

UNIVERSITY AND COLLEGE UNION

MODEL LOCAL RULES *(as adopted by Congress 2016)*

1 NAME

The name of the Local Association is "The University of Essex Local Association of the University and College Union", subsequently referred to as the LA.

2 CONSTITUTION

The LA 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 LA 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 LA may discuss UCU's political objects and may act to further these provided that no funds of the LA are spent on those political objects. All actions taken by the LA shall be consistent with the national Rules of UCU.

4 MEMBERSHIP

4.1 Members of the LA shall be those assigned to the LA in accordance with national Rule 12. Normally, this will include all UCU members for whom the University of Essex is their principal qualifying employment.

4.2 In accordance with national Rule 12.2, members who are employed at the University of Essex but who have been assigned to a different LA may attend meetings, and vote on matters concerned with their employment, at this LA. They are eligible for membership of the committee of this LA, but may stand for election as a local officer only in their designated LA. 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 LA/central group. 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 Essex may choose to be members of the LA or of a regional retired members' association.

5 SUBSCRIPTIONS

- 5.1** Each member of the LA 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 LA.
- 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 LA must further the objects of the LA. The finances of the LA 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 LA 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. 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 LA will be used for:
 - 6.3.1 Costs incurred in the proper conduct of the business of the LA, as agreed by the committee.
 - 6.3.2 Payment of the expenses of any members duly appointed by the LA 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 LA, 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 LA. Donations greater than £100 must be approved by a general meeting of the LA; 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 LA. 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 LA.
- c) up to 4 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 LA who is a member of the National Executive Committee of UCU

7.5 Where there is one LA in the institution, the committee shall elect (from among its own members) a Negotiating Committee to conduct negotiations. Where more than one LA exists in the institution, the Negotiating Committee shall consist of representatives elected by the Committees of all of the 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.

8 OFFICERS OF THE LA

8.1 Members will be elected to the following officer roles within the LA:

- The president
- The vice-president
- The treasurer
- The secretary
- The membership secretary
- The equality officer
- The anti-casualisation officer

[other officers/representatives may be specified here, and elected in the order in which they are specified¹]

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

8.2 President

The president will chair all general meetings and all committee meetings of the LA 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-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 President's Action must be reported for approval to the next committee meeting.

8.3 Secretary

The duties of the secretary are to call general and committee meetings of the LA; 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.

8.4 Treasurer

The treasurer will have custody of the funds of the LA 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 LA; to present the accounts of the LA for auditing as necessary; to present these audited accounts to a general meeting of the LA, to publish them to all members of the LA, 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.

8.5 Membership/Recruitment Secretary

¹ *The list of officers and committee positions in these model rules is not exhaustive. Branches may – and are encouraged to – add further elected officer roles or specific elected committee roles, such as representative for environmental issues, representative of academic-related staff, faculty or department representatives, or representatives for other significant groups of employees who may not otherwise be represented on the committee.*

The membership/recruitment 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.

8.6 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 LA 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 LA maximises the opportunities for recruitment and organisation amongst all groups
- v) where appropriate, provide liaison between the LA 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.

8.7 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.

8.8 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 LA. 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 LA 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 LA.

9.3 Eligibility to stand for election

Retiring officers will be eligible for re-election, except that the president and 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 LA 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 the academic year following the annual general meeting, or such other period of approximately one year as the AGM determines (normally from the end of one AGM to the end of the next).

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.

[LAs should choose either A or B]

A: A ballot for ordinary committee members will be held in accordance with 10.3. *[not selected by the LA]*

B: A ballot for ordinary committee members will be held by a vote at the AGM. *[selected by the LA]*

- 10.3** Not later than the end of the day that is fourteen days before the date fixed for counting the ballot, the ballot forms will be sent to each member of the LA. 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 LA and to the General Secretary of UCU.

11 ELECTION OF CONGRESS REPRESENTATIVES

[Note: 11A is for use in institutions with a single LA, 11B is for use in institutions with more than one LA, 11C is for use in institutions with less than 100 members which will be aggregated with another institution.]

11A Election of Congress Representatives

Congress representatives will be elected annually from members of the LA. 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.

11B Election of Congress Representatives (multi-site branches)

Congress representatives will be elected annually from among the members of all branches within the institution. Any ballot that is necessary will be conducted across all members in the institution, in accordance with rule 10, for which the

Negotiating Committee (formed in accordance with 7.5 above) will appoint a returning officer who is neither a candidate in the election nor a member of the Negotiating Committee or any branch committee. Where an elected representative is unable to attend a particular Congress, a substitute will be appointed by the Negotiating Committee. Names of the representatives will be notified to the General Secretary in accordance with published procedures.

11C Election of Congress Representatives (institutions involved in aggregation)

A Congress representative will be elected from among members in the institutions aggregated with this branch under national rule 17.1 in accordance with guidance issued by the Congress Business Committee.

12 REMOVAL FROM OFFICE

Any member of the committee (including the officers and other persons elected to represent the LA) may be removed from office by resolution at a general meeting (including an extraordinary general meeting) of the LA provided that (a) the terms of any such proposed resolution are received by the secretary not later than the day that is fourteen 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 LA not later than the day that is seven 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 LOCAL ASSOCIATION

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

13.1 Annual General Meeting

The annual general meeting will normally 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.

14 EXTRAORDINARY GENERAL MEETING

An extraordinary general meeting of the LA 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 LA 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 LA, 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 LA, these three will not for purposes of the quorum include the LA 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 LA to the Congress of the UCU will be circulated to all members of the LA and approved by a quorate general meeting of the LA. 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 three, or by a quorate general meeting, or by the committee.

Note: Wherever possible and appropriate to their members LAs should establish specialist groups paralleling the national specialist groups defined in national Rules 23 and 25. (Currently these will in most institutions include academic-related staff; fixed-term & hourly-paid staff, disabled members, black members, lesbian, gay, bisexual & transgender members, and women members.) Such groups should meet as required and prior to the relevant national meetings and an officer of the local committee should attend all group meetings.

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 LA 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 LA.

23 AMENDMENT OF RULES

These rules of the LA may be amended by resolution of any quorate general meeting of the LA. 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 LA 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 LA and amendments to these rules will be subject to approval by the national executive committee of the UCU.

24 SITE ORGANISATION

Where members of a LA are employed on more than one site, the LA may, for the purposes of enhancing local organisation, make arrangements for the members on any site to elect appropriate site officers to perform functions agreed by resolution of the LA. Any such arrangements and functions must be consistent with the overriding responsibilities of the LA and its officers as set out in these rules.

25 COMMUNICATIONS

Ballots conducted under these rules may be by post or in the case of electoral ballots by secure electronic means². Officers of the LA 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 LA, all other communications may be by email.

Date these local rules approved: 22 Nov 2016 at a quorate branch General Meeting

² UCU head office is able with reasonable notice to organise secure online voting for branch electoral ballots.

Appendix 1 [Note: LAs may adopt these if they wish]

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 LA.

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 LA. 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 LA.

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 LA, 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.