



Conference Paper 2 – Group Review and Constitution

Introduction

For the last few years the Group Executive Committee has been trying to find ways to enable more members in the FC to be able to participate in how our union operates. Having gathered feedback during 2007, one of the issues that was raised several times, particularly from members in England, is that union meetings are not sufficiently local to enable most people to attend. Therefore last November the GEC set up a small review group to;

1. look at the current branch structure and suggest amendments that would assist in improving local recruitment, activism and organising;
2. to make recommendations for changes to the composition of the GEC and arrangements for our Group Conference;
3. and to identify opportunities to bring our group constitution more into line with the standard PCS model this latter point has previously been highlighted as being desirable by PCS HQ).

Recommendations

At the very end of last year the GEC accepted the recommendations of the review group:

1. That the group moves to an eleven branch model [from the current seven]: the current arrangements for Scotland, Wales and Silvan House; and seven branches in England based on the PCS/TUC regional boundaries.
2. That West Argyll Forest District is moved from North Scotland Branch to South Scotland Branch.
3. That the future GEC comprise; two representatives from each of the North Scotland, South Scotland, Wales and Silvan House branches, to be elected by the members of each branch (i.e. as per the current arrangement); one representative elected by the members of each of the seven England branches; a president, treasurer, organiser and assistant secretary elected by the whole group membership; and the group's full-time officer acting a group secretary.
4. That the current arrangements for group conference are broadly retained, but that delegates are invited to conference as part of mandated branch delegations with: five delegates from each of the North Scotland, South Scotland, Wales and Silvan House branches, and two delegates from each of the seven England branches.
5. That the election for Group President (under the current constitution) be delayed until no later than the end of June 2008 in order to fit with the timetable outlined above.

Implementation

Implementation of the review is through two main work-streams;

- the vesting of the seven new branches for England, and
- the ratification of the revised constitution by the NEC and this conference.

Seven New Branches for England

From 1st April 2008 our current three branches in England were replaced with seven smaller ones. Our hope is that this will enable more members to attend branch meetings and take an active role in the work of the union. Also, the new branches will be aligned to the boundaries used by the PCS regional offices in England, so each branch will have a single point of contact for seeking local PCS support.

At the time of writing we have vested five of the seven new branches, with the final two being scheduled for later this month. Feedback from the initial meetings has generally been very positive, with for example some twenty eight members attended the first meetings at Thetford and Cambridge, compared to around ten at the previous AGM.

One of the most significant risks of the new structure is that the number of reps required to administer the branches has increased from approximately 15 to around 35. Filling these places has been a challenge but after the first round of meetings only a few of the committee posts remain vacant. We are therefore optimistic! If the increased level of attendance can be maintained then the pool of members likely to volunteer to undertake a task in support of their branch will be improved. Also several members expressed a desire to become involved but cited a lack of confidence and experience as the main reason for not actually volunteering. It is hoped that with close support for the new structure these members will grow in confidence and will be willing to take on a role in the not too distant future.

Several of the branches have already identified local issues which they wish to pursue, and once the final branches have been established our focus will be on developing the branches through supporting any locally identified issues.



Original Branches to March 2008



New Branches from April 2008

Revised Group Constitution 2008

Introduction

As part of the implementation of the broader new structures we have developed a new constitution for the group; the full text of which is given below. This constitution has been agreed by the GEC and the NEC and conference is now asked to agree its formal adoption.

Main Changes

The main changes contained in the new text are:

- A change in the composition of the GEC to reflect the new branches. (Rule 8)
- The appointment of the group's full-time official as the Group Secretary. (Rule 6)
- The introduction of group level elections for the Group Treasurer, and Organiser (in addition to the President). (Rule 7)
- A change in the composition of this conference to provide a more formal link between the branches and their delegates. (Rule 18)

The new text is also more consistent with the constitutions being used in other parts of the union.

The 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.¹

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").

¹ The composition of groups is at the discretion of the NEC, under supplementary rules 5.1 and 5.2 of the Union.

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 year² 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.³
- 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 Group⁴
 - d) Keep such records, and render such returns and information, as the NEC may require.

² Supplementary rule 5.5 of the Union says that each Group constitution must specify the frequency of GEC elections, whatever it may be

³ In the case of Groups with a co-ordinating committee structure, paragraph 9 would read: "The GEC may fill any casual vacancy among its voting members by inviting the person standing highest on the list of unsuccessful candidates at the last relevant election and who is available to serve."

⁴ In the case of Groups with a co-ordinating structure, Paragraph 1Qc should be amended to reflect that voting members from each branch shall report on organisational matters.

- 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.⁵
- 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.⁶
- 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.⁷
- 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 Conference⁸

- 14) The Group shall hold an Annual Group Delegate Conference⁹. 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.¹⁰
- 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

⁵ Certain minimum duties of a GEC are set out in supplementary rule 5.3 of the Union.

⁶ This reflects principal rule PR8 of the Union.

⁷ This reflects supplementary rule 5.22 of the Union's Rules, in relation to the NEC.

⁸ Paragraphs 15-24 will not apply in the case of a Group with a co-ordinating committee structure. Where a Group Delegate Conference is held, standing orders will need to be devised, using the Union's Standing Orders (in Appendix A in the Union's Rules) as a model

⁹ Supplementary rule 5.5 of the Union says that each Group constitution must specify the frequency of Group Delegate Conferences, whatever it may be.

¹⁰ This reflects the procedures for nominations in national rule 7.23.

Conference. Not less than one month's notice shall be given to Branches. Only business specified on the notice paper shall be dealt with¹¹.

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:

Silvan House, North Scotland, South Scotland, Wales branches: 3 delegates

England based branches: 1 delegate¹²

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 thereof¹³.

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 10¹⁴ 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

¹¹ This reflects supplementary rules 6.6 and 6.7 of the Union's Rules in relation to SOCs at national level

¹² Under supplementary rule 6.13 of the Union's Rules, the basis for representation at the Union BDC is as follows:

50-250 members: 1 delegate

251-500: 2

501-1,000: 3

1,001-1,500:4

Plus one delegate for each complete additional 1,000 members.

¹³ See supplementary rule 6.11.

¹⁴ Supplementary rule 6.10 of the Union's Rules specifies 50 for the national Delegate Conference.

Conference papers, shall be circulated to Branches within the same time limits as those set out in the Union's Rules¹⁵. 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 Rules¹⁶.

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 policies¹⁷.
- 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 December¹⁸.
- 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

¹⁵ See supplementary rules 6.2 and 6.3.

¹⁶ See supplementary Rule 6.19.

¹⁷ This rule reflects supplementary rule 5.6 of the Union.

¹⁸ This reflects supplementary rule 9.14 of the Union.

vouchers. Following approval by the GEC the Treasurer shall submit them to the National Treasurer as soon as practicable (not later than 28 February).¹⁹

- 33) Expenses necessarily incurred in attending Group Delegate Conferences²⁰ 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 Conference²¹ supported by not less than two-thirds of the votes entitled to be cast by delegates present.²² Any such amendment shall be subject to NEC endorsement and shall not be effective until then.²³
- 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.²⁴

¹⁹ This reflects supplementary rule 5.6 of the Union. The NEC may request the Union's professional accountants to audit Group accounts.

²⁰ Not applicable to Groups with a co-ordinating committee structure.

²¹ For Groups with a co-ordinating committee structure, the relevant majority would be two-thirds of the votes on the GEC.

²² Supplementary rule 6.10 of the Union's Rules defines 'present' to mean duly registered as being in attendance at Conference.

²³ Supplementary rule 5.5 of the Union says that Group constitutions shall not be valid until approved by the NEC.

²⁴ This follows the model in supplementary rule 11.6 of the Union's Rules.