



National Executive Committee

TERMS OF REFERENCE

Document Control Sheet

Contact for enquiries and proposed changes. If you have any questions regarding this document or if you have a suggestion for improvements, please contact:

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Project Owner Approval

This document has been approved by the National Executive Committee

Signature/Date: 29/11/2021

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1 COMMITTEE SUMMARY

1.1 COMMITTEE SUMMARY

Summary Information	
Committee Name:	Prospect National Executive Committee
Committee Chair:	President, Prospect Union
Committee Secretariat:	Head of General Secretary's Office, Prospect, on behalf of the General Secretary, Prospect
Committee Purpose: The purpose of the National Executive Committee is to represent the Members of Prospect, make decisions on their behalf in between National Conferences, and provide ongoing oversight and guidance to the operations of Prospect via the General Secretary.	
Committee Objectives: The key objectives of the National Executive Committee are to: <ol style="list-style-type: none"> 1. Ensure that Prospect members are effectively represented in matters relevant to their working lives. 2. Promote and strengthen Prospect as an organisation, and the trade union movement as a whole. 	
Guiding Principles: The NEC aims to operate at all times within the following guiding principles: <ul style="list-style-type: none"> • We make all decisions in the best interests of our members and employees. • We aim to be open and transparent in our business, but protect confidentiality as appropriate. • We discuss and debate issues thoroughly, but once agreed, we act as a unified voice for Prospect. • We are responsive and reliable in fulfilling our committee duties. • We undertake all official duties with due care and diligence, and can also react quickly to changing circumstances and environments. • We are committed to honesty, equality, diversity and fairness in everything we do. 	
Key Stakeholders:	
Direct <ul style="list-style-type: none"> • Prospect members • Prospect Representatives • Prospect employees • Employers 	Indirect <ul style="list-style-type: none"> • TUC • Other affiliated organisations • Relevant politicians and government departments • Other Unions
Scope: The scope of the NEC's work includes (but is not limited to) policy direction, decisions on industrial action, budget oversight, strategic guidance, actions from National Conference, and Prospect representation. Management of Prospect staff, finance and assets is the responsibility of the General Secretary, to be delivered within the strategic framework and objectives agreed with the NEC.	

2 GOVERNANCE

2.1 THE CONTEXT OF THE NATIONAL EXECUTIVE COMMITTEE (NEC)

The composition, powers and duties of the NEC are described in Part 9 of the Prospect National rules. Specifically, the rules state:

‘9.1

- 1) *There shall be a National Executive Committee...which shall conduct the business of the Union in conformity with the policy from time to time laid down by National Conference and shall have other such functions as provided by these rules.*
- 2) *The Committee shall between National Conferences be solely responsible for interpreting policy laid down by Conference and determining policy if no such policy exists. The Committee shall also be responsible for the interpretation of these Rules between National Conferences.*
- 3) *The Committee shall manage and transact all matters and business arising in the affairs of the Union between meetings of National Conference.*
- 4) *Members of the committee shall be elected biennially as provided for in these Rules. The President, Vice President and Deputy Vice President shall be elected from among members of the National Executive Committee in accordance with Rule 9.14.’*

In addition the ‘Codes of Conduct for Elections’ within the national rules makes provision for elections related to the NEC and Presidential Team. It is expected that all NEC members familiarise themselves with the entirety of Prospect Rule Book Part 9 – National Executive Committee.

2.2 NEC GOVERNANCE

General Secretary

Part 10 of the national rules describes the process of election and duties of the General Secretary (GS). In particular 10.8 (1) states ‘the General Secretary shall be the Union’s Chief Executive Officer and shall be responsible to national Conference when sitting and at all other times to the National Executive Committee.’

The GS is responsible for managing the assets, finance and staff of the Union and is accountable to National Conference and the NEC in these respects.

Presidential Team

The Presidential Team (PT) is composed of the President, Vice President and Deputy Vice President, who are elected annually from among members of the National Executive Committee in accordance with Rule 9.14. The PT is responsible for implementing NEC decisions and policy between NEC meetings. The PT liaises directly with the GS in the discharge of these responsibilities and as agreed with the GS, with other Prospect staff. All actions are reported at the following NEC meeting for debate or endorsement. The PT keeps in close contact with the GS, usually holding conference calls every two weeks.

The Presidential Team are ex-officio members of all NEC sub-committees, groups and Panels, and in some cases Chair these meetings.

NEC sub committees

The NEC appoints sub committees in major policy or functional areas as it determines necessary, for the despatch of business. Each sub-committee is governed by a Chair, has terms of reference agreed with the NEC, and reports directly to the NEC. There are currently 7 subcommittees, as outlined in the governance structure (below).

NEC sub-committees deal with matters within their terms of reference (attached at Appendix A) and as required by the NEC. Each sub-committee adopts a programme of work, reporting progress and actions (including any recommendations) through minutes. These are normally available for the next NEC meeting following the date of the sub-committee. If insufficient time is available for the minutes to be circulated for full consideration at the NEC meeting, the report is deferred but any urgent matter is dealt with on the basis of an oral report. Any sub-committee recommendation not accepted by the NEC is normally referred back to the sub-committee.

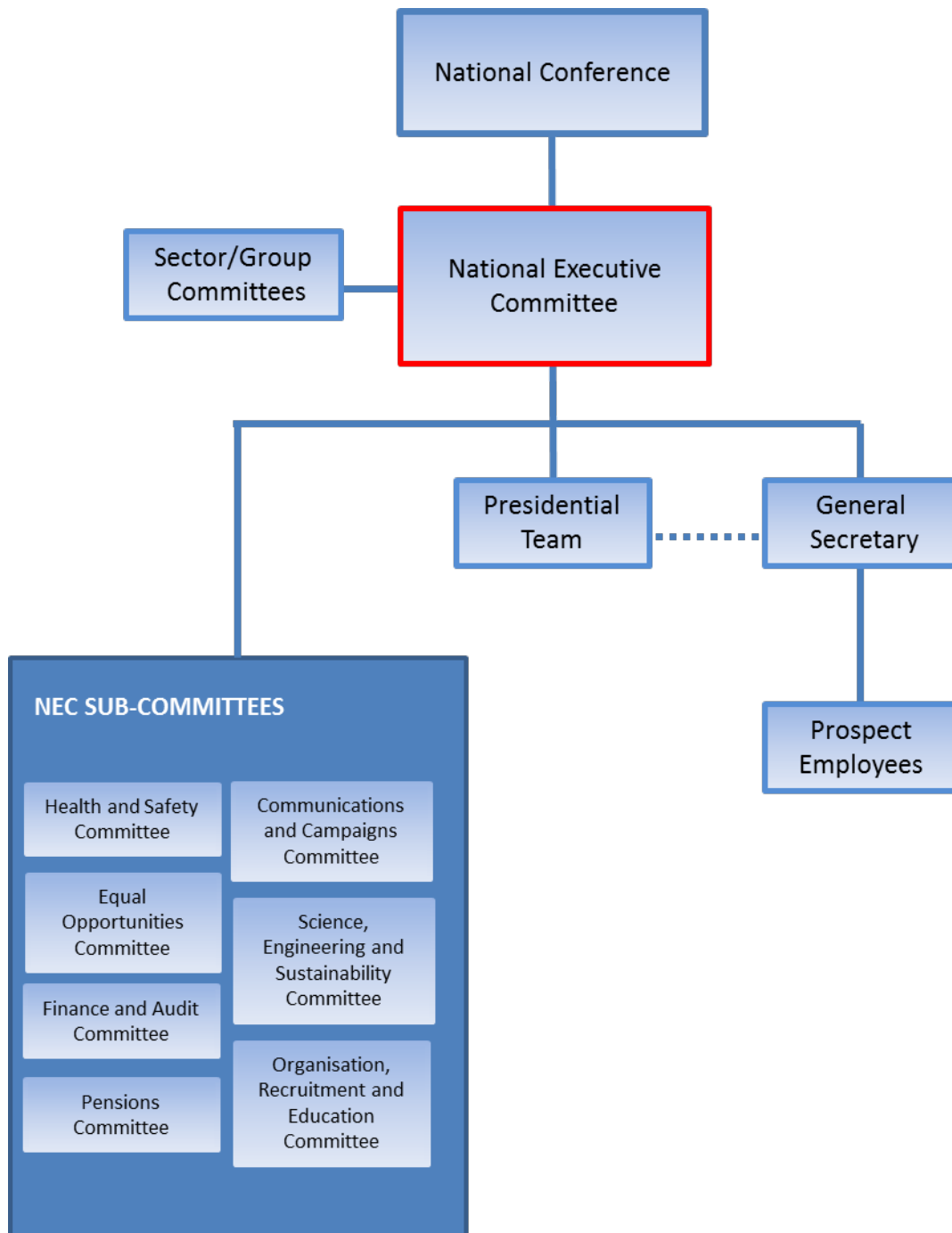
Sector Committees / Groups

Prospect has established Sector Committees or Groups to coordinate policy, professional, and where relevant, workplace responses in major sectors of our membership. Whilst enjoying significant autonomy of decision making, Sector Committees are ultimately accountable to the NEC and National Conference.

Appointment to external bodies

The NEC appoints staff and elected officers to represent Prospect on various bodies. The NEC has agreed a set of criteria (attached at Appendix B) to aid its decision making about the composition of delegations. Examples of delegations/representatives which the NEC approves include; Trade Unions Congress (TUC), Public Services International (PSI), and UNI, for attendance at relevant boards, council, committees congresses and conferences.

2.2.1 Governance Chart



National Executive Committee: Terms of Reference

2.2.2 Governance – Roles & Responsibilities

Key Governance Role	Description
President	<p>Responsible for overall management of the NEC.</p> <p>Chairs all NEC meetings.</p> <p>Chairs all Presidential team meetings.</p> <p>Represents Prospect at official functions.</p> <p>Ex-officio member of all NEC sub-committees (and may sit on, and/or chair, specific committees and working groups)</p> <p>Represents Prospect at a range of external events and committees as required.</p>
Vice President	<p>Fulfils all duties as an NEC member, and also stands in for the duties of the President (above) when they are not available.</p> <p>Fulfils all duties as a Presidential Team member.</p> <p>Ex-officio member of all NEC sub-committees (and may sit on, and/or chair, specific committees and working groups).</p> <p>Represents Prospect at a range of external events and committees as required.</p>
Deputy Vice President	<p>Fulfils all duties as an NEC member, and also stands in for the duties of the President and/or Vice President (above) when they are not available.</p> <p>Fulfils all duties as a Presidential Team member.</p> <p>Ex-officio member of all NEC sub-committees (and may sit on, and/or chair, specific committees and working groups).</p> <p>Represents Prospect at a range of external events and committees as required.</p>
NEC Member	<p>Attends NEC meetings and make relevant decisions as required.</p> <p>Sits on various sub-committees and working groups as required.</p> <p>Represents Prospect at external events/committees as required.</p> <p>Takes an active role in supporting the development and improvement of Prospect policy, projects and overall success.</p>
General Secretary	<p>Chief Executive Officer of the Union.</p> <p>Manages all day-to-day financial, business, and staffing decisions.</p> <p>Provides the formal conduit between the NEC and Prospect employees.</p> <p>Represents Prospect at a range of external events and committees as required.</p> <p>Principal spokesperson for Prospect.</p>
Secretariat (Head of GS Office)	<p>Manages all administration for the NEC, including papers, agendas, minutes and other associated documentation.</p> <p>Attends NEC meetings to take minutes.</p> <p>Handles any administrative queries from NEC members (in the first instance).</p>

National Executive Committee: Terms of Reference

Key Governance Role	Description
Subcommittee Chair	<p>Liases with the relevant committee secretariat on the content and format of committee agendas, meetings and action plans. Chairs each sub-committee meeting.</p> <p>Responsible for reporting back to the NEC, including the raising of any issues that require NEC approval or resolution.</p> <p>Responsible for checking and confirming the accuracy of committee minutes and other relevant committee documentation (as provided by the relevant committee secretariat).</p> <p>Guide the policy, strategy and actions of Prospect within the relevant sub-committee content area (representing member's interests.)</p>
Sub Committee member	<p>Read and review relevant papers and documents associated with the committee.</p> <p>Attend committee meetings.</p> <p>Make decisions on behalf of the NEC (some decisions may be required to be recommended to the NEC for final approval).</p> <p>Guide the policy, strategy and actions of Prospect within the relevant sub-committee content area (representing member's interests.)</p>

**Other Prospect employees or members may be invited to attend NEC and/or sub-committee meetings as appropriate.*

More detailed role responsibilities and protocols for NEC members are outlined in Appendix C 'Guide for NEC Members'.

3 FUNCTIONS / OUTPUTS OF NEC

Key functions and outputs include, but are not limited to, the following:

- Ensure the decisions of National conference are actioned.
- Agree Prospect's Strategic Objectives.
- Review the implementation of Prospect's Strategic Objectives.
- Work cooperatively with the General Secretary, Senior Management Team and other relevant Prospect staff and elected officers.
- Represent Prospect on a range of board and committees.
- Approve Prospect's annual report and budget.

4 ADMINISTRATION & PROTOCOLS

The General Secretary's Office is responsible for the successful delivery and management of all NEC Administration. Any questions on administration or protocols should be directed to that office and are covered in more detail in the NEC guide. The following is a summary:

4.1 MEETINGS OF THE COMMITTEE

- Meetings of the Committee are held five times a year on either Wednesdays or Thursdays. Special meetings may be called to deal with particular issues.
- In non-conference years the a mid-term meeting of the NEC is usually a taken as a two day residential, this enables the group to reflect on the first term objectives and plan for delivery in the lead up to the next National Conference.
- It is expected that all NEC members have read the appropriate paperwork before attending the meeting, and are prepared to move to consider, discuss, then endorse or vote on items and issues as specified in the detailed agenda.

4.2 CONFIDENTIALITY

Minutes of the NEC and its sub-committees are "Private and confidential". Once NEC minutes have been agreed they are published on the website behind the membership login. However, in order to preserve the capacity for free and open debate in the NEC and its sub-committees, members should exercise care in discussing NEC business outside its meetings. Details of individual contributions in discussions leading to decisions should not be disclosed although general description of the background to decisions, and the reason why the NEC may have reached conclusions, may be discussed.

In addition, from time to time an in-camera debate may be required. In-camera debates are normally on staff related issues or disciplinary panel matters and simply record the decision taken without minuting confidential details. Employees, with the exception of those required by the General Secretary, are asked to leave the room, and NEC members are expected to protect the confidentiality of these discussions.

4.3 CONFLICTS OF INTEREST

If an NEC member holds any office or position of trust or responsibility in a company or other organisation that may influence their work on the NEC, the member must disclose the interest to the General Secretary's Office immediately upon becoming an NEC member, on immediately upon taking up the relevant position. The General Secretary's office will keep a register of these interests.

Should a member identify any previously unidentified conflict during an NEC discussion, the member should immediately disclose this information to the President (or chair of the meeting).

Should such a conflict of interest arise the NEC member must:

- Withdraw from any discussion in relation to the matter; and/or
- Take no part in the preparation of advice on the matter; and
- If required, leave the room during the discussion on the relevant proposal, or
- Any other appropriate action as decided by the President (note: should the President disclose a conflict of interest, the Vice President will take the Chair for the duration of the relevant item.)

4.4 ACTING CHAIR

If the President is not available to Chair the NEC, the Vice-President will chair the meeting. If the President and the Vice President are not available to chair, the Deputy Vice President will chair the meeting. If no Presidential Team member is present, but the quorum numbers are met, the NEC will select a chair for the meeting (process to be managed by the General Secretary).

4.5 QUORUM REQUIREMENTS

As outlined in rule 9.16, A quorum of the Committee shall be fifty percent plus one voting members.

4.6 AGENDA ITEMS

All agenda items for each the NEC meeting must be forwarded to the Head of the General Secretary's Office by 5pm 10 working days prior to the day of the meeting. If an item is provided after this deadline, the Chair has the right to refuse to list an item on the formal agenda, but members may raise an item under 'other business' if necessary and as time permits. Meeting agendas and papers will be circulated as early as possible prior to the scheduled meeting, aiming for no less than one week prior.

4.7 MINUTES AND MEETING PAPERS

The minutes of each NEC meeting will be prepared by the Head of the General Secretary's Office. Draft minutes will be approved by the General Secretary for circulation to the NEC, and will then be confirmed or amended at the next meeting.

5 REPORTING

5.1 REPORTING

The NEC reports to members and employees through the following channels:

- The Prospect Annual Report & Budget
- NEC Minutes (available to staff and committee members only)
- Articles in Profile, on the website, and in relevant sector communications.

6 LIST OF APPENDICES

- A. NEC Sub-Committees – list and ToRs
- B. Criteria for composition of delegations
- C. NEC Guide

National Executive Committee: Terms of Reference

Sub-Committee	Function	Chair	Membership	Meetings
a) Equal Opportunities (EOAC)	All aspects of Prospect policy on equal opportunities, monitors the application of that policy in all employing bodies and departments, raises awareness of equal opportunity issues among Prospect members and develops and safeguards equal opportunities within Prospect's membership	Presidential Team	4 NEC and branch nominees.	4 times a year.
b) Health and Safety (H&S)	Health and Safety Executive policy and enforcement issues, health and safety issues arising from branches and health and safety issues appropriate to the CCSU Health and Safety Working Group.	Presidential Team	5 NEC and branch nominees	4 times a year
c) Committee for Organisation, Recruitment and Education (CORE)	Monitors all aspects of the provision of services to members and makes recommendations as appropriate to the NEC. Monitors and co-ordinates recruitment efforts, branch organisation and education programme.	Presidential Team	5 NEC and branch nominees	4 times a year
d) Pensions (PASC)	All matters related to all pension schemes applying to Prospect members	Presidential Team	4 NEC and branch nominees	3-4 times a year.
e) Science, Engineering and Sustainability Advisory Committee. (SECAC)	Advises the NEC on science, engineering and sustainability policy and related activities and works to safeguard and promote the interests at work of members employed in these areas.	Presidential Team	4 NEC and branch nominees	2 times a year
f) Finance Advisory Committee (FAC)	Has responsibility for oversight of all the financial affairs of Prospect.	Presidential Team	6 NEC	4 times a year
g) Communications & Campaigns Committee (CCC)	Provides advice on communications channels and products; campaigning and lobbying; capacity building; and recruitment and organisation.	Presidential Team	6 NEC and branch nominees	4 times a year
Sub-groups to NEC sub-committees				
Branch Rules Working Party	Examines and considers new branch rules and amendments and makes recommendations to the NEC	Presidential Team	4 NEC	Remote by email

APPENDIX B: CRITERIA FOR ASSESSING COMPOSITION OF DELEGATIONS AND COMMITTEES

Conference delegates

The NEC has agreed that the following criteria should guide the selection of balanced Prospect conference delegations:

- Sector and/or industrial background;
- Diversity e.g. gender, ethnicity;
- Age – with a particular focus on encouraging involvement of younger members;
- Previous experience – background of engagement on the key theme(s) of the conference; and
- Previous attendance – balancing the need to extend and broaden involvement with the contributions record of past attendees.

Conference delegation size

Size of delegations should be decided on the basis of the availability of suitable candidates rather than seeking to fill a pre-determined number of places. However, for the TUC equality conferences, delegations should comprise a **maximum** of 8 people including NEC and Branch nominees, and the responsible Prospect staff member.

Sub-committee membership

For nominations for sub-committee membership, the following criteria are to be used:

- Sector and/or industrial background;
- Diversity e.g. gender, ethnicity;
- Age – with a particular focus on encouraging involvement of younger members;
- Balance across branches;
- Expertise and experience within the scope of the sub-committee's terms of reference;
- Attendance record of previous sub-committee members; and
- Extending and broadening involvement in Prospect's work.