



Nottinghamshire Healthcare Branch



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Nottinghamshire Healthcare Branch



Nottinghamshire Healthcare Branch Rules and Constitution

1 Branch Name

The branch shall be called “Nottinghamshire Healthcare Branch” of UNISON and is referred throughout the rules as “the Branch”.

2 Aims of the Branch

- a) To support and pursue the Aims and Objectives contained in the UNISON Rule Book, and the objectives agreed by UNISON’s National Executive Committee annually, and in particular:
- b) To achieve the aims and targets set annually the Branch assessment.

3 Membership

- a) The eligibility and application for membership shall be in accordance with UNISON rules.
- b) The obligations of members and the loss of eligibility for membership shall be in accordance with UNISON rules.

4 Branch Structure

4.1 The Annual General Meeting

- (a) The Annual General Meeting [AGM] is the supreme governing body of the Branch.
- (b) The AGM will ratify the election of branch officers and representatives, will ratify branch delegates to represent the branch within other levels of the Union and associated trade union bodies, will review and decide on branch finance and business, receive and agree motions, and develop branch policy and strategy
- (c) The AGM will ratify the basis of representation in the branch including the number of workplace representatives to be elected in employers, work groups or workplaces and any divisional structure.
- (d) The Branch Committee may determine to hold a single AGM or a series of aggregate Annual General Meetings based on divisions, workplaces, or geographical areas. The aim will be the widest membership participation in the AGM.
- (e) The AGM will be held between 1 January and 31 March.
- (f) The dates, times and venues of the AGM, nomination forms for all elected positions in the branch and the call for motions will be publicised to all members. This will be no later than 10 weeks before the AGM.
- (g) The quorum for general branch meetings shall be 5% of the membership at a single meeting or through aggregate meetings.
- (h) Other general branch meetings may be called by the Branch Committee or by 20 members of the branch or 5% of the membership, whichever is the greater.



Nottinghamshire Healthcare Branch



4.2 The Branch Committee

- (a) The Branch Committee shall be responsible for the general management and control of Branch business between AGMs in accordance with the Union's rules, policy and guidance.
- (b) Representation on the Branch Committee will be agreed by the AGM and will include
 - Branch Officers
 - The convenors from Divisions and such additional workplace stewards from employers and/or work groups as determined by a Branch Audit considering the size of membership and in line with UNISON rule and practice.
- (c) The Branch Committee may co-opt additional members for special purposes but such members shall not have the right to vote at Branch Committee meetings
- (d) The Branch Committee shall have responsibility for meeting the Union's principles of proportionality and fair representation
- (e) The quorum for the Branch Committee shall be at least a third of the members of the Committee providing that attendance broadly reflects the requirements of proportionality and fair representation within the branch
- (f) The Branch Committee will meet at least four times a year.
- (g) The Branch Committee shall have the responsibility for employing Branch staff and the employment relations with those staff
- (h) The Branch Committee shall determine such policies and procedures to enable it to administer and manage the Branch in accordance with Union rule and guidance.
- (i) The Branch Committee shall determine appropriate sub-committees and working groups of the Committee for the effective running the Branch.
- (j) The Branch Committee will undertake an annual Branch Audit of membership. The Audit will identify the size of membership in workgroups and employers bargaining units. This Audit will establish the basis for workplace constituencies, numbers of workplace representatives, divisions and divisional structure in line with UNISON rules and guidance, for the following UNISON year.
- (k) The Branch Committee will oversee, and where necessary establish, arrangements for the representation and negotiation on behalf of members. Any difficulties will be referred to the Regional Organiser.
- (l) The Branch Committee will organise and administer the election of branch officers and representatives.
- (m) The Branch Committee shall ensure that Divisions within the branch are appropriately and equitably resourced to ensure the effective participation of members.
- (n) The Branch Committee will appoint delegates from its membership to represent the branch within other levels of the Union and associated trade union bodies. If, after this, there are still vacancies, these seats will be advertised to the wider branch membership.
- (o) The Branch Committee will be responsible for handling any members complaints



- (p) Employed officials of the Union shall be able to attend Committee meetings and shall have the right to speak but not to vote.

4.3 Branch Divisional Structure

- (a) The branch recognises an effective branch is one that seeks to organise at the level of the workplace or bargaining unit, devolving power and responsibility to elected workplace representatives and convenors for day-to-day industrial matters within a framework agreed by branch, regional and national rules.
- (b) The branch will establish a divisional structure.
- (c) A Division will cover a bargaining unit. This unit may be a smaller employer or the division or department of a larger employer.
- (d) Divisions will be determined by an annual Branch Audit of membership. The Audit will take account of employer bargaining units to ensure UNISONs Divisions reflect bargaining structures. The Audit will establish the number of seats held by Divisions on the Branch Committee. The number of seats will broadly reflect the size of membership in the respective bargaining units.
- (e) The Branch Committee will devolve such resources and autonomy to Divisions, where practicable, to enable the effective organisation of Divisions membership
- (f) The Division will provide for the participation and representation of members in the bargaining unit. Each Division will have autonomy of collective bargaining. This will be commensurate with the level of the employers bargaining structure and subject to the policies and guidelines of the branch, regional and national union. For example a Divisional Committee within a division of an employer would be able to undertake collective bargaining on matters that solely affect that division. If an issue crossed divisional boundaries this would be dealt with by Convenors and or stewards meeting as detailed in section (i) below.
- (g) Divisions will be led by a committee of all elected workplace representatives within the Division.
- (h) Divisions may elect a convenor where that Division would attract a minimum of 5 stewards. The convenor will be the senior representative within the bargaining unit. The convenor will represent all members within a Division. The convenor will be responsible for negotiating and bargaining with the employer.
- (i) If there are a number of Divisional Committees, covering divisions or departments within a large employer, each Committee will send its convenor to represent that Committee at the employer's highest collective bargaining body. If there are additional UNISON seats on the employers negotiating body they will be filled by stewards from the Divisional Committees in broadly fair proportion to the number of members within those Divisions and the employer. The numbers of stewards will be determined by the Branch Audit. If a Divisional Committee must send additional stewards they will be elected by the Divisional Committee on an annual basis. Divisional Committees can send substitutes and observers to enable the smooth running of Divisional representation in local



Nottinghamshire Healthcare Branch



bargaining. This group of Convenors and stewards should meet frequently to ensure UNISON's bargaining agenda is progressed effectively.

- (j) Each Divisional Committee can submit motions to branch meetings and the Branch Committee.
- (k) Each Divisional Committee will send its convenor and such stewards as established by the Branch Audit considering the size of membership in that Division to the Branch Committee.
- (l) Divisional Committees can receive motions from members within a Division on employment and industrial relations matters.
- (m) Divisional Committees, that cover multiple workplaces, can devolve authority to representatives in larger workplaces within a Division, where feasible, to progress local bargaining. This local bargaining would deal with issues affecting only that workplace. The workplace representatives within that workplace would form a committee. This committee would meet for the duration of the issue or issues and for no longer than the lifetime of the Divisional Committee. Issues that crossed workplace boundaries would be dealt with by the Divisional Committee.

5. Branch Elected Representatives

5.1 The Election of Officers and Representatives

- a) All nominations must be received in writing at least 7 weeks before the AGM
- b) Each nominee will be confirmed in writing and given the right to withdraw no later than 6 weeks before the AGM
- c) Votes for contested positions will be will be conducted by secret ballot.
- d) Official ballot papers will be supplied by the Branch
- e) All officer and representative vacancies at or after the AGM will be advertised to the membership. Nomination and election to these vacancies will be administered by the Branch Committee.

5.2 Workplace Representatives

- (a) Every full member, not in arrears with subscriptions, is entitled to stand as a UNISON Steward, Health and Safety Representative or Union Learning Representative. The exception is Branch employed staff who are not eligible to hold any office within the branch.
- (b) All workplace representatives will be elected annually by the members they represent in a work area with the exception of the unelected workplace contact.
- (c) All workplace representatives must be nominated by two members employed in the work area.
- (d) If there is more than one candidate per role a vote will be held.
- (e) Only members employed in the relevant work area may participate in the election



5.3 Divisional Representatives

- (a) Each Division within the branch will elect a convenor (senior steward) where that Division would attract a minimum of 5 stewards.
- (b) All convenors must have been an elected workplace representative in the year preceding their election to office and have undertaken a recognised course of study with UNISON or the TUC in the previous two years.
- (c) All convenors will be elected annually by the members they represent in a Division.
- (d) All convenors must be nominated by two members employed in that Division or by the Divisional committee.
- (e) If there is more than one candidate per role a vote will be held.
- (f) Only members employed in the relevant Division participate in the election

5.4 Branch Officers

- (f) The branch shall elect the following officers annually:

Branch Chairperson

Branch Secretary

Assistant Branch Secretary

Treasurer

Education Co-ordinator

Equality (Black Members) Officer

Equality (Women's) Officer

Equality (Disabled Members) Officer

Equality (Lesbian, Gay, Bisexual, Transgender) Officer

Health & Safety Officer

Communications Officer

International Officer

Membership Officer

Young Members' Officer

Lifelong Learning Co-ordinator

Welfare Officer

Labour Link Officer

Campaigns Officer



Nottinghamshire Healthcare Branch



Retired Members Secretary

and such other officers, necessary for the effective operation of the Branch, which shall be approved by the Branch.

- (g) Any full member of the branch, who has been a member for at least 13 weeks and is not in arrears with their subscriptions, can be nominated for a branch officer position. Branch employed staff are not eligible to hold any office within the branch
- (h) All branch officer posts are open to job share
- (i) Full members should refrain from standing for more than two branch officer posts irrespective of whether they are for the full post or job-shared.
- (j) Branch officers may be nominated by the Branch Committee or by any two full members. There are two exceptions:
 - The Branch Labour Link Officer can only be nominated and elected by Branch Affiliated Political Fund (APF) members
 - The Retired Members Secretary can only be nominated and elected by Branch Retired Members;
- (k) If there is more than one candidate a vote will be held, unless candidates are job sharing the same post

6 Conduct of Meetings

- (a) All meetings will be conducted in a fair and democratic manner
- (b) All meetings will adhere to UNISON rule and guidance
- (c) The Branch will maintain rules and guidance for the conduct of meetings
- (d) All meetings should be advertised widely as far in advance as possible
- (e) The procedures to be used at the meeting should be explained clearly
- (f) The Branch will maintain records of meetings and other appropriate records to enable the branch to function

7 Communications

- a) Communication on behalf of the branch will be undertaken in line with UNISON rule and practice
- b) Communication to the media on behalf of the branch shall be made only by officer(s) authorised by the Branch Committee or a Branch General Meeting
- c) Communications to members, staff and public on behalf of the branch shall be made only by officer(s) authorised by the Branch Committee or a Branch General Meeting
- d) Communications to employers on behalf of the members in the course of collective bargaining shall be undertaken only by officers or workplace representatives authorised by the Workplace/Divisional Committees, Branch Committee or a Branch General Meeting.



Nottinghamshire Healthcare Branch



8 The Virtual Branch

- a) The Branch can use “virtual” technologies if this will increase the participation of members within the Branch.
- b) Branch business at a workplace committee, Branch Committee or Branch meeting can be undertaken in a virtual setting.
- c) A virtual meeting will not replace a physical Branch general meeting but may run alongside the physical meeting where appropriate if this will support increased participation.
- d) The Branch Committee will physically meet at least four times a year.

8.1 Virtual Meetings and Virtual Decision Making

- a) All members entitled to sit on a UNISON Committee or attend a UNISON meeting should be included in a virtual meeting or decision making.
- b) If members have limited access to technology the Branch Chairperson, Branch Secretary or other designated officer or representative will make such provision as to enable members to participate in the virtual decision making process (e.g. by telephone, through internal post etc)
- c) The use of technology in virtual meetings should be co-ordinated and moderated by the Branch Chairperson (or in her/his absence by a person designated by the Branch Committee). The Branch Chairperson will ensure that business is properly conducted
- d) The issue should be clear and accessible to all.
- e) If the issue is complex, requiring discussion, a physical meeting is needed.
- f) All necessary supporting information should be provided where appropriate
- g) The timetable for receipt of motions, amendments and decision making should be clear and in line with UNISON rules.
- h) The conduct of virtual meetings will be the same as at a physical meeting.
- i) The quorum will broadly reflect proportionality and fair representation.
- k) The quorum for the Branch Committee and other workplace committees will be 33%
- l) The quorum for a Branch Meeting (including both virtual and physical) will be 8%
- m) If the quorum of a virtual meeting has not been met, the business should be raised at the next physical meeting.
- n) A written record must be kept of all decisions taken.
- o) All decisions made should be presented for information purposes to the next meeting and should be included with the minutes of that meeting



Nottinghamshire Healthcare Branch



9 Affiliations

- a) Affiliations to relevant constituency Labour Parties will be decided by the APF membership.
- b) Affiliations to trade councils shall be determined by the AGM or Branch Committee.
- c) Affiliations to all other organisations shall be determined by the AGM. The aims and objectives of these organisations must be sympathetic to or consistent with those of UNISON. Any such affiliation must have regard to UNISON's rules and guidelines.

10 Finance

- a) The Branch shall keep a bank/building society account in the name of the branch.
- b) The branch will maintain a financial record of all assets and transactions in accordance with UNISON rule and guidelines.
- c) The Branch will establish financial procedures in line with UNISON rule and practice.
- d) All Branch representatives and members have a responsibility for honesty and good financial practice

11 Donations

Donations shall be agreed by the AGM or Branch Committee in accordance with the Union's policies and objectives and subject to provisions of national rule.

12 Expenses

Rates of expenses for members attending or carrying out other activities on behalf of the Branch shall be agreed by the AGM in accordance with UNISON rule and practice.

13 Honoraria

- a) The Branch may make honoraria payments provided it does so in line with UNISON rule and practice.
- b) An honorarium is a discretionary one-off payment, made annually by the Branch to a lay member in recognition of the voluntary work they have undertaken for the branch.
- c) The Branch is not obliged to make honoraria payments
- d) If honoraria are to be paid a proposal for payment must be submitted to a quorate general Branch meeting for approval. Honoraria payments must be made retrospectively and no payment shall be made until approval has been given.
- e) The total of any proposed honoraria payments may not exceed 10% of the Branch retention received in the last UNISON financial year. No individual Branch member shall receive honoraria payments in excess of 5% of the Branch retention.

14 Branch Staff

- a) The Branch Committee will be responsible for the employment of Branch staff.



Nottinghamshire Healthcare Branch



- b) Branch employed staff will be treated no less favourably than lay members working for the principle employer of the Branch.
- c) The Branch will establish policies and procedures governing the employment of Branch staff. These will be consistent with UNISON rule and guidance, employment law and good practice.
- d) The Branch Secretary, or designated officer, will be responsible for the direction and supervision of any staff employed by the branch.

15 Approval/Alteration to Branch Rules

- a) Branch rules must be agreed by two-thirds of members present and voting at a quorate branch meeting.
- b) Branch rules must be approved in accordance with UNISON's procedures.
- c) Any changes to branch rules must be agreed and approved in the same way.