

MODEL RULES FOR EMPLOYER BASED BRANCHES WITHOUT SECTIONS

NAME

1. The name of the branch, referred to in these Rules as “the Branch”, shall be the *..... Branch of Prospect.

OBJECTS

2. The objects of the Branch shall be those laid down in Rule 1.2 in the Rules of Prospect (the union) as far as they are appropriate to the Branch, and in furtherance of those objects the Branch shall take steps to obtain representation on any appropriate *body.

MEMBERSHIP

3. (a) any member of Prospect serving in the *..... in the **..... shall be eligible for membership of the Branch.

(b) all members shall have equal rights within the Branch.

(c) any member of the Branch shall be supplied with a copy of these Rules on request.

BRANCH POLICY

4. The policy of the Branch shall be that agreed at each General Meeting and shall be given effect by the Branch Executive Committee, provided that no policy shall be implemented which is in conflict with the Rules of the Union or with any national policy of the union determined in accordance with those Rules.

ANNUAL GENERAL MEETING

5. The Annual General Meeting, at which *..... per cent of the members shall constitute a quorum, shall be held in the month of **..... each year.

6. Notice of an Annual General Meeting shall be circulated to members not less than ten weeks before the date of such meeting, but non-receipt of a notice by a member shall not invalidate the proceedings of the meeting.

7. The Annual General Meeting shall, among other things, consider the branch annual report and balance sheet, elect the officers and committee as provided in the rules, consider motions (including amendments to rules) and appoint auditors.

8. The notice of the Annual General Meeting shall:

(a) give the date, time and venue for the meeting;

(b) call for nominations for officers and non-office members of the Branch Executive Committee and state the closing date for receipt of such nominations by the secretary.

(c) call for motions for consideration and state the closing date for receipt of such motions by the secretary; and,

(d) call for nominations for auditors [and the Standing Orders Committee]* and state the closing date for receipt of such nominations by the secretary.

9. Not less than two weeks before the date of the Annual General Meeting an agenda shall be sent to all members. The agenda shall detail the order and proposed timing of business and shall give:

(a) the Standing Orders for conduct of the meeting;

(b) a list of any nominations for officers and non-office members of the Branch Executive Committee submitted by the closing date;

- (c) any motion submitted by the closing date;
- (d) any nominations for auditors [and Standing Orders Committee]* submitted by the closing date;
- (e) the annual report of the Branch Executive Committee; and,
- (f) the annual statement of accounts and balance sheet for the Branch.

10. All members attending the Annual General Meeting shall have a vote. This includes the Standing Orders Committee, the Branch auditors and the Branch Executive Committee and its officers. The Annual General Meeting shall:

- (a) receive the report and balance sheet of the Branch for the past year;
- (b) elect Branch officers and a Branch Executive Committee as defined in Rules 14 and 15;
- (c) consider motions put forward by the Branch Executive Committee or members;
- (d) appoint the auditors in accordance with Rule 11; [and
- (e) elect a Standing Orders Committee which shall recommend the procedure and order of business to be followed at the next Annual General Meeting.]*
- (f) consider emergency motions submitted by a defined time on the morning of the Annual General Meeting;

BRANCH AUDITORS

11. Two auditors, who shall not be members of the Branch Executive Committee, shall be appointed by the Annual General Meeting. They shall hold office from the conclusion of the Annual General Meeting at which they are appointed until the conclusion of the subsequent Annual General Meeting. They shall be eligible for reappointment. The Branch Executive Committee shall fill any casual vacancy for an auditor but the member appointed shall not have been a member of the Committee since the previous Annual General Meeting.

[STANDING ORDERS COMMITTEE

12. (a) A Standing Orders Committee (SOC) comprising three members, who shall not be members of the Branch Executive Committee, shall be elected by the Branch Annual General Meeting. Normally, each AGM shall elect one member to the Committee who shall take up office at the conclusion of the AGM at which they are elected and shall relinquish office at the conclusion of the AGM held in the third year after the year in which they were so elected. In the event of it being necessary to elect more than one member, then their order of retirement shall be determined by the votes received, the one receiving fewer votes retiring earlier or should they be elected unopposed, by the drawing of lots.

(b) The presiding officer of the SOC shall normally be the longest serving member of that Committee.

(c) The SOC shall prepare the agenda for each General Meeting and make such recommendations as it may deem necessary for the conduct of business and such other functions as are conferred upon it by these rules or by the General Meeting.

(d) The SOC shall attend all General Meetings of the Branch to advise on procedural matters and assist whoever is in the chair in the smooth running of such meetings.

(e) If any casual vacancy should occur on the SOC it shall be filled by the Branch Committee co-opting a replacement after consulting the other members of the SOC. The member so appointed shall serve for the balance of the term of the member replaced.

(f) Members of the SOC shall not be eligible during their term of office to serve as members of the Branch Committee.]*

SPECIAL GENERAL MEETINGS

13. (a) Special General Meetings may be convened at any time by the Branch Executive Committee, or shall be convened at the written request of not less than *..... members. **..... percent of members present and voting at such meetings shall constitute a quorum.
- (b) A Special General Meeting shall be held no later than *..... weeks from the receipt of the request for such a meeting being received.
- (c) The agenda for a Special General Meeting shall be issued no later than *..... days before the meeting.
- (d) The business of any Special General Meeting shall be limited to that stated on the agenda.
- (e) All members attending a Special General Meeting shall have a vote. This includes the Standing Orders Committee, the Branch auditors and the Branch Executive Committee and its officers.

BRANCH COMMITTEE

14. (a) The Branch Executive Committee which shall be elected by the Annual General Meeting shall consist of the Branch officers and *..... non-office members. Each member of the Committee shall have a vote. In the event of a tie, whoever is in the chair shall have a casting vote.**
- (b) Any casual vacancy that occurs on the Branch Executive Committee shall be filled by the Committee.
- (c) The members of the Branch Executive Committee shall hold office from the conclusion of the Annual General Meeting at which they are elected until the conclusion of the subsequent Annual General Meeting. They shall be eligible for re-election.
- (d) The Committee shall have the power to co-opt any member of the Branch who shall have no voting rights at Branch Executive Committee meetings.
- (e) Half the number of members of the Committee shall form a quorum provided that at least one member present shall be a Branch officer.
- (f) Any headquarters officer appointed by the General Secretary shall be entitled to attend any meeting of the Branch Committee.
- (g) Any member of the Branch who is serving as a member of the Prospect National Executive Committee of Prospect, who is not an elected member of the Committee shall be a non-voting, ex-officio member of the Branch Executive Committee.

BRANCH OFFICERS

15. The officers of the Branch shall be the *president, vice-president, secretary, branch organiser, and treasurer.

DUTIES OF BRANCH OFFICERS

President

16. (a) The president, or in his/her absence the vice-president, shall preside at all Branch General or Executive Committee Meetings. In the absence of both the president and vice-president a Chair shall be elected from the members present at the meeting.
- (b) Whoever is in the Chair shall have a casting vote in the event of an equality of votes at both General Meetings and Branch Executive Committee Meetings.

Vice-president

17. The vice-president shall act as Chair in the absence of the president.

Secretary

18. The duties of the secretary shall include responsibility for:
 - (a) calling General Meetings and meetings of the Branch Executive Committee;
 - (b) preparing and circulating minutes of those meetings as the Committee shall direct;
 - (c) maintaining such records as the Committee shall direct;
 - (d) submitting to the Committee matters referred to the secretary by Prospect headquarters or by members or by any body with which the Branch is associated; and

- (e) arranging for consideration of any application for membership.

Branch Organiser

19. The duties of the branch organiser shall include responsibility for:

- (a) membership recruitment within the Branch and reporting regularly to the Branch Committee on the recruitment of non-members;
- (b) undertaking special membership recruitment schemes on the request of and with the co-operation of the Branch Executive Committee or the National Executive Committee; and,
- (c) liaising with Prospect headquarters in the recruitment of eligible persons into membership.

Treasurer

20. The duties of the treasurer shall include responsibility for:

- (a) the proper use, custody and accounting of the funds entrusted to the treasurer by the Branch; all monies received by the Branch shall be paid into a bank account in the name of the Branch. All cheques drawn on the account shall be signed by two of the Branch Officers.
- (b) preparing annually and submitting for audit in time for the Annual General Meeting an income and expenditure account and a balance sheet which shall be made up to 31 December of each year;
- (c) supplying any additional information on finance needed by Prospect headquarters.

DUTIES OF THE BRANCH EXECUTIVE COMMITTEE

21. The Branch Executive Committee shall:

- (a) meet at least *..... times a year. Special meetings of the Committee may be called by written request of half its members, or by the president and secretary;
- (b) be responsible for conducting the affairs of the Branch and giving effect to the policy of the Branch as determined by the Annual General Meeting of the Branch and in accordance with Rule 4;
- (c) consider, and take suitable action upon, any matter that is referred to it by a member, by the National Executive Committee, Sector Executive Committee or by any body with which it is associated;
- (d) submit an annual report and audited balance sheet to each Branch Annual General Meeting and, within 14 days of approval, to the National Executive Committee;
- (e) authorise the payment to members from Branch funds of expenses reasonably incurred on branch business;
- (f) appoint members to joint negotiating or consultative bodies;
- (g) appoint or nominate members to represent the Branch at the Prospect National Conference, appropriate committees of the union and any other appropriate body;
- (h) submit to Prospect headquarters a copy of its minutes;
- (i) consult with the appropriate members body who may be affected by any proposals concerning pensions in payment;
- (j) review the membership position at regular intervals and where necessary assist the branch organiser in recruiting new members.
- (k) review the subscription position at regular intervals and if necessary assist the treasurer in collecting outstanding subscriptions from members who have chosen to pay other than by direct debit or deduction from salary;

UNION LEARNING REPRESENTATIVES

22. The Branch will seek to appoint Union Learning Representatives (ULRs), as appropriate, whose duties shall be to:

- Promote training and development in the workplace by providing advice and information on learning initiatives;

- Support members who want to review and broaden their portfolio of skills;
- Help to identify sources of training or learning provision;
- Act as a confidential sounding board for individuals on development issues, referring them to local branch representatives for advice as needed;
- Work in partnership with the employer to meet the skills and learning needs of individuals and the organisation;
- Give feedback on members' views and experience of learning at work to the Branch and the employer;
- Raise the profile of training and development on the bargaining agenda; and
- Participate in Prospect's ULR network.

HEALTH AND SAFETY REPRESENTATIVES

23. The Branch will seek to appoint health and safety representatives, as appropriate, whose duties shall be to:

- Inspect the workplace periodically;
- Represent members' health, safety and welfare interests;
- Investigate potential hazards, accidents, dangerous occurrences and health and safety complaints raised by members;
- Be consulted and make representations to the employer over health and safety;
- Receive information and be kept up-to-date with health and safety developments; and
- Attend appropriate safety committee meetings.

EQUALITY REPRESENTATIVES

24. The Branch will seek to appoint Equality Representatives, as appropriate, whose duties shall be to:

- Promote equality of opportunity in the workplace by providing advice and information on equality and diversity issues;
- Raise the profile of equality and diversity issues on the bargaining agenda;
- Ensure the Branch and employer takes into account the accessibility needs of members;
- Act as the initial point of contact for members on equality and diversity issues, assisting members with relevant personal cases where appropriate; and
- Where appropriate, be consulted and make representation to the employer over equality and diversity issues.

YOUNG PROFESSIONALS REPRESENTATIVE

25. The Branch will seek to appoint Young Professionals Representatives, as appropriate, whose duties shall be to:

- Take the lead in promoting Prospect membership amongst young professionals in the workplace/branch;
- Provide information and feedback to their Branch Executive Committee on issues affecting younger workers;
- Act as the initial point of contact for young members in the branch;
- Engage with and support the Prospect National YPN;
- Raise the profile of young members' issues on the bargaining agenda;

GENERAL

26. (a) no alteration to these rules shall be made except by a General Meeting resolution supported by the votes of not less than two-thirds of the votes cast. Amendments to these Rules shall be subject to the approval of the National Executive Committee and shall not be operative until such approval has been received;

(b) these Rules shall, when necessary, be interpreted by the Branch Committee, subject to the approval of the National Executive Committee.

NOTES

1. Standing Orders Committee

The use of a Standing Orders Committee is a matter of choice for a Branch. Small branches may decide to dispense with a Standing Orders Committee. If this is the case, then amendments will need to be made to rules 8(d) and 9(d). Rules 10(e), 10(g) 12 and 13(e) should be deleted.

2. Terminology

Branches are free to use the terminology they wish to for the presiding officer of the Branch and Standing Orders Committee (if appropriate), eg: Chair and President. However, gender specific terminology should be avoided in all rules. The use of the words "he/his", etc, are not acceptable.

3.

If the Branch is within a Sector (see Prospect Rules Part 6) then a reference to the Sector Conference should be included in rules 2 and 21(g) and to the Sector Executive Committee in rule 21(c)

4. Notes on individual rules

Rule 1* Insert the full name of the Branch.

Rule 2* Insert the full name of the appropriate relevant body, e.g. any professional group, the ADC of a group (e.g. MOD Group, SET Group), any Departmental Whitley Council (Trade Union Side), the National Conference of Prospect, and any Sector Conference.

Rule 3* If necessary insert the name of the group, class or grade appropriate to Branch membership.
** Insert the name of the employing body.

Rule 5* The actual percentage entered here will depend on the particular circumstance of the Branch. However, it is suggested that, as a guide, this percentage should ideally be 25% but never lower than 10% of the Branch membership.

** Insert a convenient month, normally January or February. This should be arranged to enable the General Meeting to deal with business connected with the National Conference (motions for Conference etc).

Rule 8 (d)* See Note 1.

Rule 9 (d)* See Note 1.

Rule 10 (e)* See Note 1.

Rule 10(g) See Note 1.

Rule 12* See Note 1.

Rule 13 (a)* Normally, this number should not be less than 10% of the total Branch membership.

** See Note on Rule 5*

Rule 13 (b) Usually not more than four weeks.

Rule 13 (c) Seven days is suggested.

Rule 13(e) See Note 1.

Rule 14 (a)* Insert a convenient number to give a representative and workable committee.

NB: The form of this rule may have to be reworded to take account of the particular circumstances of Branches. Although the number of non-office members should be kept as small as is reasonable, account may have to be taken of special circumstances of different professions or classes. It is impossible to give drafts to cover all possible forms of organisation but, if required, assistance in drafting a suitable Rule will be given by the Branch Rules Working Party of the National Executive Committee.

** It is up to Branches to decide if officers, including the president, have a deliberative vote and make this explicit in their rules.

Rule 15* This list is not exclusive. For instance, it might be preferred not to elect a membership and recruitment secretary but to have instead an assistant or deputy secretary who assists with the secretarial work, and make the treasurer responsible for membership and recruitment.

Rule 21 (a)* Insert a suitable number, this should not be less than 4. The purpose of this Rule is to ensure that the Committee meets sufficiently often to cope with essential business.

Rule 21 (f)* Insert the name of the relevant committees.

Rule 21(g) See Note on Rule 2

Rule 21(i) If there is a grouping of retired members associated with the employer's pension scheme, give the name of the body.

Rule 22 Optional but branches are encouraged to include these where possible.

The Branch Executive Committee may also wish to consider appointment of a ULR co-ordinator to:

- Liaise with all ULRs in the Branch and ensure that their work is integrated into Branch business;
- Communicate to the Branch Executive Committee learning and development issues arising in the Branch; and
- Ensure that such issues are raised with the employer.

Rule 23 Optional but branches are encouraged to include these where possible.

The Branch Executive Committee may also wish to consider appointment of a health and safety co-ordinator to:

- Liaise with all health and safety representatives in the Branch and ensure that their work is integrated into Branch business;
- Communicate to the Branch Executive Committee health and safety issues arising in the Branch; and
- Ensure that such issues are raised with the employer.

Rule 24 Optional but branches are encouraged to include these where possible.

The Branch Executive Committee may also wish to consider appointment of an equality co-ordinator to:

- Liaise with all equality representatives in the Branch and ensure that their work is integrated into Branch business;
- Communicate to the Branch Executive Committee equality and diversity issues arising in the Branch; and
- Ensure that such issues are raised with the employer.