

# LEEK UNITED BUILDING SOCIETY STAFF ASSOCIATION

## RULES

1. The name of the Association shall be the "Leek United Building Society Staff Association" with the registered office at the business address of the current Chair or at such address as the General Committee shall from time to time determine.

## DEFINITIONS

- a) "Association" means the Leek United Building Society Staff Association or its successors in title.
- b) "Society" or "Leek United Building Society" means the Leek United Building Society or its successors in title and subsidiaries and their successors in title.
- c) Words importing the masculine gender shall be held to include the feminine gender and vice versa.

## OBJECTS OF THE ASSOCIATION

2. The objects of the Association shall be:
  - a) to negotiate and consult on conditions of service and to protect the interests and promote the welfare of the members either individually or collectively and to improve the terms and conditions of employment.
  - b) to be the officially recognised medium for communication between the staff of the Leek United Building Society and the Leek United Building Society.
  - c) to foster a spirit of co-operation and common interest and to promote and maintain good relationships between the Association and the Society.
  - d) to encourage all eligible staff to become members.
  - e) to be at all times the sole body recognised by the Society for the purpose of negotiation and consultation, subject to any individual representation required by a non-member in accordance with the Employment Relations Act 1999.
  - f) to remain at all times independent of the Management of the Society or any other body of employers.
  - g) to do anything consistent with the policy and objectives of the Association.

- h) to co-operate with staff associations other trade unions and staff representative bodies of other financial organisations having similar aims and objects.

## MEMBERSHIP

- 3. Membership shall be open to all Employees of the Leek United Building Society with the exception of the Executive Staff.
- 4. The Membership Secretary acting on behalf of the General Committee shall have the power to approve or reject applications for membership. Any applicant rejected for membership may appeal to the General Committee via the Chair. The General Committee (who shall have absolute discretion) will either allow membership or uphold the Secretary's decision.

Following acceptance membership shall commence with effect from the date of receipt of the completed application and subscription by the Secretary of the Association.

## TERMINATION OF MEMBERSHIP

- 5. Any member whose subscription is more than three months in arrears shall cease to be a member and shall lose all membership rights including voting rights and also shall forfeit all subscriptions paid to date. A person is only to be reinstated as a member on payment of any subscription in arrears.
- 6.
  - a) A member may terminate his membership by giving one months written notice to the Membership Secretary.
  - b) Termination may also take place if the member is expelled in accordance with the Rules of Discipline.
  - c) Termination of employment of a staff member or transfer to Executive Grade (as outlined in 3) shall terminate membership of the Association.
  - d) A member who is involved in a dispute with the Society on the date of termination may with the agreement of the General Committee continue to be represented by the Association subject to the member paying the subscription level in force at the time to the Treasurer.
  - e) In the event of termination of membership the person concerned shall have no claim on the Association in respect of its funds or in any other way.

## REGISTER OF MEMBERS

- 7.
  - a) The Membership Secretary shall contact all new employees to advise them of the Association with a view to recruiting them to the Association. Similarly non-members will be constantly contacted with a view to recruitment.
  - b) The Membership Secretary shall keep a register of members. Any change of name, address, status or location within the Society should be notified to the Secretary.

## MEMBERSHIP RECORDS - Disclosure of information (including Accounting Records)

9. The register of Members (and the accounting records) of the Association shall be available for inspection by any member at an agreed time and place in accordance with the provisions of Section 6 of the Employment Act 1988 or any re-enactment thereof. The Association reserves the right to levy a charge to recover any costs involved in such an inspection.

Inspection of membership records is subject to the provisions of the Data Protection Act 1998 or any re-enactment thereof if appropriate.

## SUBSCRIPTIONS

10. The subscriptions/levies for membership shall be those notified to be members by the General Committee. Subscriptions/levies may be varied after a resolution to that effect has been passed by the General Committee. Increases in subscriptions shall be limited to 10% of the existing subscription. Levies shall be limited to half of the existing subscription annualised. Any increases in excess of this amount should be approved by the membership in accordance with Rules 24(d) and 41.

## ADMINISTRATION

11. The affairs of the Association shall be administered by a General Committee (which is the principal executive committee of the Association for the purposes of the Trade Union Act 1984 or any re-enactment thereof) elected as prescribed in Rule 16.

## DISCIPLINE

- 12.a) All members of the Association are required to act in accordance with the Rules of the Association and should not conduct themselves in any way that is prejudicial to the interests of the Association.
- b) If the General Committee has reason to believe that any member has acted contrary with the above then they may take disciplinary action against that member. The member shall be given notice in writing by the Secretary of the allegation and that he may make representation either in person or in writing at a General Committee meeting where the allegations are to be heard - such notice shall be given within 14 days prior to such a meeting where full consideration will be given to any representation made.

If the General Committee find the allegation proven by a simple majority of those present and able to vote, then the decision and penalty shall be served within 7 days of that decision having taken place. One or more of the following penalties may apply:

- i) Expulsion from membership.
- ii) Suspension from membership for a specified period of not more than twelve calendar months.
- iii) Debarring from any Office in the Association for a specific period.

## APPEALS

13. A member may appeal to the Secretary against the decision of the General Committee within 14 days of the notice of their findings. Any penalty shall not be applied during the said period of 14 days if an appeal has been made within that period. Within 14 days of such notice of appeal the Secretary shall convene an Appeals Committee of 6 (Quorum 4) by the drawing of lots of the membership. The member so drawn (with a minimum of one year's continuous membership of the Association) will be expected to attend but, in the event of a pressing reason he is unable to attend, the drawing of lots will continue until the number of 6 is obtained. General Committee members will be excluded from the drawing of lots. The Appeals Committee may uphold or reverse the decision and/or any penalty imposed by the General Committee having heard representation from the Appellant and the General Committee and their findings shall have immediate effect unless they decide to the contrary. The Appellant will be advised of the findings of the Appeals Committee within 7 days. No appeal will lie against the decision of the Appeals Committee.

## OFFICERS

The General Committee will have the power to elect from their members a Chair, Vice Chair, Secretary, Membership Secretary and Treasurer and any other officer deemed necessary. In addition they may elect as many Sub-Committees as necessary to carry out negotiations or any other business.

## REGIONS

15. The members shall be grouped into regions as defined in Appendix "A". Each region will elect up to four members to serve on the General Committee. Such members must be nominated and seconded by members within the region they are to represent. The regions may be varied by the General Committee.

## MEMBERSHIP OF GENERAL COMMITTEE

16. All elections for the General Committee shall be by a secret postal ballot on a regional basis. Nominations for office will be accepted for up to three weeks before the date of election. All candidates must be proposed, seconded and have signified their willingness in writing, to stand for office. In the event of more than one nomination for any vacancy ballot papers will be issued to the home address of each member of the Association entitled to vote. All ballot papers must be returned to the independent scrutineers using the prepaid postal envelope provided at least 2 days before the election.
17. The elections will be conducted by independent scrutineers, who will normally be the Association's solicitors or accountants.

18. All candidates must be fully paid up members having at least one years continuous membership (\*). Candidates shall have the opportunity of issuing an election address that will be circulated with the ballot paper.

(\* ) However in year one any member who has one year's continuous employment with the Society may be nominated.

## RETIREMENT

19. One third of the number of elected members, or the nearest number thereto, shall retire from office immediately following the Annual General Meeting each year. Elections shall be held in February each year for the resulting vacancies. The elected members to retire shall be those who have served longest since their last election but in the case of equality of length of service they shall be determined by ballot within the Committee. Members retiring from Office shall be eligible for re-election without nomination.
20. Any Committee member who leaves the Society's employment or whose membership shall be forfeited under Rules 5, 6 and 12 shall automatically be removed from the Committee as at the date of his departure from the Society or termination of membership.
21. Any Committee members who shall become bankrupt or insane or shall be absent without permission of the Committee from three consecutive meetings called by the Secretary shall automatically lose his position.
22. In the event of a vacancy occurring on the Committee, the Committee has the power to call for a Regional Election to fill the vacancy. Any member so elected shall serve until the second Annual General Meeting after election.
23. Subject to the foregoing a Committee member can only be removed from office by secret ballot of all members within the region on a request signed by not less than five members within the region. The ballot will be conducted by three members of the Association nominated by the General Committee.

## GENERAL COMMITTEE

24. The General Committee comprising normally of 15 members (or a number as from time to time decided by the committee) being the principal policy making body as defined in Rule 11 shall:
- a) Consider all matters affecting the members of the Association brought to its attention by the members.
  - b) Supervise elections and ballots and where necessary appoint independent scrutineers.
  - c) Consider and approve the Annual Report and Accounts.
  - d) Recommend or fix the annual subscription rate or any levy.

- e) Be responsible for the general organisation and administration of the Association.
- f) Determine how the funds shall be spent.
- g) Recommend auditors to the Annual General Meeting.
- h) Engage and authorise finance for any service considered necessary to further the objects of the Association.
- l) Take any action consistent with the Rules provided that Rules 48 and 49 shall apply in the event of Industrial Action.
- j) Recommend to the membership any deletions, alterations or amendments to the Rules which shall be determined in accordance with Rule 41.
- k) Take any action consistent with furthering the objects of the Association.
- l) Advise the members of their activities.
- m) Be able to appoint an Advisor/Negotiator who is not a member of the staff of the Society.
- n) Elect from amongst their number the officers and any sub committee.
- o) Co-opt to the Committee any member who has specialist knowledge required by the Association. The co-opted member will have no voting rights and may only speak on the subject for which they are co-opted and then only upon direction from the Chair.

## OFFICERS OF THE ASSOCIATION

### 25.a) CHAIR

The Chair shall preside over all meetings of the General Committee and all General and Special meetings of the Association. The Chair shall have the right to vote but shall not have a casting vote.

He shall sign the minutes of the meetings of the Association and other official documents.

### b) VICE CHAIR

The Vice Chair shall act in all matters in the absence of the Chair and assume authority given under the Rules to the Chair. The Vice Chair will be responsible to ensure that the members are aware of the activities of the General Committee by way of bulletins and newsletters.

c) TREASURER

The Treasurer shall:

- i) Receive all monies paid to the Association.
- ii) Maintain all books of account and deposit all monies in accounts directed by the General Committee.
- iii) Be responsible for paying all the Association expenses and ensure that all cheques drawn are properly authorised. The General Committee shall empower four of its members to sign for withdrawals on the account and the signature of any two shall be sufficient. However the Treasurer shall be authorised to make withdrawals of up to and including £50 on his signature only.
- iv) Prepare interim accounts and budgets as required by the General Committee.
- v) Recommend the Auditors to the General Committee.
- vi) Recommend any amendment in subscription or levies to the General Committee.
- vii) Recommend any investments to the General Committee.
- viii) Prepare the Annual Return for submission to the office of the Certification Officer or whoever shall be legally appointed to receive the Return.

d) SECRETARY

The Secretary shall:

- i) Call meetings of the General Committee as notified by the Chair or General Committee.
- ii) Call General and Special General meetings.
- iii) Ensure that the Rules of the Association are adhered to.
- iv) Take and distribute minutes of all meetings of the General Committee, Annual General Meeting and Special General Meetings.
- v) Administer the affairs of the Association and keep all records and documents of the Association.

- vi) Act in accordance with the Discipline and Appeals procedure

## CALLING OF MEETINGS

- 26. An Annual General Meeting shall be held within three months of the end of the Association's financial year, and will be called by the Secretary giving at least four weeks notice in writing to all members.  
  
Notice shall be deemed to have been given at the time of posting. Included in the notice will be an Agenda showing all resolutions.
- 27. Special General Meetings may be called by the Secretary on instructions from the General Committee to deal with business beyond the mandate of the General Committee or to ask for instructions on any particular point from the full membership.
- 28. A Special General Meeting must be called by the Secretary in the event of his receiving notice in writing from at least 10 percent of the membership, that they require a meeting to be called and this meeting must be called within 28 days of receipt of such notice.
- 29. Any Special General Meeting requires two weeks notice to be given in writing by the Secretary to all members. Included in the notice will be a full agenda. Notice shall be deemed to have been given at the time of posting.
- 30. The General Committee will meet at least four times per year as called by the Secretary.
- 31. Regional meetings will be called as and when required or deemed to be necessary by the Regional Representatives.
- 32. Any members wishing to introduce a resolution at the Annual General Meeting must give notice in writing to the Secretary before the first of January preceding the Annual General Meeting. Any such notice must contain the name and signature of the proposer, seconder and details of the resolution.

## CONDUCT OF MEETINGS

- 33. The Chair or Vice Chair shall preside at all meetings of the Association and shall sign the minutes and other official documents. In the absence of the Chair or Vice Chair, a Chair shall be elected from the members present.
- 34. 50 percent of the General Committee will constitute a quorum for the General Committee Meetings.



35. Those members attending will constitute a quorum at Annual and Special General Meetings.
36. Voting at meetings shall be by a show of hands or secret ballot as the meeting shall determine. However if a vote is taken at an Annual or Special General Meeting on a resolution raised in accordance with Rules 28 and 32 and that vote is in favour of the resolution then a ballot of all members will be required to ratify the result.

#### ACCOUNTS

37. The accounts of the Association shall be made up to the 31 January each year and shall be audited each year by approved auditors, appointed as such by the members at the Annual General Meeting, and these must be a competent firm of qualified accountants to whom shall be produced all books and papers of the Association for complete examination of the Association's accounts. The auditor's report shall be attached to the published annual income and expenditure account and balance sheet of the Association in accordance with normal accounting practice.
38. The funds of the Association shall be applied to such purposes as are consistent with the objects of the Association.

#### MISCELLANEOUS

39. Each branch will nominate from the members within that branch one representative to liaise with the Regional Representative. For this purpose each department in Chief Office will be deemed a branch. Any member of the Association may communicate any relevant points to his or her Branch Representative or any General Committee Member either verbally or in writing, and such points must then be referred to the next meeting of the General Committee for discussion and attention, if by this time it has not been resolved.
40. These Rules cannot be amended other than by a secret ballot of all members requiring a simple majority of those members voting.
41. The books of the Association and the names of the members shall be available for inspection at the Association's registered office, at any reasonable and proper time by any member in accordance with Rule 9.
42. Notwithstanding the provisions of any other authority which may be vested in the General Committee by these Rules, the General Committee shall not, except upon specific authority of the members of the Association given by a secret postal ballot of all members in which two thirds of those voting are in favour:
- i) Affiliate or disaffiliate the Association to or from any other body.
  - ii) Amalgamate or separate the Association with or from any other body.

43. The interpretation of any of these Rules shall lie with the General Committee who shall also determine any matters whereon these Rules are silent. Unless otherwise stated a simple majority in votes and ballots will suffice.

#### DISSOLUTION

44. The Association shall not be dissolved except by a secret postal ballot of all members in which a simple majority of those voting are in favour.
45. In the event of dissolution the General Committee shall remain in office until all the affairs of the Association have been wound up. On dissolution any surplus funds after providing for all liabilities shall be used for welfare purposes to the benefit of all members. In the event of a deficit this shall be met by means of a levy on the members.

#### POLITICAL AFFILIATION

46. The Association shall not affiliate to or subscribe to any political party.

#### INDUSTRIAL ACTION

47. No Industrial Action of any kind will be taken by any member or group of members unless such action has the approval of the General Committee and all appropriate stages of any Procedure Agreement currently in force between the Association and the Society have been exhausted. Official Industrial Action shall be such action which has the written approval of the General Committee.
48. Where the Industrial Action contemplated is a withdrawal of labour a secret postal ballot shall be held of all members and a separate ballot of those members whose labour it is contemplated will be withdrawn. Such action shall not be taken unless approved by two thirds of those entitled to vote and voting in both ballots. The General Committee shall abide by the result of the ballot.

#### TRUSTEES

49. The trustees of the Association for the purpose of Section 2(1)(b) of the Trade Union & Labour Relations Act 1974 or any re-enactment thereof shall be the Officers.