

# MODEL RULES FOR DISPERSED BRANCHES

## 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 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 the 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 delegate conference and shall be given effect by the Branch Committee, provided that no policy shall be implemented which is in conflict with policy laid down by the National Conference of Prospect or by the National Executive Committee.

## ANNUAL DELEGATE CONFERENCE

5. The Annual Delegate Conference shall be held during the month of \*..... each year at such place as the Branch Committee shall determine. The conference shall consist of delegates appointed by sections on the following basis:

The number of members shall be computed in the following manner:

\*\*Number of Members

\*\*Number of Delegates

The figures for section membership used in the above table shall be the section membership as at the end of September preceding the Annual Delegate Conference.

6. Notice of an Annual Delegate Conference shall be circulated to sections not less than \*sixteen weeks before the date of such meeting, but non-receipt of the notice by a section shall not invalidate the proceedings of the conference.

7. The notice of the Annual Delegate Conference shall:

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

(b) call for nominations for officers and non-office members of the Branch Committee and state the closing date for receipt of such nominations by the secretary; (see Rule 8)

(c) call for motions (including rule amendments) for consideration and state the closing date for receipt of such motions by the secretary; (see Rule 8) 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 (see Rule 8).

8. Not less than \*eight weeks before the date of the conference, section secretaries shall notify the Branch secretary of:

- (a) names and addresses of section delegates to conference;
- (b) nominations for Branch officers, \*Branch Committee, Standing Orders Committee, auditors, and names of volunteers to act as tellers; and
- (c) motions for consideration by the Branch Conference.

9. The Branch secretary shall circulate the agenda to section secretaries and section delegates at least \*four weeks before the date of conference. The agenda shall include:

- (a) the Standing Orders for conduct of the conference;
- (b) a list of any nominations for officers [and non-office members of the Branch Committee]\* submitted by the closing date;
- (c) any motions for consideration by conference submitted by the closing date;
- (d) any nominations for auditors and the Standing Orders Committee submitted by the closing date;
- (e) the annual report of the Branch Committee; and
- (f) The annual statement of accounts and balance sheet for the Branch.

10. The Annual Delegate Conference shall:

- (a) receive the report and balance sheet of the Branch Committee for the past year;
- (b) elect the Branch officers [and Branch Committee]\* as defined in Rules 18 and 21;
- (c) consider motions put forward by the Branch Committee or the section committees;
- (d) consider emergency motions submitted by a defined time on the morning of conference;
- (e) appoint the auditors; and
- (f) elect a Standing Orders Committee which shall recommend the procedure and order of business to be followed at the next Annual Delegate Conference.

11. The Chair at Conference shall be taken by the Branch president, whom failing the vice-president, whom failing such member present at that meeting as the delegates then present shall appoint by voting on a show of hands.

12. Two-thirds of the delegates appointed shall constitute a quorum.

13. (a) voting on any question shall, save as otherwise provided by these Rules, be on a show of hands.

(b) if, immediately following the declaration of the result of voting by a show of hands, at least 10% of the delegates demand a card vote, then that question shall be decided on a card vote provided that no question which has not been included in the agenda and no emergency motion shall be decided on a card vote.

(c) the Standing Orders Committee shall appoint such tellers as it requires from the names of volunteers submitted by the sections.

14. (a) when voting by a show of hands, each delegate shall have one vote;

(b) on a card vote, delegates appointed by a section and present at the time at which the vote is taken shall have between them as many votes as there are members belonging to the section. The number of members of a section shall be computed as in Rule 5.

15. Members (other than delegates) of the Branch have the right to attend a delegate conference at their own expense but may not speak or vote.

16. The reasonable expenses of delegates, members of the Standing Orders Committee, tellers and members of the Branch Committee shall be borne by the Branch.

#### SPECIAL DELEGATE CONFERENCE

17. (a) a Special Delegate Conference may be convened at any time by the Branch Committee, or shall be convened by the Branch secretary at the written request of not less than \*..... members.
- (b) a Special Delegate Conference shall be held no later than \*..... weeks from the receipt of the request being received.
- (c) the delegates to a Special Delegate Conference shall be those appointed to the preceding Annual Delegate Conference, provided that if a vacancy shall have arisen amongst the delegates of any section, that section may fill the vacancy.
- (d) the business to be transacted at a Special Delegate Conference shall be stated in the agenda. No business other than that contained in the notice convening a Special Delegate Conference shall be dealt with thereat.
- (e) the agenda for a Special Delegate Conference shall be issued no later than ten days before the conference.
- (f) Rules 11 to 16 relating to the Annual Delegate Conference shall also apply to a Special Delegate Conference.

#### BRANCH OFFICERS

18. The officers of the Branch shall be the \*president, vice-president, secretary, branch organiser, and treasurer. Branch officers shall be elected by the Annual Delegate Conference.

#### BRANCH AUDITORS

19. Two auditors, who shall not be members of the Branch Committee, shall be appointed by the Annual Delegate Conference. They shall hold office from the conclusion of the Annual Delegate Conference at which they are appointed until the conclusion of the subsequent Annual Delegate Conference. They shall be eligible for re-appointment. The Branch Committee shall fill any casual vacancy for an auditor; the person appointed shall not have been a member of the Committee since the previous Annual Delegate Conference.

#### STANDING ORDERS COMMITTEE

20. (a) A Standing Orders Committee (SOC) comprising three members, who shall not be members of the Branch Committee, shall be elected by the Branch Annual Delegate Conference. Normally, each ADC shall elect one member to the Committee who shall take up office at the conclusion of the ADC at which they are elected and shall relinquish office at the conclusion of the ADC 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 recruitment 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 Delegate Conference 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 Delegate Conference.
- (d) The SOC shall attend all Delegate Conferences 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.

#### BRANCH COMMITTEE

21. (a) The Branch Committee 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 Committee shall be filled by the Committee.
- (c) The members of the Branch Committee shall hold office from the conclusion of the Annual Delegate Conference at which they are elected until the conclusion of the subsequent Annual Delegate Conference. 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 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 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 Committee.

#### DUTIES OF BRANCH OFFICERS

##### President

22. (a) The president, or in their absence the vice-president, shall preside at all Branch Conferences or Committee meetings. In the absence of both the president and the 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 Delegate Conferences and Branch Committee meetings.

##### Vice-President

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

##### Secretary

24. The duties of the secretary shall include responsibility for:
- (a) Calling Delegate Conferences and meetings of the Branch Committee;
- (b) Preparing and circulating minutes of these Conferences and 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 any member or by any body with which the Branch is associated; and
- (e) Arranging for consideration of forms of application for membership.

##### Branch Organiser

25. 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) keeping in close touch with sections concerning their membership position and assisting them with recruitment problems;
- (c) undertaking special membership recruitment schemes on the request of, and with the co-operation of, the Branch Committee or the National Executive Committee; and
- (d) liaising with Prospect headquarters in the recruitment of eligible persons into membership.

##### Treasurer

26. 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;
- (b) preparing annually and submitting for audit in time for the Annual Delegate Conference 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;
- (d) transmitting to section treasurers the money allocated by the Branch Committee.

#### DUTIES OF THE BRANCH COMMITTEE

27. The Branch 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 Delegate Conference 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 Delegate Conference 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 or nominate members to represent the Branch at Prospect conference, appropriate Committees of Prospect and/or any other appropriate \*body as approved by the NEC;
- (g) send to each section and Prospect headquarters a copy of its minutes;
- (h) notify to Prospect headquarters changes in membership;
- (i) alter or recommend to the Branch Annual Delegate Conference the alteration of section organisation as necessary, and approve the rules of sections;
- (j) ensure the examination of the annual reports and accounts of sections;
- (k) review the subscription position at regular intervals, and if necessary assist the treasurer in collecting outstanding subscriptions; and
- (l) review the membership position at regular intervals, and where necessary assist the branch organiser in recruiting new members.

#### UNION LEARNING REPRESENTATIVES \*

28. The Branch and sections 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 \*

29. The Branch and sections 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

30. The Branch and sections 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

31. 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;

## ORGANISATION OF SECTIONS

32. (a) the Branch shall be organised in sections as determined by the Branch Annual Delegate Conference and with the approval of the National Executive Committee\*.

(b) the Rules of a section shall be subject to approval by the Branch Committee.

(c) each section shall be responsible for electing its own section Committee.

(d) each section Committee shall deal with the business of the section, and shall submit to the Branch Committee all matters which may affect members in other sections.

(e) each section may make nominations for officers and non-office members to the Branch Committee;

(f) each section shall appoint section officers, who shall be president, [vice-president]\*, secretary and treasurer who shall be responsible for membership and recruitment\*\*.

(g) each section Committee shall submit a report to the Branch Committee annually.

[(h) each section Committee shall submit yearly to the Branch Committee estimates of the allocations required from Branch funds for the coming year and audited accounts for the past year

and open a bank account in the name of the section if the Branch Committee deems it necessary. All cheques drawn on the account shall be signed by two of the section Officers.]\*

(i) each section Committee shall be responsible for keeping members of the section informed of its activities and shall keep itself informed of its members' views.

(j) each section shall appoint delegates to the Branch Annual Delegate Conference in accordance with Rule 5.

(k) each section Committee shall submit a copy of the minutes of its meetings to the Branch secretary.

#### SUBSCRIPTIONS AND FINANCE

33. (a) members shall subscribe to Prospect the amounts decided from time to time by the National Conference of Prospect or by the National Executive Committee.. Annual subscriptions shall normally be subscribed by direct debit deduction from a bank account.

(b) the treasurer shall send any other subscriptions to Prospect headquarters within four weeks of receipt.

(c) in accordance with the Rules of Prospect subscriptions other than those paid by deduction from salary or by instalments shall be due on 1 January in each year and the treasurer shall issue reminders to members whose subscriptions are not paid in January.

(d) not later than May 30, the treasurer shall issue a final reminder to each member whose subscription for the year is still unpaid, informing them of the amount due and of the liability to the termination of their membership under Prospect's Rules.

(e) all monies received by the Branch shall be paid into a bank account to be opened in the name of the Branch. All cheques drawn on the account shall be signed by two of the Branch officers.

#### GENERAL

34. (a) no alteration to these rules shall be made except by a Branch Annual Delegate Conference resolution supported by the votes of not less than two-thirds of the votes cast in a card vote.

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

##### Branch Committee appointed by sections

These model rules have been written on the basis that the Branch Committee is elected by the Branch Annual Delegate Conference. However, if the Branch Committee is appointed by section then these model Rules will need to be amended to cope with this. Rules 8(b), 9(b), 10(b), 21(b) and 21(c) will need amendment in these circumstances.

##### Terminology

Branches are free to use the terminology they wish for the presiding officer of the Branch and Standing Orders Committee, 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.

##### Notes on individual rules

Rule 1\* Insert the full name of the Branch.

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

Rule 3 (a)\* If necessary insert the name of the group, class or grade appropriate to Branch membership.

\*\* Insert the name of the employing body.

Rule 5\* Insert a convenient month, normally January. In any case, this should be arranged to enable the Branch Annual Delegate Conference to deal with business connected with the Prospect National Conference (motions for Conference etc).

\*\* The “number of members” and “number of delegates” have intentionally been left blank to allow for the individual requirements of branches.

The following table is an indication of the kind of number which might be inserted but regard will have to be paid both to the number of members and the number of sections in any particular Branch.

No. of Members	No. of Delegates
Not exceeding 50	1
Over 50 but not exceeding 100	2
Over 100 but not exceeding 200	3
Over 200 but not exceeding 350	4
Over 350	5

Rule 6\* This number can be varied to allow for individual branch requirements.

Rule 8\* As for Rule 6 above.

Rule 8 (b)\* In some branches the BEC is elected, in others Section executives appoint representatives to the BEC, in such cases nominations will not be required.

Adequate time must be given for full membership participation.

Rule 9\* As for Rule 6 above.

Rule 9 (b)\* These words will not be required if the BEC is appointed by sections.

Rule 10 (b)\* See Note for Rule 9 (b).

Rule 17 (a)\* Normally, this number should be not less than 10% of the total Branch membership.

Rule 17 (b)\* Usually not more than four weeks.

Rule 18\* This list is not exclusive. For instance, it might be preferred not to elect a branch organiser 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 convenient number to give a representative and workable committee.

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

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.

Rule 21 (b)\* If the BEC is appointed by sections then the word “Committee” should be deleted and replaced by “appropriate section”.

Rule 21 (c)\* If the BEC is appointed by sections then the words “election” and “re-election” should be replaced by “appointed and re-appointed” respectively.

Rule 27 (a)\* Insert a suitable number. This should not normally be less than four. The purpose of this Rule is to ensure that the Committee meets sufficiently often to cope with essential business.

The number of meetings held should not be more frequent than is required for the effective conduct of Branch business. If more meetings are required then the creation of a Branch General Purposes Committee (GPC) should be considered with the appropriate Branch Rules inserted. If a GPC is used then the number of BEC meetings should be reduced and should not be less than 2 per year.

Rule 27 (f)\* See Note on Rule 2.

Rule 28 This is 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 29 This is 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 30 This is optional but branches are encouraged to include these where possible.  
The Branch Executive Committee may also wish to consider appointment of an equality representative 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.

Rule 31 (a)\* An Annex should be included as part of the Branch rules listing all the sections of the Branch.

Rule 31 (f) \* A vice-president may not be necessary for every section.

\*\* If a treasurer is not required a section officer should be appointed with responsibility for membership and recruitment.

Rule 31 (h)\* This rule may not be necessary if sections do not have their own funds.