

## Constitution of the Forestry Commission Trade Unions

### *Title*

- 1) The title shall be the "Forestry Commission Trade Unions" (FCTU).

### *Membership*

- 2) The FCTU is a partnership of those members of the constituent unions employed within the Forestry Commission. The constituent unions are:
  - a) Public and Commercial Services Union;
  - b) Unite;
  - c) Prospect;
  - d) GMB Union;
  - e) First Division Association.

### *Purpose & Principles*

- 3) The purpose of the Forestry Commission Trade Unions shall be; to protect and promote the interests of union members within the Forestry Commission through the co-ordination of the views and efforts of the constituent unions.
- 4) In pursuing this purpose the FCTU will at all times give due regard to the principle of consensus decision making and to ensuring democracy and accountability to members.

### *Bodies and Structures*

- 5) The FCTU shall have officers and structures at Departmental, Area and Local levels to enable it to fulfil its purpose.
- 6) At the Departmental level these shall consist of:
  - a) a Chairperson who will provide strategic leadership to the FCTU;
  - b) a Secretary who will ensure the effective discharge of FCTU business;
  - c) a Departmental Committee which will provide overall control of the FCTU;
  - d) a Trade Union Side (DTUS) of the Departmental Staff Council.
- 7) Below Departmental level the FCTU will operate through six Area Committees (ACs); one each for England, Scotland, Wales, Forest Research, Silvan House and Forestry Business Units. The constitution and remit of the Area Committees will be determined by the FCTU Departmental Committee.

### *Forestry Commission Trade Union Departmental Committee*

- 8) The Forestry Commission Trade Union Departmental Committee (Departmental Committee) will provide overall control of the FCTU. Its functions are to:
  - a) Provide strategic direction to all of the FCTU activities;
  - b) Determine departmental policy and ensure consistency of approach to area issues;
  - c) Engage through the DTUS and other appropriate sub-committees in negotiations with senior managers on departmental matters;
  - d) Elect the officers of the FCTU;

- e) Ensure that the business of the FCTU is discharged in an accountable and democratic fashion;
  - f) Identify and develop areas for improving the performance of the FCTU.
- 9) The Departmental Committee will consist of the Chairperson, Secretary and one representative (who will normally be the most senior representative), appointed by each of the unions detailed at paragraphs 2a-d.
- 10) The Departmental Committee will meet once each month. Additional ordinary meetings may be called at the discretion of the Chairperson or Secretary.
- 11) Extra-ordinary meetings of the Departmental Committee will be called when formally requested in writing to the Secretary by two or more Departmental Committee members. Such requests must be made no less than fourteen days prior to the suggested meeting date and the Secretary shall give not less than seven days notice of the proposed meeting to Departmental Committee members. Extra-ordinary meetings will only consider matters included in the request.
- 12) When a representative is unable to attend a meeting of the Departmental Committee, a substitute may be appointed by their constituent body. When desired, the Secretary may invite additional persons to attend all or part of a Departmental Committee meeting<sup>1</sup>.
- 13) A quorum for the Departmental Committee shall consist of the Chairperson or the Secretary plus the representatives appointed by each of the unions. However where there is not a representative from one (and only one) of the unions, then a meeting will be deemed to be quorate, unless that union has formally requested that a meeting, or a particular issue on the agenda of a meeting, should not be regarded as quorate. Where there is not a representative from more than one of the unions, then a meeting will be deemed to be in-quorate, unless the Secretary has received notification that a meeting, or a particular issue on the agenda of a meeting, may be regarded as quorate.
- 14) The Departmental Committee will work at all times on the basis of consensus decision making. Wherever practical this will be achieved by each union formally confirming its approval of the decisions and resolutions of the Departmental Committee; such confirmation will not be unreasonably withheld. However, where in the view of the Chairperson, the Departmental Committee is not moving towards a consensus view, a decision will be made by a simple majority of votes of those members of the Departmental Committee appointed in accordance with paragraph 9a. Representatives from PCS and Unite shall have two votes per union, and those from Prospect and GMB shall have one vote per union.
- 15) The Departmental Committee may form standing or ad-hoc sub-committees, as it deems necessary, to consider issues or represent the FCTU as remitted.

#### *Annual General Meeting*

- 16) The Secretary will organise an Annual General Meeting of the FCTU. The arrangements for the AGM will be determined by the secretary, in consultation with the Departmental Committee, in accordance with the following criteria:
- a) The General meeting will consist of the Chairman, Secretary and delegate members of the FCTU's constituent unions, each of whom will be nominated by their constituent union. Guests and additional non-voting attendees may be invited at the discretion of the Departmental Committee.

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<sup>1</sup> A standing invitation from the Secretary will be extended to each of the full-time officials allocated by each of the unions to support their members in the FCTU, to attend any or all of the meetings of the Departmental Committee.

- b) The total number of delegates will be determined by the Departmental Committee in the proportions of 2, 2, 1, and 1 delegate for each of the PCS, Unite, Prospect and GMB unions respectively.
  - c) The chairperson will provide the AGM with a report of the FCTU's activities for the previous year.
- 17) Extraordinary General Meetings of the FCTU may be called when formally requested in writing to the Secretary by two or more constituent unions. Such requests must be made no less than twenty eight days prior to the suggested meeting date and the Secretary shall give not less than fourteen days notice of the proposed meeting to Departmental Committee members. Extra-ordinary meetings will only consider matters included in the request

*Departmental Trade Union Side (DTUS)*

- 18) The DTUS will consist of the Chairman, Secretary and up to two representatives from each of the PCS, Unite, Prospect and GMB unions.
- 19) The DTUS is responsible through the Staff Council for encouraging an open, positive and inclusive relationship with senior managers, for conducting negotiations, and making other representations to senior managers as directed by the FCTU Departmental Committee.

*Chairperson and Secretary*

- 20) The Chairperson and Secretary of the FCTU will be the Chairperson and Secretary of the Departmental Committee, DTUS and where applicable all other sub-committees as may be formed by the Departmental Committee. In the absence of the Chairperson, the Secretary will chair any meetings.
- 21) The role of the Chairperson will be to provide effective strategic leadership to the FCTU through:
- a) Taking a lead in the determination of the FCTU's priorities and strategic direction;
  - b) Taking a lead on representing the beliefs and views of the FCTU and trade unionism to members and other internal or external groups;
  - c) Overseeing the effective conduct of Departmental Committee and FCTU business;
  - d) Providing guidance and support to union representatives.
- 22) The role of the Secretary will be to ensure the effective delivery of FCTU business through:
- a) Coordinating, supporting and guiding the work of all elements of the FCTU structure;
  - b) Assisting in the determination of policy through the generation of effective options and the drafting of papers for consideration;
  - c) Acting as the main link between the FCTU and the Forestry Commission, and ensuring that effective communication exists between the FCTU and other internal or external groups;
  - d) Drawing to the attention of the Departmental Committee or DTUS any issues of which they need to be aware for the proper discharge of their functions;
  - e) Identifying resource requirements and being accountable to resource providers for the efficient and effective use of those resources.
- 23) The Chairperson and Secretary will be elected for a period of five years by the Departmental Committee.

- 24) The process for an election will be determined by the Secretary in accordance with the following criteria:
- a) The election will take place at an ordinary or extra-ordinary meeting of the Departmental Committee;
  - b) Nominees must be proposed by their own union, which may nominate one candidate for each post being elected;
  - c) The Secretary will write to the Departmental Committee giving notice of an election and call for nominations two months prior to the election meeting;
  - d) Nominations must be received by the Secretary twenty eight days prior to the election meeting;
  - e) The Secretary will produce a ballot list twenty one days prior to the election meeting;
  - f) Votes will be cast by those members of the Departmental Committee appointed in accordance with paragraph 9a. Representatives from the PCS and Unite shall have four votes per union and those from Prospect and GMB shall have two votes per union. A simple majority is required.
- 25) At the end of a five year term of office the election procedure given at paragraph 24 will be followed irrespective of whether or not an incumbent wishes to continue in post. The number of periods of office which a postholder may serve is not limited.
- 26) Postholders may be deselected by a vote taken at an Extra-ordinary General Meeting of the FCTU. De-selection votes cannot be taken at the AGM. A two-thirds majority is required.
- 27) Where the post of Chairperson or Secretary is unfilled, either through de-selection, resignation or other circumstance, the other postholder will assume the duties of both posts pending the outcome of an election. The process of electing a postholder will be initiated within five working days of a post becoming vacant. If under any circumstances both posts should become vacant, then an interim appointment may be made by the Departmental Committee according to paragraph 14 pending the outcome of an election.

*Amendments to the Constitution*

- 28) Amendments to the constitution may be made at an ordinary or extra-ordinary meeting of the Departmental Committee. Notification of any proposed changes must be made to the Secretary in writing, no less than twenty eight days prior to a meeting and the Secretary shall give not less than twenty one days notice of the proposed amendment to Departmental Committee members. Changes may only be made by a vote of the Departmental Committee. Votes will be cast by those members of the Departmental Committee appointed in accordance with paragraph 9a. Representatives from the PCS and Unite shall have four votes per union and those from Prospect and GMB shall have two votes per union. A two-thirds majority is required.