

Trade Union for Ethnic Minority Social workers (TUEMSW)

Aims and objectives

- 1 To provide a means of regulating relations between BAME social workers and their employers and any other social workers who may be facing discrimination at workplace due to their race. The trade union caters for and is open to all social workers, however, our primary target subscribers are predominately social workers from BAME background but this not a benchmark for joining.
- 2 To provide BAME social workers with trade union services including advice, assistance and representation, legal or otherwise, and other benefits, in relation to matters arising out of or in connection with their employment as social workers and trainee social workers.
- 3 To do all such things as may be incidental to the above objects
4. To seek to ensure equality of treatment and fair representation for all members and to work for the elimination of discrimination on grounds of race.
5. To seek to protect the rights of all members to be treated with dignity and respect irrespective of race.
6. To improve the pay and conditions of members and promote their interests.
7. To establish good relations between members and their employers, to secure the settlement of disputes arising from members' employment, and to participate in joint negotiating machinery.
8. To promote and improve the health, safety and welfare of members in the workplace.
9. To work to achieve equal access to public services for BAME social workers and student social workers on placements.
10. To work with all other interested parties, individuals and organisations to maintain and improve the quality of services to the public.
11. To liaise with the United Kingdom Government, devolved administrations and all other levels of government on public services and related matters and to promote and monitor legislation for the benefit of members and the public.
12. To promote and pursue environmental sustainability in all our work.

2. TUEMSW DEMOCRACY

1. To promote, safeguard and improve the interests and status of members and the Union as a whole.
2. To promote and establish a member-led union and to carry out and fulfil decisions made by members in a spirit of unity and accountability.
- 3 To encourage solidarity and an effective working partnership between members, activists, representatives, officers and all staff in the service of the Union and its agreed policies.

3. SERVICE TO MEMBERS

1. To provide minimum guaranteed standards of advice, representation and service.

2. To provide information and publications about the Union and its work on a regular basis and in language and design that can easily be understood, including languages other than English where appropriate.
3. To make provision for certain benefits to members as provided in these Rules.
4. To provide and maintain educational facilities and to encourage members to participate in them.
5. To promote, maintain and contribute to schemes and/or funds for the financial, physical and social welfare of members and their dependants.

4. GENERAL

1. To maintain a political fund and the relationships which reflect the traditions of COHSE, NALGO and NUPE.
2. To assist and support other unions, organisations, charities or individuals as deemed appropriate locally, nationally and internationally.
3. To participate in international trade union activities and to foster appropriate international links.
4. To arrange amalgamations or transfers of engagements with other trade unions.
5. To perform such other duties and engage in such other business as a trade union may lawfully undertake.
6. To seek to ensure that members, activists, representatives and staff are treated with dignity and respect at all times when participating in the Union's democratic structures. Also, that members, activists, representatives and staff seeking the Union's services provided by external suppliers are treated similarly by the providers of those services.

5. MEMBERSHIP

The Union shall seek to represent:

1. Social workers and student social workers employed by any body, authority, company or corporation which has a public, charitable, educational, or statutory function, including those employed in the local government service, the health services, the education services, the police and justice sectors and in the voluntary and community sectors.
2. Those employed in such other areas of work and such other persons as may be provided for in these Rules, and as the National executive council may from time to time determine.

6. CATEGORIES OF MEMBERSHIP

1. Membership shall be open to any social worker and student social worker employed in the provision of public services and in such other employment as may come within the meaning of the above.

7. SUBSCRIPTIONS

According to their category of membership as set out below, members shall pay subscriptions as provided in Schedule A. Schedule A may be changed from time to time by the National Executive team.

7.1 FULL MEMBERSHIP

1 The following shall be eligible to become Members of the Union:

Category 1: Any person whose name is entered in the Register of ZUKSWA/UKSWA CIC but excluding Overseas Members .

Category 2: Any other person who is, or who is normally, or who seeks to be, in employment as a qualified social worker in the United Kingdom.

2. The National executive council shall keep a register of the names and addresses of Members.

3 An admission fee (if any) shall be payable on admission, and thereafter annual subscription fees (if any) shall be payable by Members at such rates or rate as may be determined from time to time in accordance with the Bye-Laws.

4. A Member whose admission fee (if any) or annual subscription fee is three months or more in arrears shall cease to be a Member of the Union (provided he/she has been served with prior notice of the arrears).

5. The National executive council may in its discretion, reinstate the Member on payment of the outstanding amount due and subject to such conditions as may be laid down by the National executive council from time to time.

8. Termination of Membership

1. A Member shall cease to be a Member of the Union if s/he:

2. Fails to pay fees in accordance with as in accordance with rule 7.1 3.

3. Gives written notice of resignation addressed to the General Secretary of the Union; or

4. Ceases for any other reason to be eligible under all Categories of membership.

5. The National executive council shall have the right to terminate or suspend membership if in the opinion of the Management team, the Member has conducted him/herself in a manner prejudicial or detrimental to the best interests of the Union, or contrary to its Objects.

Prior to termination or suspension of membership, the following procedure shall apply:

6. The Member shall be served with at least 14 days' written notice of the conduct or circumstances alleged to be grounds for his/her suspension or expulsion and of the date, time and place of the meeting at which the matter is to be considered.

7. The Member shall be entitled to attend the meeting, accompanied by a friend, and to make representations in response to the allegation(s). Alternatively, s/he may submit written representations to be taken into account at the meeting. Where the Member is deemed to have acted in a manner prejudicial or detrimental to the best interests of the Union, or

contrary to its Objects under rule. representations shall be limited to the question of the appropriate action to be taken.

8. The decision of the national executive council which shall be final, shall be communicated to the Member in writing as soon as practicable after the meeting.

9. Members' Rights

Benefits:

1. All Members shall be entitled to such benefits of membership as are from time to time determined by the National executive council and set out in a policy document available to any Member on request.

2. Where a Member has been suspended from membership under rule s/he shall not be entitled to any benefits under rule above during the period of suspension or relating to any matter occurring during the period of suspension.

Other membership rights:

3. Members shall be entitled to vote in Union elections as provided for in, and in accordance with, the procedures set out in the Bye-Laws.

4. Members shall be entitled to stand as a candidate for an elected position as provided for in, and in accordance with, the procedures set out in the Bye-Laws. Full members shall be eligible for full rights and benefits.

5. Membership shall extend to persons who have previously been members of the Union who are currently:

.1 On unpaid maternity, paternity, adoption, medically approved compassionate leave or other unpaid leave from their employment.

.2 On strike or locked out from their employment.

3. Eligibility for full membership shall extend to persons whether or not previously members of the Union who are undertaking a course of training or study whether full-time or part-time designed to lead to becoming employed within the scope of Rule 7.1 3.

10. UNEMPLOYED MEMBERS

1. Members dismissed, made redundant, having accepted a compromise agreement or having resigned as an alternative to dismissal from employment within the meaning of C.1 who notify the branch secretary in writing within six months of their loss of employment may achieve unemployed membership for two years from the date of dismissal, redundancy, agreement or resignation. This entitles them to retain benefits from the union for up to two years after they leave, provided they remain unemployed.

2. Unemployed members shall be entitled to attend meetings and to vote on issues not relating to pay and conditions of members in employment. They are not entitled to hold office

in the union unless otherwise decided by the national executive council.

11.0 MEMBERS IN EDUCATION

1. This category of membership shall extend to persons as stated above undertaking a course of education and were members of the ZUKSWA/UKSWA CIC in employment immediately prior to undertaking the course.
2. Persons in this category of membership shall not be entitled to hold any office in the Union.

12. RETIRED MEMBERS

1. A member may apply at any time for retired membership if she/he has had at least two years' continuous membership immediately prior to their retirement from employment within those areas of work set out in this document and who are retired.
2. Retired members who return to paid employment, which falls within the scope of these rules, will be obliged to pay the appropriate subscription rate to remain in TUEMSW membership. Such members will be able to resume retired member status on ceasing paid employment.

Retired members, who return to paid employment, which falls outside the scope of these Rule will cease holding retired member status. Such members may apply to resume TUEMSW retired member status when they cease paid employment.

3. Retired members shall be entitled to attend branch meetings and to vote on issues not relating to the pay and conditions of members in employment. They will be entitled to stand for office and vote only for positions in the Retired Members' Organisation unless otherwise determined by the National executive council or as otherwise provided for in these Rules.

13. HONORARY LIFE MEMBERS

1. Existing full members of the Union may be awarded honorary life membership in recognition of their service to the Union upon cessation of their normal membership. Such honorary life members must be nominated by their branch or by the National executive council, which body must approve all awards.
2. Honorary life members shall be entitled to participate in the Retired Members' Organisation and be eligible for the same rights and benefits as retired members. They will not be required to pay the fee for retired members set out above.
3. Existing life members of COHSE and NUPE and honorary members of NALGO shall become honorary life members of TUEMSW on Vesting Day.

14. HONORARY MEMBERS

1. A person is eligible to be an honorary member who is not otherwise eligible to be a member and who has rendered outstanding service to the Union, the Trade Union

Movement, or society in general. Nominations will be considered and determined by the National executive council.

2. An honorary member shall not be required to pay any subscription, and shall hold the membership for life, unless she/he resigns the membership or is deprived of it in accordance with Rule I or in such cases where a Rule I investigation is either impracticable or inappropriate, the National executive council shall have the power to revoke the Honorary Membership.

3. Honorary members are not entitled to hold any office, to act as delegate or representative on behalf of any branch, group or body of the Union, are not entitled to any benefit, and are not entitled to any vote.

15. MEMBERSHIP

1. Honorary members of COHSE, NALGO and NUPE at Vesting Day shall be honorary members of the Union.

EMPLOYEES OF THE UNION

2. This category of membership shall extend to employees of the Union who shall pay contributions as provided in Schedule A (1). A central register of such members shall be maintained at Head Office. Except as specified below all such members shall be eligible for all the rights and benefits of membership.

a. Members in this category shall be excluded from eligibility to:

.1 seek or hold office in any lay structure of the Union

.2 be in membership of any branch or of any Group or of any Region

.3 participate as a delegate in any policy-making forum of the Union

.4 participate as a member in any policy-making processes of the Union (excepting as set out below) or to vote for any lay member of the National executive council or any lay member of any Service Group Executive Committee

.5 be recognised for the purposes of collective bargaining with the National executive council.

6. Members in this category shall have the right to vote in any political fund ballot.

16. ALLOCATION TO CATEGORIES

In the event of uncertainty as to which category of membership it is appropriate for a member or members to belong, the National executive council may allocate the member(s) to the category it deems most appropriate.

17. MEMBERS' BENEFITS

1. A member is eligible for benefits in accordance with her/his category of membership, provided that she/he has paid the contributions required of her/him under these Rules.

2. Details of members' respective eligibility to benefits are set out below.

18. BECOMING A MEMBER

1. Every person wishing to become a member shall complete and sign a prescribed form of application for membership or by using the prescribed on-line system for joining, using her or his full name and giving her or his address and shall return it either to the branch secretary of the appropriate branch or to the office specified on the form. Membership shall commence on the date details of membership are entered into the membership records system.
2. Members shall be entitled to vote in statutory elections from the date of inclusion in the Union's central membership register or from the qualifying date for participation in an election as TUEMSW RULES 2020 – C MEMBERSHIP 7 specified in regulations made by the National executive council.

19 OBLIGATIONS OF MEMBERSHIP

1. Every member shall observe all the Rules of the Union.
2. Details of where the rulebook may be downloaded from the TUEMSW website will be provided to each new member when they join. Hard copies of the rulebook may be requested.
3. Every member who changes her/his address shall notify the Union of the change in the prescribed way.
4. It is the obligation of the member to ensure that her/his subscription is paid to the Union at the correct rate as set out in these rules and on the date on which it is due. Payment may be made in cash or by cheque (to the member's Union account or to a Union Office as directed); by standing order; by direct debit; by check-off arrangements made through the member's employer; or by any other method acceptable to the National executive council.

20. CEASING TO BE A MEMBER

1. LOSS OF ELIGIBILITY

Any member ceasing to be eligible for membership within Rule 7, and who does not fall within the classes of membership set out at Rule 7.1 3, shall automatically cease to be a member unless:

21. ARREARS OF SUBSCRIPTIONS

1. Any person owing more than three months' subscriptions shall cease to be a member of the Union (unless the National executive council decides otherwise) and shall forfeit all that she or he has paid to the Union.
2. Such a person may rejoin the Union. The National executive council shall require such a person to pay outstanding subscriptions or such other amount that it may determine.

22. RESIGNATION

Any member may at any time resign her or his membership by submitting a written resignation

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Upon resigning, that member will forfeit any right to receive or continue to receive benefits or privileges of membership and shall forfeit all that she or he has paid to the Union.

2.SUSPENSION

The National executive council shall have the power in exceptional circumstances to suspend a member from office for a period of not more than 60 days (unless such a period is extended by agreement between the parties) if the member faces disciplinary charges and the National executive council considers it appropriate in the interests of her or his branch or of the Union generally that she/he should be suspended until the charges are determined.

3. In cases of alleged financial irregularities brought under Rule I and the member faces disciplinary charges related to such allegations arising from a Rule I investigation, the National executive council may suspend the member(s) from holding office until the conclusion of the disciplinary investigation, hearing or appeal.

23. EXPULSION

A member may be expelled from membership in accordance with the disciplinary procedure set out in Rule I. In such a case the member will forthwith forfeit any right to receive (or to continue to receive) the benefits and privileges of membership.

24. TERMINATION

Notwithstanding anything in these Rules, the National executive council may, by giving six weeks' notice in writing, terminate the membership of any member, if necessary, in order to comply with a decision of the Disputes Committee of the Trades Union Congress.

25. THE UNION'S ANNUAL MEMBERSHIP AUDIT

1. The Union's membership system shall be audited each year by an Assurer.
2. The Assurer will be a qualified professional body of either financial auditors or membership scrutineers.
3. The Assurer will be appointed by the National executive council who thereafter shall continue to hold office until replaced by the National Delegate Conference.
4. An Assurer must be re-appointed for the following reporting period unless:
5. A resolution has been passed by the National Delegate Conference expressly stating that they are not to be re-appointed or appointing someone else instead.
6. The Assurer has given notice that they do not wish to be re-appointed.
7. They no longer meet the qualifications for appointment.
8. They are no longer able to act as an Assurer due to incapacity.
9. The Assurer will provide a membership audit certificate for the previous financial year to the National executive council for approval and adoption.

26.THE RIGHT TO ATTEND AND SPEAK

The following persons shall have the right to attend the Conference and to speak, but not to vote, in not more than one of the following categories:

1. all members of the National executive council (subject in the case of the three members who are also members of the Standing Orders Committee to the rules of that Committee below)

27. CONFERENCE TIMETABLE

Before a National Delegate Conference, the National executive council shall adopt and publish within the Union a detailed timetable enabling the following steps to be taken not later than the time stated:

28. CONFERENCE QUORUM AND PROCEDURE

1. The quorum of the National Delegate Conference shall be one-third of the delegates registered to attend and vote.

2. All motions and amendments for the agenda shall be of relevance to the Union as a whole rather than a Service Group.

3. The National executive council shall have the right to submit to the National Delegate Conference reports, statements, motions, amendments to motions and amendments to Rule (including emergency motions and amendments).

29. NATIONAL EXECUTIVE COUNCIL

Management

Executive Committee:

1. There shall be a National executive council which shall consist of up to nine members, comprising at least one representative from each nation from other areas.

2. The members of the National executive council shall be elected in accordance with the procedures set out in the Bye-Laws.

3. ZUKSWA/UKSWA CIC Management team automatically become members of the National Executive team.

30. Powers of the Executive Committee:

The Union shall be managed by the Executive Committee.

1. The National executive council may appoint such sub-committees as it sees fit in order to further the interests of the Union.

2. A sub-committee appointed under rule 6.5 above shall consist of such member or members of the National executive council together with such other person(s) as the Executive Committee shall see fit.

3. The National executive council may invite any person who is not a member of the National executive council (whether as a member of a sub-committee or otherwise), to attend and speak at a meeting of the National executive council for the purpose of providing the Executive Committee with factual information, or with technical or professional advice with

respect to matters to be taken into account by the National executive council in carrying out its functions.

A person so invited shall not be entitled to vote on any National executive council matter and shall not be a member of the executive.

31. Removal of members of the Executive Committee:

1 A member of the National executive council shall cease to hold office:

- (a) if he/she is adjudged bankrupt or a receiving order is made against him/her, or he/she makes any arrangement or composition with his/her creditors;
- (b) if he/she ceases to be a Member of the Union;
- (c) if he/she gives no less than one month's written notice of his/her resignation from such office, on the expiration of such notice;
- (d) if he/she is absent from the whole of three successive Executive Committee meetings and the National executive council resolves to remove him or her from office for that reason.

32. Any member of the National executive council who acts in a manner considered by the National executive council to be detrimental or contrary to the interests of the Union may be removed by the Executive Committee.

33. Before any decision is taken to remove National executive council member under rule above, the procedure set out in rules below shall be followed.

34. If the National executive council member who is removed is also the President or Honorary Treasurer of the Union, he/she shall thereupon cease to hold such position.

35. A resolution proposing the removal of a National executive council member shall be valid if:

- (a) It is in writing;
- (b) It is signed by at least three other National executive council members; and
- (c) It contains the grounds on which it is alleged that the Executive Committee member has acted in a manner detrimental or contrary to the interests of the Union.

36. The resolution shall be sent to the General Secretary who shall refer it to the next meeting of the National executive council unless such meeting is due to be held within 21 days from receipt of the resolution, in which case it shall be referred to the following meeting.

37. At least 14 days' written notice of the date, time and place of the meeting shall be served on the member of the National executive council whose removal is proposed, who shall at the same time be supplied with a copy of the resolution. The member shall be entitled to be accompanied at the meeting by a friend.

38. The decision of the National executive council shall be final and shall be communicated in writing to the member of the National executive council as soon as practicable after the meeting.

37. Meetings of the Executive Committee

1. The National executive council must hold at least two meetings each calendar year and must in any event hold a meeting within 28 days (or as soon as possible thereafter) following an AGM after an election under Bye-Law 1.

2. The National executive council shall also hold an additional meeting if required by the President, or on the written request of at least four members of the Executive Committee.

3. The National executive council may adjourn and otherwise regulate their meetings as they see fit and determine the quorum necessary for the transaction of the business. Unless otherwise determined, four members of the National executive council shall be a quorum.

4. A meeting of the National executive council may be held either in person or by suitable electronic means agreed by the National executive council in which all participants may communicate with all other participants.

5. The National executive council shall appoint one of their number to take the chair for the first meeting of the National executive council following an AGM after an election under Bye-Law 1.

Thereafter, the President shall preside as chair at each meeting of the Executive Committee. If he/she is not present within five minutes after the time appointed for holding the meeting, or is otherwise unable or unwilling to preside, then the Honorary Treasurer, if so present and willing, shall preside as chair. If the Honorary Treasurer is not present or willing to preside, then some other member of the National executive council chosen by the other members present shall take the chair.

6. Every issue may be determined by a simple majority of the votes cast at a meeting of the National executive council but a resolution which is in writing and signed by all the members of the National executive council is as valid as a resolution passed at a meeting and for this purpose the resolution may be contained in more than one document and will be treated as passed on the date of the last signature.

7. Except for the chair of the meeting, who has a second or casting vote (other than on the appointment of the Honorary Officers under Rule 8 below), every member of the Executive Committee has one vote on each issue.

8. A procedural defect of which the National executive council is unaware at the time does not invalidate decisions taken at a meeting of the Executive Committee.

38. Honorary Officers

.1 At the first meeting of the National executive council following an AGM after an election under Bye-Law 1, the National executive council shall, subject to Rule 8.2, appoint from among themselves the Honorary Officers, who shall be the President and the Honorary Treasurer.

8.2 No person may hold the office of President unless he/she has been a member of the Union for at least 3 years continuously prior to his/her appointment.

8.3 A person so appointed under Rule 8.1 above shall, subject to rule 6.8.4 above, hold office as President or Honorary Treasurer as applicable until the end of his/her term as a member of the Executive Committee. If re-elected to the Executive Committee, he/she shall be eligible for reappointment as an Honorary Officer.

8.4 If a casual vacancy arises, the National executive council shall, if it deems it necessary to do so, appoint a replacement from among them. A National executive council member so appointed shall hold the relevant office for the balance of the term of the person replaced.

On ceasing to hold that Honorary Office and provided he/she is re-elected to the Executive Committee, he/she shall be eligible for reappointment as an Honorary Officer.

39. General Secretary

1. There shall be a General Secretary of the Union who shall act as Chief Executive Officer to the Executive Committee.

2. The General Secretary shall be elected in accordance with the Procedures set out in the Bye-Laws.

3. The office of General Secretary shall be vacated if:

4. he/she gives written notice of his/her resignation from such office, or if such notice is given on his/her behalf and with his authorisation; or he/she is removed from office by a 2/3 majority vote of the members of the Executive Committee present and voting at a meeting of the Executive Committee, provided that:

(a) nothing in this rule shall deprive him or her of compensation or damages payable to him or her in respect of termination of his/her employment;

(b) he/she shall first have been given the reasons said to justify his/her removal and an opportunity to make written and / or oral representations (at his/her option) to the Executive Committee;

(c) he/she and the National executive council shall have been given at least 14 days' written notice of the date, time and place of the meeting at which the resolution is to be considered.

5. The National executive council shall from time to time specify in detail the duties of the General Secretary and shall keep these under review in the light of the current business of the Union. Subject to this, the duties of the General Secretary shall include the following:
6. The General Secretary shall act as the Chief Executive Officer to the Executive Committee. He/she shall be responsible for drafting the agenda for all meetings in consultation with the President or other chair of an National executive council meeting, and for recording all business of the Union.
7. The General Secretary shall conduct the correspondence of the Union and shall report to the National executive council all that relates to the business of the Union.
8. The General Secretary shall be responsible for the collection of monies due to the Union and for the payment of monies and for the collection of fees payable under rule 3.4.
9. The General Secretary shall cause to be kept proper accounting records with respect to the transactions of the Union and its assets and liabilities.
10. The General Secretary shall establish and maintain a satisfactory system of control of the Union's accounting records, its cash holdings and all its receipts and remittances.
11. The General Secretary shall ensure that an annual audit is undertaken by auditors appointed by the AGM in accordance with TULRCA.

40. Assets

1. The property and assets of the Union are held on trust by the Union's trustees on behalf of its Members.
2. The trustees shall be the two Honorary Officers. On a person's appointment as an Honorary Officer the National executive council shall pass a resolution appointing him/her as a trustee, and on ceasing to be an Honorary Officer the National executive council shall pass a resolution discharging him/her as a trustee.
3. The trustees shall act in all respects on the instruction of, and with the consent of, the Executive Committee.
4. The property of the Union, including all its income, shall be paid or solely applied for the aforesaid objects of the Union, and no part thereof shall be distributed to any category of Member of the Union by way of profit, provided that, subject to rule 10.3, nothing in this rule shall prevent the remuneration or other payment of any person or persons for any services rendered, or work done to or for the Union whether or not such person or persons is in any category of membership of the Union.
5. Further, and subject to rule 10.3: The property or funds of the Union may be applied or invested by the trustees in the purchase of such stocks, shares, securities or other investments or property of whatsoever nature and wheresoever situated and whether involving liabilities or not.

6. The trustees may borrow monies or hold, purchase or take lease on any land and may sell, exchange, mortgage, lease, surrender or build upon such lands, or do such other things in relation thereto as the National executive council may decide.

7. The trustees may execute any indemnity that may be required by the banks receiving direct debits originated by the Union.

8. Every trustee, member of the National executive council and every agent or employee of the Union shall, so far as may be allowed by law, be indemnified by the Union against, and there shall be paid out of the funds of the Union, all costs, losses, expenses of whatsoever nature such trustee, member of the Executive Committee, agent or employee shall or may incur or become liable to, by reason of any contract entered into or act or thing properly done by him/her in the course of or in the discharge of his/her duties to or for and on behalf of the Union.

9. The trustees shall undertake such further duties as the National executive council may from time to time decide.

41. General Meetings

Frequency:

1. An Annual General Meeting (“AGM”) must be held in every calendar year at such time and place as may be determined by the Executive Committee.

Business:

2. The business of an AGM shall include:

a. The accounts of the Union for the previous financial year;

b. The annual report of the Executive Committee;

c. The report of the auditors;

d. The appointment of an auditor in accordance with rule 12 below;

e. Amendments to the rules and Bye-Laws of the Union put forward in accordance with the procedures laid down in these rules;

f. Resolutions put forward in due form;

g. Such other business as the President shall determine in consultation with the General Secretary and which is duly notified in writing to the General Secretary.

42.Type of General Meeting:

1. Any general meeting which is not an AGM is an Extraordinary General Meeting (“EGM”).

Notice:

2. An EGM may be called at any time by the Executive Committee and must be called after a written request to the National executive council from at least five per cent of the Members.

3. General meetings are called on at least 21 Clear Days’ written notice (or at least 14 Clear Days in the case of an EGM) to the Members specifying the business to be transacted,

and including the terms of any motion submitted under rule 11.8 below. Clear Days

means, in relation to the period of a notice, that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect.

4. In addition to the written notice of an AGM under rule 11.5 above, the Executive Committee shall give Members not less than 120 days' notice of the date and place of an AGM.

5. The accidental omission to give notice of a meeting to, or the non-receipt of such notice by, any person entitled to receive notice thereof shall not invalidate any resolution passed, or proceeding transacted, at any meeting.

Motions:

6. Any motion submitted by the Executive Committee, or signed by 10 Members and submitted to the National executive council not less than 56 days before the date of the AGM shall be placed on the Agenda of that meeting and the terms of such motion shall be given in the Notice of the meeting under rule 11.5 above.

7. Any notice of a proposed amendment to a motion, submitted by the Executive Committee or signed by 20 Members and submitted to the National executive council not less than 7 days before the date of the meeting, shall be placed before the meeting, and the Executive Committee shall make available copies of such proposed amendments to those Members attending the meeting.

8. Before placing on the Agenda of any AGM, or giving notice or making available copies of any proposed motion or amendment of any proposed motion as required under rules 11.8 and 11.9 above, the National executive council shall have power:

9. To treat any motion on a particular subject as an amendment to any other motion on the same subject, and to rephrase it accordingly;

10. To treat any amendment to any motion as a separate motion and to rephrase it accordingly;

11. To group together into one composite motion any two or more motions and/or amendments which have a similar object and, in so doing, to use the phraseology which in the opinion of the National executive council best expresses the object of such motions and/or amendments;

12. To arrange the order of motions and amendments;

13. To require that two or more motions and/or amendments be debated together, but that votes be taken on them sequentially;

14. When rephrasing or composing motions or amendments, to consult with the signatories thereof insofar as it seems to the National executive council expedient.

Proceedings at General Meeting:

42. Quorum:

1. There is a quorum at a General Meeting if the number of Members personally present is at least 30, or one percent of the Members, whichever is the fewer.
2. If within half an hour from the time appointed for the meeting, a quorum is not present, the meeting shall if it was convened on the requisition of Members, be dissolved. In any other case, it shall stand adjourned to the same day in the next week, at the same time and place, or such other place as the National executive council may determine. If at such adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the Members present shall be a quorum.

Chair:

3. The President shall preside as chair at every General Meeting. If he/she is not present within five minutes after the time appointed for holding the meeting, or is otherwise unable or unwilling to preside, then the Honorary Treasurer, if so present and willing, shall preside as chair. If the Honorary Treasurer is not present or willing to preside, then some other member of the National executive council chosen by the Members present, shall take the chair.

Adjournment:

4. The President may, with the consent of the meeting at which a quorum is present (and shall if so directed by the meeting) adjourn the meeting from time to time, and from place to place, but no business shall be transacted at any adjourned meeting other than the business which might have been transacted at the meeting from which the adjournment took place. Whenever a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given in the same way as the original meeting. Otherwise, the Members shall not be entitled to any notice of an adjournment, or of the business to be transacted at an adjourned meeting.

Voting:

5. Except where otherwise provided by these rules, every issue at a General Meeting is determined by a simple majority of votes cast by the Members present in person.
6. Except for the chair of the meeting, who has a second or casting vote, every Member present in person is entitled to one vote on every issue.

43. Appointment and Removal of Auditors

1. At each AGM the Union shall appoint an auditor to hold office from the conclusion of that meeting until the conclusion of the next AGM.
2. At each AGM the retiring auditor for the preceding financial year shall be re-appointed auditor for the current financial year without any resolution being passed unless:
3. a resolution has been passed at a general meeting of the Union appointing somebody

instead of him or providing expressly that he shall not be re- appointed, or

12.2.2 s/he has given notice to the Union in writing of his unwillingness to be re- appointed, or 12.2.3 s/he is ineligible for re-appointment, or 12.2.4 s/he has ceased to act as auditor by reason of incapacity, provided that where:

(a) notice has been given of an intended resolution to appoint somebody ("N") in place of a retiring auditor ("R"), but

(b) the resolution cannot proceed at the meeting because of N's death or incapacity, or because N is ineligible for appointment,

R need not be expressly reappointed.

4. If a motion is submitted under rule 11.8 above, proposing a resolution at the AGM to appoint as auditor a person other than a retiring auditor or providing expressly that a retiring auditor shall not be re-appointed:

5. The General Secretary shall send a copy of such motion forthwith to the retiring auditor;

12.3.2 If the retiring auditor makes written representations to the Union with respect to the intended resolution, and requests their notification to Members, then unless the representations are received too late to be included in the notice sent to Members under rule 11.5 above:

(a) the notice sent to Members under rule 11.5 shall state the fact that representations have been made; and

(b) the notice shall include a copy of the representations with the notice.

12.3.3 If a copy of the representations is not sent to the Members because they are received too late or because of the default of the Union, the auditor may, without prejudice to his/her rights to be heard orally, require that the representations shall be read out at the meeting.

44. Membership Audits

a) The AGM shall appoint a qualified independent person as an Assurer to prepare an annual Membership Audit Certificate for each reporting period in accordance with the statutory requirements from time to time in force.

b) Subject to Rule 12,4(c), the Assurer shall hold office for a period of 3 years. In the event of the Assurer being unable or unwilling to act for any reason the Executive Committee shall have power to engage a successor to act until the next AGM.

c) An Assurer may be removed from office by (and only by) resolution of the AGM.

45. Bye-Laws

The Union may, in General Meeting, make Bye-Laws relating to the election of the

National executive council members and the General Secretary, and such other matters as the

Union in General Meeting thinks fit, provided that:

1. No Bye-Law may be made or shall be valid if it shall contravene or be inconsistent with these rules,
2. No Bye-Law shall be laid before a General Meeting unless it shall first have been considered by the Executive Committee, and 13.1.3 No Bye-Law may be added, amended or deleted other than by resolution of a simple majority of those present and voting at the General Meeting.

46. Amendments to rules

The Union may, in General Meeting, amend these rules provided that:

- 1 No proposed amendment shall be laid before a General Meeting unless it shall first have been considered by the Executive Committee,
2. Notice of any proposed amendment(s) shall be given to Members in writing not less than 21 days before the meeting, and
3. No rule may be added, amended or deleted other than by resolution of a two thirds majority of those present and voting at the General Meeting.

47. Dissolution

1. The Union shall not be dissolved except at a Special Meeting called for that purpose. The Special Meeting shall be called on at least 28 Clear Days' notice given to all Members, and the resolution shall require a majority of two thirds of the Members present and voting.
2. Any property of the Union whatsoever which remains after satisfaction of all debts and liabilities shall be sold as directed by the National executive council and the monies raised thereby transferred to such charities connected with social work as the Special Meeting shall decide.

48. Notices

- 1 A notice may be served by the Union upon any Member personally or by sending it through the post in a prepaid envelope addressed to the Member at his/her address appearing in the register of Members.
2. Any notice, if served by post, shall be deemed to have been served on the third day following that on which it was posted, and in proving such service it shall be sufficient to prove that the envelope containing the notice was properly addressed and posted as a prepaid envelope.

49. Interpretation

Any ambiguity or uncertainty in these Rules may be resolved by a decision of the Executive Committee.

Bye-Law 1 - Election of National executive council members

50. Election procedure:

1. Elections are to be carried out in accordance with the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992 ("TULRCA"). Provided it is consistent with any amendments or subsequent legislation, the following procedure shall apply:
2. Save as provided for at Bye-Law 1.3 below:
3. All Members of the Union shall be entitled to vote for the UK Representatives; and
4. All Members within the relevant nation (according to their address in the Register of Members) shall be entitled to vote for the National executive council member who is to be the representative of that nation ("the National Representatives").
5. The entitlement to vote as set out at Bye-Law 1.2 above shall not apply to any Member who, at the date of distribution of voting papers has less than 3 months' continuous membership of the Union and/or is in arrears in respect of any admission fee and/or membership subscription fees payable to the Union.
6. All candidates for election must be a Member of the Union and have been a Member of the Union for a minimum of 1 year continuously immediately prior to nomination.
7. A candidate for election must be nominated by another Member of the Union. In the case of the National Representatives, nomination must be by a Member within the relevant nation.
8. Upon receipt of nominations, the Union shall appoint a qualified independent person to act as the Returning Officer and scrutineer for the election.
9. If only one nomination is received, the person so nominated shall take up the relevant office without any requirement for a ballot to be held.
10. The declaration of the results of all elections shall be made in accordance with the relevant provisions of the TULRCA.

51. Term of office:

1. Each National executive council member shall take office from the date of announcement of his/her appointment following completion of the ballot and shall hold such office until the conclusion of the second AGM following that announcement.
2. Provided they continue to meet the eligibility criteria at Bye-Laws 1.4 and 1.5, an Executive Committee member shall be eligible for re-election whether as a UK Representative or a National Representative.

52. Casual Vacancy:

1. If a casual vacancy occurs in any Executive Committee, UK Representative or National Representative position, the National executive council shall if it deems it necessary to do so, arrange for an election to be held in accordance with these Bye-Laws to elect a replacement.

A person so elected shall take office in place of the person originally elected for a full term

of office.

Bye-Law 2 - Election of General Secretary

53. Election procedure:

1. The election is to be carried out in accordance with the provisions of TULRCA. Provided it is consistent with any amendments or subsequent legislation, the following procedure shall apply:

.2 Save as provided for at Bye-Law 2.3 below, all Members of the Union shall be entitled to vote for the General Secretary.

.3 The entitlement to vote as set out at Bye-Law 2.2 above shall not apply to any Member who, at the date of distribution of voting papers has less than 3 months' continuous membership of the Union and/or is in arrears in respect of any admission fee and/or membership subscription fees payable to the Union.

.4 All candidates for election as General Secretary must be or become on election a Member of the Union.

.5 A candidate for election as General Secretary must be nominated by at least 20 Members of the Union.

.6 Voting in all cases shall be by marking of a voting paper by postal ballot.

.7 The Union shall appoint a qualified independent person to act as the Returning Officer and scrutineer for the election.

.8 If only one nomination is received, the person so nominated shall take up the position of General Secretary without any requirement for a ballot to be held.

.9 The declaration of the results of the election shall be made in accordance with the relevant provisions of the TULRCA.

.10 The person who is elected the General Secretary shall, if they were prior to their appointment a member of the Executive Committee, cease to be a member of the National executive council from the end of the Annual General Meeting at which they take up office.

54. Term of office:

1. The General Secretary shall hold office for no more than five years but shall be eligible for re-election.

55. Casual vacancy:

1. If a casual vacancy occurs in the position of General Secretary, the Executive Committee may arrange for an election to be held under these Bye-Laws to elect a replacement, or may appoint an Acting General Secretary provided that such appointment is made in accordance with section 46 TULRCA. Without limitation to the foregoing:

(a) a person so appointed as Acting General Secretary is not a voting member of the National executive council or an employee of the Union, and if they were a member of the

National executive council prior to their appointment as Acting General Secretary they shall, on appointment as Acting General Secretary, cease to be a voting member of the Executive Committee; and

(b) s/he may not hold that position for more than 13 months after s/he took it up; and

(c) s/he has not held the position of President or General Secretary in the period of 12 months ending with the day before s/he took up that position.

56. Bye-Law 3 – Membership admission and subscription fees

1. The admission fee payable by Members shall be determined from time to time by the National executive council and different admission fees may be prescribed for different categories of Member.

2. An annual subscription fee shall be paid by all Members at an amount which shall be fixed annually by the National executive council and payable on 1 October, or such other date or dates as the National executive council shall see fit, and different subscription fees may be prescribed for different categories of Member.

3. The National executive council shall have power to make rules providing for the payments of subscriptions by instalments or to reduce or remit the whole or any part of the admission fee (if any) and/or subscriptions payable by any Member where there are special reasons for doing so.

57. Bye-Law 4 – Election Advisory Committee

.1 There shall be an election advisory committee, the composition and terms of references of which shall be determined by the National executive council but the functions of which shall include:

2. to determine what skills and experience are required on the Executive Committee;

And to notify members of the skills and experience required and to encourage applications from / nominations of Members possessing such skills and experience.

3. The election advisory committee may adopt such policies or processes as they consider fit from time to time to assess the skills and experience of candidates for election to the National executive council and to encourage nominations of Members possessing the relevant skills and experience.