

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 (FC). The constituent unions are:
 - a) Public and Commercial Services Union (PCS)
 - b) Unite;
 - c) Prospect;
 - d) GMB Union;
 - e) First Division Association (FDA) *although inactive they are bound by collective bargaining agreements between FC and FCTU.*

Purpose & Principles

- 3) The purpose of the Forestry Commission Trade Unions shall be: to protect and promote the interests of union members within the FC 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 union members in the FC.

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 Chair who will provide strategic leadership to the FCTU;
 - b) Secretary who will ensure the effective discharge of FCTU business;
 - c) A Departmental Committee (DC) which will provide the views of the constituent unions and offer guidance in delivering FCTU business;
 - d) Trade Union Side (DTUS) of the Departmental Staff Council (DSC).
- 7) At a Country and Area level the FCTU will operate through Area Committees (ACs); one each for England & Scotland and one each for Forest Research (FR) and Silvan House (SH).

The constitution and remit of the Area Committees will be determined by the FCTU DC.

Forestry Commission Trade Union Departmental Committee

- 8) The functions of the FCTU DC will be to :
 - a) Provide constituent union views and perspective in ongoing FCTU activities;
 - b) To develop FCTU 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) Take an active role in the election of FCTU office holders;
 - e) Ensure that the business of the FCTU is discharged in an accountable and democratic fashion;
 - f) Where appropriate identify and develop areas for improving the business of the FCTU.
- 9) The DC will consist of the Chair, Secretary and one lead representative appointed by each of the unions detailed at paragraphs 2a-d.
- 10) The DC will meet on a monthly basis, with any additional ordinary meetings may be called at the discretion of the Chair or Secretary.
- 11) Extra-ordinary meetings of the DC will be called when formally requested in writing to the Secretary by two or more DC representatives. Such requests must be made no less than fourteen days prior to the suggested meeting date and all DC members. Extra-ordinary meetings will only consider matters included in the request.
- 12) When a lead representative is unable to attend a meeting of the DC a substitute may be appointed by their constituent body. When appropriate the Secretary may invite additional persons to attend all or part of a DC meeting¹.
- 13) A quorum for the DC shall consist of the Chair 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 DC will work at all times on the basis of consensus decision making. Wherever practicable this will be achieved by each union formally confirming its approval of the decisions and resolutions of the DC; such confirmation will not be unreasonably withheld. However, where in the view of the Chair, the DC is not moving towards a consensus view, a decision will be made by a simple majority of votes of those members of the DC being appointed in accordance with paragraph 9 of this constitution. Representatives from PCS and Unite shall have four votes per union, and those from Prospect and GMB shall have two votes each. In the event of a tied vote the presiding Chair will cast a single deciding vote.
- 15) The DC may form standing or ad-hoc sub-committees, as it deems necessary, to consider issues or represent the FCTU through agreed Terms of Reference.

¹ 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 DC.

Annual General Meeting

- 16) The Secretary will organise an Annual General Meeting (AGM) of the FCTU. The arrangements for the AGM will be determined by the secretary, in consultation with the DC, in accordance with the following criteria:
- a) The General meeting will consist of the Chair, Secretary and the elected FCTU office holders in each of the Area Committees. Where a DC member or elected FCTU office holder is unable to attend their constituent union may appoint a suitable substitute.
 - b) The Chair will provide the AGM with a report of the FCTU's activities for the previous year.
 - c) When appropriate the Secretary may invite additional persons to attend all or part of the AGM¹.
- 17) An Extraordinary General Meeting (EGM) of the FCTU may be called when formally requested in writing to the Secretary by two or more of the 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 DC members. Extra-ordinary meetings will only consider matters included in the request

Departmental Trade Union Side (DTUS)

- 18) The DTUS will consist of the Chair, Secretary and up to two accredited representatives from each of the constituent unions listed in paragraph 2a-d.
- 19) The DTUS is responsible through the DSC for encouraging an open, positive and inclusive relationship with senior FC managers, for conducting negotiations, and making other representations to senior managers as set out in paragraph 8a-f.

Chair and Secretary

- 20) The Chair and Secretary of the FCTU will be the Chair and Secretary of the DC, DTUS and where applicable all other sub-committees as may be formed by the DC. In the absence of the Chair, the Secretary will chair meetings.
- 21) The role of the Chair will be to provide active and effective leadership to the FCTU through:
- a) Taking an active lead in the determination of the FCTU's priorities and overall 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 and being effective in the conduct of DC and other part of the FCTU network;
 - d) Providing guidance and support to union representatives and members.
- 22) The role of the Secretary will be to ensure the efficient and effective discharge 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 FC, and ensuring that effective communication exists between the FCTU and other internal or external groups;

- d) Drawing to the attention of the DC 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 Chair and Secretary will be elected for a period of five years by the DC.
- 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 DC;
 - 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 DC 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 DC appointed in accordance with paragraph 9 and the voting regime described in paragraph 14 of this constitution.
- 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 voting will be in accordance with paragraph 9 and the voting regime described in paragraph 14 of this constitution.
- 27) Where the post of Chair 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 DC according to paragraph 14 of this constitution 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 DC. 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 DC members. Votes will be cast by those members of the DC appointed in accordance with paragraph 9 and the voting regime described in paragraph 14 of this constitution.