

## **PCS FORESTRY COMMISSION GROUP CONSTITUTION**

### **Name**

- 1) The name of the Group shall be the "Forestry Commission Group of the Public and Commercial Services Union", herein referred to as the "Group".

### **Composition**

- 2) The Group shall be composed of all those Union members employed in the Forestry Commission, save as the National Executive Committee of the Union ("NEC") may direct.

### **Objects**

- 3) The objects of the Group shall be to protect and promote the interests of the members in the Group, and to further the objects of the Union in relation to the members in the Group.

### **Management**

- 4) The management of the Group shall, subject to the overriding authority of the NEC and of a membership ballot, be vested in a Group Delegate Conference, and between meetings of such a Conference in the Group Executive Committee ("GEC").

### **Group Executive Committee**

- 5) The GEC shall consist of a Group President, Group Secretary, Group Treasurer, Group Assistant Secretary, and Group Organiser (together known as the "Group Officers"), together with 13 other members:
  - a) 2 members elected by and from each of the Silvan House, North Scotland, and South Scotland branches;
  - b) 1 member elected by and from each of the seven branches in England.
- 6) The Group Secretary shall be a Full-time Officer of the Union designated by the General Secretary. They shall have no vote at meetings of the GEC or of its sub-committees.
- 7) Elections to the GEC shall be held each year and shall be by postal ballot as defined in Rule PR5. The General Secretary, in consultation with independent scrutineers, appointed by the NEC, shall issue regulations for the conduct of the elections.
- 8) The GEC may fill any casual vacancy among the Group Officers (other than Group Secretary) by appointing one of its own number. The GEC may fill any casual vacancy among its voting members (other than Group Officer) by inviting the person standing highest on the list of unsuccessful candidates at the last relevant election and who is available to serve.
- 9) The duties of the GEC shall (subject to the overriding authority of the NEC) be to:
  - a) Protect and promote the interests of the members in the Group and to deal with all matters within its area of competence affecting members from more than one Branch (subject to the role of Occupational Associations of the Union).
  - b) Establish, subject to the endorsement of the NEC, such bodies as it considers necessary (on the basis of such rules as it may approve) to enable Branches in the Group to co-operate on issues of common concern; and to give assistance to such bodies as required. No Branch or other body of the Group shall enter into negotiations with an employer on matters affecting members in another Branch without the approval of the GEC.
  - c) Ensure that the most effective available arrangements are made for the recruitment and retention of members. The Group Organiser shall report to each GEC meeting the last known actual membership, and an estimate of the potential membership, for each Branch in the Group

- d) Keep such records, and render such returns and information, as the NEC may require.
  - e) Co-operate with the NEC in the conduct of the Union's affairs, and deal promptly with any matter remitted to it by the NEC for action.<sup>1</sup>
- 10) Where either the GEC or the NEC considers that an employer is proposing a major change in members' terms and conditions of employment, that change shall not be endorsed by the Group except with the support of the members concerned as determined by a majority of those voting in a ballot conducted on the same basis of voting as that laid down under these rules for GEC elections.<sup>2</sup>
- 11) The GEC may:
- a) Prepare resolutions on matters within its area of competence, which shall be considered by the NEC.
  - b) Conduct a ballot of members in the Group on any question relating solely to those members, subject to NEC authority.
  - c) Co-opt or invite to attend at its meetings such person(s) as it considers appropriate, without voting powers.
  - d) Establish such other sub-committees as it considers necessary, and prescribe, their terms of reference.
- 12) The GEC shall establish such structures of the Group as are necessary, and which are practicable and sustainable, to represent the interests of women members, black members, young members, gay and lesbian members, and disabled members.
- 13) The quorum for meetings of the GEC and of any of its sub-committees shall be a simple majority of those entitled to vote. A record of attendance at GEC meetings shall be maintained by the Group Secretary and published to Branches.

### **Group Delegate Conference**

- 14) The Group shall hold an Annual Group Delegate Conference. Not less than 14 weeks notice shall be given to Branches of the date of the Conference. All delegates must be employed within the areas covered by the respective group. Branches may submit motions only to groups covering areas within which one or more branch members are employed, and as determined by those members concerned.
- 15) A Special Group Delegate Conference may be called with the prior consent of the NEC either: (a) by the GEC; or (b) on the receipt by the Group Secretary of a written application by Branches together representing one quarter or more of more of members in the Group. The GEC shall determine the timetable for the Special Delegate Conference. Not less than one month's notice shall be given to Branches. Only business specified on the notice paper shall be dealt with.
- 16) Group Delegate Conferences shall be attended by:
- a) Delegates from Branches within the Group.
  - b) GEC members.
  - c) Three Standing Orders Committee members, elected at the Conference for a period of 12 months.
  - d) One or more scrutineers appointed by the GEC.
  - e) Such other persons as the GEC may authorise.

---

<sup>1</sup> Certain minimum duties of a GEC are set out in supplementary rule 5.3 of the Union.

<sup>2</sup> This reflects principal rule PR8 of the Union.

Branches may send observers, provided the expenses of doing so are met solely from funds raised by the Branch's own activities.

- 17) Branches may send delegates on the following basis:
  - a) Silvan House, North Scotland, South Scotland, branches: 3 delegates
  - b) England based branches: 1 delegate
- 18) For the purpose of representation at Group Delegate Conferences Branch membership shall be calculated on the same basis as for Delegate Conferences of the Union, as set out in the Rules thereof.
- 19) Delegates shall be fully paid-up members of the Branch concerned, or in the case of Branches grouped together, of one of the Branches concerned. No GEC member shall be eligible to be appointed as a delegate. The body electing a delegate shall be the only body entitled to instruct them.
- 20) The quorum shall be a simple majority of those delegates entitled to attend.
- 21) The Group President, or their duly appointed deputy, shall preside. GEC members may not take part in any vote or election at the Delegate Conference, except that the President may exercise a casting vote if an equal number of votes are cast on each side of a motion.
- 22) Voting shall be by show of hands except where a card vote is demanded by at least 5 delegates, or by the President. The basis of a card vote shall be one vote for each member of a Branch.
- 23) The Annual Group Delegate Conference shall receive a report and statement of accounts from the GEC. The report and statement of accounts, together with the agenda and any Conference papers, shall be circulated to Branches within the same time limits as those set out in the Union's Rules. Motions may only be submitted by branches or by the GEC. They shall be signed and submitted in accordance with the provisions set out in the National Rules<sup>3</sup>.

## **Funds**

- 24) Group funds shall consist of the monies remitted by the NEC, together with such other monies as may be raised by the Group. The Group may not raise funds except on a voluntary basis, or expend any funds except for purposes consistent with the Union's policies<sup>4</sup>.
- 25) The Group funds shall be administered by the GEC for the purposes of the Group, subject to the overriding authority of the NEC.
- 26) The financial year of the Group shall run from 1 January to 31 December.
- 27) An account in the name of the Group shall be opened with a bank approved by the NEC. Signatories to the account must include the treasurer and secretary, and any other authorised signatories which the GEC may determine.
- 28) The Treasurer shall maintain appropriate records of the Group's financial activities, which shall be made available for inspection at each GEC meeting. An accounting statement shall be prepared in respect of each quarter, which shall be presented for approval to the next convenient GEC meeting: on approval it shall be signed by the President, and a copy sent forthwith to the National Treasurer.
- 29) The Group Treasurer shall produced for inspection at each meeting of the Group Executive Committee the account book and bank statements and such other documents as may be required by the Group Executive Committee. The Treasurer shall normally submit a Financial Report to the Group Executive Committee at each meeting; and shall give up all documents, books, monies, and

---

<sup>3</sup> See supplementary Rule 6.19.

<sup>4</sup> This rule reflects supplementary rule 5.6 of the Union.

property of the Public and Commercial Services Union when required to do so by the Group Executive Committee.

- 30) Each quarter the Group Vice-President or designated Group Officer shall be required to inspect the accounts and sign a statement to the effect that the account book and bank statements can be reconciled and that no cash balance is held. At the end of the financial year this inspection shall be undertaken by the Group President.
- 31) The Treasurer shall prepare an annual budget for estimated expenditure for approval by the GEC. On approval, the statement shall be forwarded (together with any explanatory notes and supporting schedules) to the National Treasurer by the date laid down by the NEC.
- 32) The Treasurer shall prepare annual accounts for the preceding year, in the form prescribed by the NEC, and present them to the GEC for approval. The Group Executive Committee shall cause the accounts of the Group to be regularly entered into proper books and shall once a year submit for audit by duly elected auditors the accounts up to the end of the previous year with a general statement of the same and all necessary vouchers. Following approval by the GEC the Treasurer shall submit them to the National Treasurer as soon as practicable (not later than 28 February).
- 33) Expenses necessarily incurred in attending Group Delegate Conferences and meetings of the GEC (or of its sub-committees) shall be reimbursed from Group funds within limits determined by the NEC.
- 34) The costs of travelling together with subsistence allowances at such rates as may be determined from time to time by the Public and Commercial Services Union and other expenses necessarily incurred in attendance at Conference of the Group, meetings of the Group Executive Committee or its committees or for any authorised purposes of the Group shall be reimbursed from Group funds within the limits prescribed by the National Executive Committee of the Public and Commercial Services union. All claims shall be checked and approved by the Group Treasurer and/or Group President or Secretary.
- 35) The Group Treasurer, in conjunction with the Group Secretary, shall ensure that the group accounts and all relevant documentation shall be retained for the statutory six years.

### **Group rules**

- 36) In the event of any conflict between these Group rules and the Union's Rules, the latter shall prevail.
- 37) These rules may not be amended except by a motion at a Group Delegate Conference supported by not less than two-thirds of the votes entitled to be cast by delegates present. Any such amendment shall be subject to NEC endorsement and shall not be effective until then.
- 38) The Group President shall rule on any matter on which these Group rules are silent, or on any question as to their interpretation. Any such ruling may only be challenged by a Branch or ordinary member, in writing to the Group Secretary stating the reasons for the challenge. A challenge by a Branch must have passed at a properly constituted General Meeting. A challenge shall only be upheld by the GEC on a majority of not less than two-thirds of those present and voting.<sup>5</sup>

**As agreed December 2013**

---

<sup>5</sup> This follows the model in supplementary rule 11.6 of the Union's Rules.

## Appendix 1: Conference Standing Orders

### Order of Business

- A1** The order of Group Conference business shall be decided by Conference on the recommendation of the SOC and shall comprise:
- (a) Report of the SOC and references back.
  - (b) Minutes of the previous ADC.
  - (c) Annual Reports and Supplementary Annual Reports.
  - (d) Financial statements, including the audited accounts, report of the auditors, and estimates for the current year.
  - (e) Elections.
  - (f) Other GEC reports and papers.
  - (g) Motions.
  - (h) Other business.

### Motions

- A2** All motions shall be in the affirmative.
- A3** Motions shall be moved when called and seconded immediately after the mover's speech, otherwise they shall fall.
- A4** A motion may be withdrawn only by the mover and with the consent of Conference.
- A5** A motion to affiliate to another organisation shall include a synopsis of its aims and objectives together with the annual cost of affiliation.
- A6** Motions other than those appearing in the booklet of motions shall not be accepted except:
- (a) Emergency motions, where the decision of a Branch General Meeting or of the GEC (as the case may be) to submit an emergency motion is notified to the SOC by 3pm on the Friday immediately preceding the start of Conference together with the actual wording of the motion on the appropriate form issued by the SOC.
  - (b) Motions to refer back an SOC report or suspend Standing Orders, or motions of order.
- A7** A motion to amend shall not directly negative the substantive motion, and if carried shall become part of it.
- A8** A motion once lost may not be moved again at the same Conference.

### Motions of order

- A9** At the Chairperson's discretion, the following motions of order shall have priority and be taken without discussion:
- (a) That the debate be adjourned.
  - (b) That the vote be now taken.
  - (c) That Conference proceeds to next business.
  - (d) That Conference does now adjourn.
- Motions for 'The previous question' shall not be allowed.
- A10** Motions that the vote be now taken, or that Conference proceed to next business, shall only be moved by delegates who have not previously spoken in the debate.
- A11** If Conference agrees 'That the vote be now taken', the motion under debate shall be put to the vote after its mover has been offered the right of reply.
- A12** If Conference agrees 'That Conference proceeds to next business', the Chairperson shall proceed to the next item on the agenda without any vote being taken on the motion under

debate.

### **Points of order**

- A13** Delegates raising a point of order shall seek to prove one or more of the following:
- (a) That the speaker is using sexist, racist or abusive language.
  - (b) That one of the Union's Rules is being broken.

### **Reference back of SOC report**

- A14** Branches must give the SOC notice of their intention to move reference back of the SOC report (excluding any supplementary report) with details of proposed alterations and with reasons for it, by 3pm on the Friday immediately preceding the start of Conference on the appropriate form issued by the SOC. The Branch delegation shall meet the SOC before Conference at a time determined by the SOC.
- A15** Branches wishing to move reference back of any supplementary SOC report published up to 5pm on the day before Conference should arrange to meet the SOC by 8.30pm on the same day to give the SOC details of the reference back and reasons for it.
- A16** Only Branches that have complied with these Standing Orders may seek to move reference back of an SOC report. There is no prescriptive right to move reference back: whether a reference back is heard shall depend on the time allocation acceptable to Conference. If a delegate is called they shall produce a credential card supplied by the SOC certifying that the correct procedure has been followed.

### **Suspension of standing orders**

- A17** These Standing Orders shall not be suspended except with the support of not less than two-thirds of the votes entitled to be cast by delegates present.
- A18** No suspension shall be accepted from any delegate after the adoption of the SOC report relating to the order of business, unless prompted by later external events.
- A19** A delegate wishing to suspend the order of business shall apply in writing to the Conference Chairperson, who shall decide whether the suspension is admissible under the Union's Rules.
- A20** The Conference Chairperson may propose a suspension of Standing Orders at any time, to alter the order of business or to introduce new business.

### **Rights and duties of delegates**

- A21** When a motion is called the mover shall proceed immediately to the rostrum, and the seconder shall proceed to the vicinity of an alternative rostrum (unless in either case the moving or seconding is purely formal). Speakers shall use the rostrum, announce their name and Branch (or office in the case of speakers for the GEC), and address themselves to the Chairperson. After speaking all movers of motions shall remain in the vicinity of the rostrum in case they are invited to reply to the debate.
- A22** If two or more delegates seek to speak at the same time, the Chairperson shall decide which shall speak first.
- A23** Speakers shall confine their remarks to the motion or point of order under discussion, except for questions on the adoption of the Annual Reports and accounts and on NEC statements where Conference has agreed to provide for such questions.
- A24** Speeches by movers of motions shall be limited to 5 minutes, except that NEC speakers may be allowed up to 15 minutes to introduce a Conference paper. All other speeches including mover's right of reply shall be limited to 3 minutes.
- A25** No one may speak more than once on any motion except:
- (a) The mover of a motion may reply to the debate before it is put to the vote if there has been opposition, even if they have spoken on a motion to amend it.
  - (b) Where remission of a motion is sought, the mover shall have the right to comment before

the vote for remission is put; if the vote is lost, the mover's entitlement under (a) shall remain unimpaired.

(c) A delegate who has already spoken may propose a motion of order.

- A26** The mover of a motion exercising a right of reply shall deal solely with points of opposition raised in the debate.
- A27** The Chairperson shall ensure that where opposition to a motion exists, opportunity shall be given for this opposition to be expressed in debate.
- A28** Where a delegate causes a disturbance and refuses to obey the Chairperson's instruction, they shall be expelled from the Conference and shall not be allowed to return until an apology has been received which the Chairperson considers acceptable.
- A29** During a speech other delegates may rise to address the Chairperson only on a point of order.

### **Card votes**

- A30** The doors of the Conference meeting place shall remain closed, and delegates shall remain at their seat, while a card vote is taken.

### **Chairperson of Conference**

- A31** The Chairperson's ruling on any question arising under these Standing Orders shall be final unless challenged. No challenge shall stand unless at least 5 delegates indicate their support, in which case a motion 'That the Chairperson's ruling shall stand' shall be put to Conference by the Deputy President or a Vice President without discussion. The Chairperson's ruling shall only be reversed with the support of not less than two-thirds of the votes entitled to be cast by delegates present.
- A32** The ruling of the Chairperson on a point of order shall be final and not open to discussion.
- A33** The Chairperson may operate the 'guillotine' at their discretion when the time allotted on any agenda section expires.

### **SOC procedural rules**

- A34** The SOC shall separate motions into the following categories:
- Category A Motions for debate, grouped as far as practicable under the main subject headings appearing in the Annual Reports.
  - Category B Motions that confirm existing policy.
  - Category C Motions which seek to reverse policy as determined at Conference within the last 2 years.
  - Category D Motions capable of being dealt with by correspondence with the General Secretary.
  - Category E Motions covered by composite motions in category A.
  - Category X Motions that are out of order.
- A35** The National President may transfer any motion on the Group agenda to the ADC agenda, or rule out any motion which they consider inappropriate for Group decision, after consulting the SOC and the Branch(es) concerned. Such decisions shall be communicated to the Group SOC not later than 14 days before the Group Conference.
- A37** Wherever practicable the SOC shall find composite motions for inclusion on the agenda, which may be either (a) existing motions chosen as representative of others on the same issue, or (b) motions drafted by the SOC which incorporate the essential points made in others. The passing of a composite motion shall not imply acceptance of the detailed variants in the motions it covers.
- A38** All motions which are out of order shall be listed, and reasons given why such motions are out of order.
- A39** All motions designed to amend the Group Constitution shall be so printed as to leave no doubt as to the objective they are designed to achieve.

- A40** The SOC may exclude any motion from the agenda which it considers may provide grounds for legal proceedings.
- A41** The SOC shall, subject to Rule A15 in the PCS National Rules, be available to meet delegates at certain times on the evening immediately before Conference to allow the requirements of the rules relating to emergency motions and references back to be met, and to consult and advise delegates.
- A42** The SOC shall inform the President which Branches have fulfilled the conditions of Standing Orders in relation to reference back of SOC reports. The SOC shall give the Branch delegate(s) a coloured credential card bearing the Branch name and the number of the motion.
- A43** The SOC shall ensure that a report containing emergency motions is made available to delegates by not later than 5pm on the day before Conference.
- A44** During Conference the SOC shall advise the Chairperson on the progress of business in relation to the timetable, and about the operation of the 'guillotine' where necessary.
- A45** The SOC shall be present during the debate on any motion to refer back an SOC report, and shall express its views before any vote is taken.