

Constitution

Rules and Standing Orders

14 March 2017

UNISON

London Metropolitan University Branch
166-220 Holloway Road
London N7 8DB

Constitution of UNISON London Metropolitan University Branch No. 20055

Agreed by resolution of the Annual General Meeting held on 23 March 2010
as amended by resolution of the Annual General Meeting held on 23 February 2011
by resolution of the Annual General Meeting held on 7 March 2012
by resolution of the Annual General Meeting held on 12 March 2013
and by resolution of the Annual General Meeting held on 14 March 2017

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RULES

(all previous rules rescinded)

1.0 Name

- 1.1 There shall be a higher education branch of **UNISON—the Public Service Union** (hereinafter referred to as “the Union”)¹ established at London Metropolitan University (“the University”)² which will be successor to those existing at University of North London (03498) and London Guildhall University (03493) immediately prior to 1 August 2002.
- 1.2 The Branch shall be known by the name of the Union followed by the words **London Metropolitan University Branch** or, for brevity, UNISON London Metropolitan University (hereinafter referred to as “the Branch”).
- 1.3 The Branch will maintain an office at the University’s registered address for the time being, subject to agreement on facilities.

2.0 Objects

- 2.1 The Branch shall pursue the aims contained in the Union Rulebook, support the objectives agreed by the National Executive Committee and give effect, as far as may be practicable, to the targets set through annual assessment.
- 2.2 The Branch shall organise and recruit workers for the purpose of improving the effectiveness and extending the influence of members within the workplace, the Union and the wider community.
- 2.3 The Branch has responsibility to carry out collective bargaining. It shall co-operate with recognised Trades Union Congress affiliates to encourage a workable and effective arrangement for good industrial relations, for the avoidance of misunderstanding and for the promotion of joint action in all matters of common interest.
- 2.4 The Branch recognises the pioneering work of the University in widening participation and is committed to its mission of education for personal development and social justice. It shall endeavour to safeguard the public funding of higher education in the United Kingdom.
- 2.5 The Branch shall perform such other duties and engage in such other business as a trade union may lawfully undertake.

3.0 Membership

- 3.1 Eligibility for membership shall be in accordance with the Rules of the Union and is restricted to employees, or former employees, of London Metropolitan University, its predecessors and its contractors on site.
- 3.2 The executive committee may decline to support an application for membership, but this must be consistent with the Rules of the Union and with statute. Any such decision must be explained to the individual in writing, together with their rights of appeal.
- 3.3 Only full members shall be entitled to vote on issues relating to the pay and conditions of members in employment.
- 3.4 Members dismissed by the employer, made redundant or undertaking a course of education who notify the Membership Secretary within six months may acquire unemployed membership for up to two years. Such members shall not normally be entitled to stand for office.
- 3.5 A member with at least two years’ continuous membership immediately prior to their retirement from employment may apply at any time for retired membership provided they are in receipt of a pension.
- 3.6 In the absence of written instructions to the contrary, subscriptions will be

collected by the deduction of contributions at source, commonly called “check off”. Where no political levy has been specified the Branch shall allocate new members to the General Political Fund by default.

- 3.7 It is the obligation of the member to ensure that the correct subscription is paid to the Union on the date it is due. Any person in three months’ arrears of subscription shall cease to be a member.
- 3.8 The Branch reserves the right not to provide representation in respect of issues that occur within the first four weeks of membership or which pre-date the member joining.

4.0 Structure

- 4.1 There will be an annual general meeting to confirm the election of members of the executive committee, to receive the statement of accounts and to appoint auditors. The AGM will comprise a single meeting held alternately at each campus before the 31 March each year.
- 4.2 The AGM will determine the basis of representation in the Branch and the number of shop stewards to be elected in each workplace.
- 4.3 Extraordinary general meetings may be called by the executive committee or by 20 members of the Branch or 5% of the membership, whichever is the greater. An EGM may comprise a single meeting or aggregate meetings held at each campus or in each section.
- 4.4 The quorum for any general meeting, including the annual meeting, is 10% of the membership of the Branch either at a single meeting or through aggregate meetings.
- 4.5 Sections will be established for each bargaining group covered by the Branch to provide for the active participation and representation of members in accordance with Rule 8.
- 4.6 The executive committee will comprise all Branch officers and section convenors (or, where no section committee exists, shop stewards) and will be responsible for the general organisation and development of the Branch and for policy and decision making on all matters affecting members between general meetings.

5.0 Representation

- 5.1 The Branch shall elect the following officers annually in accordance with Rule 6:
 - Chair (national Rule G 4.1.3 and Code section 11.3.2 refer) and Deputy Chair
 - Secretary (national Rule G 4.2 and Code section 11.3.3 refer)
 - Treasurer (national Rule G 4.3 and Code section 11.3.4 refer)
 - Two Assistant Secretaries (one each for North and City campuses)
 - Membership Secretary (recruitment, identify leavers, map density)
 - Welfare Officer (local welfare activity, liaison with UNISON Welfare)
 - Education Officer (and Lifelong Learning Officer or combined role)
 - International Officer (international relations and solidarity activities)
 - Communications Officer (edit newsletter, website, monitor media)
 - Young Members’ Officer (under 27 years of age for whole of term)
 - Equality Officer (or one each for women, BME and LGBT members)
 - Two Health and Safety Officers (one each for North and City campuses)
 - Political Officer (elected by Affiliated Political Fund members only)
 - Retired Members’ Secretary (elected by retired members only)
 - Others to be determined as necessary for effective operation
- 5.2 The Branch shall elect shop stewards annually in accordance with Rule 6.

Stewards will be certified by the Union under Section 10 of the Employment Relations Act 1999.

- 5.3 Sections shall elect a Convenor (senior steward) annually in accordance with Rule 6, save that the nomination may be by the section committee or any two members employed in that section and only members employed in the relevant section may participate in the election.
- 5.4 Delegates to regional council and service group committee will be elected annually with regard to proportionality in accordance with Rule 6. In the event of a delegate being unable attend a meeting, the executive committee may appoint a substitute.
- 5.5 Delegations to national delegate and service group conferences will be determined with regard to proportionality by the executive committee.

6.0 Elections

- 6.1 Candidates may be nominated by the executive committee or any two members (proposer and seconder), with the exception of the Political Officer who will be a member of the Labour party nominated by APF members only and the Retired Members' Secretary who will be a retired member nominated by retired members only.
- 6.2 Nominations will be invited eight weeks before the AGM and forms circulated to members. All nominations must be received by the Secretary in writing at least six weeks before the AGM.
- 6.3 Each nominee will be notified and given the right to withdraw not later than four weeks before the AGM.
- 6.4 If there is more than one candidate a ballot will be held. Elections will be conducted by show of hands of those entitled to vote at the AGM.
- 6.5 Where no valid nomination has been received before the deadline nominations may be called for from the floor of the meeting.
- 6.6 Vacancies may be filled by co-option by the executive or section committee, subject to ratification at the following general meeting.
- 6.7 All posts, except Chair, Secretary and Treasurer, shall be open to job share. Job sharers each have voice and vote, but count jointly for the purposes of Rule 7.3.

7.0 Executive

- 7.1 The executive committee shall administer Branch affairs in accordance with the current Code of Good Branch Practice.
- 7.2 The executive committee will normally meet at least once a month at each campus by fortnightly rotation and no fewer than 12 times a year.
- 7.3 The quorum for the executive committee shall be one third of the members of the committee set out in Rule 5.1. Decisions taken while inquorate are subject to ratification by electronic mail within seven days.
- 7.4 The executive committee will establish arrangements for the individual representation of members and shall ensure that all sections within the Branch are appropriately and equitably resourced for effective organisation and campaigning on behalf of members.
- 7.5 *Ad hoc* or permanent sub-committees may be established within the parameters of the decisions and guidance issued by the executive committee.

8.0 Sections

- 8.1 Sections comprise all members within the relevant bargaining group and will have autonomy within the Branch in respect of collective bargaining with their

employer only, subject to the policies and procedures of the Branch, Region and national Union.

- 8.2 Sections will be led by a Convenor and a committee of all shop stewards in that section. Section committees may commit to no expenditure or affiliation that has not been previously agreed by the executive committee.
- 8.3 The Branch recognises self-organised groups of traditionally under represented members. Each group may nominate a representative to the executive committee and determine delegations to the relevant conference.

9.0 Conduct

- 9.1 All meetings will be conducted in a fair and democratic manner and in accordance with prescribed Standing Orders.
- 9.2 Meetings shall be advertised widely as far in advance as possible. In the case of the AGM, all members will be notified in writing at least eight weeks in advance.
- 9.3 The Secretary will retain copies of the agenda and minutes of all meetings and other appropriate records to enable the Branch to function.
- 9.4 Communications with the media on behalf of the Branch shall be made only by officers authorised by the executive committee.
- 9.5 Members are expected to treat each other with tolerance at all times. The Branch is made up of workers from a complex and diverse range of social, cultural, religious and political backgrounds and it is essential that members respect this in their dealings with one another. It is particularly important that accredited representatives set an example in this.
- 9.6 The Branch expects its members to behave with dignity and respect when representing the Union at external events or with any third party and that they should abide by the policy and Rules of the Union whenever they act on its behalf.

10.0 Finance

- 10.1 The Branch shall cause to be kept proper accounting records with respect to its transactions and its assets and liabilities and will establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all its receipts and remittances, pursuant to Section 28 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 10.2 Funds shall be held in account with Unity Trust Bank Plc of Nine Brindleyplace, Birmingham. Any two of the Treasurer, Chair or Secretary shall be mandated to sign.
- 10.3 All expenditure, save for that incurred under Rule 12.2, shall be subject to approval of the executive committee.
- 10.4 A dedicated industrial action fund shall be maintained into which a five per cent levy of Branch income will be paid annually.
- 10.5 The Branch shall elect two honorary auditors at the AGM to ensure the accounts represent a true and fair view. Auditors may not be members of the executive committee although may attend *ex officio* any meeting at which the accounts are discussed.
- 10.6 The financial statement presented to the AGM shall be in the form of an income and expenditure account and a consolidated balance sheet. The Branch will not cause to be published any accounts that are not audited.
- 10.7 The Branch shall make an annual return of its income, expenditure, assets and liabilities as prescribed by the NEC and in accordance with the Rules of the Union.

11.0 Affiliations

- 11.1 Affiliations to constituency Labour parties will be decided by the APF membership. General committee delegates must be individual members of the party and live in the relevant constituency.
- 11.2 Affiliations to trades councils shall be determined by the executive committee. Delegates must live or work in the relevant district or borough.
- 11.3 Donations or other affiliations shall be agreed by the executive committee or a general meeting in accordance with the Union's policies and objectives and subject to provisions of national rule.

12.0 Expenses

- 12.1 The Branch shall ensure that no member is debarred or deterred from trade union activity as a result of financial considerations.
- 12.2 Rates of expenses for attending meetings, training or carrying out other business 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.
- 12.3 Any honorarium paid to a member of the executive committee will only be made in accordance with the Scheme for Honoraria Payments in Branches contained in the Branch Finances Handbook.

13.0 Employees

- 13.1 The 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.
- 13.2 In the event of any first stage hearings of staff disciplinary or grievance matters, the Secretary will be joined by another senior Branch officer other than the Chair.
- 13.3 Any appeal arising from a first stage grievance or disciplinary hearing will be heard by the Chair and other senior Branch officers not involved at the first stage hearing.
- 13.4 The contents of any disciplinary or grievance hearing will remain confidential and the outcome only will be reported to the executive committee on its conclusion.

14.0 Interpretation

- 14.1 Any alteration to these Rules must be agreed by two thirds of members present and voting at a quorate general meeting.
- 14.2 The Greater London Region has responsibility to sanction the Constitution. The Branch shall notify the regional committee of any amendment to the Rules in reasonable time.
- 14.3 Nothing contained herein shall be inconsistent with the Rules of the Union or Region as amended and currently in force.

¹ UNISON is listed as a trade union with the Certification Officer, pursuant to sections 2-4 and 123-125 of the Trade Union and Labour Relations (Consolidation) Act 1992

² London Metropolitan University is a charity and a company limited by guarantee, registered in England No. 974438

STANDING ORDERS

(made for the regulation of meetings, proceedings and business)

1.0 Order of business

- 1.1 In the absence of the Chair, the Secretary shall take the chair. If neither of these are present, the members shall elect a Chair *pro tempore*.
- 1.2 The minutes of the previous meeting will be submitted for approval as a true and accurate record. Objections should only be based on accuracy and not on disagreement with the decisions that were made.
- 1.3 There will be an opportunity to discuss matters arising from the minutes that are not covered by other agenda items. This is not to be regarded as an invitation to continue debate on issues that have been decided or to try and reverse decisions.

2.0 Motions and amendments

- 2.1 Motions for the agenda may be submitted by the executive committee or any two members (mover and seconder) not less than 14 days before a general meeting or by any two officers or stewards not less than seven days before a meeting of the executive committee.
- 2.2 The Secretary shall consider all motions submitted and rule whether they are competent under the Constitution.
- 2.3 Emergency motions must relate to matters which have arisen after the deadline and may only be admitted to the agenda with the consent of the meeting.

Order of debate

- 2.4 When an amendment to a motion is moved, no further amendment may be moved until the first one is disposed of.
- 2.5 When an amendment is defeated, a further amendment may be moved to the original motion.
- 2.6 When an amendment is carried, the motion, as so amended, shall become the substantive motion, to which a further amendment may be moved.
- 2.7 A member shall not move more than one amendment to any one motion, nor shall the mover of a motion move any amendment to such motion.

Procedural motions

- 2.8 It may be moved at any time that the question be now put or that the debate be adjourned and the meeting proceed to the next business.
- 2.9 The Chair may advise the meeting not to accept a procedural motion if in his or her opinion the matter has not been sufficiently discussed.

Order of voting

- 2.10 The mover of a motion, including the mover of an amendment which has become the substantive motion, shall have the right of reply. The reply shall be confined to answering the previous speakers and no new matter may be introduced. After the reply the motion shall be put to the vote. The mover of an amendment shall have no right of reply.
- 2.11 Voting shall be by show of hands and a count shall be taken if, in the opinion of the Chair, this is necessary.
- 2.12 The Chair shall have both a deliberative and a casting vote.

3.0 Points of order

- 3.1 A member may at any stage raise a point of order if he or she considers that the business is not being conducted in accordance with the Branch Rules and

Standing Orders.

- 3.2 Any point of order must be raised as soon as the alleged breach occurs or at the earliest practicable moment thereafter.
- 3.3 The Chair's ruling on a point of order is final.

4.0 Mode of address

- 4.1 Members wishing to speak should so indicate and, when called, address the Chair stating their name and any office they may represent.
- 4.2 All questions should be put to the Chair who may ask that a reply be given by the most appropriate officer.

5.0 Authority

- 5.1 The ruling of the Chair on any question relating to these guidelines shall be final unless, on being challenged by at least ten members, two thirds of those present vote to the contrary.
- 5.2 The Chair shall have the power, with the consent of the meeting, to vary the order of the agenda or introduce additional items if circumstances warrant.
- 5.3 These Standing Orders may be reviewed annually by the executive committee.

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