

# Driver & General Union



## Rule book

## CONSTITUTION

[www.dngunion.com](http://www.dngunion.com)

May 2020

# **RULE BOOK**

## **CONSTITUTION**

### **A. NAME AND OFFICES:**

1. The name of the union will be Driver & General union or such other name as the executive council may from time to time decide.
2. The main office is Kennedy House, Murray Road, St Pauls Cray, Orpington, Kent, BR5 3QY.

### **B. ADMINISTRATION:**

Subject to the matters set out below the union and its property shall be administered and managed in accordance with this constitution by the members of the executive council, constituted by clause H of this constitution (The Executive Council).

### **C. AIMS:**

1. To recruit, organise and represent all workers.
2. To regulate relations between employees and employers and between employees themselves.
3. To maintain and improve wages and conditions, and make employment as secure as possible and promote industrial democracy.
4. To achieve and maintain equal pay for women, promote equal opportunities within the union, the workplace and society in general, and end discrimination against people because of their sex, race, nationality, religious beliefs, disability, age, marital status or sexuality.
5. Provide benefits (including legal help to members in line with our rules.)
6. To promote training and educating members in relation to the activities they carry out on our behalf.
7. To promote or support legislation in the interest of members, especially those laws relating the legal rights of trade unions, industrial health, safety and welfare, social and economic welfare and environmental protection.
8. To promote the social, moral and intellectual interests of our members.

### **D. POWERS: (Changing and amending rules)**

In furtherance of the aims but not otherwise the executive council may Exercise the following powers:

1. Power to raise funds and to invite and receive contributions provided that in raising funds the executive council shall confirm to any relevant requirement of the law.
2. Power to buy, take on lease or in exchange any property necessary for the achievement of the aims and to maintain and equip it for use.
3. Power to sell, lease or dispose of all or any part of the property of the union.
4. Power to borrow money and to charge all or any part of the property of the union with repayment of the money so borrowed.

5. Power to employ such staff (who shall not be members of the executive council) as are necessary for the proper pursuit of the aims.
6. Power to cooperate with other unions, charities, voluntary bodies and statutory authorities operating in furtherance of the aims or of similar union purposes and to exchange information and advice with them.
7. Power to establish or support any causes, associations or institutions formed for all or any of the aims.
8. Power to appoint and constitute such advisory committees as the executive council may think fit.
9. Power to do all such other lawful things as is necessary to make the achievements of the aims.
10. No new rules can be made, or any of these rules changed, amended or cancelled unless agreed by majority vote from the permanent members of the executive council.

#### **E. DISSOLVING THE UNION**

The union may be dissolved (formally ended) by a vote of five sixths of the whole of the financial members.

## **MEMBERSHIP**

#### **F. MEMBERSHIP.**

1. The Executive Council shall define the categories of membership. Where the Union organises or represents persons engaged in an occupation or seeks to do so, any person engaged in that occupation shall be eligible for membership of the Union, subject to these rules.
2. There shall be a category of membership for those members who are unable to follow employment because of retirement or permanent disablement. The Executive Council shall determine the qualifications for membership of this category as well as the level of contributions and entitlement to benefit.
3. Any eligible person may apply for membership by completing the appropriate application form agreeing to be bound by the rules of the Union and submitting it to the Union office or by electronic means as may be provided for via the Union's website. An applicant shall become a member when his/her application has been approved and he/she has been entered into the register of members. Such approval process may require receipt by the Union of the contribution applicable under these rules.
4. Each member must notify the Union's membership department of any subsequent change of address, and in the absence of such notice the Union shall be entitled to treat the address shown on that member's application form as the member's address for all correspondence.
5. Each member must notify the Union's membership department of any subsequent change of workplace or contribution category status.
6. The Executive Council may reject an application if in its opinion the conduct of the applicant has at any time been such as would justify a

disciplinary charge under these rules against a member of the Union who behaved in a similar fashion.

7. The Executive Council has the power to suspend a member from benefit or ban them from holding any Driver & General union office, or ban a member from taking part in Driver & General union business and affairs, in any case for as long as the council feels necessary.

a. If they believe the member is guilty of trying to harm the union or acting against the rules.

b. If the member makes or in anyway associates themselves with any defamatory or abusive comments made against any union representatives.

c. If the member, alone or together with any other member or people opposes or acts against any of our policies.

d. If the member acts against the best interest of the Driver & General Union.

e. If the member encourages or takes part in the activities of any organisation or group whose policies or aims are racist or promotes racist beliefs, or for any other sufficient reason.

f. Every member will have a reasonable opportunity to appeal against the suspension or cancellation by means of a hearing either in written or oral form by the Executive Council.

8. Every member has the right to complain and can appeal in writing to the Executive Council. The decision of the Executive Council will be final.

## **G. MEMBERSHIP CONTRIBUTIONS and BENEFITS**

1. It shall be the personal responsibility of the member to maintain contributions and avoid arrears in all circumstances. Any period during which a member's contributions are 6 or more weeks in arrears shall break continuity of membership and therefore will terminate. Where a member establishes to the satisfaction of the Executive council that the arrears arose through no fault of that member, may apply for reinstatement which may be allowed on such terms as to the payment of outstanding arrears as the Executive Council may consider appropriate.

2. The Executive Council shall determine the period of membership necessary prior to the member attaining eligibility for benefits, and any period during which contributions are in arrears which shall remove such eligibility.

3. The Executive Council shall determine the level of contributions for each category of membership.

4. The Executive Council shall determine the scope and level of benefits.

5. The Union shall pay dispute benefit in such circumstances and on such terms as are decided by the Executive Council from time to time.

6. The Union will provide legal assistance, as follows:

a. A member who is entitled to benefit who suffers injury or disease arising out of or in connection with his/her employment (or the dependants of such a member who has died) shall be entitled to such legal advice and representation, and on such terms, as the Executive Council may consider appropriate.

- b. A member seeking legal assistance must ensure that a request in the appropriate form is lodged in sufficient time and with sufficient information to enable the request to be considered and appropriate action taken.
- c. A member who requires advice and/or representation on a problem relating to the member's employment which first arose at a time when the member was entitled to benefit and which cannot be resolved through the member's workplace representative should refer the matter to the appropriate Regional Officer. The Union may provide such advice and/or representation as the Executive Council shall consider appropriate, whether by a full time officer or otherwise, and on such terms as the Executive Council shall consider appropriate.
- d. The Executive Council may provide such additional legal advice and representation to members and to members' families as it may consider appropriate.
- e. The Executive Council may extend legal assistance to a member who is not otherwise entitled to benefits.
- f. A member who is given advice and/or representation under this rule shall provide all relevant information and co-operate fully with the compilation of evidence for any legal proceedings and shall comply with any other obligations and/or conditions set out in any arrangements for the provision of legal assistance. If a member fails to do so or provides false or misleading information or fails to act upon the advice of those appointed to represent him/her, the Executive Council may at its absolute discretion annul all legal assistance or withdraw any further legal assistance to that member.
- g. The Executive Council shall have discretion to provide additional benefits.

## **H. OBLIGATIONS OF MEMBERS**

1. A member of the Union must comply with these rules and with any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or as a full time officer.
2. A member must not knowingly, recklessly or in bad faith provide the Union with false or misleading information relating to a member or any aspect of the Union's activities.
3. A motion shall not be submitted by or on behalf of the Union or any group or body within the Union to an organisation or body outside the Union if that motion is inconsistent with existing Union policy.
4. When acting as a representative of the Union at a meeting of an organisation or body outside the Union a member shall speak and vote in accordance with the policy of the Union and with any decision taken by the Union's representatives at that meeting which is consistent with the Union's policy.

## **Driver & General Union Data Privacy Policy (D&G Union).**

Our update to Data Protection and GDPR, we may update this policy from time to time covered under any new changes that may happen we will by publish a new version on our website.

D&G Union takes the privacy of its customers very seriously and the security of your personal information is extremely important to us.

This policy together with our D&G Union Website, Telephone, and third parties Terms of Use sets out what information we collect about you, and how it will be used and stored by us when you use our D&G Union websites and Telephone, contact us electronically, visit our media site, websites or contact us by telephone.

By making a purchase of goods or services from D&G Union, or providing your contact details to us, registering an account, placing an order or by communicating with D&G Union online by telephone you are accepting and consenting to the practices described in this policy.

When you place an order with D&G Union, via our admin department or on our website, the information that we collect and store relating to you is primarily used to enable us to provide our products and services to you. This is to ensure that we can carry out our obligations arising from any contracts entered into between you and us and to provide you with the information, products and services that you request from us.

Your name, address and contact details may be shared with a third party to setup direct debits for membership payments to ensure that we can fulfil our contractual arrangement with you to deliver the products and services you purchase from us.

If you provide information to us about any person other than yourself, you must ensure that they understand how their information will be used and that they have given their permission for you to disclose it to us and for you to allow us to use it for the purposes discussed with you.

If you use our website to register an account, participate social media discussion boards, enter a competition, complete a survey, upload a photo, request a call back from an answer phone or web system will be stored and may be used to facilitate that request or service.

Why do we collect information and how do we use it?

Under the GDPR we must have a lawful reason for using (or 'processing') your personal information. One of the lawful reasons is 'legitimate interests'. Legitimate Interests means that we can process your personal information if we have a genuine and legitimate reason and we are not harming any of your rights and interests in doing so.

So, what does this mean? When you provide your personal details to us, we use your information to ensure we can provide you with the best service possible and help us ensure you only receive relevant information from us, before doing this, though, we will also carefully consider and balance any potential impact on you and your rights.

Some typical examples of when we might use the approach are for preventing fraud, direct marketing, maintaining the security of our system, data analytics, enhancing, modifying or improving our services, identifying usage trends and determining the effectiveness of our advertising.



We will process the personal information you have supplied to us to conduct and manage the union to enable us to give you the most appropriate marketing, information, service and products and provide the best and most secure experience. These are what we consider our 'Legitimate Interests'.

**Call recording:** Any telephone calls you receive from or make to D&G Union may be recorded. This is for training and quality purposes to allow us to ensure a high level of customer services is achieved. We may also record your details of the telephone number you use to contact us. This telephone number will be deleted after 7 days.

**Overflow calls:** In some instances when you make a call to D&G Union and we are unable to answer your call within a specified timed period your call will be diverted to a third party who will answer the call on behalf of D&G Union. They only share with D&G Union any information that you request them. We do this to ensure that you receive a high-level of customer service.

**Protecting you:** Processing your information to protect you against fraud when transacting on our website, and to ensure our websites and systems are secure.

**Using our websites or apps:** During each of your visits to our website we may automatically collect the following information from you:

Technical information, including the Internet Protocol (IP) address used to connect your device to the Internet, browser type and version, time zone setting, the country and telephone area code where your device is located, browser plug-in types and versions, operating system and platform.

The personal information collected in this way is held on file for as long as necessary to provide the products and fulfil the transactions you have requested, or for other essential purposes such as complying with our legal obligations, resolving disputes and enforcing our agreements.

**Your interests:** When we process your personal information for our legitimate interests, we will consider and balance any potential impact on you and your rights under data protection and any other relevant law. Our legitimate business interests do not automatically override your interests – we will not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).

Any personal data that is provided to us is stored on our secure servers and/or those of the service provider hosting our site on our behalf. Any download of information relating to any transactions entered into on our site that will be encrypted to help ensure its safety.

By submitting your personal data, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to make sure that your data is treated securely and in agreement with this Privacy Policy.

D&G Union will only retain personal data for as long as is necessary to provide the products and fulfil the transactions you have requested, or for other essential purposes such as complying with our legal obligations. If you have any questions relating to our retention or destruction of your data, please contact us using the details set out in the Contact Us at [www.dngunion.com](http://www.dngunion.com).

You should be aware that if we are requested by the police or any other regulatory or government authority investigating suspected illegal activities to provide your personal information, we may be obliged to do so. Where we are legally required to disclose your information or in order to enforce or apply our terms and conditions or other agreements; or to protect our rights, property, or

safety or those of our customers or other third parties

You may find links to third party websites on our site. The operators of those websites will apply their own privacy policies and you should check them before you use them or submit any data to them.

We are not responsible for their policies or the way they use your data or cookies, and we will not be liable for any loss, damage or distress you may suffer or incur as a consequence.

When we receive a complaint from a person we make up a file containing the details of the complaint. This normally contains the identity of the complainant and any other individuals involved in the complaint.

We will only use the complaint data to process the complaint and to check on the level of service we provide or how contracts are performed. We do compile and publish statistics showing information like the number of complaints we receive, but not in a form which identifies anyone. We usually have to disclose the complainant's identity to whoever the complaint is about. This is inevitable where, for example, the accuracy of a person's record is in dispute. If a complainant doesn't want information identifying him or her to be disclosed, we will try to respect that. However, it may not be possible to handle a complaint on an anonymous basis.

We will keep complaint data contained in complaint files in line with our retention policy. This means that information relating to a complaint will be retained for six years from closure. It will be retained in a secure environment and access to it will be restricted according to the 'need to know' principle.

If you have any questions or concerns with how D&G Union process your personal information, please do not hesitate to contact us via our website or by email [driverandgeneralunion@outlook.com](mailto:driverandgeneralunion@outlook.com)

You have the right to access information we hold about you. If you wish to exercise your right of access, you must submit a written request and provide proof of your identity before we supply the information to you. Data Protection Officer Mr S P Wickwar, National Executive Council, Driver & General Union, Kennedy House, Murray Road, St Pauls Cray, Orpington, Kent, BR5 3QY.

### **Compliments, complaints and suggestions**

If you have a complaint, compliment or suggestion about any aspect of our services we're keen to hear from you.

### **We value your feedback**

We are constantly improving the way we work, so let us know if you have any suggestions.

#### **Write to:**

National Executive Council, Driver & General Union, Kennedy House, Murray Road, St Pauls Cray, Orpington, Kent, BR5 3QY.

