

## **FORESTRY COMMISSION GROUP CONSTITUTION 2008**

### **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 Secretaries, and Group Organiser (together known as the "Group Officers"), together with 15 other members:
  - a) 2 members elected by and from each of the Silvan House, North Scotland, South Scotland and Wales 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

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<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.

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.
  - d) One or more scrutineers appointed by the GEC.
  - e) Such other persons as the GEC may authorise.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, Wales 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 10 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 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).

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

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

- 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>

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