



UK Private Hire Drivers Union

RULE BOOK

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RULE 1: TITLE AND REGISTERED OFFICE

- 1.1 The Union formed under these rules (hereinafter called the Union) shall be known by the title of “UK Private Hire Drivers Union”.
- 1.2 This constitution applies to all members of the Union and represents the entirety of the rules applicable to all members of the Union.
- 1.3 The Registered Office of the Union shall be “Office 108, 15 Lindon Road, Barking, IG11 8HE, United Kingdom”.

RULE 2: OBJECTIVES

- 2.1 The Union’s objectives are:
 - 2.1.1 Preserve, protect and promote the independence of the Union and its members.
 - 2.1.2 Settle disputes between the members and their employers/partners.
 - 2.1.3 Regulate the relations between the members and their employers through collective bargaining, withdrawal of labour, or otherwise; conduct negotiations with all companies in a dispute with our members.
 - 2.1.4 To work with trade unions and associations that are determined to establish Industrial Solidarity which is of paramount significance during collective bargaining and grievance handling processes.
 - 2.1.5 To denounce and demonstrate opposition to groups that embrace anti-worker tendencies and are determined to introduce labour legislation in Parliament that seeks to interfere, restrict, and threaten the very survival of the operations of the Union.
 - 2.1.6 Initiate movements for increased rates of pay, or improved conditions of employment, on behalf of the members; promote opportunities for social association and recreation for the members.
 - 2.1.7 Assist in and cooperate with the advancement of the independent representation of members generally.
 - 2.1.8 Improve, maintain and protect members' social standing.
 - 2.1.9 Promote the primacy of members' own decision making in all matters covered by the Rules of the Union, and in the development of its policies.
 - 2.1.10 To plan and participate in joint the Union action whenever it becomes necessary.
 - 2.1.11 To seek and affiliate with other trade unions locally, regionally and nationally that appears to be desirable.
 - 2.1.12 To employ and equip the Union with the best qualified human resource in its determination to provide members with continued improved service and qualitative union representation.

RULE 3: MEMBERSHIP

- 3.1 The qualification for membership in the union shall be as follows:
- 3.1.1 Applicants must be over 21 years and fulfill private hire medical requirements.
 - 3.1.2 Applicants must not be part of a group or organisation which seeks to defeat or undermine the aims and objectives of the union.
 - 3.1.3 All applications for membership must be considered, accepted or rejected by either the Chairperson, Vice-Chairperson or by the Central Board.
- 3.2 To qualify as a financial member of the Union, a member must:
- 3.2.1 Be a Union member for more than 2 months.
 - 3.2.2 Have no outstanding membership dues

RULE 4: THE GOVERNMENT OF THE UNION

- 4.1 The supreme authority of the Union shall be vested in the elected Executive Central Committee.
- 4.2 The Executive Board will run the day to day general administration of the union's operations.
- 4.3 All resolutions submitted to the Executive Central Committee must be forwarded to the Chairperson or Vice-Chairperson not later than two weeks before the Annual General Meeting.
- 4.4 The Executive Central Committee cannot transact any business unless a quorum of members is present.
- 4.5 A "quorum of members" is defined as "two-thirds of the Executive Central Committee to be present at the meeting".
- 4.6 All Executive Board members and Executive Central Committee members shall be elected by the members.

RULE 5: ANNUAL GENERAL MEETING

- 5.1 Annual General Meetings shall be held yearly. The Executive Central Committee shall decide the time and place of the next one.
- 5.2 It is obligatory for the Chairperson and Vice-Chairperson to notify in writing to all members at least thirty days in advance of the Annual General Meeting.
- 5.3 The Executive Central Committee will appoint a committee to organize the AGM.
- 5.4 Each branch shall choose its delegates. Branches with over 25 financial members will send 5% of the branch's financial members as delegates rounded up to the nearest whole.
- 5.5 Branches with 0-25 financial members will send one delegate.
- 5.6 The business of the AGM shall also be to:
- 5.6.1 Receive, discuss and examine reports from officers and staff.

5.6.2 Review the past work of the organisation and to approve work plans.

5.6.3 Further consider all matters upon the AGM Agenda.

5.7 No business other than that stated on the agenda shall be transacted at the Annual General Meeting. However, in the event that a member wants to introduce a serious matter, he or she must inform the Central Committee who then informs The Chair or vice-chairperson at least two hours before the commencement of Central Committee business. In such a case, the majority of the Central Committee must approve a motion for the suspension of the Standing Orders.

5.8 The decisions of the Annual General Meeting shall be binding upon all members of the Union.

5.9 All decisions taken at the Annual General Meeting must be forwarded to the Union's chair and vice-chairperson within seven days.

RULE 6: EXECUTIVE BOARD

6.1 The composition of the Executive Board is as follows:

6.1.1 The Chairperson,

6.1.2 The Vice-Chairperson,

6.1.3 The Secretary and

6.1.4 The Vice Secretary

6.1.5 The Treasurer

6.1.6 The Vice Treasurer

6.2 This Executive Board will lead and guide the organization's policy.

RULE 7: EXECUTIVE CENTRAL COMMITTEE

7.1 The Government of the Union in the period between annual meetings and the conduct of its business shall be vested in the Executive Central Committee.

7.2 The Executive Central Committee shall be elected by the Annual meeting. Such committees shall serve for three years.

7.3 The composition of the Executive Central Committee is as follows:

7.3.1 The Executive Board and representatives from the regions of the union.

7.4 No person shall be eligible to serve as a member of the Executive Board or Executive Central Committee, who at the time of nomination is not a financial member.

7.5 The Executive Central Committee must meet two a month. But can meet when necessary, and at a time and place deemed most expedient for the transaction of the Union's business. All emergency meetings shall be approved by the Executive Central Committee. For emergency meetings to take place, a minimum period of 24 hours is required.

- 7.6 Both the Executive Board and Executive Central Committee must at all times maintain and protect the aims and objectives of the Union and guard its funds against extravagance and misappropriation.
- 7.7 Each elected member of the Executive Board and Executive Central Committee shall hold office for three (3) years commencing immediately after the Annual General Meeting, provided that the said member does not break or breach the rules of the Union, or act against the interest of the Union.
- 7.8 In such a situation, the Executive Board with the advice of the Discipline Committee has the authority to take disciplinary action against the said member/s. The expulsion of any member shall be decided upon by the Executive Board.
- 7.9 The Executive Central Committee will need at least two-thirds (known as a quorum) committee members to be present at the committee meetings for any decisions to be valid.
- 7.10 The Executive Central Committee can also give instructions to the staff and other elected officers for the smooth conduct of the union's affairs.
- 7.11 The Executive Central Committee can dismiss or suspend any managerial full-time staff or full-time officer for neglect of duty, dishonesty, incompetence, accepting bribes, conflict of interest, refusal to carry out instructions given by the Chairman or Executive Central Committee, and for any other reason that is deemed to be against the interest of the Union.
- 7.12 Any Executive Central Committee officer who has the necessary qualification and ability to serve the Union in a full-time capacity must be recommended by the Chairman for an appointment.
- 7.13 Salary structure for full-time officers must be recommended by the Finance Committee after consultation with the Chairman and further approved by the Executive Board and Executive Central Committee.
- 7.14 Should a vacancy occur during the Executive Central Committee's term of office as a result of resignation, expulsion or otherwise, the Executive Central Committee would then have the right to co-opt a member to serve on the Executive Central Committee. That member will be scrutinized by the Executive Board.
- 7.15 The Executive Central Committee shall have all the powers to draw up rules and guidelines for the orderly conduct of union activity.
- 7.16 If the Annual General Meeting (AGM) cannot take place because of national calamity, the ECC and EB will hold office as deemed.

RULE 8: THE CHAIRPERSON

- 8.1 The Chairperson shall be a full-time officer, Chief Negotiator and the spokesperson for the Union. He or She must be elected at the Annual General Meeting for a period of three years. His salary must be recommended by the Finance Committee and approved by the Executive Central Committee.
- 8.2 He or She shall preside over all Executive Central Committee meetings and the Annual General Meetings of the Union. He or She shall be responsible to the Executive Central Committee, shall have a vote, and when a matter is undecided because of equality of votes, shall have a casting vote.

- 8.3 He or She shall, in consultation with the Executive Central Committee and Treasurer, have the power to make recommendations for the appointment and employment of full-time managerial staff.
- 8.4 He or She shall have the power to make recommendations to the Executive Central Committee regarding lay-offs, suspension or dismissal of full-time managerial staff. Any action contemplated must be at the full wishes of the Executive Central Committee.
- 8.5 The Chairperson, in consultation with the Executive Board, shall have the authority to select personnel to represent the Union on national boards and at local, regional and international conferences, conventions, seminars and other activities that are related to the union's objectives.
- 8.6 The Chairperson on resigning from the Union must give three months' notice in writing to the Executive Central Committee of his intention of doing so. On his resignation or discharge from office, he shall within twenty-four (24) hours hand over all documents, books, vouchers and other things belonging to the Union.
- 8.7 He or She shall in conjunction with the Treasurer shall approve all cash, vouchers and cheques on behalf of the Union.

RULE 9: TREASURER

- 9.1 The Treasurer will receive the union's money and will also be responsible for the safe custody of it. Will also be responsible for all authorized payments from Union's funds.
- 9.2 The Treasurer will, at the Annual General Meeting, produce a balance sheet showing the income and expenditure of the Union during the previous twelve months, and give a correct financial statement of the Union. This shall be previously audited and confirmed by the Auditor of the Union.

RULE 10: ASSETS AND TRUSTEE

- 10.1 All property of the Union shall be held by a trustee company specified by the Executive Central Committee (hereinafter called the Trustee Company) in trust for the Union in accordance with the provisions of these rules. For the avoidance of doubt, the property of the Union includes all funds and assets of the Union and its constituent bodies.
- 10.2 The Trustee Company shall invest, dispose of or otherwise deal with the funds and other assets of the Union in accordance with the instructions of the Executive Central Committee. Subject to the provisions of these rules, the Executive Central Committee shall have complete discretion how to instruct the Trustee Company to invest, dispose of or otherwise deal with the property of the Union.
- 10.3 Trustee
- 10.3.1 The Trustee Company is the trustee of the Union.
- 10.3.2 The Executive Central Committee may appoint and remove a second trustee where necessary to facilitate disposal of Union property, and solely for such purpose.
- 10.4 Trustee Company
- 10.4.1 The Directors of the Trustee Company shall consist of
- 10.4.2 Directors appointed by and from the Executive Central Committee.
- 10.4.3 The Chairperson.
- 10.4.4 A Director appointed by the Executive Central Committee may be replaced by the Executive Central Committee at any time.
- 10.4.5 Subject to the provisions of the Companies Act 2006, the Executive Central Committee shall appoint and may at any time replace the company secretary of the Trustee Company.
- 10.4.6 Property which immediately prior to the coming into force of these rules was vested in other trustees (whether individual or corporate) in trust for the Union shall on the date of the coming into force of these rules vest in the Trustee Company.

RULE 11: LOANS

- 11.1 All loans taken on behalf of the Union must be endorsed by the Chair, Vice Chairperson and Treasurer.
- 11.2 The signature of the above-mentioned officers must be on the relevant loan document, along with an approval letter from the Executive Central Committee.

RULE 12: COLLECTIVE BARGAINING

- 12.1 No full-time officer of the Union shall have the powers to submit proposals or sign any renewal of agreement unless authorized by the Chairperson.

RULE 13: VOLUNTARY FUNDS

- 13.1 Solidarity, Welfare Funds can be established by the Executive Central Committee.
- 13.2 A day's wage or any other voluntary contribution from members can be made towards the fund from time to time.
- 13.3 The management and utilization of monies from the various funds would be handled by the Finance Committee and approved by the Executive Board and the Executive Central Committee.

RULE 14: AMENDMENTS

- 14.1 This Constitution may be amended by majority votes at any Annual General Meeting or Emergency meetings provided that due notice was given by resolution and such resolution was accepted by the majority.

RULE 15: BINDING EFFECT

- 15.1 This Constitution shall be immediately effective upon its adoption at any duly constituted conference of the Union.

RULE 16: VOTING

- 16.1 All voting shall be by show of hands, secret ballot or as determined by the majority present at the Annual Meeting.

RULE 17: FINANCE COMMITTEE

- 17.1 The Executive Central Committee shall appoint a Finance Committee that will serve for a period of three years. This committee shall have the power to make recommendations to the Executive Board, through the Executive Central Committee, on all matters relating to the financial administration of the Union.
- 17.2 The Finance Committee shall comprise of five members as follows: Vice-Chairperson, National Treasurer, and three members of Executive Central Committee which is appointed by the Executive Central Committee.
- 17.3 The Finance Committee shall meet once a month and as often as necessary. Minutes of such meetings must be taken by the National Treasurer and kept for records.

RULE 18: DISCIPLINE OF MEMBERS

- 18.1 A member shall be liable to disciplinary action in respect of the following:
- 18.1.1 Acting in breach of the Rules of the Union.
 - 18.1.2 Behaving in a manner contrary to the interests of the Union.
 - 18.1.3 Failing to carry out lawful and reasonable instructions of the union.
- 18.2 Being a member of a union or association of which conflict with those of the Union or speaking or circulating literature on behalf of any such union or association.
- 18.3 A member who is deemed guilty of the charges may be subject to one or more of the following penalties:
- 18.3.1 Be cautioned as to future conduct.
 - 18.3.2 Be suspended from membership for a period
 - 18.3.3 Be expelled from membership.

RULE 19: DISCIPLINE COMMITTEE

- 19.1 All matters calling for disciplinary action shall be determined by the Discipline Committee, which shall consist of three members appointed by the Executive Central Committee. There shall be three named substitutes to replace any or all of the members of the Discipline Committee if they are not available.
- 19.2 The Committee shall be served by an officer appointed by the Executive Board.

RULE 20: INTERPRETATION

- 20.1 Should any question arise on which the rules are silent, the Executive Central Committee shall have power to decide thereon and their decision shall be binding and conclusive

RULE 21: LIABILITY OF MEMBERS

- 21.1 The liability of each member is limited to £1, being the amount that each member undertakes to contribute to the assets of the Union in the event of its being wound up while he or she is a member or within one year after he or she ceases to be a member, for:
- 21.1.1 payment of the Union's debts and liabilities contracted before he or she ceases to be a member.
 - 21.1.2 payment of the costs, charges and expenses of winding up; and

21.1.3 adjustment of the rights of the contributories among themselves.

RULE 22: E.C.C. DUTY

- 22.1 Executive Central Committee members agree to provide their time on a voluntary basis and are expected to actively contribute to the running of the organization and attend business meetings, teleconference meetings and are involved in emails and other electronic correspondence
- 22.2 Executive Central Committee members are required to participate actively in committee business and provide appropriate contributions to decision making for the betterment of UK Private Hire Drivers as a whole.
- 22.3 Members are required to conduct themselves in accordance with the UK Private Hire Drivers Code of Conduct and the Executive Central Committee Code of Conduct.
- 22.4 UK Private Hire Drivers members should only nominate for committees for which they feel they are well placed and appropriately informed to contribute to the business of that committee.
- 22.5 Executive Central Committee members who represent branches should make every attempt to canvass the views and opinions of that branch to bring back to the discussion of the committee and report Executive Central Committee decisions back to their branches.
- 22.6 Members of the Executive Central Committee who do not attend two consecutive meetings to which they are summoned, may be removed from office by the Executive Central Committee if they fail to provide a written explanation of that absence to the Chairperson or if any written explanation provided is in the opinion of the Executive Central Committee unsatisfactory. The Executive Central Committee shall determine the guidance on the application of this rule.
- 22.7 Members of the central executive committee wishing to step down should notify the Chairperson who will notify all the executive committee via email.

RULE 23: REMOVAL OF E.C.C. MEMBER

- 23.1 The executive committee may, by majority vote, remove Executive Central Committee membership from any member who:
- 23.1.1 Has not paid the annual subscription fee.
 - 23.1.2 Has demonstrated wilfully intent to act in a manner likely to discredit or damage the reputation or activities of UK Private Hire Drivers.
 - 23.1.3 Has not actively contributed to the running of the organization as per Rule 22.
- 23.2 Notification of such action shall be communicated by the UK Private Hire Drivers Chairperson or Secretary by electronic communication.

RULE 24: DISSOLVING THE UNION

- 24.1 The union may be dissolved (formally ended) by a vote of six-sevenths (6/7) of the whole of the financial members of the union.
- 24.2 In the event of the Union being dissolved, all debts and liabilities incurred on behalf of the Union shall be discharged. Any remaining funds, if any, divided shall be given or transferred equally to any charitable organization with similar aims and objectives to the organization.

RULE 25: AUDITOR

- 25.1 The Executive Central Committee shall appoint an auditor to audit the accounts of the Union.
- 25.2 An auditor of the Union shall not be removed from office except by resolution passed at a general meeting of its members or of delegates of its members.
- 25.3 An auditor duly appointed to audit the accounts of the Union shall be re-appointed as auditor for the following accounting period, unless—
- 25.3.1 **(a)** a resolution has been passed at a general meeting of the Union appointing somebody instead of him or her or providing expressly that he or she shall not be re-appointed, or
 - 25.3.2 **(b)** he or she has given notice to the Union in writing of his or her unwillingness to be reappointed, or he or she is ineligible for re-appointment, or he or she has ceased to act as auditor by reason of incapacity.
- 25.4 Where notice has been given of an intended resolution to appoint somebody in place of a retiring auditor but the resolution cannot be proceeded with at the meeting

because of the death or incapacity of that person, or because he or she is ineligible for the appointment, the retiring auditor need not automatically be re-appointed.

RULE 26: DISCIPLINARY PROCEDURES

- 26.1. All the Union members have a duty to observe the Rules of the Union.
- 26.2. Disciplinary action may be taken against any member as set out in Rule 18 or commits any of the following:
 - 26.2.1. Discrimination or harassment on grounds of age, colour, disability, marital status, race, religion, sex or sexual orientation; or,
 - 26.2.2. Any other discriminatory conduct which is prejudicial to the objectives of the Union set out at Rule 2.
 - 26.2.3. Evades payment of the correct rate of subscriptions.
- 26.3. Where there appears to be reasonable grounds to think that a member might be guilty of a disciplinary offence the Chair shall investigate whether charges are justified.
- 26.4. It shall be open to the Chair to delegate all or part of the investigation to such person or persons as the Chair thinks fit including an independent third party.
- 26.5. If following the investigation process, there are reasonable grounds to think that a member might be guilty of a disciplinary offence the matter shall be referred to the Discipline Committee appointed in accordance with Rule 19.
- 26.6. The Discipline Committee will be served officer appointed by the Executive Board (Rule 19.2). The officer should a suitably qualified person such as staff, volunteers or ECC committee members who have received relevant training to run these proceedings or an external third party.
- 26.7. Where the Discipline Committee considers a disciplinary charge is proved against a member, the penalties set out in Rule 18.3 and Rule 7.8 will apply including:
 - 26.7.1. Debarring the member from attending any union meetings for whatever period it deems appropriate.
 - 26.7.2. Suspension of the member from all or any of the benefits of membership for whatever period it deems appropriate.
 - 26.7.3. Suspension of the member from holding any union office for whatever period it deems appropriate.
 - 26.7.4. Debarring the member from holding any the union office for whatever period it deems appropriate.

- 26.8. At any time during an investigation or disciplinary under this Rule 25, the Chairman (or such a persons delegated under Rule 25.4) may suspend the member concerned for such period and on such terms as they shall in their absolute discretion think appropriate
- 26.9. A member of the Union who is dissatisfied with the decision of the Discipline Committee has a right to appeal to the Appeals Panel. Such an appeal must be in writing and must be made within three weeks of Discipline Committee decision.
- 26.10. The Appeals Panel shall consist of three members that are suitably qualified persons such as staff, volunteers or ECC committee members who have received relevant training or an external third party.
- 26.11. The appeal shall be by way of review and shall not be a re-hearing. The Appeals Panel may confirm or vary the decision and/or penalty of the Discipline Committee but may not increase the penalty imposed by the Discipline Committee.
- 26.12. The decision of the Appeals Panel shall be final and binding upon the Union and the member(s) concerned.
- 26.13. The procedure to be adopted for disciplinary hearings and appeals shall be as determined by the ECC from time to time.
- 26.14. A member suspended under this Rule 25.10 shall, during the period of suspension, remain liable for subscriptions and levies and all the obligations of membership.

RULE 27: LEGAL ASSISTANCE

- 27.1 Members are entitled to legal assistance as part of their membership, subject to the terms outlined in the UKPHD Legal Services Policy.
- 27.2 Legal assistance is provided at the discretion of the Executive Central Committee and may be changed or withdrawn at any time.
- 27.3 The Union reserves the right to decline legal assistance if the matter falls outside the scope of the UKPHD Legal Services Policy or if the member has not complied with the Union's rules.
- 27.4 Members must follow the advice and instructions provided by the legal representatives assigned by the Union. Failure to cooperate may result in the withdrawal of legal assistance.
- 27.5 The Executive Central Committee will regularly review legal assistance cases to ensure compliance with Union policy and effective use of resources.