



# **RULE BOOK**

## **REVISED 2022**

**All previous rules rescinded**



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## **FOREWORD**

The immediate aims of the Fire Brigades Union are to serve its members by winning for them the best possible conditions, and to serve the community by encouraging its members to be skilled at their craft.

The Fire Brigades Union recognises that workers, however employed, can only improve their lot by their own endeavours and organisation. A richer and fuller life can be achieved only by similar means.

To this end the Fire Brigades Union is part of the working class movement and, linking itself with the international Trade Union and Labour movement, has as its ultimate aim the bringing about of the socialist system of society.



## **Section A**

### **THE UNION AND OBJECTS OF THE UNION**

**Rule A1            THE UNION**

**Rule A2            OBJECTS OF THE UNION**



## **Rule A1**

### **THE UNION**

- (1) The Union shall be called and known by the name of: "The Fire Brigades Union".
- (2) The registered office place of meeting for the business of the Union shall be at: Bradley House, 68 Coombe Road, Kingston upon Thames, KT2 7AE.

## **Rule A2**

### **OBJECTS OF THE UNION**

- (1) To organise all those employed in the provision of firefighting, rescue or related services.
- (2) To secure unity of action in order to improve the position and status of members and of their service.
- (3) To secure that the numbers of uniformed employees of fire brigades, members of the Union and appropriate post holders within the Union, are as far as reasonably practicable, representative of diversity in regards to our society.
- (4) To settle and negotiate differences and disputes between members of the Union in matters relating to their fire and rescue employment, with employers, Trade Unions, or other persons.
- (5) To liaise and engage with the United Kingdom and other governments, devolved administrations and all other levels of government on public services and related matters, for the purposes of promoting and monitoring legislation for the benefit of members of the Union and the public we serve.
- (6) To secure that only members of this Union are employed in roles covered by the National Joint Council Scheme of Conditions of Service for Local Authorities Fire and Rescue Services.
- (7) To aid and join with other Trade Unions or societies having objects similar to any of the objects of this Union.
- (8) To support and promote working class unity through the Trade Union and Labour movement and therefore to oppose all forms of discrimination whether on the grounds of race, creed, sex, sexual orientation or otherwise.
- (9) To provide legal assistance to members in matters relating to their fire and rescue employment or affecting their interests as fire and rescue employees.
- (10) To further political objectives as defined in Section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992, as amended.
- (11) To further any such other political objectives as the Executive Council may determine from time to time which in its opinion are consistent with the Union's other objectives.
- (12) To administer from the general funds of the Union such benefit or welfare funds as may be instituted from time to time by the Executive Council in the interests of the members of the Union or of any section of the members of the Union.
- (13) To administer any scheme or fund which the Executive Council may set up from time to time.

- (14)** Where possible it shall be the policy of the Fire Brigades Union not to conduct business with any organisations or in premises of said organisations where such organisations are unsympathetic to the Labour and Trade Union movement.
- (15)** To secure the highest standards of health, safety and welfare at work consistent with the provision of a frontline emergency service.
- (16)** To ensure that any member killed in the line of duty is fittingly remembered.

## **Section B**

### **MEMBERSHIP**

**Rule B1            CATEGORIES OF MEMBERSHIP**

**Rule B2            CONDITIONS OF MEMBERSHIP AND CONTRIBUTIONS**

**Rule B3            DUTIES OF MEMBERS**

**Rule B4            UNION ASSURERS**



## **Rule B1**

### **CATEGORIES OF MEMBERSHIP**

The Union shall consist of members in the following categories:

- (1) Members employed in the provision of firefighting, rescue or related services and elected full-time officials who shall be known as “ordinary members”.
- (2) Ordinary members in accordance with Rule B1(1) upon retirement or upon ceasing their fire and rescue employment, who desire to continue membership, who shall be known as “Retired and Out of Trade members”.
- (3) Members awarded honorary membership of the FBU in accordance with Rule B2(3) who shall be known as “honorary members”.
- (4) Any reference to the word “member” in these rules shall mean “ordinary member” unless otherwise specified.

## **Rule B2**

### **CONDITIONS OF MEMBERSHIP AND CONTRIBUTIONS**

- (1) **Ordinary Members**
  - (i) Every person wishing to join the Union shall be proposed by one and seconded by another member of the Union. The names of new members shall be reported to the next meeting of the Brigade Committee concerned.
  - (ii) Any former FBU member wishing to re-join the Union shall have his/her application considered by the Branch concerned and then forwarded to the Brigade Committee.
  - (iii) In the case of any former member expelled from the Union in accordance with Rule G1, the Brigade Committee shall consider the application with the recommendation of the Branch concerned. The Brigade Committee shall then forward the application to the Executive Council with any recommendation. The Executive Council shall decide whether the application shall be accepted. The re-entry fee shall be 50 percent of the weekly rate of pay of a Firefighter (competent).
  - (iv) In all other cases, the Brigade Committee shall decide whether the application shall be accepted and whether to set any re-entry fee which shall not exceed 25 percent of the weekly rate of pay of a Firefighter (competent).
  - (v) The application of each person accepted into membership in accordance with this rule shall be forwarded to the Brigade Organiser and then by him/her to the Head Office of the Union.
  - (vi) The Union shall not knowingly and actively seek to take into membership present or recent members of another Union, without the agreement of that organisation.
  - (vii) A person improperly enrolled in the Union may be excluded from membership by the Executive Council.
  - (viii) The weekly contribution of Ordinary members shall be:  
Full-time members who are competent firefighters or whose weekly rate of pay is equal to or above that of a competent firefighter shall contribute 1 percent of the Firefighter (competent) weekly rate of pay. Job share members who are competent firefighters or whose full-time weekly rate of pay is equal to or above that of a competent firefighter shall pay half of 1 percent of the Firefighter (competent) weekly rate of pay. Retained members shall contribute one third

of the trade contribution of full-time members, plus 3 percent of the trade contribution of full-time members rounded to the nearest penny. Volunteer members shall contribute annually a flat rate fee as set by the Executive Council. Where members pay by the calendar month the contribution amount payable shall be calculated from the weekly contribution rates.

Where members are paid less than the Firefighter (competent) weekly rate of pay the Executive Council shall publish each year the relevant contribution rates for each pay band.

- (ix) In Northern Ireland these rates shall be 97 percent of the contribution specified in Rule B2(1)(viii), rounded to the nearest penny. Members in Northern Ireland who agree to contribute to the political fund as provided in Rule H1 shall pay a levy in accordance with Rule H2.
- (x) A member who wishes to resign from the Union is required to give one month's notice in writing to the brigade organiser.  
Termination of membership will be effective immediately at the end of the notice period.

## **(2) Retired and Out of Trade Members**

- (i) Members desiring to become 'Retired and Out of Trade members' in accordance with Rule B1(2) shall be eligible to continue Union membership by completing an application form and forwarding it to Head Office not later than 180 days from the cessation of employment in accordance with Rule B1(2).
- (ii) Former 'ordinary members' who did not join as detailed in Rule B2(2)(i), must complete an application form and return to Head Office.
- (iii) Applicants must have been 'ordinary members' at the time of the cessation of their employment. Applications should be copied to the relevant Brigade Secretary, who should place the application before the next Brigade Committee for consideration and decision. The Brigade Secretary shall put in writing the decision of the Brigade Committee and forward it to the General Secretary within 28 days. In the absence of a response or objection from the Brigade Secretary within 28 days, the application shall be accepted.
- (iv) Applicants who are accepted will be notified in writing, by the General Secretary, of the decision.
- (v) Any member who fails to renew their Retired and Out of Trade membership by the date indicated will have to follow the process outlined above at (iii).
- (vi) The contribution of Retired and Out of Trade members shall be £24 per year. If a member retires on ill health grounds with terminal illness, they shall pay no contributions.
- (vii) Such members shall be entitled to receive assistance under Rules A2(4) and A2(9).
- (viii) Retired and Out of Trade members shall neither hold office nor have voting rights.

## **(3) Honorary Members**

- (i) Honorary membership may be awarded at the discretion of Conference and/or the Executive Council from amongst persons ineligible for ordinary membership. A Regional Committee may nominate persons for this honour.
- (ii) Honorary membership may be awarded for outstanding service rendered to the Union and/or to the Fire Service.
- (iii) Honorary members shall neither hold office nor have voting rights.

## **(4) Career Breaks**

Members on recognised career breaks shall neither hold office nor have voting rights.

**(5) Payment of Contributions**

- (i) A member shall pay his/her contributions to the Union by either deduction from salary at source or direct debit.
- (ii) Each member shall be issued with a membership card, access to the online FBU membership system and access to a copy of the Union rules which it is their duty to adhere to.
- (iii) Any member, except those covered in Rule B2(5)(iv) who permits his/her contributions to fall three or more calendar months in arrears shall forfeit all rights and title to the funds and properties of the Union, and the right to vote in any Union election or ballot. Following consultation with the Brigade Organiser the Union will notify him/her that unless his/her arrears are cleared within three calendar months, his/her name will be erased from the membership of the Union.
- (iv) A member not in receipt of full pay whilst sick, injured, on maternity or parental leave shall be exempt from payment of contributions for such period as he/she is not in receipt of full pay.
- (v) A member who is on a recognised career break will be exempt from payment of contributions for the first 12 months. Each year thereafter the member will be required to pay a contribution of £25 per annum, or part thereof. For the purpose of this rule a recognised career break is accepted as an agreed break from work, which lasts up to five years maximum.

**Rule B3  
DUTIES OF MEMBERS**

- (1) It shall be the duty of every member to attend regularly at his/her Branch meeting.
- (2) It shall be the duty of every member to bring all complaints before his/her Branch or Branch Committee and to accept their ruling provided that he/she shall have the right to make a written appeal to the Brigade Committee. If he/she is dissatisfied with the decision of the Brigade Committee he/she shall have the right to appeal to the Regional Committee. If he/she is dissatisfied with the decision of the Regional Committee he/she shall have the right to appeal to the Executive Council whose decision shall be final and binding. This procedure does not apply to matters of internal union discipline covered by Rules G1, G2 and G3.
- (3) It shall be the duty of every member to treat others with dignity and respect and to challenge offensive behaviour of any kind.
- (4) Any member who wishes to dispute the decision or action of an official of the Union, shall make a written report to his/her appropriate Committee and await investigation.
- (5) Any member who resigns or is expelled from membership shall forfeit all rights and title to the funds and properties of the Union.
- (6) Every member shall strive to promote the highest efficiency in the fire and rescue service.
- (7) All members shall strive to promote the highest standard of health, safety and welfare in the fire and rescue service.

## **Rule B4**

### **UNION ASSURERS**

- (1)** The Executive Council shall engage an assurer to provide to the Union a membership audit certificate in relation to the register of the names and addresses of its members.
- (2)** The assurer shall afford the opportunity to the Executive Council to comment upon and address issues arising in the annual audit certificate once it has been completed and prior to its publication.
- (3)** The assurer must not be removed from office except by resolution passed at conference held in accordance with rule C2(1).

## **Section C**

# **STRUCTURE, CONSTITUTION AND GOVERNANCE OF THE UNION**

Rule C1	<b>CONSTITUTION AND GOVERNMENT OF THE UNION</b>
Rule C2	<b>CONFERENCE</b>
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Rule C4	<b>REGIONAL COMMITTEES</b>
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Rule C6	<b>BRIGADE COMMITTEES</b>
Rule C7	<b>BRANCH ORGANISATION</b>
Rule C8	<b>SECTIONAL ORGANISATION AND NATIONAL COMMITTEES</b>
Rule C9	<b>MOTION OF NO CONFIDENCE</b>
Rule C10	<b>PROCEDURE FOR MOTION OF NO CONFIDENCE IN THE WHOLE OF THE EXECUTIVE COUNCIL</b>
Rule C11	<b>RULES AND REPORTS</b>
Rule C12	<b>ALTERATION OF RULES</b>
Rule C13	<b>INTERPRETATION OF RULES</b>
Rule C14	<b>DISSOLUTION OF THE UNION</b>



# Rule C1

## CONSTITUTION AND GOVERNMENT OF THE UNION

- (1) (The foundation of the Union's democratic structure shall be the organisation and representation of all members at their place of work, uniting them in workplace Branches in pursuit of common aims. The organisation of members at their workplace Branch shall be constituted in accordance with Rule C7. In order to build upon this workplace foundation, Branches shall be collectively organised through the establishment of Brigade Committees constituted in accordance with Rule C6
- (2) For the government of the Union there shall be a Conference and for the general administration of the Union between Conferences there shall be an Executive Council.

In order to provide the fullest opportunities for the democratic administration of the Union, the membership shall be divided into 13 Regions as follows:

- Region 1 Scotland
- Region 2 Northern Ireland
- Region 3 North East Region
- Region 4 Yorkshire and Humberside Region
- Region 5 North West Region
- Region 6 East Midlands Region
- Region 7 West Midlands Region
- Region 8 Wales
- Region 9 Eastern Region
- Region 10 London Region
- Region 11 South East Region
- Region 12 Southern Region
- Region 13 South West Region

The territory included in each Region is set out below. Only Conference shall have the power to vary the boundaries of the Regions as it may deem desirable.

- Region 1 Scotland.
- Region 2 Northern Ireland.
- Region 3 Cleveland, Durham, Northumberland and Tyne & Wear.
- Region 4 Humberside, North Yorkshire, South Yorkshire and West Yorkshire.
- Region 5 Cheshire, Cumbria, Greater Manchester, Isle of Man, Lancashire and Merseyside.
- Region 6 Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire.
- Region 7 Hereford & Worcestershire, Shropshire, Staffordshire, Warwickshire and West Midlands.
- Region 8 North Wales, Mid & West Wales and South Wales.
- Region 9 Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk.
- Region 10 London.
- Region 11 East Sussex, Kent, Surrey and West Sussex
- Region 12 Berkshire, Buckinghamshire, Hampshire & Isle of Wight and Oxfordshire.
- Region 13 Avon, Cornwall, Devon & Somerset, Dorset & Wiltshire and Gloucestershire

- (3) (To assist in the organisation of our membership and for the better administration of those affairs specific to particular members, and to assist the Executive Council to develop strategies designed to ensure fairness at work pursuant to Rule C3(6)(v) there shall be the following Committees, each of which shall be directly responsible to the Executive Council.
- (i) A Black and Ethnic Minority Members' National Committee.
  - (ii) A Control Staff National Committee.
  - (iii) A Lesbian, Gay, Bisexual and Trans National Committee.
  - (iv) An Officers' National Committee.
  - (v) A National Retained Committee.
  - (vi) A National Women's Committee.

## **Rule C2**

### **CONFERENCE**

- (1) The supreme government of the Union shall be vested in the Conference which shall be held annually, and/or recall Conferences and the decision of which shall be binding on all members.
- (2) Delegates to Conference shall be elected according to the membership of the Brigade as in June of the year preceding that in which the Conference is to be held. Delegates entitlement shall be calculated at the rate of one delegate per 500 members or part thereof. There shall be a minimum of two delegates from each Brigade. The method of election of delegates shall be decided upon by the Brigade Committee.
- (3) Members of the Executive Council shall attend Conference by virtue of their office only and shall be allowed to speak when so nominated to do so on behalf of the Executive Council, but shall not be eligible to vote.
- (4) Full-time officials of the Union shall attend Conference by virtue of their office only and shall be allowed to speak when so nominated to do so on behalf of the Executive Council, but shall not be eligible to vote.
- (5) The Executive Council shall have the power to nominate further delegates to represent categories of the membership whom it shall deem to be insufficiently represented at the Conference. These delegates shall have the right to speak on matters of concern to their particular membership grouping.
- (6) To assist Conference to discharge its business, Conference shall establish a Standing Orders Committee which shall consist of six members. Two of these members shall be appointed by the Executive Council and the other four elected from the delegates to Conference. This Committee shall appoint one of the four members elected by Conference to be the Chair. The members of the Standing Orders Committee elected from the delegates to Conference will serve for four annual Conferences. One member will retire at each Conference and will be eligible for re-election for a further period of four annual Conferences.
- (7) The Standing Orders Committee shall, in consultation with the Executive Council, make the necessary arrangements for the holding of Conference and publish details to the membership, including the procedure to be followed by the Brigade Committees and National Sectional Committees in submitting resolutions and amendments to rules.

- (8) The Standing Orders Committee shall prepare the agenda of the Conference and submit reports on the order of business from time to time during the Conference.
- (9) The quorum for the Standing Orders Committee shall be 50 percent of the members of the committee elected by the delegates to Conference.
- (10) Policies agreed by Conference shall remain in place until they are superseded by subsequent Conference decisions or until 20 years has expired. Each year from 2023, at least six months in advance of Conference the Executive Council shall remind all members of policies which are due to lapse. The Executive Council may also periodically propose to Conference which policies should be considered lapsed following a policy review

## **Rule C3**

### **CONSTITUTION AND POWERS OF THE EXECUTIVE COUNCIL**

- (1) The management of the Union shall be vested in the Executive Council which shall consist of the President and one representative from each Region enumerated in Rule C1(2).
- (2) The President shall preside at the meetings of the Executive Council.

The Vice-President shall be a member of the Executive Council and shall preside in the absence of the President.

The National Treasurer shall be a member of the Executive Council.

The General Secretary and Assistant General Secretary and other full-time officials shall attend in an advisory capacity.

Seven voting members shall form a quorum.

- (3) Executive Council members shall be elected to office for four years. Following a term of office members shall be eligible to seek re-election.
- (4) The Executive Council shall meet not less often than once every three months.
- (5) Any member who fails to attend a meeting without offering a satisfactory reason may be removed from office. In the event of the enforced absence of a member either through prolonged illness, removal from office, prolonged family care leave or when the Executive Council post is vacant awaiting election, the Executive Council will appoint a Regional Official, who has been nominated by the Regional Committee from the affected Region, to act in place of that member. This Regional Official shall be afforded full voting rights at the meetings of the Executive Council.
- (6) The Executive Council shall, subject to these rules and to the decision of Conference, have full power and authority to take such action as it deems necessary for the conduct of the Union's affairs and the realisation of the objects set out in Rule A2. The Executive Council shall have the following powers that shall not in any way limit its powers as set out above.
  - (i) To determine the salaries of all the full-time employees of the Union and to administer arrangements for pension, retirement and kindred benefits for these employees.

- (ii) To make levies on members to keep the funds in a solvent condition.
  - (iii) To make grants or loans to kindred organisations and parties connected with the Trade Union movement and, in exceptional circumstances, for services rendered.
  - (iv) To set up where necessary committees to deal with the special problems or business or special categories of the membership and to delegate to these committees such of its powers as it thinks fit, with the exception of the power to dismiss officials.
  - (v) To develop strategies for fairness at work, health and safety and Union education. To this end the Executive Council shall establish various committees, the work of which shall be reported to Conference.
  - (vi) To develop strategies designed to ensure health, safety and wellbeing. To this end the Executive Council will maintain a Fire Brigades Union Health and Safety Committee consisting of representatives of the Executive Council and the Regional Health and Safety Representatives. The Executive Council will also ensure that, not less than four times per year, a meeting of the Fire Brigades Union Health and Safety Committee shall take place.
- (7) Any member of the Executive Council may attend any lower committee of the Union “ex-officio”.

## **Rule C4**

### **REGIONAL COMMITTEES**

- (1) For the furtherance of the Union business and for the mutual encouragement and strengthening of Brigade Committees and of the membership within each Region there shall be established in each Region a committee to be known as “the Regional Committee”.
- (2) In the case of London, Scotland and Northern Ireland, the Brigade Committees shall also perform the functions and assume the title of Regional Committees. The structures of these Committees shall be subject to the approval of the Executive Council.
- (3) In all other cases the Regional Committee shall be comprised of its officials and delegates elected from Brigade Committees on the basis of two delegates from each Brigade Committee.
- (4) Provision shall be made in the composition of each Regional Committee for the adequate representation of Control Staff members, Officer members and Retained members. Subject to such delegates having been elected by the appropriate group of members, such delegates shall attend the Regional Committee with full voting rights.
- (5) Provision shall be made in the composition of each Regional Committee for the adequate representation of Black and Ethnic Minority members, Lesbian, Gay, Bisexual and Trans members, and Women members within the Region. Subject to such delegates having been elected by the appropriate group of members, such delegates shall attend the Regional Committee with full voting rights.
- (6) Executive Council members shall not vote at Regional Committees.
- (7) The Regional Chair shall not vote at Regional Committees except when required to give a casting vote.

- (8)** Regional Committees may appoint additional officials as members for specific purposes, but such members shall not vote at the Regional Committee.
- (9)** The duties of the Regional Committees shall be:
- (i) To supervise the conduct of negotiations within its territory in accordance with the policy of the Union. In cases in which the policy on matters to be negotiated has not been determined by Conference or by the Executive Council it shall be the duty of the Regional Committee to refer such matters to the Executive Council for guidance. To facilitate the discharge of these responsibilities the Regional Committees shall ensure the establishment in each Brigade of a Brigade Negotiating Committee.
  - (ii) To refer to the Executive Council member or the Executive Council, with such recommendation as it may deem appropriate, any Brigade Committee, Brigade Official or other honorary official who fails to comply with the policy of the Union or refuses to accept the guidance, advice or direction of the Regional Committee.
  - (iii) To be responsible for the development of membership and organisation in the Region.
  - (iv) To ensure that effective arrangements are made to dispatch contributions from members to Head Office, via Brigade Organisers acting under the supervision of the Regional Treasurer.
  - (v) To ensure that timely and adequate reports on the policy of the Executive Council and of the Regional Committee are provided to Brigade Committees and Branches.
  - (vi) To receive and consider resolutions from Brigade Committees and to forward such resolutions as it approves on matters of national policy to the Executive Council.
  - (vii) To be responsible for the development of strategies designed to ensure fairness at work, health and safety procedures, trade union education and lifelong learning opportunities. To this end, the Regional Committee shall appoint three officials, to be known as;
    - (a) The Regional Fairness at Work Officer;
    - (b) The Regional Health and Safety Representative; and
    - (c) The Regional Education and Learning Organiser.
- (10)** For political purposes it shall establish a regional political fund to which the central political fund shall remit, at the end of each financial quarter, one-third of the monies collected from the membership in the region, for use within the terms of the rules governing the use of the political fund.
- (11)** The Regional Committee shall hold an annual general meeting, to which Brigade Committees shall be invited to send extended delegations on a basis to be determined by the Regional Committee and to which the Executive Council member and the Regional Secretary shall make their annual reports.
- (12)** In each Regional Committee there shall be established an Executive Committee, which shall consist of the Chair, Secretary, Treasurer and such other members of the Regional Committee as the Regional Committee may appoint. This Executive Committee shall meet, where necessary, between Regional Committee meetings. The Executive Committee shall report on its proceedings and upon its actions to each subsequent meeting of the Regional Committee.
- (13)** The Regional Committee shall nominate for the consideration of Conference, one of its Regional Officials to serve on the Final Appeals Committee, as described in Rule G1(4)(ii).

## **Rule C5**

### **REGIONAL OFFICIALS**

- (1) In each Region there shall be elected in accordance with Rule E3, a Regional Chair, a Regional Secretary and a Regional Treasurer, each of whom shall hold office for four years. In each Section referred to in Rule C8, a National Sectional Chair and a National Sectional Secretary each of whom shall hold office for four years. Where and whenever it is practically possible to do so, election procedures shall be instituted three months prior to the end of the term of office of any official to whom Rule C5(1) applies. These officials shall in conjunction with the Executive Council be responsible for ensuring that their respective Regional/National Sectional Committees discharge their obligations under these rules.
- (2) The duties of the Regional/National Sectional Chair shall, apart from his/her general duties referred to above, be to preside at all meetings of the Regional/National Sectional Committee and (in the case of the Regional Chair) the Regional Executive Committee and to carry out such other duties within the Region/National Section as assigned to him/her by the Executive Council in accordance with these rules and the policy of the Union.
- (3) Apart from his/her general duties referred to above, the duties of the Regional/ National Sectional Secretary shall be to prepare the agenda and business of the Regional/ National Sectional Committee and (in the case of the Regional Secretary) Regional Executive Committee and to carry out such other duties as assigned to him/ her by the Executive Council in accordance with these rules and the policy of the Union.
- (4) Apart from his/her general duties referred to above, the Regional Treasurer shall be responsible for the Regional finances. He/she shall ensure the Brigade Organisers promptly dispatch to Head Office, members' contributions collected by them. He/ she shall supervise the expenditure from the Regional funds. He/she shall prepare a quarterly financial statement which, after being audited and presented to the Regional Committee, shall be submitted to Head Office.
- (5) Apart from the general duties referred to in Rule C5(1) the Regional Officials shall assist the Regional Committees in the administration of the Union's affairs.
- (6) Regional Officials may within their Region attend any lower Committee or Branch meeting of the Union "ex-officio".

## **Rule C6**

### **BRIGADE COMMITTEES**

- (1) (Within the territory of each Fire Authority (except where the Executive Council may otherwise determine), there shall be established a Brigade Committee. The Brigade Committee may, following approval by the Regional Committee, be comprised of either delegates from the Branches within the Brigade's territory, or of delegates from Divisional Committees.

Representation to the Brigade/Divisional Committees shall be based on the following criteria:

- (i) Where no Divisional Committees are established, the representation to the Brigade Committee shall be on the basis of one delegate per Branch, or two

delegates in the case of any Branch having 100 or more members.

Where there are fewer than six Branches in a Brigade, additional delegates may be appointed from the Branches to the Brigade Committee in proportion to their membership, provided that not more than three delegates are appointed from any Branch.

- (ii) Where Divisional Committees are established, their boundaries and functions shall be determined by the Brigade Committee. Representation to the Divisional Committee shall be on the basis of one delegate per Branch within that division, or two delegates in the case of any Branch having 100 or more members. Representation to the Brigade Committee shall be on the basis of two delegates from each Divisional Committee, both delegates to have full voting rights except for London Region, where each Division shall have one delegate. The Divisional Committee shall annually elect from amongst their members a Chair and Secretary who will act in an ex-officio capacity to the Divisional Committee until the next annual general meeting. The Chair and Secretary will be eligible for re-election.

**(2)** The duties of the Brigade Committee shall be:

- (i) In association with the Regional Committee, to establish negotiating machinery through which matters of concern to members within the Brigade shall be pursued with the employing authority and the Chief Fire Officer or equivalent. The Brigade Committee shall report to the Regional Committee on all matters dealt with through this negotiating machinery.
- (ii) In association with the Regional Committee and in conjunction with the employing authority, to establish a joint health and safety committee. The Brigade Committee shall report all matters dealt with by this committee to the Regional Committee.
- (iii) To ensure that timely and adequate consideration is given to matters referred to the Committee by the Executive Council or the Regional Committee. To ensure that proper reports on these matters are received by the Branches.
- (iv) To supervise the establishment of proper Branch and Divisional Committee organisation and to ensure that Branches and Divisional Committees comply with the requirements placed upon them by these rules.
- (v)
  - (a) To provide that Control Staff members, Officer members and Retained members are adequately represented on the Brigade Committee and (subject to having been elected) with full voting rights.
  - (b) To provide that Black and Ethnic Minority members, Lesbian, Gay, Bisexual and Trans members, Women members are adequately represented on the Brigade Committee and (subject to having been elected) with full voting rights.
- (vi) To ensure that the Union is affiliated to and represented on those Trades Councils corresponding to the territory covered by the committee.
- (vii) To be responsible for the development of strategies designed to ensure fairness at work, health and safety procedures, lifelong learning and Trade Union educational opportunities.  
To this end, the Brigade Committee shall appoint three officials, to be known as
  - (a) The Brigade Fairness at Work Officer
  - (b) The Brigade Health & Safety Representative
  - (c) The Brigade Education and Learning Officer.
- (viii) To perform such other functions as are delegated to it by the Executive Council or Regional Committee.

- (3)**
  - (i) In each Brigade the Brigade Committee Chair, Secretary and Organiser shall be elected by ballot of the membership of the Brigade for a period of office of two years.

- (ii) The Brigade Organiser shall perform the duties specified in Rule C4(9)(iv) and Rule B2(1)(v) and to develop, in conjunction with the Brigade and Regional Committee, local strategies to promote the recruitment and organisation of FBU members.
- (iii) Such other offices as the Brigade Committee may approve shall be filled by appointment or election in accordance with procedures determined by the Brigade Committee.
- (iv) Regional Officials shall be eligible for nomination and election to the posts of Brigade Committee Chair or Secretary.
- (v) Brigade Officials elected in accordance with Rule C6(3)(i) may attend within their Brigade any lower committee or Branch meeting of the Union "ex-officio".

## **Rule C7**

### **BRANCH ORGANISATION**

- (1) Those members employed at a fire station, or subject to approval by the Brigade Committee at any other place of employment, shall comprise a Branch.
- (2) It shall be the duty of the Branch members to elect from their number by such methods as they may determine with the approval of the Brigade Committee, a Chair, Secretary, Health and Safety representative, Union Learning representative and a delegate, or delegates to the Brigade Committee or to the Divisional Committee.
- (3) All or any number of the foregoing Officers with such other members as the Branch shall decide shall constitute a Branch Committee, which shall be representative of all members at the Branch and which shall meet monthly.
- (4) General Branch meetings shall be held as considered necessary by the Branch Committee, provided that such a meeting is held at least once a quarter. A majority of Branch members may by requisition oblige the Chair to call a special Branch meeting. At each general Branch meeting, a report will be given of business conducted by the Brigade Committee.
- (5) Under the direction of Brigade Committees, Branches shall be affiliated to local Trades Councils.
- (6) A Branch Officials' handbook will be supplied to each Branch Secretary. This handbook will be updated as and when necessary by the Executive Council.
- (7) It will be the duty of Branch Secretaries to hand over the Branch handbook to his/her brigade or Divisional Secretary when he/she relinquishes his/her office.
- (8) Other than through no fault of his/her own, the cost of the Branch handbook, should it need replacing, will be borne by the official in whose custody it is in at the time a replacement is required.
- (9) It will be the duty of the Branch Secretary to make available the minute book of the Branch to the Brigade Secretary and or Regional Official for inspection.

## **Rule C8**

# **SECTIONAL ORGANISATION AND NATIONAL COMMITTEES**

The primary structure for the organisation and representation of all members shall be through the workplace Branch. This shall allow all members equal representation on all political, industrial and other matters.

Recognising the specific challenges and concerns facing particular groups of members there shall, in addition to the workplace Branch structure, be a system of sectional organisation at brigade, regional and national level.

- (1)** There shall be the following trade sections:
  - (i) Control members' section
  - (ii) Officer members' section
  - (iii) Retained members' section.
  
- (2)** There shall be the following equality sections:
  - (i) Black and ethnic minority members' section
  - (ii) Lesbian, gay, bisexual and trans members' section
  - (iii) Women members' section.
  
- (3)** This sectional structure shall be organised to:
  - (i) Provide advice to the Executive Council on matters specifically relevant to the members of the section;
  - (ii) Encourage participation of members of the section in the activities and structures of the Union;
  - (iii) Encourage members of the section to take up office within the Union;
  - (iv) Provide additional support and advice to members of the section in liaison with the appropriate officials at brigade, regional or national level.
  
- (4)** National Sectional Committees  
For each of the six sections there shall be established a National Committee:
  - (i) Control Staff National Committee
  - (ii) Officers' National Committee
  - (iii) National Retained Committee
  - (iv) Black and Ethnic Minority Members' National Committee
  - (v) Lesbian, Gay, Bisexual and Trans National Committee
  - (vi) National Women's Committee.

Each national sectional committee shall comprise of a Secretary and Chair and one representative elected by the relevant members within each Region. Where no such election has been held, there shall be no entitlement to vote at meetings of the National Committee.

The Secretary and Chair shall be elected by the relevant group of members in accordance with Rule E3.

In conjunction with the Executive Council the sectional national committees shall organise an annual general meeting of representatives of the relevant members.

## **Rule C9**

### **MOTION OF NO CONFIDENCE**

- (1) A motion of no confidence may be carried against an Executive Council member, a Regional Official, Brigade Official, the Chair or Secretary of each of the six national committees of this Union, as per Rule C1(3), the National Treasurer, the Vice-President or the President in accordance with this rule ("the official" for the purposes of this rule).
- (2)
  - (i) A motion of no confidence (or preliminary motion) in the National Treasurer or Vice-President (in the capacity of National Treasurer or Vice-President) or in the President shall be considered by the Executive Council ("the committee" for the purposes of this rule).
  - (ii) A motion of no confidence (or preliminary motion) in an Executive Council member or Regional Official shall be considered by the Regional Committee for the Region represented by the Executive Council member or Regional Official concerned ("the committee" for the purpose of this rule). For the avoidance of doubt this paragraph applies to the National Treasurer and Vice-President in the capacity of Executive Council member.
  - (iii) A motion of no confidence (or preliminary motion) in the Control Staff National Committee Chair or Secretary shall be considered by the Control Staff National Committee ("the committee" for the purposes of this rule).
  - (iv) A motion of no confidence (or preliminary motion) in the Officers' National Committee Chair or Secretary shall be considered by the Officers' National Committee ("the committee" for the purposes of this rule).
  - (v) A motion of no confidence (or preliminary motion) in the National Retained Committee Chair or Secretary shall be considered by the National Retained Committee ("the committee" for the purpose of this rule).
  - (vi) A motion of no confidence (or preliminary motion) in a Brigade Official shall be considered by the Brigade Committee for the brigade represented by the Brigade Official concerned ("the committee" for the purposes of this rule). For the avoidance of doubt this paragraph applies to a Regional Official in the capacity of a Brigade Official.
- (3) Before a motion of no confidence may be moved a preliminary motion of no confidence shall have been passed by the committee not less than three months and not more than six months previously.
- (4) A motion or preliminary motion of no confidence shall be taken only at an ordinary meeting of the committee. Notice of the meeting stating the motion to be moved shall be sent by ordinary first class post by the Secretary to the committee to all those entitled to attend (including the official who is the subject of the motion) and if the motion or preliminary motion is to be considered by a Regional Committee, Brigade Committee, or National Sectional Committee as per Rule C1(3) to the General Secretary not less than 21 days before the date of the meeting at which the motion is to be moved. If the Secretary to the committee is the subject of the motion then the notice shall be sent by the Chair of the committee.
- (5) Should the official not attend, the meeting may proceed in his/her absence.
- (6) A motion or preliminary motion of no confidence shall not be voted upon until the official (if present) has spoken (or declined to speak) in reply.
- (7) If the motion or preliminary motion of no confidence alleges specific acts or omissions on the part of the official and the official in his/her reply under paragraph (6) above states

that in his/her opinion he/she was acting in accordance with Union policy in relation to the alleged acts or omissions the committee shall pay due regard to such a submission before any vote upon the motion or preliminary motion of no confidence is taken.

- (8) To be carried, a motion or preliminary motion of no confidence shall require a majority of two-thirds of those entitled to vote and present at the meeting. The official shall be entitled to vote if he/she would normally have a vote at the meeting.
- (9) A motion or preliminary motion of no confidence may not be moved in the same official less than 12 months after an unsuccessful motion or preliminary motion has been moved.
- (10) An official in whom a motion of no confidence has been successfully moved shall be deemed to have resigned forthwith and an election for the post thus vacated shall be held in accordance with the rules of the Union. For the avoidance of doubt, the official in whom the motion was carried may offer himself/herself for election to the vacant position.

## **Rule C10**

### **PROCEDURE FOR MOTION OF NO CONFIDENCE IN THE WHOLE OF THE EXECUTIVE COUNCIL**

- (1) The Executive Council shall be removed from office upon two-thirds of the members of the Union voting in favour of a motion for such removal in a national ballot of the membership.
- (2) The General Secretary shall initiate the ballot under paragraph (1) above upon receipt of a written request signed on behalf of such number of Brigade Committees as represent a minimum of one-third of the total membership of the Union.
- (3) The ballot shall be scrutinised by the scrutineers used for all national, regional and sectional elections.
- (4) Upon the removal from office of the Executive Council in accordance with this rule the General Secretary shall give notice of an election for all the Executive Council seats vacated by the effect of this rule. Any Executive Council member removed from office as a result of the ballot under paragraph (1) above may offer himself/herself for re-election.

## **Rule C11**

### **RULES AND REPORTS**

- (1) The Executive Council Report, Conference Proceedings and the Financial Statement shall be sent to every Branch Secretary, who shall show them upon request to any member.
- (2) It shall be the duty of the Branch Secretary to put the Executive Council Report, Conference Proceedings and the Financial Statement before the members at the first available Branch meeting.
- (3) A 'Report of Proceedings' of Conference shall be published and circulated within six months of the end of Conference.

## **Rule C12**

### **ALTERATION OF RULES**

These rules, or any part thereof, may be amended, rescinded, altered or additions made thereto, by the majority vote of Conference held every third year following the year 2015, unless the Executive Council advises that amendments shall be specially considered at any Conference or such a number of Brigade Committees as shall represent a minimum of one-third of the Union's membership request special consideration of amendments at Conference. Brigade Committees who request special consideration of amendments at Conference must do so in writing to the Executive Council not later than 13 weeks before the Conference.

Every third year following the year 2015 an additional day shall be provided to delegates at Conference for consideration of amendments and alterations to the rules. Brigade and national sectional committees will be entitled to submit a maximum of three amendments to rules, plus any consequential amendments to rules required for consideration by Conference.

## **Rule C13**

### **INTERPRETATION OF RULES**

In the event of a dispute arising on the interpretation of any of the rules which cannot be satisfactorily settled by the Executive Council or any sub-committees thereof, the Standing Orders Committee shall be empowered to adjudicate on the dispute.

## **Rule C14**

### **DISSOLUTION OF THE UNION**

The Union may be dissolved by a vote of five-sixths of the members.

## **Section D**

### **NATIONAL OFFICIALS, AUDITORS AND TRUSTEES**

- Rule D1            PRESIDENT AND VICE-PRESIDENT**
- Rule D2            ELECTION OF PRESIDENT AND VICE-PRESIDENT**
- Rule D3            THE NATIONAL TREASURER**
- Rule D4            THE GENERAL SECRETARY**
- Rule D5            ASSISTANT GENERAL SECRETARY AND NATIONAL OFFICERS**
- Rule D6            THE AUDITORS**
- Rule D7            THE TRUSTEES**
- Rule D8            ALLOWANCES AND EXPENSES**



## **Rule D1**

### **PRESIDENT AND VICE-PRESIDENT**

- (1) The President shall preside at all Conferences of the Union, at meetings of the Executive Council and at other meetings of the Union as directed by the Executive Council. By virtue of his/her office he/she shall have the right to attend and preside at any meetings of the Union. He/she shall carry out such further functions and duties as are assigned to him/her by the Executive Council.
- (2) In the absence of the President the Vice-President shall act with the authority of this rule. The Vice-President shall also discharge such functions and duties as are assigned to him/her by the Executive Council.

## **Rule D2**

### **ELECTION OF PRESIDENT AND VICE-PRESIDENT**

The President and Vice-President shall be elected every four years in accordance with the procedures laid down in Rule E3. Candidates at the time of nomination must be fully paid up members and have at least five years' continuous membership. They must have served for not less than two consecutive years on the Executive Council. Holders of offices shall be eligible for re-election.

Only serving members of the Executive Council shall be eligible for nomination and election to the position of Vice-President. On election, the Vice-President will continue to serve as an Executive Council member and will be subject, on the expiry of his/her normal Executive Council term of office, to re-election to the Executive Council, under the procedures laid down in Rule E3.

Should he/she then fail to be re-elected as an Executive Council member, his/her term of office as Vice-President will terminate automatically.

## **Rule D3**

### **THE NATIONAL TREASURER**

The National Treasurer shall be elected every four years in accordance with the procedures laid down in Rule E3. Candidates at the time of nomination and election must be fully paid up members and have at least five years' continuous membership. They must have served not less than two consecutive years on the Executive Council. Holders of the office shall be eligible for re-election.

Only serving members of the Executive Council shall be eligible for nomination and election to the position of National Treasurer. On election, the National Treasurer will continue to serve as an Executive Council member and will be subject on the expiry of his/her normal Executive Council term of office to re-election to the Executive Council, under the procedures laid down in Rule E3.

Should he/she then fail to be re-elected as an Executive Council member, his/her term of office as National Treasurer will terminate automatically.

- (1) It shall be the duty of the Treasurer to see that the money paid to the General Secretary for the benefit of the Union is banked from time to time to the credit of the Union.

- (2) He/she shall inspect the bank books and such other books as he/she may desire to see at any time during office hours to satisfy himself/herself that the rules relating to finance are being carried out.
- (3) He/she shall render such assistance to the auditors as they deem necessary.
- (4) He/she shall attend all meetings as required by these rules.
- (5) He/she shall, with the General Secretary, present to Conference the annual financial statements, and an interim statement to each ordinary meeting of the Executive Council.

## **Rule D4 THE GENERAL SECRETARY**

- (1) The General Secretary shall conduct the business of the Union in accordance with the rules and act under the instructions of the Executive Council.
- (2) He/she shall devote his/her whole time to the service of the Union, unless the Executive Council shall otherwise determine.
- (3) He/she shall keep a register of members and enter therein their names, dates of admission, addresses and contributions paid and shall keep the same in good order.
- (4) He/she shall attend all meetings of the Executive Council and shall take, or cause to be taken, minutes of the business thereat transacted, the resolutions proposed and the votes given.
- (5) He/she shall be responsible for the finance of the Union and shall receive a receipt of all monies paid to the Union and bank the same to the credit of the Union in the Union's bank. He/she shall give a receipt or receive a receipt of all monies received or paid respectively. Together with the Treasurer he/she shall issue a financial statement to every quarterly meeting of the Executive Council.
- (6) He/she shall, together with the Treasurer, every 12 months draw up a full report of the income and expenditure of the Union for the past year from the 1 January to the 31 December which shall be audited by incorporated auditors engaged by the Executive Council.
- (7) He/she shall present to the Executive Council, prior to Conference, a report of the work of the Union and of the attendance of members of the Executive Council since the previous Conference for approval by the Executive Council. After such approval the report shall be presented to Conference as the report of the Executive Council.

## **Rule D5 ASSISTANT GENERAL SECRETARY AND NATIONAL OFFICERS**

The Assistant General Secretary shall assist the General Secretary in his/her duties and act in his/her absence under the authority of Rule D4. In order further to assist the General Secretary in the discharge of his/her duties there shall be elected three National Officers. The Assistant General Secretary and National Officers shall act under the directions of the General Secretary in accordance with the policy of the Executive Council and these rules.

## **Rule D6**

### **THE AUDITORS**

- (1) The General Secretary's annual financial statement and the accounts of the Union shall be audited by incorporated auditors engaged by the Executive Council.
- (2) They shall have access to all books and papers necessary for the fulfilment of their duties and shall have such assistance from the Officers and Executive Council as they may require.

## **Rule D7**

### **THE TRUSTEES**

- (1) Two Trustees elected by Conference shall invest the funds of the Union as directed. Investments shall be made in freehold or leasehold property, in organisations associated with or supporting the Labour movement, or in any investment in which the Trustees are for the time being authorised by law to invest trust funds. All investments and deposits shall be in the name of the Trustees. The Trustees shall be the persons to sue and be sued on behalf of the Union.
- (2) They shall when instructed by the Executive Council authorise withdrawals from the bank deposit account.
- (3) The Trustees shall have the power to examine the accounts of the Union.
- (4) The Trustees shall perform such functions and assume such responsibilities in connection with their office as are assigned to them.
- (5) In the event that between Conferences one or more of the Trustees wishes to retire or, in the opinion of the Executive Council, is unfit to continue acting as a Trustee, whether for medical or other reasons, those Trustees may be retired by the Executive Council who shall then appoint replacements. Unless themselves retired by the Executive Council under this rule, such replacements shall serve until the next Conference when their continuation or replacement shall be determined by Conference.

## **Rule D8**

### **ALLOWANCES AND EXPENSES**

- (1) Delegates to Conference or any other Conference convened under these rules, or members appointed as delegates to other Conferences and members of the Executive Council or any other committee constituted in accordance with these rules, shall be entitled to necessary travelling expenses and reasonable cost of hotel accommodation.
- (2) All Union officials shall be entitled to necessary travelling expenses and reasonable cost of hotel accommodation incurred in carrying out official Union business. Such expenses shall also be allowed to other members at the discretion of the Executive Council.



## **Section E**

### **ELECTIONS**

**Rule E1            ELECTION OF EXECUTIVE COUNCIL**

**Rule E2            ELECTION OF GENERAL SECRETARY, ASSISTANT  
GENERAL SECRETARY AND NATIONAL OFFICERS**

**Rule E3            NATIONAL AND REGIONAL ELECTIONS**



## **Rule E1 ELECTION OF EXECUTIVE COUNCIL**

- (1) Candidates for election to the Executive Council must at the time of nomination and election, have a minimum of two years' continuous membership and be fully paid up members.
- (2) Members of the Executive Council shall hold office for four years on the basis of quadrennial elections. The quadrennial elections shall take place without regard to casual vacancies. Where and whenever it is practically possible to do so, election procedures shall be instituted three months prior to retirement of an Executive Council member. Holders of the office shall be eligible for re-election.
- (3) The procedure for election shall be in accordance with Rule E3.

## **Rule E2 ELECTION OF GENERAL SECRETARY, ASSISTANT GENERAL SECRETARY AND NATIONAL OFFICERS**

Those holding office in these positions shall do so for five years, after which period they shall be eligible for re-election. Candidates shall, at the time of nomination and election, be fully paid up members and have at least five years' continuous membership. Elections for these positions shall be in accordance with Rule E3.

Where a full-time official will reach normal pension age within five years of the date when he/she would normally be due for re-election, his/her period of office may be extended by the Executive Council until he/she reaches retirement age.

Where and whenever it is practically possible to do so, election procedures shall be instituted three months prior to retirement of any official to whom this rule applies.

## **Rule E3 NATIONAL AND REGIONAL ELECTIONS**

- (1) **General**
  - (i) The overlapping of elections is permitted subject to adherence to these basic principles.
    - (a) The Executive Council shall determine the order in which elections shall be processed and shall be required to give notice of intention to hold an election to the respective electoral territory concerned before instituting nominating procedures.
    - (b) Following acceptance of nominations in respect of an election, nominations in respect of outstanding elections may be called for, providing that the Executive Council are satisfied that no eligible candidate is concerned in the first election. Similarly nominations for an election may be called for at the ballot stage of another election providing the Executive Council are satisfied that no eligible candidate is concerned in that ballot.
    - (c) This procedure shall be ongoing and uninterrupted subject to the proviso that no member shall stand for more than one full-time or honorary position

at any one time nor be debarred from standing for election to any post for which he/she is eligible.

- (ii) (a) Elections for the following posts are referred to as statutory elections in this rule:
- President
  - General Secretary
  - Assistant General Secretary
  - All Executive Council members
- Nevertheless, the same procedures shall apply for all national elections and elections of Regional Officials.
- (b) The counting and scrutinising of votes and the declaring of returns in elections provided for in this rule shall be undertaken by independent scrutineers nominated by the General Secretary.
- In statutory elections, the scrutineers' nominated will meet the criteria specified by statute and shall conduct the election in accordance with all procedures required by statute. The same procedures shall also be applied in all other national and regional elections.
- (iii) (a) Nomination papers shall be despatched by the General Secretary to all Branches entitled to nominate for the election at least four weeks before the date of close of nominations.
- (b) A Branch may only nominate a candidate for an election at a properly convened Branch meeting.
- (c) The Branch's nomination shall be entered on the correct nomination paper which shall be signed by two officials of the nominating Branch, who shall also certify that the nomination has been properly made in accordance with (b) above.
- (d) Completed nomination papers in respect of all elections shall be sent direct by the Branch Officials to the scrutineer.
- (e) The closing date and time for receipt of nomination papers shall be clearly shown on the nomination papers.
- (f) A nomination paper not completed in accordance with these rules or not completed in accordance with the instructions thereon or received after the closing date and time shall be rejected and declared void.
- (iv) (a) The General Secretary shall notify each candidate for election of his/her nomination within seven days of close of nominations.
- (b) A nominated candidate shall notify the General Secretary in writing not more than 21 days after close of nominations whether he/she accepts nomination failing which the nomination shall be rejected and declared void.
- (c) Eligible candidates who have accepted nomination shall be entitled to submit to the General Secretary for onward transmission to the scrutineers an election statement not exceeding 250 words in length, which may, for example, set out the industrial and political work of the candidate and the work he/she has performed or proposes to perform on behalf of the Union. Election statements received by the General Secretary more than 21 days from the date of close of nomination shall not be circulated.
- (v) (a) A notice of intention to commence balloting shall be sent seven days before the distribution of ballot papers to all Branches in the electoral area concerned clearly stating the closing date and time of voting.
- (b) A list of candidates produced as a ballot paper together with the election statements referred to above shall be issued to each member entitled to vote in the election in accordance with the procedure given below.

- (c) The ballot paper shall state each candidate's full name, length of membership, past and present offices held in the Union and the names of the Branch or Branches nominating that candidate.  
Each ballot paper will also bear its own unique serial number, specify the name of the scrutineer and set out the address to which and the date by which it is to be returned.
- (d) The scrutineers shall distribute ballot papers by post to the home address of all members entitled to vote, or to such other address as the member has specified in a written request to the Union to be treated as his/her postal address.
- (e) Each member shall record his/her vote by marking an "X" in the box opposite the name of the candidate he/she desires to be elected and shall then return the completed voting paper in the envelope provided for this purpose to be received by the scrutineers by the date and time of close of voting.
- (f) A ballot paper on which the votes are not recorded in accordance with the instructions contained thereon and as specified by this rule shall not be counted as a valid vote.  
A ballot paper not received by the date and time referred to in Rule E3(1)(v) (e) shall not be counted as a valid vote, whatever the reason for any delayed receipt.
- (g) The scrutineers shall decide whether any ballot papers shall be rejected or counted in accordance with these rules and shall determine all disputes concerning the conduct of elections under this rule.  
Their decision shall be final. The scrutineers shall prepare a scrutineers report setting out the number of ballot papers distributed and returned, the total number of votes given for any candidate and the total number of votes rejected. In statutory elections this report shall also contain any other information required by statute.
- (h) A notice declaring the result of the election as stated in the scrutineers report, together with a copy of that report shall be sent by "All Members Circular" as soon as practicable after the Union receives the scrutineers report.

**(2) National Officials**

- (i) No candidate shall stand for the position of President, General Secretary, Assistant General Secretary and National Officer except at the discretion of the Executive Council, which will satisfy itself that any member so nominated will be capable of fulfilling the office for which he/she is nominated.
- (ii) Each Branch of the Union shall be entitled to submit nominations for these offices.
- (iii) In the event of any of these offices falling vacant, the Executive Council shall within six months of the vacancy occurring hold an election in accordance with this rule.

**(3) Executive Council Members and Regional Officials**

- (i) Nominations in respect of these positions shall be confined to members serving at Branches situated within the respective electoral territories. Each Branch shall be entitled to nominate one candidate for each position in respect of the electoral territory within which the Branch is situated.
- (ii) Officers National Sectional Secretary and Chair.  
Nominations in respect of these positions shall be confined to members of Watch Commander/Manager role or above. Each Brigade Committee shall, after consultation with its Officer membership, be entitled to nominate one Officer member as a candidate for these positions. Ballot papers for election to these offices will be issued to Watch Commander/ Manager role and above.

- (iii) Control Staff National Sectional Secretary and Chair.  
Nominations in respect of these positions shall be confined to Control Staff members. Each Brigade Committee shall, after consultation with its Control Staff membership, be entitled to nominate one Control Staff member as a candidate for these positions. Ballot papers for election to these offices will be issued to Control Staff members.
- (iv) Retained Staff National Sectional Secretary and Chair.  
Nominations in respect of these positions shall be confined to Retained members. Each Brigade Committee shall, after consultation with its Retained members, be entitled to nominate one Retained member as a candidate for these positions. Ballot papers for election to these offices will be issued to Retained members.
- (v) Women Members National Sectional Secretary and Chair  
Nominations in respect of these positions shall be confined to Women members. Each Brigade Committee shall, after consultation with its Women members, be entitled to nominate one Women member as a candidate for these positions. Ballot papers for election to these offices will be issued to Women members.
- (vi) Black and Ethnic Minority Members National Sectional Secretary and Chair  
Nominations in respect of these positions shall be confined to Black and Ethnic Minority members. Each Brigade Committee shall, after consultation with its Black and Ethnic Minority members, be entitled to nominate one Black and Ethnic Minority member as a candidate for these positions. Ballot papers for election to these offices will be issued to Black and Ethnic Minority members.
- (vii) Lesbian, Gay, Bisexual and Trans Members National Sectional Secretary and Chair.  
Nominations in respect of these positions shall be confined to Lesbian, Gay, Bisexual and Trans members. Each Brigade Committee shall, after consultation with its Lesbian, Gay, Bisexual and Trans members, be entitled to nominate one Lesbian, Gay, Bisexual and Trans member as a candidate for these positions. Ballot papers for election to these offices will be issued to Lesbian, Gay, Bisexual and Trans members.

## **Section F**

### **SUPPORT AND ASSISTANCE TO MEMBERS**

**Rule F1            ASSISTANCE TO MEMBERS**

**Rule F2            ACCIDENT INJURY AND DEATH BENEFIT FUND**



## Rule F1

### ASSISTANCE TO MEMBERS

- (1) Any member requiring assistance must produce a current membership card.
- (2) Each case of alleged victimisation by dismissal from employment shall be considered on its merits by the Executive Council. Should it be made clear to the Executive Council that a member has been victimised because of his/her connection with the Union or because of any act done in the name of the Union by authority of the Executive Council, the Executive Council may place such member on victimisation pay for as long a period as it deems fit, provided that the whole case shall be reviewed at the expiration of three weeks.
- (3)
  - (i) Save where otherwise provided in these rules assistance to members is discretionary and may be granted or refused by or on behalf of the Executive Council in accordance with the policies and procedures of the Union.
  - (ii) Any member requiring legal assistance in relation to any matter, whether or not arising in the course of his/her Fire Service employment, and any family members of a member may make application to the Executive Council or the National Official or other person nominated to act on behalf of the Executive Council in respect of such applications. Such applications shall be in the format approved by the Executive Council whether in writing or otherwise.

For the avoidance of doubt legal assistance granted is subject to any general conditions agreed with the solicitors instructed (and specific additional conditions may be attached in individual cases). Those persons granted legal assistance are liable for legal costs (which also include legal disbursements, the premium for any policy of legal expenses insurance and opponents' costs) but are protected in respect of that liability by such means provided or approved by the General Secretary on behalf of the Union as he/she may determine: such means may be varied or amended by the General Secretary during the course of the case. This may include arrangements for advances by the Union in respect of the Employment Tribunal and appeal fees payable by members.
  - (iii) If a member/family member, having been granted legal assistance, is found not to have given the full facts or to have given false or misleading facts to officials of the Union or to the Union's nominated solicitors, either in making the application referred to at (ii) above or at any other time, legal assistance may be withdrawn by the National Official immediately and with effect from the application referred to at (ii) above. The member shall refund to the Union the whole of any costs paid by the Union or such lesser sum as the Executive Council may determine. Also any Union indemnity granted in respect of the costs incurred by any other party to a case may be regarded as null and void from the date granted.
  - (iv) If a member/family member having been granted legal assistance is in breach of any condition attached to the grant of legal assistance, refuses to follow the advice of the Union or its solicitors, or makes any arrangements for legal representation independent of the Union or its nominated solicitors, legal assistance shall be withdrawn immediately and with effect from the application referred to at (ii) above. The member shall refund to the Union the whole of any costs paid by the Union, or such lesser sum as the Executive Council may determine. He/she will also have no Union indemnity in respect of the costs incurred by any other party to a case in which the Union has supported him/her.
  - (v) The Union shall not be liable for any costs incurred or ordered to be paid by a member in any proceedings taken or for advice obtained by the member on his/her own account independently of the Union, or in respect of any incident,

accident, or contraction of disease or illness arising prior to the date the member joined the Union (save in accordance with any guidelines published by the TUC from time to time) or during the period of any lapsed membership.

## **Rule F2**

### **ACCIDENT INJURY AND DEATH BENEFIT FUND**

Index to rule:

- (1)** Membership of the Fund
- (2)** Nominations, Revocations and Variations
- (3)** Definitions
- (4)** Time Limits
- (5)** Benefits
- (6)** Exclusions
- (7)** Claims and Administrative Procedures
- (8)** Appeals
- (9)** Management of the Fund.

#### **(1) *Membership of the Fund***

- (i) An ordinary member of the Union is eligible to become a member of the fund, (subject to the provisions of this rule book) upon receipt, by the Union, of a correctly completed application form, (except under (1)(iv) of this rule).
- (ii) A member shall cease to be a member of the fund upon ceasing for whatever reason, to be an ordinary member of the Union, or upon written resignation from the fund itself.
- (iii) A member of the fund shall lose all rights under this rule upon ceasing, for whatever reason, to be a member of the fund, except in relation to Death Benefit under (5)(iii) of this rule.
- (iv) Any former member of the fund wishing to re-join shall submit an application to their Branch Secretary. The Branch shall consider the application at their next Branch meeting and pass any recommendation to the Brigade Committee who shall consider the application. The Brigade Committee's decision will be final and will have effect forthwith.
- (v) Members of the fund shall pay 0.14% of a Firefighter's (competent) rate of pay.

#### **(2) *Nominations, Revocations and Variations***

- (i) A member may nominate any person or persons to whom any sum of money payable by the Union on his/her death, but not exceeding the maximum allowed by law may be paid.
- (ii) The nominated person/s shall not be an official or employee of the Union, unless that official or employee is the husband, wife, cohabiting partner, father, mother, child, brother, sister, nephew or niece of the nominator.
- (iii) A member may from time to time revoke or vary such nomination by completing the appropriate form.
- (iv) On receiving satisfactory proof of the death of a nominator, the Union shall pay to the nominee the amount due to the deceased member not exceeding the sum aforesaid at (2)(i) of this rule.
- (v) The Union shall keep a record of all nominations, revocations or variations made by members.
- (vi) Revocation or Variation of Nomination forms are available from Regional Offices.

### **(3) Definitions**

For the purposes of all claims under this rule, the following definitions shall apply:

- (i) Injury:
  - (a) Any physical injury resulting in disablement commencing not later than 12 calendar months from the date it was sustained and not excluded by (6) of this rule, except where hospital treatment for any injury sustained is unavoidably delayed and any absence from duty during a period of delayed hospitalisation and recuperation falls outside of the aforementioned 12 month period.
  - (b) Any illness or disease contracted as a direct consequence of Fire Service duties.
- (ii) On-Duty Injury:
  - (a) Any injury sustained whilst on duty and while performing normal Fire Service duties.
  - (b) No payment shall be made to any member under (3)(ii)(a) of this rule for the first 12 months of sickness, unless the member has suffered a reduction in sick pay from his/her fire and rescue employer. Thereafter payment will be made at the Temporary Disablement rate.
- (iii) Off-Duty Injuries:
  - (a) Any injury other than those defined at (3)(ii) of this rule including any injury sustained whilst on standby as part of Day Crewing, Retained or Flexible Duty System arrangements or any injury sustained whilst travelling to or from a member's place of work.
  - (b) No payment shall be made to any member under (3)(iii)(a) of this rule for the first six months of sickness, unless the member has suffered a reduction in sick pay from his/her fire and rescue employer. Thereafter payment will be made at the Temporary Disablement Rate.
- (iv) Temporary Disablement:

Any injury as defined at (3)(i) of this rule which temporarily totally incapacitates the member from following his/her full duties in the Fire Service except that a member shall not be entitled to receive benefit during any period the member is performing Fire Service light duties.
- (v) Permanent Disablement:
  - (a) Any injury as defined at (3)(i) of this rule which renders the member unable to perform any remunerative employment or occupation whatsoever; and/  
or;
  - (b) The total loss of sight in one eye or the loss by physical separation of a hand at or above the wrist or a foot at or above the ankle, or permanent loss of the use of one or more limbs.
- (vi) Ordinary Member:

Is any member as defined by Rule B1(1).

### **(4) Time Limits**

- (i) Injuries (other than illness or disease):

Within 18 months of the commencement of any disablement for an off-duty injury, or 24 months of the commencement of any disablement for an on-duty injury, for which the member wishes to claim, the member shall submit a written claim on the prescribed form.
- (ii) Illness or disease:

Within 24 months of the commencement of any disablement due to illness or disease, the member shall submit a written claim on the prescribed form.
- (iii) Death of a partner/spouse or dependant child:

Within 24 months of the date of death the member shall submit a claim on the prescribed form.

- (iv) Death of a member:  
Within 12 months of the date of death, the member's personal representative shall submit a claim on the prescribed form.  
Receipt of a claim shall normally be acknowledged within 14 days of receipt.

**(5) Benefits**

Subject to this rule, a member of the fund shall be entitled to benefits as set out below:

- (i) Temporary disablement:  
30% of a Firefighter's (competent) weekly rate of pay, per week, for the duration of such disablement for a maximum period of 52 weeks for any one incident.
- (ii) Permanent disablement:  
50% of a Firefighter's (competent) annual salary paid in a lump sum.
- (iii) Death of a member (or a member who has retired and subsequently dies within 28 days of such retirement):  
100% of a Firefighter's (competent) annual salary, paid in a lump sum. Payment shall be made to the person nominated by the member in accordance with Rule F2(2), to the maximum allowed by law. The balance of any payment due under this rule (or the total sum in the absence of a valid nomination) shall be paid to the personal representatives of the member's estate upon production of a grant of probate or letters of administration, not later than three years after the date of death. In the event of a failure to produce such documents in the required three years, any benefits remaining shall be forfeited to the fund.
- (iv) In all cases of the death of a member of the fund, a lump sum of 20% of a Firefighter's (competent) annual salary will also be paid for each dependent child, as defined under Rule F1(5)(v)(c).
- (v) On the death of
  - (a) The wife or husband of a member; or
  - (b) A person cohabiting with a member as his/her partner; or
  - (c) A member's child under the age of 18, or who was undergoing full-time education, or was a dependant child with disabilities:  
20% of a Firefighter's (competent) annual salary shall be paid to the member.  
For the purposes of this benefit, "member" includes a member who has retired in accordance with Rule F2(5)(iii).  
All payments under this rule will be subject to the necessary proof of death, where applicable and such other details as the Executive Council may require to be furnished.

**(6) Exclusions**

The following shall not qualify for benefits under this rule:

- (i) Any injury sustained whilst playing or taking part in any game or sport, except as part of an on-duty physical training programme.
- (ii) Any injury sustained whilst participating in a competition drill.
- (iii) Any injury sustained whilst engaged in, or taking part in, military or naval or air force service. Or whilst engaged in, or taking part in, civil commotions or riots of any kind, except where that injury is sustained whilst on duty.
- (iv) Any injury, illness or disease directly or indirectly caused by, or contributed to by intentional self-injury or natural causes, except when intentional self-injury leads to death, then the extant rule will apply.
- (v) Any injury caused by, or contributed to, by provoked assault or fighting, except in bona fide self-defence.
- (vi) Any injury/illness directly or indirectly resulting from medical or surgical treatment except where such treatment was rendered necessary by an on duty injury.

- (vii) Any injury sustained whilst engaged or taking part in aeronautics or aviation other than as a passenger.
- (viii) Any injury sustained whilst riding or driving in any race or pace-making in connection with any competition.
- (ix) Any injury consequent on war or civil war.
- (x) Any injury sustained whilst contravening FBU rules or policies.
- (xi) Any injury sustained by a wholetime member whilst engaged in gainful employment outside the Fire Service.
- (xii) Any injury in respect of which the claim does not comply with the time limits set out at Rule F2(4).
- (xiii) Any injury in respect of which the claim is not made on the prescribed form.

**(7) Claims and Administrative Procedures**

- (i) Claims of less than 14 days duration will not qualify for benefits under this rule.
- (ii) Any member who suffers an injury which is likely to result in a claim upon the fund shall place themselves under the care of a duly qualified medical practitioner as soon as possible.
- (iii) Any interim payments made under Rule F2(5)(i) in respect of an injury, shall be deducted from any lump sum payable in respect of the same injury.
- (iv) Except in the case of permanent disablement, if a member submits a claim for benefits for an injury within one year from the date of the last payment of benefit for a previous claim, the benefits payable shall be 50% of those specified in Rule F2(5)(i). If a member submits a further claim (or claims) for a third (or subsequent) injury (or injuries) within the period of one year from the date of the last payment of benefit in respect of the last claim, the benefits payable shall be 25% of those specified in Rule F2(5)(i).
- (v) The National Officer responsible shall consider all claims made upon the fund, and shall ensure compliance with the rules.  
Prior to making a decision, the National Officer may:
  - (a) Require the member to be medically examined by a medical practitioner nominated by them and/or;
  - (b) Make such further enquiries as to authenticate the member's claim as considered necessary.
- (vi) All benefits under this rule shall be paid within 28 days of receipt of all information required to lawfully make that payment.

**(8) Appeals**

- (i) If a claim is rejected under Rule F2(7)(v), the member (or representative in the case of death of a member) shall have the right of appeal to the Management Committee against that decision.
- (ii) The appellant shall submit, in writing, full particulars of their appeal to the Management Committee within 14 days of receipt of rejection.
- (iii) If the Management Committee rejects a claim under this rule, the member (or representative in the case of a death of a member) shall have the right of appeal to the Executive Council against that decision.
- (iv) The appellant shall submit to the General Secretary, in writing, full particulars of their appeal to the Executive Council, within 14 days of receipt of the decision of the Management Committee.
- (v) The appellant shall be invited to make representations in writing to the next ordinary meeting of the Executive Council held at least 14 days after receipt by the General Secretary of the member's written appeal specified above.
- (vi) The decision of the Executive Council shall be final.

**(9) Management of the Fund**

The Executive Council shall appoint a Management Committee to administer the fund, consisting of four Executive Council members and chaired by the Vice-President.

- (i) The Management Committee may exclude any member from membership or terminate or suspend membership for such period as they may determine or withhold or reclaim benefits for fraud or dishonesty in connection with the fund; and/or for breach of this rule. However, the Management Committee shall not do so without giving the member a reasonable opportunity to make representations to the Management Committee in person or in writing. The member shall be given 14 days notice in writing of the Management Committee meeting considering his/her case, which notice shall give the member full particulars of the complaint against him/her.
- (ii)
  - (a) If the Management Committee penalise a member under Rule F2(9)(i), the member (or personal representative in the case of a death of a member) may appeal to the Executive Council against the Management Committee decision.
  - (b) The appellant shall submit full particulars of his/her appeal in writing to the General Secretary within 14 days of the date that the decision of the Management Committee against which he/she appeals, was sent to him/her.
  - (c) The appellant shall be invited to make representations to the next ordinary meeting of the Executive Council held at least 14 days after receipt by the General Secretary of the member's written appeal specified above.
  - (d) The decision of the Executive Council shall be final.
- (iii) The Management Committee, on behalf of the Executive Council, shall in their complete discretion have the right to make such ex-gratia payments as they think proper in order to alleviate undue hardship to a member of the fund or his/her relatives/dependants resulting from the rejection of a claim.
- (iv) If at any time the Management Committee of the fund considers that the fund is, or may be unable to meet its present and future liabilities they shall immediately report to the Executive Council. The Executive Council shall consider such a report forthwith and may declare that all or some benefits shall cease, be suspended, or reduced from such date as they decide, and/or take other action they consider necessary in the circumstances.
- (v) A separate account shall be maintained in accordance with the rules of the Union in respect of the fund.

## **Section G**

### **INTERNAL UNION DISCIPLINE**

**Rule G1            INTERNAL UNION DISCIPLINE**

**Rule G2            INTERNAL UNION DISCIPLINE:  
OFFICIALS OTHER THAN EXECUTIVE COUNCIL  
MEMBERS, PRESIDENT, FULL-TIME OFFICIALS AND  
NATIONAL SECTIONAL OFFICIALS**

**Rule G3            INTERNAL UNION DISCIPLINE:  
EXECUTIVE COUNCIL MEMBERS, PRESIDENT,  
FULL-TIME OFFICIALS AND NATIONAL SECTIONAL  
OFFICIALS**



# Rule G1

## INTERNAL UNION DISCIPLINE

### (1) *Offences*

A member of the Union commits a disciplinary offence if that member:

- (i) Knowingly proposes or seconds an application for membership containing false statements;
- (ii) Wrongly or fraudulently receives or misapplies funds of the Union;
- (iii) Acts contrary to or fails to carry out instructions of the Executive Council;
- (iv) Discriminates against, harasses or bullies another whether on the grounds of race, creed, sex, sexual orientation or otherwise;
- (v) Fails to pay any fine imposed under this rule within two months of the conclusion of proceedings, without good and sufficient reason;
- (vi) Acts contrary to or fails to carry out or comply with the policies and/or rules of the Union;
- (vii) Acts in any way prejudicial to the interests of the Union;
- (viii) Is or becomes a member of, or acts or campaigns on behalf of, any racist or fascist political party or organisation.
- (ix) Seeks or accepts promotion or monetary inducements from a Fire and Rescue Service as a direct outcome of holding/or assuming office within the Union.

### (2) *Discipline at Regional Level*

- (i) If a member believes another member, who may belong to a different Region (the defendant), has committed a disciplinary offence, he/she shall submit a written complaint setting out details of the defendant's conduct to the defendant's Regional Secretary.
- (ii)
  - (a) Upon receipt of such a complaint, subject to (d) and (e) below, the Regional Secretary shall consider whether a preliminary investigation of the complaint is necessary.
  - (b) If the Regional Secretary is of the opinion that a preliminary investigation is necessary he/she shall appoint an official of the Union (the investigator) to conduct such investigation. At this stage the defendant should be informed, in writing, of the complaint made against the member.
  - (c) If the Regional Secretary is of the opinion that a preliminary investigation is not necessary he/she shall convene a Regional Committee meeting for the purpose of a hearing to consider the complaint.
  - (d) If arising out of or directly related to the subject matter of the complaint, the Regional Committee has already determined or is in the process of determining whether or not any member should be granted representation, the member complained against shall have the option to have the complaint investigated and heard by a different Regional Committee. Where this applies, upon receipt of the complaint pursuant to Rule G1(2)(ii)(a) and before an investigator is appointed or other decision is taken, the Regional Secretary shall notify the member complained against of their right.
  - (e) Where (d) applies, the member complained against has 14 days from receipt of the notification from the Regional Secretary referred to in (d) to exercise that right by notifying the General Secretary in writing. The General Secretary will then decide which alternative Region will be responsible for conducting the proceedings at regional level throughout. Subsequent references to the Regional Committee or Regional Secretary shall be treated as references to the Region so nominated by the General Secretary.

- (iii) Upon conclusion of a preliminary investigation under Rule G1(2)(ii)(b) above the investigator shall report in writing to the Regional Secretary that:
  - either
  - (a) In the opinion of the investigator there are insufficient grounds to proceed with the complaint further, whereupon the Regional Secretary shall notify the member who submitted the complaint that no further action will be taken upon it, the defendant shall also be notified of this decision;
  - or
  - (b) That in the opinion of the investigator the complaint should proceed further, whereupon the Regional Secretary shall convene a Regional Committee meeting for the purpose of a hearing to consider the complaint.
- (iv) The Regional Committee may resolve to:
  - (a) Dismiss the complaint;
  - (b) Find the complaint justified and penalise the defendant.
- (v) The penalties available to the Regional Committee shall be:
  - (a) A reprimand;
  - (b) A fine not exceeding 40 percent of a Firefighter's (competent) weekly rate of pay;
  - (c) Where the defendant is a candidate in a current election; the Regional Committee may choose to recommend to the Executive Council that the defendant may be disqualified from standing in that election;
  - (d) To recommend to the Executive Council that the defendant be debarred from standing for Union office for a specified period of time. For the avoidance of doubt this may be in addition to, or in place of, a penalty awarded as described in paragraph (a) or (b) in this Rule;
  - (e) To recommend that the defendant should be expelled from membership of the Union.
- (vi) As soon as is practicable, the Regional Secretary shall notify the defendant in writing of the resolution and if that resolution is to recommend expulsion the Regional Secretary shall send to the General Secretary:
  - (a) Within 14 days, a written report of the Regional Committee proceedings;
  - (b) As soon as is practicable, a copy of the Regional Committee's minutes recording the hearing and resolution.
- (vii) Any member who is found guilty of an offence under Rule G1(1)(iv) and who is not expelled, will be automatically barred from holding Union office at any level.

**(3) *Discipline at Disciplinary Committee level***

- (i) The Disciplinary Committee shall be a committee of the Executive Council and shall comprise four members of the Executive Council as nominated by the Executive Council from time to time and the President who shall chair the meeting and who shall be entitled to a casting vote only.
- (ii)
  - (a) The Secretary to the Disciplinary Committee shall be a National Officer nominated to that post by the General Secretary from time to time.
  - (b) The Secretary shall not be a member of the Disciplinary Committee nor have a vote at its meetings, but shall be present at its meetings to take minutes and advise on procedure.
- (iii) If a member of the Executive Council believes (which belief he/she may form after conducting a preliminary inquiry) that a Regional Committee has failed, or will fail, to deal with a disciplinary complaint, he/she shall submit a written complaint setting out that belief and details of the defendant's conduct to the Secretary to the Disciplinary Committee.  
 At this stage the defendant should be informed in writing, by the Executive Council member, of the complaint made against the member.

- (iv) Upon receipt of a report from a Regional Committee under Rule G1(2)(vi)(a) or a complaint under Rule G1(3)(iii), the Secretary to the Disciplinary Committee shall convene a meeting of the Committee for the purpose of a hearing to consider the report or complaint.
- (v) The Disciplinary Committee may resolve to:
  - (a) Dismiss the report or complaint;
  - (b) Find the report or complaint justified and penalise the defendant.
- (vi) The penalties available to the Disciplinary Committee shall be:
  - (a) A reprimand;
  - (b) A fine not exceeding 40 percent of a Firefighter's (competent) weekly rate of pay;
  - (c) Where the defendant is a candidate in a current election, the Disciplinary Committee may choose to disqualify the defendant from standing in that election;
  - (d) To debar the defendant from standing for Union office for a specified period of time. For the avoidance of doubt this may be in addition to, or in place of, a penalty awarded as described in paragraph (a) or (b) in this Rule;
  - (e) To expel the defendant from membership of the Union.
- (vii) As soon as is practicable, the Secretary to the Disciplinary Committee shall notify the defendant in writing of the resolution and of any right of appeal.
- (viii) Any member who is found guilty of an offence under Rule G1(1)(iv), and who is not expelled, will be automatically barred from holding Union office at any level.

**(4) Appeals**

- (i) There shall be a right of appeal:
  - (a) From the Regional Committee to the Disciplinary Committee when the Regional Committee has imposed a fine;
  - (b) From the Disciplinary Committee to the Final Appeals Committee when the Disciplinary Committee has debarred the defendant from standing for Union office or expelled the defendant from membership of the Union.
- (ii) Final Appeals Committee:
  - (a) The Final Appeals Committee shall be comprised of one Regional Official from each Region of the Union, plus one National Chair or Secretary from each of the National Sectional Committees;
  - (b) Each Regional Committee/National Sectional Committee shall nominate to Conference for endorsement, a Regional Official/National Sectional Chair or Secretary to serve on the Final Appeals Committee. Should an official in between Conferences, resign or retire from office, or become ineligible, the Regional/National Sectional Committee will nominate an eligible official as a replacement which shall be endorsed by the Executive Council, to serve on the Final Appeals Committee until the next Conference;
  - (c) Upon endorsement by Conference/Executive Council that Official shall serve as a member of the Final Appeals Committee until the next Conference;
  - (d) The quorum of the Final Appeals Committee shall be 50 percent of its total membership;
  - (e) The Final Appeals Committee shall elect one of its members as Chair and the General Secretary shall nominate a National Officer as its Secretary (who shall not be the National Officer who acted as Secretary to the Disciplinary Sub-Committee in its proceedings relating to the resolution under appeal) on each occasion it is required to meet;
  - (f) The Secretary shall not be a member of the Final Appeals Committee nor have a vote at its meetings, but shall be present at its meetings to take minutes and advise on procedure.

- (iii) The Appeal:
  - (a) For the purposes of this paragraph, the Disciplinary Committee and Final Appeals Committee shall be known as “the Appeals Committee”;
  - (b) The defendant shall submit the appeal in writing (Notice of Appeal) specifying the grounds of the appeal;
  - (c) The time limit for an appeal shall be 14 days from the date the written notice of the resolution against which the appeal lies was sent to the defendant;
  - (d) It is the defendant’s responsibility to ensure that the Notice of Appeal complies with this paragraph and is received by the Secretary to the Appeals Committee within the time limit;
  - (e) Upon receipt of a Notice of Appeal the Secretary to the Appeals Committee shall convene a meeting of that committee for the purpose of a hearing to consider the appeal. He/she shall also require the Secretary of the committee against whose resolution the appeal lies to forward to him/her a report of that committee’s proceedings and a copy of its minutes, recording the hearing and resolution;
  - (f) The Appeals Committee may resolve to dismiss the appeal or uphold the appeal and it may substitute a lesser penalty;
  - (g) Any decision of the Appeals Committee shall be final;
  - (h) As soon as is practicable, the Secretary to the Appeals Committee shall notify the defendant in writing of the resolution of the Appeals Committee.

**(5) Convening of Meetings**

- (i) Whenever the convening of a meeting is required by this rule, the procedure set out below shall be followed. For the avoidance of doubt, the meeting may be an ordinary meeting of the committee concerned or a meeting called especially for the purpose of the disciplinary proceedings, at the discretion of the Secretary to that committee.
- (ii) The Secretary shall as soon as practicable send written notice of the meeting securely by post to the defendant at his/her last known address not less than 21 days before the meeting. In addition, where the member’s email address is available, the Secretary shall also send the notice electronically.
- (iii) The notice of the meeting sent to the defendant shall be dated and shall specify:
  - (a) The date, time and place of the meeting;
  - (b) The purpose of the hearing;
  - (c) Details of the alleged offence sufficient to enable the defendant to appreciate the nature of the case against him/her;
  - (d) His/her right to attend, make verbal submissions, call witnesses and submit documentary evidence;
  - (e) His/her right to be represented by himself/herself or another member of his/her choice (subject to that nominated member’s agreement);
  - (f) His/her right to make written submissions;
  - (g) That his/her reasonable travelling expenses will be met; his/her representative’s reasonable travelling expenses will be met;
  - (h) That the proceedings may ultimately lead to his/her expulsion from membership of the Union;
  - (i) That the meeting may proceed in his/her absence unless he/she submits written reasons showing good cause why he/she cannot attend;
  - (j) That he/she should acknowledge receipt and state within 10 days of the date of the notice whether he/she intends to attend the meeting. If acknowledgement is not received within 10 days, the meeting shall proceed as set out in the written notice of the meeting;

- (k) That he/she is requested to forward copies of any documents to which he/she will refer, to the Secretary;
  - (l) And shall enclose a copy of any report submitted by the investigator under Rule G1(2)(iii)(b).
- (iv) If, in the opinion of the Secretary there is good cause why he/she cannot attend, the hearing shall be postponed to a future meeting.
  - (v) Copies of any additional documentary evidence in his/her possession, received after the notice has been sent in accordance with these rules, shall also be sent to the defendant by the Secretary as soon as is practicable and, in any event, at least seven days before the meeting.
  - (vi) The Secretary shall send written notice of the meeting at least seven days before the meeting to the complainant and to those who are members of the committee holding the meeting. This notice shall include copies of the notice sent to the defendant, any Notice of Appeal, the complaint or report, relevant minutes of any previous hearing and any documentary evidence in the Secretary's possession.

**(6) Hearings**

- (i) For the purpose of all hearings under this rule the provisions set out below shall apply.
- (ii) The following may not be present except as complainant, complainant's assistant, defendant, defendant's representative or witnesses:
  - (a) At Regional Committee level: members of the defendant's Brigade (or agreed areas within Scotland, Northern Ireland, and London);
  - (b) At Disciplinary Committee and Final Appeals Committee level: members of the defendant's Region.  
 This provision includes those who would normally attend meetings as members of the above committees save that at Regional Committee level, the Executive Council member and any Regional Official who is a member of the same Brigade (or agreed areas within Scotland, Northern Ireland, and London)' as the defendant may be present and participate in the proceedings and save that at Disciplinary Committee level, the President may be present and chair the meeting if he/she has not previously participated in the proceedings at regional level (in which case references in Rule G1(3) to President shall be taken as Vice-President).  
 The complainant, complainant's assistant, defendant, defendant's representative and witnesses shall withdraw from the hearing upon the conclusion of the presentation of evidence and submissions on behalf of both sides and shall not play any part in the discussion or debate upon the resolution before the committee holding the hearing.
- (iii) The following shall act as complainant:
  - (a) At the Regional Committee: the member making the complaint save that if an investigator has been appointed under Rule G1(2)(ii) the complainant shall be the investigator.
  - (b) On report or appeal to the Disciplinary Committee and Final Appeals Committee level: an Executive Council or Regional Committee member nominated by the Regional Committee.
- (iv) The complainant may appoint an assistant who shall be a member of the Union to help him/her in the presentation of the case, but any such assistant shall have no speaking rights at any hearing under this rule.
- (v) The procedure adopted at the hearing shall be in accordance with such guidance notes as the Executive Council may approve from time to time.
- (vi) All hearings on report or appeal shall be by way of full rehearing and new evidence shall be admissible at the discretion of the Chair.

- (7) (i) The defendant may be represented at any hearing under this rule by another member of the Union (except a full-time official) if that member is willing to act as his/her representative.
- (ii) The defendant shall notify the Secretary to the committee holding the hearing of the name, address, and email address (if available) of his/her representative as soon as is practicable and, in any event, at least seven days before the hearing.
- (8) Where a disciplinary decision taken under this rule can be the subject of an appeal, it shall not take effect until either the time limit for appeal has expired and no appeal has been entered or the appeal has been dismissed. In all other cases the decision shall have immediate effect.
- (9) For the avoidance of doubt, nothing in this rule shall in any way limit or fetter the powers of the Executive Council set out in Rule C3 and in the case of conflict between this rule and Rules G2 and G3, this rule shall be subordinate.
- (10) For the avoidance of doubt, if a disciplinary complaint or report lies against a Regional Secretary, references above to the Regional Secretary shall be taken to read Regional Chair.
- (11) For the purpose of this rule, "member" shall include Ordinary, Retired and Out of Trade, and Honorary members.

## **Rule G2**

### **INTERNAL UNION DISCIPLINE: OFFICIALS OTHER THAN EXECUTIVE COUNCIL MEMBERS, PRESIDENT, FULL-TIME OFFICIALS AND NATIONAL SECTIONAL OFFICIALS**

- (1) (i) The following procedure shall apply in relation to the following honorary officials, namely Branch Officials and committee members, Divisional Officials and committee members, Brigade Officials and committee members, Regional Officials and committee members and the members (but not the national secretary and national chair) of the six national committees of the Union as per Rule C1(3).
- (ii) For the avoidance of doubt:
  - (a) This rule applies to any substitute, deputy or acting official or committee member, or former officials committing an alleged offence when serving as an official;
  - (b) Action may be taken simultaneously under this rule against every member of a committee.
- (2) (i) If the Executive Council member for a Region believes (which belief he/she may form after conducting a preliminary inquiry) that an honorary official as specified above when holding office in that Region (the defendant) committed an offence contrary to Rule G1(1), he/she
  - (a) May suspend the defendant from all or any office whether currently held or not in the Union;
  - (b) Shall as soon as practicable send a written complaint to the General Secretary setting out details of the defendant's conduct and reporting any action taken to suspend the defendant.
- (ii) If a defendant is suspended under Rule G2(2)(i)(a) he/she shall be ineligible to stand for election to any post within the Union pending the outcome of proceedings under this rule.

- (iii) If an Executive Council member suspends a defendant he/she may take such steps as he/she considers necessary to ensure the good management of the Union pending the outcome of proceedings under this rule.
  - (iv) Should the election for an office from which the defendant has been suspended fall due during the period of suspension then that election shall also be suspended pending the outcome of proceedings under this rule, as shall the election for any other office which the defendant is, or would be, but for the operation of this rule, eligible to stand.
  - (v) A defendant suspended under this rule shall not attend or call meetings of the Union or represent the Union in any capacity as the holder of the office(s) from which he/she is suspended but may continue to receive such honoraria and allowances and such Union papers marked "for information only" as he/she would have received but for his/her suspension.
  - (vi) A defendant suspended under this rule shall not attend the premises/offices of the Union, unless requested to do so by the EC Member or another National Official.
- (3)**
- (i) Upon receipt of a complaint under G1(2) the General Secretary shall convene a meeting (which may be an ordinary meeting) of the Executive Council in accordance with Rule G1(5) for the purpose of a hearing to consider the complaint. In addition to the matters referred to in that rule the notice of the meeting sent to the defendant shall also inform him/her that the proceedings may lead to him/her being permanently debarred from office in the Union.
  - (ii) If on receipt of a report from the Executive Council member for a Region following a preliminary enquiry, where an official has pleaded guilty to a minor misdemeanour, where a reprimand would be deemed a reasonable punishment, the General Secretary can instruct the Executive Council member to issue that reprimand without the matter having to be brought before the full Executive Council.
- (4)**
- (i) Save as appears below the hearing shall be conducted in accordance with Rule G1(6).
  - (ii) The complainant shall be the Executive Council member who made the complaint.
  - (iii) The Executive Council shall consider the disciplinary complaint against the defendant and shall make a resolution to either:
    - (a) Dismiss the report or complaint; or
    - (b) Find the report or complaint justified and penalise the defendant. The penalties available are those set out in Rule G2(4)(iv).
  - (iv) The penalties available to the Executive Council shall be:
    - (a) A reprimand;
    - (b) A fine not exceeding 40 percent of a Firefighter's (competent) weekly rate of pay;
    - (c) Where the defendant is a candidate in a current election, the Disciplinary Committee may choose to disqualify the defendant from standing in that election;
    - (d) To debar the defendant from standing for Union office for a specified period of time. For the avoidance of doubt this may be in addition to, or in place of, a penalty awarded as described in paragraph (a) or (b) in this Rule;
    - (e) To debar the defendant from standing for Union office permanently. For the avoidance of doubt this may be in addition to, or in place of, a penalty awarded as described in paragraph (a) or (b) in this Rule;

- (f) To expel the defendant from membership of the Union.  
If the defendant is suspended and the decision does not include a penalty of debarment then he/she shall be, subject to penalty, returned to office and the suspension lifted.  
For the avoidance of doubt, if a resolution is passed reinstating a defendant to office who had been on suspension, the term of that office will expire on the same date as if the suspension had not occurred.
- (v) As soon as is practicable, the General Secretary shall notify the defendant in writing of the resolution of the Executive Council and of any right of appeal.
- (vi) Any official who is found guilty of an offence under Rule G1(1)(iv), and who is not expelled may be barred from holding Union office at any level.
- (5)** (i) There shall be a right of appeal from the Executive Council to the Final Appeals Committee, save in the case of a Regional Official, and the officials of the six national committees of the Union, as per Rule C1(3), when the right of appeal shall be to Conference if the Executive Council has expelled the defendant from membership of the Union or debarred him/her from holding office for a specified period or permanently.
- (ii) Where the appeal lies to the Final Appeals Committee, the procedure set out in Rule G1(4) shall apply.
- (iii) (a) Where the appeal lies to Conference, the appeal shall be considered at the meeting (which may be an ordinary meeting or especially recalled for this purpose at the discretion of the General Secretary) of the Conference immediately subsequent to the meeting of the Executive Council which made the resolution against which the appeal lies;
- (b) The defendant shall submit a Notice of Appeal to the General Secretary in accordance with Rule G1(4)(iii)(b) to (e);
- (c) Upon receipt of a Notice of Appeal the General Secretary shall circulate to delegates to Conference at least seven days before the start of Conference (unless it is impractical to do so and then at the earliest opportunity) a copy of the defendant's Notice of Appeal and a copy of the relevant part of the Executive Council minutes;
- (d) At the meeting of Conference the defendant (or his/her representative) shall be afforded an opportunity to address the Conference, immediately after which without debate the President shall put the Notice of Appeal to the vote either as a whole or in parts at his/her discretion. The Conference may uphold or dismiss the appeal and may not substitute its own decision for that of the Executive Council. The decision of Conference shall be final.
- (6)** Any resolution of the Executive Council that may be the subject of an appeal shall not take effect until either the time limit for appeal has expired and no appeal has been entered or the appeal has been dismissed. In all other cases, any decision of the Executive Council shall have immediate effect. If the defendant was subject to suspension at the time of the Executive Council hearing, that suspension shall continue until the resolution of the Executive Council or of any appeal takes effect.
- (7)** The defendant has the right to representation under this rule as set out in Rule G1(7).
- (8)** Nothing in this rule shall prevent a member of the Union instituting disciplinary proceedings against an honorary official under Rule G1 unless proceedings under this rule have already commenced in which case no proceedings may be brought under Rule G1 pending the outcome of proceedings under this rule.

- (9) Where the post of Executive Council member is vacant, or the member is absent on long-term sickness leave, overseas, or for any other reason is not readily contactable, the General Secretary, or another Executive Council member or full-time official nominated by the General Secretary, may act as if he/she were the Executive Council member for the Region concerned under this rule and all references to the Executive Council member shall be taken as referring to the member or official acting under this paragraph.
- (10) (i) Where both (a) and (b) below apply, the procedure at Rule G2 (11) shall operate.
- (a) The General Secretary has received a complaint or information that an honorary official as specified in Rule G2(1)(i) has or may have committed an offence contrary to Rule G1.
- (b) The Executive Council member for the Region has been notified of the complaint or provided the information but has not sent a complaint under Rule G2(2)(i)(b).
- (11) The General Secretary, or another Executive Council member or full-time official nominated by the General Secretary, may then act as if he/she were the Executive Council member for the Region concerned under this rule and all references to the Executive Council member shall be taken as referring to the member or official acting under this paragraph.

## Rule G3

### **INTERNAL UNION DISCIPLINE: EXECUTIVE COUNCIL MEMBERS, PRESIDENT, FULL-TIME OFFICIALS AND NATIONAL SECTIONAL OFFICIALS**

- (1) (i) If the Vice-President believes (which belief he/she may form after conducting a preliminary inquiry) that the national secretary or national chair of one of the six national sectional committees, an Executive Council member, the President, or a full-time official (the defendant) has committed an offence contrary to Rule G1(1), he/she:
- (a) May suspend the defendant from all or any office or position he/she holds in the Union;
- (b) Shall as soon as practicable send a written complaint to the General Secretary setting out details of the defendant's conduct and action taken to suspend the defendant.
- (ii) If a defendant is suspended from office he/she shall be ineligible to stand for election to any post within the Union pending the outcome of proceedings under this rule.
- (iii) If the Vice-President suspends a defendant, he/she may take such steps as he/she considers necessary to ensure the good management of the Union pending the outcome of proceedings under this rule.
- (iv) If a full-time official is suspended under this rule, that suspension shall be on full pay.
- (v) Should the election for an office from which the defendant has been suspended fall due during the period of suspension then that election shall also be suspended pending the outcome of proceedings under this rule, as shall the election for any other office for which the defendant is, or would be, but for the operation of this rule, eligible to stand.
- (vi) A defendant, suspended under this rule shall not attend or call meetings of the

Union or represent the Union in any capacity as an Executive Council member, national sectional official or full-time official but may continue to receive such honoraria and allowances and such Union papers marked "for information only" as he/she would have received but for his/her suspension.

- (vii) A defendant suspended under this rule shall not attend the premises/offices of the Union, unless requested to do so by the Vice-President or another National Official.
- (2) (i) Upon receipt of a complaint under G3(1) the General Secretary shall convene a meeting (which may be an ordinary meeting) of the Executive Council to take place within 48 hours of the receipt of the complaint by him/her for the sole purpose of giving a report of the complaint and of the reasons for any suspension to the Executive Council.
- (ii) Thereafter the General Secretary shall convene a meeting (which may be an ordinary meeting) of the Executive Council in accordance with Rule G1(5) which shall commence within 28 days of the conclusion of the meeting referred to at Rule G3(2)(i) for the purpose of a hearing to consider the complaint. In addition to the matters referred to in Rule G1(5) the notice of the meeting sent to the defendant shall also inform him/her that the proceedings may lead to him/her being permanently debarred from office in the Union. If the defendant is a full-time official the notice of the meeting sent to him/her shall also inform him/her that the proceedings may lead to his/her dismissal from the Union's employment.
- (3) (i) Save as appears below the hearing shall be in accordance with Rule G1(6).
- (ii) The complainant shall be the Vice-President.
- (iii) The Executive Council shall consider the disciplinary complaint against the defendant and shall make a resolution to either
- (a) Dismiss the report or complaint; or
  - (b) Find the report or complaint justified and penalise the defendant.
- The penalties available to the Executive Council shall be:
- (a) A reprimand;
  - (b) A fine not exceeding 40 percent of a Firefighter's (competent) weekly rate of pay;
  - (c) Where the defendant is a candidate in a current election, the Executive Council may choose to disqualify the defendant from standing in that election;
  - (d) To debar the defendant from standing for Union office for a specified period of time. For the avoidance of doubt this may be in addition to, or in place of, a penalty awarded as described in paragraph (a) or (b) in this Rule;
  - (e) To debar the defendant from standing for Union office permanently. For the avoidance of doubt this may be in addition to, or in place of, a penalty awarded as described in paragraph (a) or (b) in this Rule;
  - (f) To expel the defendant from membership of the Union;
- and additionally
- (g) In the case of a full-time official, dismissal, which penalty may be imposed in addition to (f) above.
- If the defendant is suspended and the decision does not include a penalty of debarment then he/she shall be, subject to penalty, returned to office and the suspension lifted.
- (4) (i) There shall be a right of appeal from the Executive Council to Conference when the Executive Council has expelled the defendant from membership of the Union or debarred him/her from holding office, or, in the case of a full-time official, where

the Executive Council has dismissed him/her, or declared him/her disqualified for standing in an election for the post that he/she currently occupies.

- (ii) The Where the appeal lies to Conference.
  - (a) The appeal shall be considered at the meeting (which may be an ordinary meeting or especially recalled for this purpose at the discretion of the General Secretary) of the Conference immediately subsequent to the meeting of the Executive Council which made the resolution against which the appeal lies;
  - (b) The defendant shall submit a Notice of Appeal to the General Secretary in accordance with Rule G1(4)(iii)(b) to (e);
  - (c) Upon receipt of a Notice of Appeal the General Secretary shall circulate to delegates to Conference at least seven days before the start of Conference (unless it is impractical to do so and then at the earliest opportunity) a copy of the defendant's Notice of Appeal and a copy of the relevant part of the Executive Council minutes;
  - (d) At the meeting of Conference the defendant (or his/her representative) shall be afforded an opportunity to address the Conference;
  - (e) Following on from the defendant, the complainant shall be afforded an opportunity to address the Conference;
  - (f) In response to the complainant, the defendant may make closing remarks;
  - (g) Immediately after which without debate the President shall put the Notice of Appeal to the vote either as a whole or in parts at his/her discretion. The Conference may uphold or dismiss the appeal and may not substitute its own decision for that of the Executive Council. The decision of Conference shall be final.
- (iii) Any official, as defined by Rule G3, who is found guilty of an offence under Rule G1(1)(iv), and who is not expelled, may be barred from holding Union office at any level.
- (iv) Where the defendant is a candidate; and the defendant is found guilty of wilfully carrying out canvassing activity, or other activity, in respect of that election which is contrary to any rule, or policy agreed by Conference and/or the Executive Council that governs canvassing and elections the Executive Council may choose to disqualify the defendant from standing in that election.

**(5) For the avoidance of doubt:**

- (i) A decision to reinstate a full-time official either under Rule G3(3) or on appeal shall have the effect of entitling him/her to continuity of employment, pension rights, back pay, and any other emoluments to which he/she would have been entitled under his/her Contract of Employment as if he/she had never been dismissed.
- (ii) A decision to reinstate any defendant to office shall not affect the term of office which shall expire on the same date as if the suspension had not occurred.

**(6) For the avoidance of doubt:**

- (i) A decision to appeal that allows a full-time official to stand in an election the outcome of which shall determine whether or not he/she is elected to serve a further term in his/her current position shall have the effect of entitling him/her to continuity of employment, pension rights, back pay, and any other emoluments to which he/she would have been entitled under his/her Contract of Employment as if the original decision had not taken place.
- (ii) The Executive Council will take any necessary measures such as the scheduling of the election, expiry date of the term of the office.

- (7)** For the avoidance of doubt if the complaint lies against the Vice-President then references above to the Vice-President shall be taken as National Treasurer and if the complaint lies against the General Secretary then references above to the General Secretary shall be taken as Assistant General Secretary.
- (8)** Any resolution under this rule shall take effect at the same time as provided by Rule G2(6), save that any decision of the Executive Council to dismiss a full-time official shall have immediate effect.
- (9)** The defendant has the right to representation under this rule as set out in Rule G1(7), save that if the defendant is a full-time official he/she may be represented by a full-time official if that official is willing to act as his/her representative.
- (10)** Nothing in this rule shall prevent a member of the Union instituting disciplinary proceedings against an Executive Council member or full-time official under Rule G1 unless proceedings under this rule have already commenced in which case no proceedings may be brought under Rule G1 pending the outcome of proceedings under this rule.

## **Section H**

### **POLITICAL FUND AND AFFILIATIONS**

**RULE H1      RULES FOR POLITICAL FUND**

**RULE H2      RULES FOR POLITICAL FUND (NORTHERN IRELAND)**

**RULE H3      AFFILIATIONS**



# Rule H1

## RULES FOR POLITICAL FUND

- (1) The objects of the Fire Brigades Union shall include the furtherance of the political objects to which section 72 of the amended Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, that is to say the expenditure of money-
- (i) on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
  - (ii) on the provision of any service or property for use by or on behalf of any political party;
  - (iii) in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
  - (iv) on the maintenance of any holder of a political office;
  - (v) on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
  - (vi) on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of paragraph (v) above, be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs (i) to (vi) above, whether the trade union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the union.

In these objects

“candidate” means a candidate for election to a political office and includes a prospective candidate;

“contribution”, in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

“electors” means electors at any election to a political office;

“film” includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

“local authority” means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

“political office” means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

- (2) (Any payments in the furtherance of such political objects shall be made out of a separate fund of the union (hereinafter called the political fund).
- (3) (The particular rules which apply to those people that joined the Union before 1 March 2018 and to political funds set up before 1 March are set out in Schedule 1 to this rule.
- (4) The particular rules which apply to those people that joined the Union on or after 1 March 2018 and to political funds set up on or after 1 March 2018 are set out in Schedule 2 to this rule.
- (5) A member who is exempt from the obligation to contribute to the political fund of the union shall not be excluded from any benefits of the union, or placed in any respect

either directly or indirectly under any disability or disadvantage as compared with other members of the union (except in relation to the control or management of the political fund) by reason of his being so exempt.

- (6) (i) Contribution to the political fund of the union shall not be made a condition for admission to the union.
- (ii) Only ordinary members shall be permitted to contribute to the political fund of the union.
- (7) The union shall include in the annual return that is submitted to the Certification Officer details of political expenditure as required by section 32ZB of the 1992 Act.
- (8) The Executive Council shall ensure that a copy of the political fund rules is available, free of charge to any member of the union who requests a copy.
- (9) The Executive Council shall also send to the Secretary of each Branch sufficient copies of these rules for distribution to each member.
- (10) The Secretary of each Branch shall, as far as possible secure that each member of that Branch receives a copy of the rules.

**Schedule 1** Rules that apply to members that joined the Union before 1 March 2018 and political funds set up before **1 March 2018**.

#### **Notice to members**

1. As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Union, the Executive Council shall ensure that a notice in the following form is given to all members of the Union.

#### **Notice to Members**

#### **Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)**

**A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Union has been adopted by a ballot under the Act. Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of the Union but every member of the Union has a right to be exempt from contributing to that fund.**

**A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the Head Office or any Regional Office of the Union or from the Certification Officer. The Certification Officer's contact details are available on their website.**

**This form, when filled in, or a written request to the like effect, should be handed or sent to the Secretary of the Branch to which the member belongs.**

2. The notice shall be published to members by such methods as are used by the Union to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in the Union's main journal which is circulated to members. A copy of the notice shall be posted to each Branch of the Union. A copy of the notice shall be posted up, so far as is reasonably practicable, and kept posted up for at least 12 months in a conspicuous place, accessible to members at all offices of the Union. The Secretary of each Branch shall also take steps to secure that every member of the Branch, so far as is reasonably practicable, receives a copy of the notice, and shall supply a copy to any member on request. The Executive Council shall provide the Secretary of each Branch with a number of copies of the notice sufficient for these purposes.

**Request for exemption**

3. Any member of the union may at any time give notice a) on the form of exemption notice specified in Rule H1 Schedule 1 Paragraph (4) or by a written request in a form to the like effect, that he/she objects to contribute to the political fund. A form of Exemption Notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the Head Office or any Regional Office of the Union, or from the **Certification Officer. The Certification Officer's contact details are available on their website.**
4. The form of an exemption notice shall be as follows:-

**FIRE BRIGADE'S UNION POLITICAL FUND EXEMPTION NOTICE I give notice that I object to contributing to the political fund of the union and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.**

**Signature:** .....

**Date:**.....

**Address:**.....

.....

**Branch:** .....

**Union No:**.....

5. Any member may obtain exemption by sending such notice to the Secretary of the Branch to which the member belongs and on receiving it, the Secretary shall send an acknowledgement of its receipt to the member at the address in the notice and shall inform the General Secretary of the name and address of that member.

### **Manner of giving effect to exemption**

6. On giving such notice, a member shall be exempt, so long as his/her notice is from contributing to the Political Fund of the Union as from either:
  - I. the first day of January next after notice by the member is given, or,
  - II. in the case of a notice given within one month after the notice given to members under Rule H1 Schedule 1 (Paragraph 4), or after the date on which a new member admitted to the Union is supplied with a copy of these rules under Rule H1(8) as from the date on which the member's notice is given.
7. The Executive Council shall give effect to the exemption of members to contribute to the political fund of the Union by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment. For the purpose of enabling each member of the Union to know, in respect of any such periodical contribution, what portion, if any, of the sum payable by the member is a contribution to the political fund of the Union, it is hereby provided that 3 percent of the full-time contribution specified in Rule B2(1)(viii) rounded to the nearest penny is the contribution payable by all members of the political fund to the political fund of the Union, and that any member who is exempt as aforesaid shall be relieved from the payment of the said sum of 3 percent of the full-time contribution specified in Rule B2(1)(viii) rounded to the nearest penny and shall pay the remainder of his/her contribution only.
8. Any member may withdraw his/her notice of exemption on notifying his/her desire to that effect to the Secretary of his/her Branch, who shall on receiving it send the member an acknowledgement of receipt of the notification and inform the General Secretary of the name and address of that member.
9. If any member alleges that he is aggrieved by a breach of any of these rules for the political fund, being a rule or rules made pursuant to section 82 of the 1992 Act, he may complain to the Certification Officer, and the Certification Officer, after making such enquiries as he thinks fit and after giving the complainant and the union an opportunity of being heard, may, if he considers that such a breach has been committed, make such order for remedying the breach as he thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the 1992 Act, be enforced in the manner provided for in section 82(4) of the 1992 Act.

## **Schedule 2**

Rules that apply to people that joined the Union on or after 1 March 2018 and to political funds set up on or after **1 March 2018**.

### **Opting in by union members to contribute to political funds**

1. A member cannot be required to make a contribution to the political fund of the Union unless they have given notice of their willingness to contribute to that fund (an "opt-in notice").
2. A member of a trade union who has given an opt-in notice may withdraw that notice by giving notice to the union (a "withdrawal notice").
3. A withdrawal notice takes effect at the end of the period of one month beginning with the day on which it is given.
4. A member of a trade union may give an opt-in notice or a withdrawal notice:-
  - (a) by delivering the notice (either personally or by an authorised agent or by post) at the head office or a branch office of the union;
  - (b) by sending it by e-mail to the following e-mail address:  
membership@fbu.org.uk
  - (c) by completing an electronic form provided by the union which sets out the notice and sending it to the union by electronic means with instructions by the union.
  - (d) by any other electronic means prescribed under the 1992 Act (as inserted by the 2016 Act).

### **Information to members about opting in to the political fund**

5. The union shall take all reasonable steps to secure that, not later than the end of the period of eight weeks beginning with the day on which the annual return of the Union is sent to the Certification Officer, all the members of the Union are notified of their right to give a withdrawal notice.
6. Such notification will be given by publishing the notice in the Union's main journal which is circulated to members.
7. If any member alleges that he is aggrieved by a breach of any of these rules for giving information to members about opting into the political fund, being a rule or rules made pursuant to section 84A of the 1992 Act, he may complain to the Certification Officer.

### **Manner of giving effect to decision not to contribute to political fund**

8. The union shall give effect to the members decision not to contribute to the political fund of the Union by relieving any members from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union as provided and such relief shall be given as far as possible to all members who have decided not to contribute to the political fund on the occasion of the same periodical payment.

For the purpose of enabling each member of the Union to know, in respect of any such periodical contribution, what portion, if any, of the sum payable by the member is a contribution to the political fund of the Union, it is hereby provided that 3 percent of the full-time contribution specified in Rule B2(1)(viii) rounded to the nearest penny is the contribution payable by all members of the political fund to the political fund of the Union, and that any member who is exempt as aforesaid shall be relieved from the payment of the said sum of 3 percent of the full-time contribution specified in Rule B2(1)(viii) rounded to the nearest penny and shall pay the remainder of his/her contribution only.

9. Any form (including an electronic form) that a person has to complete in order to become a member of the union shall include:-
  - (a) a statement to the effect that the person may opt to be a contributor to the fund; and
  - (b) a statement setting to the effect that a person who chooses not to contribute to the political fund shall not, by reason of not contributing, be excluded from any benefits of the union or be placed in any respect either directly or indirectly under a disability or at a disadvantage as compared with other members of the union (except in relation to control of the political fund).

## **Rule H2**

### **RULES FOR POLITICAL FUND (NORTHERN IRELAND)**

In the application of Rule H1 to Northern Ireland the following shall have effect:

- (1) Under Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 no Northern Ireland member of the Union shall be required to make any contribution to the political fund of the Union unless he/she has delivered, as provided in Clause 4, to the Head Office or some Branch office of the Union, a notice in writing, in the form set out in Clause 2, of his/her willingness to contribute to that fund and has not withdrawn the notice in the manner provided in Clause 3. Every member of the Union who has not delivered such a notice or who, having delivered such a notice, has withdrawn it in the manner provided in Clause 3, is to be deemed for the purpose of these rules to be a member who is exempt from the obligation to contribute to the political fund of the Union.
- (2) **FORM OF POLITICAL FUND CONTRIBUTION NOTICE FOR NORTHERN IRELAND MEMBERS**

The form of notice of willingness to contribute to the political fund of the Union is as follows:

#### **POLITICAL FUND CONTRIBUTION NOTICE – NORTHERN IRELAND**

I hereby give notice that I am willing and agree, to contribute to the political fund of the FIRE BRIGADES UNION, and I understand that I shall in consequence, be liable to contribute to that fund and shall continue to be so liable unless I deliver to the Head Office or some Branch Office of the Union, a written notice of withdrawal. I also understand that after delivering such a notice of withdrawal I shall still continue to be liable to contribute to the political fund until the next following first day of January.

Signature:  
Name:  
Address:  
Membership Number:  
Date:

- (3) If at any time a member of the Union, who has delivered such a notice as is provided for in Clauses 2 and 3, gives notice of withdrawal thereof, delivered as provided in Clause 4, to the Head Office or at any Branch Office of the Union, he/she shall be deemed to have withdrawn the notice as from the first day of January next after the delivery of the notice of withdrawal.
- (4) The notices referred to in Clauses 2 and 3 may be delivered personally by the member or by an authorised agent of the member, and any notice shall be deemed to have been delivered at the Head or any Branch Office of the Union if it has been sent by post properly addressed to that office.
- (5) The Executive Council shall give effect to the statutory exemption of Northern Ireland members to contribute to the political fund of the Union by making a separate levy of contributions to that fund from those Northern Ireland members who have provided written consent of their willingness to contribute, namely, the sum of 3 percent of the contribution specified in Rule B2(1)(viii), rounded to the nearest penny. No monies of the Union other than the amount raised by such separate levy shall be carried to the political fund.
- (6) Northern Ireland members who are statutorily exempt from the obligation to contribute to the political fund of the Union shall not be excluded from any benefits of the Union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the political fund) by reason of their being exempt.
- (7) Contribution to the political fund of the Union shall not be made a condition for admission to the Union.
- (8) If any Northern Ireland member alleges that he/she is aggrieved by a breach of any of the rules made pursuant to Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 he/she may complain to the Northern Ireland Certification Officer, 10-16 Gordon Street, Belfast, BT1 2LG, under Article 57(2) to (4B) of that Order. If, after giving the complainant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, the Certification Officer may make an order for remedying it as the Certification Officer thinks just in the circumstances. Under Article 69 of the 1995 Order an appeal against any decision of the Certification Officer may be made to the Court of Appeal on a question of law.

Additionally, if any Northern Ireland member alleges that he/she is aggrieved by a breach of the political fund rules made pursuant to Section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 he/she may complain to the GB Certification Officer, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ. If, after giving the complainant and a representative of the Union an opportunity of being heard, the GB Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Any such order of the GB Certification Officer is subject to the right of appeal provided for by Section 95 of the 1992 Act.

### **Rule H3**

## **AFFILIATIONS**

The Union may be affiliated to any such organisations as the Executive Council may decide, but may not be affiliated to any political party without the prior consent of Conference.



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