
- c) Any appeal arising from a first stage grievance or disciplinary hearing will be heard by the branch chair and other senior branch officers not involved at the first stage hearing.
- d) The outcome of any disciplinary or grievance hearing will remain confidential and the outcome only will be reported to the branch committee on its conclusion.

23. Approval/alteration to branch rules

- a) Branch rules must be agreed by two thirds of members present and voting at a quorate branch meeting.
- b) Branch rules must be approved in accordance with UNISON's procedures.
- c) Any changes to branch rules must be agreed and approved in the same way.