

# UNIVERSITY AND COLLEGE UNION

## University of Birmingham Branch of UCU RULES

*Note that amendments that are pending approval by the UCU NEC are deleted via ~~strikethrough~~, or added via [square brackets].*

### **1 NAME**

The name of the Branch or Local Association is "The University of Birmingham Branch of the University and College Union", subsequently referred to as the Branch.

### **2 CONSTITUTION**

The Branch is constituted in accordance with the current rules of the University and College Union (UCU).

### **3 AIMS AND OBJECTS**

The aims and objects of the Branch are the same as those of UCU, set out in national rule 2, except that they exclude the political objects of UCU referred to in national rule 2.6. The Branch may discuss UCU's political objects and may act to further these provided that no funds of the Branch are spent on those political objects. All actions taken by the Branch shall be consistent with the national Rules of UCU.

### **4 MEMBERSHIP**

- 4.1** Members of the Branch shall be those assigned to the Branch in accordance with national Rule 12. Normally, this will include all UCU members for whom the University of Birmingham is their principal qualifying employment.
- 4.2** In accordance with national Rule 12.2, members who are employed at the University of Birmingham but who have been assigned to a different Branch may attend meetings, and vote on matters concerned with their employment, at this Branch. They are eligible for membership of the committee of this Branch, but may stand for election as a local officer only in their designated Branch. In relation to national office and national elections, they shall be entitled to stand for office and vote in national elections only in their designated Branch. National elections includes all elections for General Secretary, Officers, Trustees, NEC representatives and Congress delegates.
- 4.3** Retired members whose last employment was in the University of Birmingham may choose to be members of the Branch or of a regional retired members' branch.

## **5 SUBSCRIPTIONS**

**5.1** Each member of the Branch will pay, in accordance with procedures determined by the NEC, a subscription to the funds of UCU consisting of the current national subscription as determined by the NEC, and any current local subscription agreed by the Branch.

**5.2** The local subscription will be approved by a decision of the annual general meeting and published to all members.

## **6 USE OF FUNDS**

**6.1** All expenditure by the Branch must further the objects of the Branch. The finances of the Branch shall be conducted in accordance with arrangements determined by the National Executive Committee which shall include an audit and report prepared in accordance with instructions issued by the Honorary Treasurer.

**6.2** No funds of the Branch will be used for affiliation to a political party, or for the furtherance of the union's political objects. Under trade union legislation, any expenditure on political objects must be made from a designated political fund, which is established and continued by a vote of the membership every ten years. This fund, set up in accordance with UCU rules 31 and 38, is one per cent of membership subscriptions and members may opt out of paying it. (Northern Ireland members opt in.) All expenditure on political objects must be made nationally out of this designated political fund; expenditure on political objects cannot be made out of local funds. Political objects may be broadly described as electoral or other party political activities.

**6.3** The funds of the Branch will be used for:

6.3.1 Costs incurred in the proper conduct of the business of the Branch, as agreed by the committee.

6.3.2 Payment of the expenses of any members duly appointed by the Branch to represent it.

6.3.3 Payment of other such expenses as will from time to time be determined by a majority of members present and voting at a quorate general meeting of the Branch, subject to 6.1 and 6.2 above.

6.3.4 Donations to charities or other bodies whose objects are consistent with those of the Branch. Donations greater than £250 must be approved by a general meeting of the Branch; donations below this amount may be approved by the committee.

## **7 COMMITTEE**

- 7.1** There will be a committee responsible for conducting the day-to-day business of the Branch. The committee will meet not less than once every four months. Not less than one third of those who are at that time members of the committee must be present to form a quorum at any meeting.
- 7.2** If presented with a written request signed by half of the members of the committee, the president must call a meeting of the committee to take place not later than 5 working days following the day on which that written request is received.
- 7.3** The committee will consist of:
- a) the Officers as specified below,
  - b) up to 20 ordinary members elected annually from members of the Branch.
  - c) up to 6 members co-opted by the annual general meeting or by the committee who will serve to the end of the term of office of other committee members.
  - d) any member of the Branch who is a member of the National Executive Committee of UCU
- 7.5** Where there is one Branch in the institution, the committee shall elect (from among its own members) a Negotiating Committee to conduct negotiations. Where more than one Branch exists in the institution, the Negotiating Committee shall consist of representatives elected by the Committees of all of the Branches/LAs in proportion to their membership.
- 7.6** The Negotiating Committee is the only body empowered to conduct negotiations with the institution. The negotiators may include the Regional Official, under circumstances determined by the General Secretary. The Negotiating Committee shall make appropriate arrangements for the appointment of its officers from among its membership.
- 7.7** *[The committee should have an up to date and agreed set of 'Committee Guidelines', which should include an outline of how committee meetings should be conducted, a communication strategy for communicating decisions with members, and guidance on the internal organisation of reps and officers of the branch. Guidelines should be agreed by the committee each year. (See Appendix 2).]*

## **8 OFFICERS OF THE BRANCH**

- 8.1** Members will be elected to the following officer roles within the Branch:

The President

Two Vice Presidents

The Secretary

The Assistant Secretary

The Treasurer

The Membership Secretary

The Casework Coordinator

The Communications Officer

The Social Media Officer

The Anti-Casualisation Officer

The Equality Officer

The Anti-Racism Officer

The Migrant Workers Officer

The Health and Safety Officer

The Environment Officer

The Pensions Officer

The Student Liaison Officer

The Social Officer

These positions will be declared elected annually at the annual general meeting from members of the Branch in accordance with Rule 9.

## **8.2 President**

The president will chair all general meetings and all committee meetings of the Branch and perform such other duties as are laid upon the president by any rule or are decided by the committee. In the absence of the president these duties will be performed by the vice-chair/vice-president, failing which another officer as the committee decides. ~~In accordance with normal practice, the president may, between meetings of the committee, take any action on behalf of the committee which is both urgent and necessary. Such Chair's Action must be reported for approval to the next committee meeting. [Where the President takes action between meetings that is likely to be binding on either the branch or the union they should notify the committee and seek approval or call a special committee meeting which should take a vote. Such decisions should be quorate,~~

*i.e. taken by at least one third of the committee, and can also be called by any other officer of the branch. (see Appendix 2).]*

### **8.3. Vice-Presidents (two)**

Role: to deputise for the President as required, and to take on some of the President's duties as required.

### **8.4 Secretary**

The duties of the secretary are to call general and committee meetings of the Branch; to ensure that minutes of those meetings are kept; to organise membership circulations as the committee deems necessary; to arrange notification of local election and ballot results to all members; and to perform such other duties as are laid on the secretary by any rule or are decided by the committee. In the absence of the secretary, the secretary's duties will be performed by another officer as the committee decides.

### **8.5 Assistant Secretary**

Role: to deputise for the Secretary as required, and to take on some of the Secretary's duties as required.

### **8.6 Treasurer**

The treasurer will have custody of the funds of the Branch and authority to make payments from them in accordance with the rules as the need arises. The treasurer's duties will be to keep the books of the Branch; to present the accounts of the Branch for auditing as necessary; to present these audited accounts to a general meeting of the Branch, to publish them to all members of the Branch, and to submit a copy forthwith to the honorary treasurer of UCU. In the absence of the treasurer, the treasurer's duties will be performed by another officer as the committee decides.

### **8.7 Membership Secretary**

The membership secretary will be responsible for recruitment and for keeping any membership records that are necessary at local level. The membership secretary will provide membership information promptly to UCU in accordance with instructions from UCU Head Office or Regional Office to enable statutory and rule requirements of membership records to be met. In the absence of the membership secretary, these duties will be performed by another officer as the committee decides.

### **8.8 Equality officer**

The equality officer will:

- i) have knowledge of and commitment to relevant issues, and be willing to undertake training according to the needs of UCU, monitor the implementation of equality policies within the institution, and, where appropriate, encourage and support local negotiations on equality matters
- ii) monitor the volume and nature of personal casework which involves equality issues to ensure that the Branch has appropriate mechanisms in place for handling such cases
- iii) where appropriate, provide information, encouragement and support to members about equality issues
- iv) ensure that UCU's national annual meetings, and any other relevant events and opportunities for women, black members, lesbian, gay, bisexual and transgender members and disabled members are publicised locally, that members from all groups are encouraged to participate, and that the Branch maximises the opportunities for recruitment and organisation amongst all groups
- v) where appropriate, provide liaison between the Branch and UCU's equality structures

In the absence of the equality officer, these duties will be performed by another officer or officers as the committee decides.

### **8.9 Anti-racism officer.**

Role: To advance the anti-racism principles of the branch and promote the interests of the branch's Black and minority members.

### **8.10 Anti-casualisation officer**

The role of anti-casualisation officer will be filled by a member whose main employment is casualised, or who has, in the two years prior to their nomination, been in casualised employment as their main employment.

### **8.11 Casework Co-Ordinator**

Role: to deal with incoming personal cases and allocate them to casework officers; to maintain a list of current casework officers and the cases they are dealing with; to encourage branch members to become casework officers and ensure that training is provided for them; to inform the Committee of general issues arising from current casework.

### **8.12 Communications Officer**

Role: to liaise with the press and other unions, and to communicate with the University press office if required.

### **8.13 Social Media Officer**

Role: to manage regular online activities through Twitter, Facebook, and other social media. In the absence of the social media officer, these duties will be performed by another officer or members of the committee as the committee decides.

### **8.14 Health and Safety Officer**

Role: to be willing to undertake training, monitor the implementation of H&S policies within the University and personal cases involving H&S issues; and, where appropriate, encourage and support local negotiations on H&S matters. Be prepared to attend national or regional meetings on H&S matters.

### **8.15 Pensions Officer**

Role: To receive communications from UCU HQ concerning USS and other pensions matters; to liaise with the Casework Co-Ordinator on personal cases involving pensions and, if needed, to advise members directly on individual pension matters; to be willing to undertake training and attend national meetings on pensions.

### **8.16 Migrant Workers Officer**

Role: to work with and represent migrant workers, raising concerns through the committee and in negotiations with the University. In the absence of the migrant workers officer, these duties will be performed by another officer or or members of the committee as the committee decides.

### **8.17 Environmental Officer**

Role: to raise awareness of environmental campaigns and to help raise concerns on environmental issues with the University. In the absence of the environmental officer, these duties will be performed by another officer or or members of the committee as the committee decides.

### **8.18 Student Liaison Officer**

Role: To work with the student body to support ongoing UCU campaigns, and to raise the profile of student workers within the branch and in negotiations with the University. In the absence of the student liaison officer, these duties will be performed by another officer or or members of the committee as the committee decides.

### **8.19 Social Officer**

Role: To coordinate social activities with members through the year. In the absence of the social officer, these duties will be performed by another officer or or members of the committee as the committee decides.

### **8.20 Casual vacancies**

If an office is vacant and no ballot is being held for that office, the committee is empowered to fill the vacancy, either from members of the committee itself or from the general membership of the Branch. Officers so appointed will retire at the same time as if they had been duly declared elected at the last Annual General Meeting.

## **9 ELECTIONS OF ORDINARY MEMBERS OF THE COMMITTEE AND OFFICERS**

### **9.1 Returning Officer**

The local committee will appoint a returning officer for elections who is neither a candidate for any office in the Branch nor a member of the committee.

### **9.2 Nominations**

All nominations will be received in writing by the returning officer no later than the day that is 28 days before the day of the annual general meeting. Nominations must be accompanied by the written consent of the nominee and supported by the identifiable signatures of 2 members of the Branch.

### **9.3 Eligibility to stand for election**

Retiring officers will be eligible for re-election, except that the president and vice chair/vice-president may normally hold office for not more than 5 successive years in any one capacity.

A member may not normally be declared elected to more than one officer or ordinary position of committee membership.

### **9.4 Elections**

Subject to rule 10.4, if there is only one eligible candidate for any officer vacancy that candidate will be declared elected.

If the number of candidates to be ordinary members of the committee does not exceed the number of vacancies those candidates will be declared elected.

If there is either more than one eligible candidate for any officer vacancy or more candidates than there are vacancies of ordinary members of the committee

a ballot of the members of the Branch will be conducted in accordance with rule 10.

## **9.5 Term of Office**

The term of office of an officer or ordinary member of the committee elected under this rule 9 will be from 1 August of that year to 31 July of the following year.

## **10 CONDUCT OF BALLOTS**

**10.1** All ballots will be conducted in accordance with this rule, other than industrial action ballots which will be conducted in accordance with national rules.

**10.2** If required, a ballot for officer posts will be held in accordance with 10.3.

A ballot for ordinary committee members will be held by a vote at the AGM.

**10.3** Not later than the end of the day that is 14 days before the date fixed for counting the ballot, the ballot forms will be sent to each member of the Branch. The Returning Officer will supervise the conduct of the ballot including the distribution of ballot forms and will fix the date and time for starting the count of the ballot. The ballot will be secret. Ballots will be counted in accordance with the method determined by the returning officer. Where appropriate and practicable, the single transferable vote system will be used.

**10.4** When officer and committee ballots are conducted over the same time period, they will be counted in the following order: officer and other positions set out in rule 8.1, in the order in which they are set out in that rule, followed by ordinary committee members. If a person is a candidate in two or more elections over the same time period for positions that cannot be held concurrently under rule, after the successful election of that candidate to a position, votes for that candidate will be disregarded in subsequent elections.

**10.5** The result will be notified in writing by the Returning Officer to the secretary and as soon as practicable by the secretary to the members of the Branch and to the General Secretary of UCU.

## **11 ELECTION OF CONGRESS REPRESENTATIVES**

Congress representatives will be elected annually from members of the Branch. Any ballot that is necessary will be conducted in accordance with Rule 10. Where an elected representative is unable to attend a particular Congress, a substitute may be elected by a General Meeting. If this is not possible, a substitute may be elected by the Committee. Names of the representatives will be notified to the General Secretary in accordance with published procedures.

## **12 REMOVAL FROM OFFICE**

Any member of the committee (including the officers and other persons elected to represent the Branch) may be removed from office by resolution at a general meeting (including an extraordinary general meeting) of the Branch provided that (a) the terms of any such proposed resolution are received by the secretary not later than the day that is 14 days before the day of the general meeting and (b) the proposal for such a resolution is supported in writing by not less than twenty-five members or 25% of the membership, whichever is less. Upon receipt of such a proposal the secretary will take all reasonable steps to ensure that that proposal is received by each member of the Branch not later than the day that is 7 days before the general meeting at which it is to be considered. Any general meeting which will have removed a member or members of the committee in accordance with the above will have power to replace any such member or members until such time as normal election of officers and other members of the committee next occurs.

## **13 MEETINGS OF THE BRANCH**

There will be at least three general meetings of the Branch each year, of which one will be designated as the annual general meeting. The Regional Official shall receive notice and minutes of all Branch meetings. The General Secretary or nominee may attend all Branch meetings.

### **13.1 Annual General Meeting**

The annual general meeting will be held in June each year. The secretary will take all reasonable steps to ensure that notice of the annual general meeting is received by members not later than the day that is 42 days before the day on which the meeting is to be held. The secretary will take all reasonable steps to ensure that the agenda for the meeting is received by members not later than the day that is 14 days before the day on which the meeting is to be held.

The annual general meeting will normally receive the results of elections of the officers and committee members. It will appoint an auditor or auditors.

### **13.2 Other General Meetings**

The secretary will take all reasonable steps to ensure that notice of other general meetings is received by members not later than the day that is 14 days before the day on which the meeting is to be held.

**13.3** *[For any motions to be brought to a local meeting of the branch they should be submitted to the Secretary and communicated to members in advance of the meeting unless they are 'extraordinary items'. Where a motion is presented as an extraordinary item it should be explained why the motion was not shared with members in advance and a vote should be taken on whether or not to hear the motion.*

*A motion should only be presented on behalf of the committee where it has been subject to a quorate decision by the committee.].*

## **14 EXTRAORDINARY GENERAL MEETING**

An extraordinary general meeting of the Branch will be held either at the request of the Committee, or following receipt by the secretary of a requisition signed by at least the number of members equivalent to a quorum. Such a requisition will specify the topic or topics to be discussed. Requisitioned meetings will be arranged to take place not later than 10 working days after the day on which that requisition was received. The secretary will take all reasonable steps to ensure that notice of the extraordinary general meeting is received by members not later than the day that is 5 working days before the day on which the meeting is to be held.

## **15 EMERGENCY GENERAL MEETINGS**

- 15.1** Where an issue is urgent and an emergency meeting is called by the Officers, the secretary will take all reasonable steps to ensure that notice of the emergency general meeting is received by members not less than 3 working days before the day on which the meeting is to be held.

## **16 QUORUM**

At all general meetings, including extraordinary and emergency general meetings, of the Branch a quorum will be one twentieth of the membership or 25 members, whichever is least. In any case, the quorum must be greater than the total size of the committee.

## **17 QUORUM ARRANGEMENTS FOR FORMAL BUSINESS**

Where an annual general meeting, extraordinary general meeting or general meeting is unable to complete items of formal business required by national or local Rules, or resulting from trade union legislation, or from membership of the TUC, or in relation to the local finances of the Branch, because the meeting was not quorate, notice of a further meeting will be circulated to members to take place no later than 14 days after the date of the inquorate meeting. The agenda of the further meeting will be restricted to this incomplete, formal business. It will be quorate if three members are in attendance, except that in respect of the local finances of the Branch, these three will not for purposes of the quorum include the Branch treasurer or its local auditors.

## **18 MOTIONS**

A resolution of a general meeting is a motion that has been approved while that meeting was quorate by a simple majority of members present and voting except as provided elsewhere in these rules.

Any motion (other than an emergency motion) submitted by the Branch to the Congress of the UCU will be circulated to all members of the Branch and approved by a quorate general meeting of the Branch. Amendments, which may not introduce new subject matters to motions, may be taken at the discretion of the Chair.

Where a general meeting is called, and part of the business of this meeting is to approve motions for submission to the Congress of the UCU, and this meeting is inquorate, motions for submission to Congress may be subsequently approved in a manner determined by the Committee and consistent with the Standing Orders of Congress.

Emergency motions to Congress must be submitted in accordance with the Standing Orders of Congress.

## **19 MOTIONS TO NATIONAL MEETINGS AND COMMITTEES**

All motions to national Equality bodies, and national meetings and specialist committees of the Special Employment Interest Groups shall be submitted in accordance with national Rules and Standing Orders and should be approved by a properly convened meeting of members of the relevant special interest group, for which the quorum will be 5 members, or by a quorate general meeting, or by the committee.

## **20 RATIFICATION OF AGREEMENTS**

Any draft agreements must be ratified in accordance with regional or national ratification procedures where these exist.

## **21 VALIDATION**

No act done in good faith under these rules by the committee, an officer or any other person or body will be invalidated only by reason of the subsequent discovery of a defect in, or the expiry of, their appointment.

## **22 RULES**

No rule or rules of the Branch will at any time be in conflict with a rule or rules of the UCU currently in force. Changes in the rules of the UCU will, where applicable, automatically constitute changes in these rules of the Branch.

## **23 AMENDMENT OF RULES**

These rules of the Branch may be amended by resolution of any quorate general meeting of the Branch. Proposed amendments to these rules must be handed in writing to the secretary by the end of the day that is fourteen days before the day of the general meeting at which they are to be considered. The secretary will take all reasonable steps to ensure that these proposed amendments are received by members not later than the day that is 10 days before the day on

which the meeting is to be held at which they are to be considered. Amendments to these rules require the support of at least two-thirds of the members present and voting at the general meeting at which they are considered, an abstention not being regarded as a vote for this purpose.

Alternatively these rules of the Branch may be amended by membership ballot and, in that case, the support of at least two-thirds of those members casting a valid vote in that ballot would be required. Either the committee or a quorate general meeting may decide to hold such a membership ballot.

All rules of the Branch and amendments to these rules will be subject to approval by the national executive committee of the UCU.

## **24 COMMUNICATIONS**

Ballots conducted under these rules may be by post or in the case of electoral ballots by secure electronic means<sup>1</sup>. Officers of the Branch should hold an up to date register of members' physical and electronic contact details for these and other communication purposes. Unless specifically determined by the Branch, all other communications may be by email.

Date these local rules approved.....

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<sup>1</sup> UCU head office is able with reasonable notice to organise secure online voting for branch electoral ballots.

## **Appendix 1**

### **STANDING ORDERS FOR THE CONDUCT OF BUSINESS AT LOCAL GENERAL MEETINGS**

*The arrangements for the quorum, calling of meetings and circulation of motions to meetings are as given in the rules of the Branch.*

#### **1 Business of the meeting**

In advance of the general meeting, the committee will determine the agenda and prepare recommendations as to the order in which the business is to be conducted. The committee will also decide on the duration of the meeting. The competent business of the general meeting will be the matters stated in the agenda circulated to members in accordance with the local rules.

#### **2 Chairing**

The president will chair the meeting. In the absence of the president, a vice-president will chair the meeting, and in the absence of a vice-president, another officer of the Branch. If there are no officers present, the meeting will elect a chair.

#### **3 Conduct of meetings**

The conduct of meetings will be the responsibility of the chair. The chair will have power to lay down time limits for the discussion of items on the agenda. The chair will rule on any question under the standing orders, or on points of order or information. A challenge to a ruling by the Chair must be moved, formally seconded, there should be one speech in favour of the ruling, and then the challenge should be put to the vote without further debate. In a vote, such a challenge will require the support of two-thirds of the members present and voting at the meeting, an abstention not being regarded as a vote for this purpose.

#### **4 Minutes**

Minutes will be kept of all general meetings. The minutes of the previous meeting having already been circulated, the chair will call for any questions regarding their accuracy. When there are no further questions the chair will declare them (as amended, if necessary) confirmed. Members will then be at liberty to raise points arising out of the minutes, except on matters appearing elsewhere on the agenda.

#### **5 Voting**

Voting will be by show of hands, unless the chair directs otherwise. Tellers will be appointed at the beginning of the meeting. Decisions will be taken by a

simple majority of those present and voting, unless otherwise directed by these standing orders or the rules of the Branch.

## **6 Motions**

All motions must be moved and seconded. Movers of motions may speak for five minutes. All other speakers may speak for a maximum of three minutes. Except at the discretion of the chair, no member will speak more than once on any motion, except that the mover of the motion will have a right to reply. Any member may formally second any proposition and reserve his or her speech until a later period in the debate.

Amendments from the floor of the meeting will be taken at the chair's discretion. All amendments must be moved and seconded.

## **7 Motions to close debate**

Any member of the meeting may seek to end the debate on a motion or amendment by moving THAT THE MEETING PROCEED TO NEXT BUSINESS or THAT THE QUESTION BE NOW PUT provided that there has been at least one speech each for and against the motion or amendment under discussion.

Such motions must be seconded and no speeches will be allowed on them but the vote on them must be taken straightaway. If either motion be lost, the same motion will not be moved until at least ten minutes have elapsed.

## **8 Effect of motions to close debate**

If the motion TO PROCEED TO NEXT BUSINESS is carried, the debate will cease and no vote may be taken on the main question nor on any amendment; if it is lost, the debate will continue as if NEXT BUSINESS had not been moved.

If the motion THAT THE QUESTION BE NOW PUT is carried, the meeting will vote immediately on the proposition before it.

## **9 Points of order**

Any member may, at any time, raise a point of order.

## **10 Points of information**

Any member may, with the leave of the chair, raise a point of information.

## **11 Withdrawal of propositions**

Permission to withdraw any proposition that is before the meeting may be granted by a simple majority of those present and voting at the meeting, an abstention not being regarded as a vote for this purpose.

## **12 Reference of motions**

Any motion to refer a motion to the committee either for examination or for re-drafting will, if seconded, rank as an amendment with precedence over any other amendment.

Any motion which is left on the agenda at the end of a meeting will be considered by the committee at their next meeting.

### **13 Suspension of standing orders**

Any of the above standing orders will be suspended by the meeting for a specified purpose if a motion to that effect is moved, seconded and supported by two-thirds of those present and voting, an abstention not being regarded as a vote for this purpose. Standing orders will again apply as soon as the specified issue has been concluded.

### **14 Alteration of standing orders**

These standing orders may be altered by a resolution of a general meeting of the Branch, provided that notice of any proposed amendment is received by members not later than the day that is 14 days before the day on which that general meeting takes place. Such a resolution requires the support of two thirds of the members present and voting, an abstention not being regarded as a vote for this purpose.