

## **Constitution of the Forestry Commission Staff Council (revised 2007)**

### *Purpose*

1. The purpose of the Council is to foster good employee relations at all levels within the Forestry Commission and to ensure that an open, positive and inclusive climate is encouraged to the mutual benefit of the Commission and its staff.
2. The Council shall be the sole negotiating body for all matters within its scope (see para 13) and its decisions will apply to all staff within the Commission.

### *Membership*

3. The Council shall consist of not more than 24 members, including Officers, appointed as not more than 10 members appointed by the Head of the Department (the Management Side) and not more than 14 members by the Forestry Commission Trade Unions (being the recognised Trade Unions of PCS, Unite, Prospect, GMB and the FDA).
4. Where the agenda of any meeting includes an item that affects a Branch or Office of the Forestry Commission not directly represented on the Council the Chairperson and Vice-Chairperson may add to the Council for the purpose of that item a representative of such Branch or Office.
5. The Forestry Commission Trade Unions and the Management Side of the Council shall be responsible for the appointment of their own representatives.
6. Where a representative cannot attend a meeting of the Council either side may appoint a deputy for that occasion.

### *The Chairperson and Vice-Chairperson*

7. The Chairperson at every meeting of the Council shall be the Director General and the Vice-Chairperson shall be the Chairperson of the Forestry Commission Trade Unions.

### *Secretaries*

8. The Management Side and the Forestry Commission Trade Unions will appoint secretaries who shall be included in the membership of the Council under paragraph 3 above.

### *Quorum*

9. A quorum shall be a majority of the members on each side of the Council.

## Meetings

10. Ordinary meetings of the Council shall be held as often as necessary with at least one every year to be held in May/June. An agenda shall be circulated to all members not less than 14 days before the meetings of the Council.
11. Business not on the agenda shall be taken only by permission of the Chairperson and Vice-Chairperson. Either the Chairperson or Vice-Chairperson may call a special meeting of the Council. The business to be discussed at such special meetings shall be limited to matters stated in the notice summoning the meeting. This will be issued not less than 7 days before the meeting.
12. The Council shall draw up such standing orders and rules for the conduct of its business as may be necessary.

## Scope

13. The scope of the Council covers all matters concerning the pay and conditions of service of staff within the Forestry Commission and key examples are:
  - i. to promote a positive partnership between the Management Side and the Forestry Commission Trade Unions;
  - ii. to negotiate all agreements regarding pay and conditions of service across the organisation;
  - iii. to ensure that agreed best practices and procedures are applied across the organisation;
  - iv. to provide advice and assistance on employee relations issues at levels below the Staff Council and to resolve any dispute arising from these levels;
  - v. to resolve any breaches of agreed procedures that have not been resolved at Local or Regional level;
  - vi. to ensure that an agreed facilities agreement is in place which encourages full participation in employee relations work.
  - vii. The annual meeting of the Council will also serve as an annual health and safety meeting to help promote best practice in the management of the health, safety and welfare of staff

## Committees

14. The Council may create sub-committees as required, and may delegate powers to any such sub-committee. The Management Side and the Forestry Commission Trade Unions may each appoint their own representatives to any such sub-committees. Such persons need not be members of the Council.

## Decisions

15. The decisions of the Council shall be without prejudice to:
  - i. the overriding authority of the UK Parliament, the Scottish Parliament and Welsh Assembly;
  - ii. the responsibility of the Forestry Commission Trade Unions to its constituent bodies;
  - iii. the responsibility of the Director General to Forestry Ministers.

16. Decisions shall be arrived at by agreement between the two sides, and shall be operative.
17. It shall be the duty of the Chairperson to ensure that decisions reach the proper executive authority without delay.
18. In the event of disagreement on an area within the terms of reference of the Staff Council, reference shall be made to arbitration procedures laid down in the Employment Relations Act 1999 or other appropriate legislation.

#### *Minutes*

19. The Council shall publish minutes of its proceedings for distribution to all staff.

#### *Amendment of the Constitution*

20. The Constitution of the Council may be amended only at a meeting of the Council. Notice of the proposal to amend the Constitution must be circulated to the members of the Council at least 28 days before the meeting.

#### *Regional Staff Councils*

21. The Council shall establish Regional Councils (RSC) to deal with matters at Regional, Territorial and National Office level. The Council will agree the nature and extent of their functions.
22. The Chairperson or Vice-Chairperson of the RSC may remit any item, which cannot be resolved by an RSC, to the Forestry Commission Staff Council.
23. Any item brought to a meeting of an RSC which may have an impact beyond the area of the Forestry Commission covered by that RSC will, where appropriate, be remitted to the Forestry Commission Staff Council.