

9.4



RULES CONFERENCE 2015

RULE AMENDMENTS

AGENDA

UNITE RULES CONFERENCE 2015

6 – 10 July 2015

1. Opening of conference
 - a. Chair's address
 - b. General Secretary's address
2. Election of Tellers
3. Report of the Standing Orders Committee
4. Proposed amendments to the Rules
5. Election of Standing Orders Committee for the 2019 Rules Conference
6. Enabling Motion: "That the necessary consequential action in regard to the amendments carried by the Conference be referred to the Executive Council for administrative action and implementation as appropriate."

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Current Rules

RULE 1 TITLE AND REGISTERED OFFICE

- 1.1 The Union formed under these rules (hereinafter called the Union) shall be known by the title of "Unite the union".
- 1.2 This Rule Book applies to all members of the Union, and represents the entirety of the rules applicable to members of the Union, save as explicitly provided for under this Rule Book. For the avoidance of doubt, the Amicus and TGWU Sections ceased to exist on the day these rules came into force and neither of those sections shall constitute a group or association or other body or organisation of members for the purposes of these rules.
- 1.3 The Registered Office of the Union shall be Unite House, 128 Theobalds Road, London WC1X 8TN or such other place as may be decided upon by the Executive Council.

Proposed Amendments

RULE 1 TITLE AND REGISTERED OFFICE

1/1 **Clause 1.2**

Delete "For the avoidance of doubt, the Amicus and TGWU Sections ceased to exist on the day these rules came into force and neither of those sections shall constitute a group or association or other body or organisation of members for the purposes of these rules."

Executive Council

RULE 2 OBJECTS

- 2.1 The objects of the Union shall, so far as may be lawful, be:
- 2.1.1 To organise, recruit and represent workers, and strengthen workplace organisation to achieve real union power for its members.
 - 2.1.2 To defend and improve its members’ wages and working conditions including the pursuit of equal pay for work of equal value. To help our members win in the workplace, using the union’s resources to assist in that process, and to support our members in struggle including through strike action.
 - 2.1.3 To defend and improve the social and economic well-being of members and their families, both directly and via commensurate policies in relation to society both domestically and abroad.
 - 2.1.4 To have a strong political voice, fighting on behalf of working peoples’ interests, and to influence the political agenda locally, regionally, nationally and internationally, so as to promote a socialist vision for
 - a more equal society in which wealth is distributed from the rich to the poor, including by means of progressive taxation and other regulatory measures to restrict excessive wealth
 - a collective society in which public services are directly provided on the basis of public need and not private greed, and a fair system of welfare and benefits to support those in need
 - public ownership of important areas of economic activity and services, including health, education, water, post, rail and local passenger transport.
 - 2.1.5 To further political objectives including by affiliation to the Labour Party.
 - 2.1.6 To promote equality and fairness for all, including actively opposing prejudice and discrimination on grounds of gender, race, ethnic origin, religion, class, marital status, sexual orientation, gender identity, age, disability or caring responsibilities.
 - 2.1.7 To affiliate to the TUC, ICTU, Welsh and Scottish TUCs and other appropriate trade union cooperation/coordination bodies domestically and internationally.
 - 2.1.8 To promote constructive cooperation between trade unions internationally to further the interests of members of the Union and those in other unions in dealing with the direct and indirect impact of globalisation.
 - 2.1.9 To promote education and training; both vocational and industrial and otherwise as conducive to these objects.

RULE 2 OBJECTS

- 2/1 **Clause 2.1**
Delete “so far as may be lawful”

Executive Council
East Midlands/Local Authority RISC
East Midlands/Nottingham Area Activists Committee
London & Eastern/9708M London North West Branch
- 2/2 **Clause 2.1.5**
Delete “including by affiliation to the Labour Party” .

London & Eastern/Aerospace & Shipbuilding RISC
North West/GPM & IT RISC
London & Eastern/2050 Greenwich Local Government Branch
North West/55 Fujitsu Branch
- 2/3 **Clause 2.1.5**
Delete “affiliation to the Labour Party” insert “appropriate political affiliation” .

South East/Civil Air Transport RISC
South West/Local Authority RISC
London & Eastern/1183 Lewisham Council Branch
North East, Yorkshire & Humber/GEO/12 Leeds Geographical Branch
- 2/4 **Clause 2.1.5**
Delete “including by affiliation to the Labour Party” insert “including by support for candidates in local, general and European elections whose manifesto is aligned to Unite objectives or policy.”

London & Eastern/1111 Housing Workers Branch
London & Eastern/1228 Waltham Forest Council Branch
Scotland/53 SPTE Branch

Current Rules

- 2.1.10 To provide such financial and other benefits and legal assistance to members as may be specified in these rules.
- 2.1.11 To do all such other things as may in the opinion of the Executive Council be incidental or conducive to the attainment of these objects.

Proposed Amendments

RULE 3 MEMBERSHIP

- 3.1 The Executive Council shall define the categories of membership. Where the Union organises or represents persons engaged in an occupation or seeks to do so, any person engaged in that occupation shall be eligible for membership of the Union, subject to these rules.
- 3.2 There shall be a category of membership for those members who are unable to follow employment because of retirement or permanent disablement. The Executive Council shall determine the qualifications for membership of this category as well as the level of contributions and entitlement to benefit. Such membership shall not accord an entitlement to vote in any ballot or election held by the Union other than an election to the office of General Secretary under rules 15 and 16, an election to any position within the Retired Members' Association or any ballot or election in which all members must by statute, be accorded an unconditional entitlement to vote, unless otherwise specified in these rules.
- 3.3 There shall be a further category of membership open to students and others not in employment who wish to play a part in the work of the union in the wider community. The Executive Council shall determine the level of contributions and entitlement to benefit and services for members in this category. Such membership shall accord an entitlement to representation on Area Activist Committees and Regional Political Committees in such proportion as the executive Council shall determine, but not an entitlement to vote in any ballot or election held by the Union other than an election to the office of General Secretary under rules 15 and 16 or any ballot or election in which all members must by statute be accorded an unconditional entitlement to vote.
- 3.4 Any eligible person may apply for membership by completing the appropriate application form agreeing to be bound by the rules of the Union and submitting it to the Union office or by electronic means as may be provided for via the Union's website. An applicant shall become a member when his/her application has been approved and he/she has been entered into the register of members. Such approval process may require receipt by the Union of the contribution applicable under these rules.
- 3.5 Each member must notify the Union's membership department of any subsequent change of address, and in the absence of such notice the Union shall be entitled to treat the address shown on that member's application form as the member's address for all correspondence.
- 3.6 Each member must notify the Union's membership department of any subsequent change of workplace or contribution category status.
- 3.7 If an applicant has previously been a member of the Union (or any of its predecessors), the Executive Council may, as a condition of re-admission, require the applicant to pay some or all of any monies owed by the applicant to the Union (or any of its predecessors).
- 3.8 The Executive Council may reject an application if in its opinion the conduct of the applicant has at any time been such as would justify a disciplinary charge under these rules against a member of the Union who behaved in a similar fashion.

RULE 3 MEMBERSHIP

- 3/1 **New Clause 3.2**

There shall be other categories of membership as may from time to time be determined by the Executive Council. These categories shall include:

 - Retired Member Plus
 - Community/Student Member
 - Back to Work Member
 - Apprentice/Trainee Member

The Executive Council shall determine the qualifications for membership of these categories as well as the level of contribution and entitlement to benefit. Membership of Back to Work and Apprentice/Trainee categories shall confer voting rights in common with the general membership on the Union. Membership of Retired Member Plus and Community/Student categories shall not confer an entitlement to vote in any ballot or election held by the Union other than:

 - (i) an election to the office of General Secretary under Rules 15 and 16;
 - (ii) elections for Retired Member and Community/Student Member structures; or,
 - (iii) as otherwise specified in these Rules or any ballot or election in which all members must by statute be accorded an unconditional entitlement to vote.

New Clause 3.3

Members of the union who upon retirement wish to remain in membership but not as Retired Members Plus shall be organised as "ordinary" retired members. Such "ordinary" retired members shall not be afforded any entitlement to vote in any ballot or election held by the Union.

Executive Council
- 3/2 **New clause 3.10**

For the purposes of producing a Membership Audit Certificate as required by Sections 24ZA, 24ZB and 24ZD of the Trade Union and Labour Relations (Consolidation) Act 1992, the Union is required to appoint an assurer. The assurer must be qualified in accordance with Section 24ZB and the appointment and removal of the assurer shall be subject to the provisions of Section 24ZC of the Trade Union and Labour Relations (Consolidation) Act 1992.

Executive Council
- 3/3 **Clause 3.2**

Delete and replace with:

There shall be other categories of membership as may from time to time be determined by the Executive Council. These categories shall include:

 - Retired Members Plus
 - Community/ Student Member
 - Apprentice/ Trainee Member

The Executive Council shall determine the qualifications for membership of these categories as well as the level of contribution and entitlement to benefit.

Current Rules

- 3.9 Any period of continuous membership of a predecessor union at the point of amalgamation or transfer shall count as continuous membership of the Union for the purposes of these rules.

Proposed Amendments

Membership of Retired Members Plus shall not accord an entitlement to vote in any ballot or election held by the Union other than:

- An election to the office of General Secretary under Rule 15 and 16
- An election of a National Representative to the Executive Council under Rule 14.2.2
- Elections for Retired Members Structures, or;

As otherwise specified in these rules or any ballot or election in which all members must by statute be accorded an unconditional entitlement to vote.

East Midlands/Leicestershire & Rutland Area Activists Committee

3/4 Clause 3.2

Delete and replace with:

There shall be other categories of membership as may from time to time be determined by the Executive Council. These categories shall include:

- Retired Member Plus
- Community/Student Member
- Apprentice/Trainee Member

The Executive Council shall determine the qualifications for membership of these categories as well as the level of contribution and entitlement to benefit. Membership of Retired Member Plus shall not accord an entitlement to vote in any ballot or election held by the Union other than;

- an election to the office of General Secretary under Rule 15 and 16
- an election of a National Representative to the Executive Council under Rule 14.2.2
- elections for Retired Members structures, or,
- as otherwise specified in these rules or any ballot or election in which all members must by statute be accorded an unconditional entitlement to vote.

South East/6258 Eastbourne District Branch

3/5 Clause 3.3

There shall be a category of membership designated "Unite Community"; that they are unemployed/students/those in unpaid voluntary work etc who pay membership subs (*currently 50p per week*) and can participate in the Union's Community member structures, the AACs and the Regional Political Committees etc. They have the same rights as "Retired Member Plus" e.g. cannot vote in any ballot or election except for General Secretary, and any ballot or election required by statute.

South East/6250 BMW Workplace Branch

3/6 Clause 3.4

Line 6: after the word "members." insert new sentence "A member's normal work place address shall be used for the purposes of determining and implementing all constitutional matters contained within the Unite Rule Book."

East Midlands/LE48 Leicestershire Central Branch

RULE 4 MEMBERSHIP CONTRIBUTIONS and BENEFITS

- 4.1 It shall be the personal responsibility of the member to maintain contributions and avoid arrears in all circumstances. Any period during which a member's contributions are 13 or more weeks in arrears shall break continuity of membership for the purpose of the qualification required to be an officer employed by the Union set out in rule 14 save where a member establishes to the satisfaction of the Executive Council that the arrears arose through no fault of that member. A member whose contributions are recorded by the Union as more than 26 weeks in arrears may be excluded from membership by the Union posting notice to that effect to the member. A member so excluded from membership may apply for reinstatement which may be allowed on such terms as to the payment of outstanding arrears as the Executive Council may consider appropriate.
- 4.2 The Executive Council shall determine the period of membership necessary prior to the member attaining eligibility for benefits, and any period during which contributions are in arrears which shall remove such eligibility.
- 4.3 The Executive Council shall determine the level of contributions for each category of membership.
- 4.4 The Executive Council shall determine the scope and level of benefits.
- 4.4.1 Such benefits may include such things as: DriverCare, funeral, incapacity, personal accident (death, loss of limb/eye, permanent disability), maternity/adoption, paternity, convalescence, professional liability insurance, etc.
- 4.4.2 Maximum sum assured. The Union shall not have the power to assure for any member/individual provident benefits amounting to more than £4,000 by way of a gross sum or £825 by way of an annuity.
- 4.5 The Union shall pay dispute benefit in such circumstances and on such terms as are decided by the Executive Council from time to time.
- 4.6 The Union will provide legal assistance, as follows:
- 4.6.1 A member who is entitled to benefit who suffers injury or disease arising out of or in connection with his/her employment (or the dependants of such a member who has died) shall be entitled to such legal advice and representation, and on such terms, as the Executive Council may consider appropriate.
- 4.6.2 A member seeking legal assistance must ensure that a request in the appropriate form is lodged at the appropriate Union office in sufficient time and with sufficient information to enable the request to be considered and appropriate action taken.
- 4.6.3 A member who requires advice and/or representation on a problem relating to the member's employment which first arose at a time when the member was entitled to benefit and which cannot be resolved through the member's workplace representative should refer the matter to the appropriate Regional Officer. The Union may provide such advice and/or representation

RULE 4 MEMBERSHIP CONTRIBUTIONS AND BENEFITS

- 4/1 **Clause 4.1**
Line 5: after "Rule 14" insert "and lose entitlement to vote in any election or ballot held by the Union,"
Lines 8/9: delete "26", insert "39"; delete "may", insert "will"; delete "posting" insert "communicating"
Executive Council
- 4/2 **Clause 4.3**
Amend as follows:
Any alteration to the bands or categories of subscriptions to be the sole responsibility of the full Rules Conference.
Scotland/Local Authorities RISC
- 4/3 **Clause 4.3**
After "membership" insert "should be comparable to members' earnings"
Scotland/74/119 Key Community Support Branch
- 4/4 **Clause 4.4.1**
Add at end: "Death benefit shall be payable to all members at the highest legacy union rate."
North West/Energy & Utilities RISC
- 4/5 **Clause 4.5**
Amend as follows:
The Union shall pay dispute benefit of not less than the living wage as decided by the Executive Council from time to time.
North East, Yorkshire & Humber/GEO/24 Doncaster Branch
- 4/6 **New clause 4.8**
Before reinstating a lapsed member's membership it will be ascertained that they have not been previously expelled from the Union. They will also be advised that they will not receive representation or advice on any employment issue that has arisen during the period where the lapse has occurred.
North West/Civil Air Transport RISC

Current Rules

as the Executive Council shall consider appropriate, whether by a full time officer or otherwise, and on such terms as the Executive Council shall consider appropriate.

- 4.6.4 The Executive Council may provide such additional legal advice and representation to members and to members' families as it may consider appropriate.
- 4.6.5 The Executive Council may extend legal assistance to a member who is not otherwise entitled to benefits.
- 4.6.6 A member who is given advice and/or representation under this rule shall provide all relevant information and co-operate fully with the compilation of evidence for any legal proceedings and shall comply with any other obligations and/or conditions set out in any arrangements for the provision of legal assistance. If a member fails to do so or provides false or misleading information or fails to act upon the advice of those appointed to represent him/her, the Executive Council may at its absolute discretion annul all legal assistance or withdraw any further legal assistance to that member.
- 4.7 The Executive Council shall have discretion to provide additional benefits.

Proposed Amendments

RULE 6 LAY OFFICE

- 6.1 The Executive Council shall make provision to ensure accountability of Regional and Industrial Executive Council members and those Executive Council members elected pursuant to rule 14(3.3) shall meet with their respective National Committees at least four times per year.
- 6.2 In order to be eligible to be a candidate for election to, or hold office on, the Executive Council and/or any committee, council, or other body of the Union provided for by these rules, the member in question must be an accountable representative of workers, with the exception of Area Activists Committees and Regional Political Committees as specified elsewhere in these rules.
- 6.3 The definition of the term “accountable representative of workers” shall be in the exclusive power of the Executive Council, which is empowered to take into account changing industrial realities and the unique nature of some industries (e.g. construction, contracting, leisure, rural etc) in formulating such a definition. It must nevertheless include Branch office-holders who are in employment, shop stewards, health & safety, equalities and learning representatives.
- 6.4 It is further required that a fair procedure be developed by the Executive Council to deal sympathetically with cases where a member’s eligibility to stand for election or continue to hold office may be affected by employer victimisation.
- 6.5 The electoral period to hold lay office shall be three years unless otherwise provided for under these rules.

RULE 6 LAY OFFICE

- 6/1 **Clause 6.1**
 Line 2: delete “and” insert after “Industrial” “and Equalities”
 Line 3: delete (3.3)
 Line 4: after “National” insert “Industrial Sector, National Equalities or Regional”
- Clause 6.2**
 Line 1: delete “or hold office on”
 Lines 4/5: after “Political Committees” insert “and the young members’ structure, other than the Young Members’ delegate to the Executive Council and Regional Committees”
- Clause 6.3**
 Line 6: after “employment” insert “when employed by an organisation that is not Unite the union”
 Line 7: add at end: “elected at their place of work”
- New clause 6.6**
 The Executive Council shall issue guidance to establish the right of recall over members elected to lay office.
- Executive Council**
- 6/2 **Clause 6.2**
 Line 5: after “Regional Political Committees” insert “and Equalities Committees for Community Members”
- North West/BAEM Committee**
- 6/3 **Clause 6.2**
 Insert new sentence at end:
 Any person who ceases to be an accountable representative of workers shall immediately cease to hold all constitutional offices and positions to which they have been elected unless they can show justification under either Rule 6.3 or 6.4 to the Executive Council.
- East Midlands/LE14 Arriva Leicester Branch**
- 6/4 **Clause 6.2**
 For retired members put “included” in this rule.
- North East, Yorkshire & Humberside/GEO/18 Peterlee Geographical Branch**

- 6/5 **Clause 6.2**
 Line 4: after “with the exception of” insert “the Young Members structure other than the Young Member delegate to the Executive Council”
 North West/NW11 Merseyside Finance Branch
- 6/6 **Clause 6.3**
 Line 2: after “be” delete all, insert “representatives who have been elected to hold office in their workplace as shop stewards. (or workplace representative/”father/mother-of-the-chapel”, etc, where such phrases are the local colloquial term for such representative as represents members in bargaining, disciplinary and grievance matters in their workplace), health and safety representatives, equalities representatives and learning representatives.”
 East Midlands/NG29 Howitts – Sutton Branch
- 6/7 **Clause 6.4**
 Delete existing clause, replace with:
 The General Secretary shall maintain a confidential register of activists who are known to have been subject to employer victimisation. Activists who consider themselves to have been subject to victimisation may make their circumstances known to the General Secretary for inclusion in this register. Inclusion in this register will take account of evidence from relevant National Officers. Activists who are included on this register shall be considered accountable representatives of workers for the purposes of Rule 6.2. Activists shall be removed from the register at the end of the appropriate electoral period.
 Scotland/ Finance & Legal RISC
- 6/8 **Clause 6.4**
 New sub-clauses
- 6.4.1 In the event of a workplace representative changing/ leaving their current employment or retiring, he/she shall inform their Unite officer of the situation. If the workplace representative is an elected accountable representative of any of the Union’s constitutional committees, the Unite officers responsible for those constitutional committees and the Regional Secretary shall be informed of the situation. The individual will be informed that they will be ‘stood down’ with immediate effect from such positions and the appropriate committees informed of the situation and replacement process enacted.
- 6.4.2 In the event of a workplace representative being made redundant, he/she shall inform their Unite officer of the situation. If the workplace representative is an elected accountable representative of any of the Union constitutional committees, the Unite officers responsible for those constitutional committees and the Regional Secretary shall be informed of the situation. If no opposition is raised by either the constitutional committee members or members from within the Unite workplace branch, from where the workplace representative is elected; the constitutional committee has the authority to grant that workplace representative the right to remain a member of that constitutional committee for a period of 6 months, providing they are seeking employment in the same sector. During this period the workplace representative cannot be elected to other constitutional committees or be elected/attend constitutional conferences.

- 6.4.3 In the event of the workplace representative taking up alternative employment or not finding employment within the period agreed by the constitutional committee, the workplace representative shall no longer be eligible to remain a member of the union's constitutional committee. The individual will be informed that they will be 'stood down' with immediate effect from such positions and the appropriate committees informed of the situation and replacement process enacted.
- 6.4.4 In the event of a workplace representative being sacked due to victimisation for trade union activity, a report will be submitted by the Regional Secretary and/or National Officer, after consultation with the appropriate constitutional committee/s, to the Executive Council.
- 6.4.5 Victimisation shall be defined as a member being able to show, to the satisfaction of the Executive Council Rule 6 EC sub-committee, that he or she, for reasons of membership of this Union, has been excluded from employment.
- 6.4.6 If victimisation is proven to the satisfaction of the Executive Council Rule 6 sub-committee, the dismissed former workplace representative shall be entitled to continue as an 'accountable representative' to attend any such committees or conferences that they would have attended for the remainder of their elected term, even if they are replaced within the Unite workplace branch, by a new elected representative.
- 6.4.7 In the event of the dismissed workplace representative taking up alternative employment they shall cease to hold office in relation to their former workplace with immediate effect.
- 6.4.8 In the event that the dismissed former workplace representative wins a case and gets their job back, they will be entitled to resume their elected office in the workplace for the remainder of the their elected term.
- 6.4.9 If the case of victimisation is not proven Rule 6.4.1 or Rule 6.4.2 will apply.

East Midlands/DE24 Ferodo (Federal Mogul) Branch

6/9

Clause 6.5

Line 1: delete "three" insert "two"

London & Eastern/CN4P RISC

6/10

New Clause 6.6

No current or former employee of the union, or member, in receipt of a pension from funds of the union, nor any current employee of any other union, shall be eligible to hold office as an accountable representative in accordance with Rule 6 or to be a delegate to any constitutional committee or conference of the union.

East Midlands/DE56 Derbyshire Central #2 Branch

6/11

New clause, insert at end:

All Unite full time officers assigned to the Union's constitutional committees are responsible for maintaining an up to date record of constitutional committee members' credentials in order to ensure compliance with Rule 6. This record is to be reported at all constitutional committee meetings and included in the Minutes.

GEMS NISC

6/12 New clause, insert at end:

Community members and Back to Work members to be nominated for election to the Regional Disabled and LGBT Committees where there are no nominations from accountable representative of worker or members in work.

South West/Disabled Members' Committee

**RULE 7 INDUSTRIAL/OCCUPATIONAL/
PROFESSIONAL SECTORS**

- 7.1 Members in employment shall be allocated to the Industrial Sector in which they are employed. The term 'Industrial Sector' is a generic term including occupational and professional sectors.
- 7.2 There shall be organisation and representation of union members at both regional and national level by reference to their Industrial Sector.
- 7.3 These Industrial Sectors shall be determined by the Executive Council, which shall have the right to amalgamate existing sectors and to create new sectors as seems expedient on the basis of industrial logic and developing patterns of membership organisation (see appendix 6 for full current list).
- 7.4 Each Industrial Sector shall be led by a National Industrial Sector Committee, to be elected from the appropriate Regional Industrial Sector Committees in such proportion, as may be determined by the Executive Council. The Executive Council shall have the power to determine additional special constituencies (which may be on a national basis) where they deem it necessary in light of the particular industrial circumstances of the sector.
- 7.5 National Industrial Sector Committees shall enjoy full autonomy in the conduct of their own proper industrial business provided that such conduct is not inconsistent with the general policy and objectives of the Union.
- 7.6 Each Industrial Sector shall hold a national conference, with delegates elected from amongst the membership in that sector, once every two years to determine its own industrial policies provided that they are not inconsistent with the general policy and objectives of the Union. That the Executive Council shall determine the size and composition of each National Industrial Sector Conference and shall ensure that in each case it is larger than the number of seats on the corresponding National Industrial Sector Committee.
- 7.7 Each Industrial Sector shall, where practicable, be divided into Regional Industrial Sectors, in conformity with the territorial Regions of the Union. There shall be a Regional Industrial Sector Committee in each Region where a Regional Industrial Sector is established elected in such proportion, as may be determined by the Executive Council, to reflect Branch and workplace organisation.
- 7.8 Each Regional Industrial Sector Committee shall be empowered to fill vacancies arising from the failure of any Regional Industrial Sector Committee member, without good reason, to attend 2 consecutive Regional Industrial Sector Committee meetings for following the resignation of any member.
- 7.9 Members employed in managerial, professional, supervisory, technical and/or clerical grades may, where appropriate, be organised and represented separately from other members in the same sector.

RULE 7 INDUSTRIAL/OCCUPATIONAL/PROFESSIONAL SECTORS

- 7/1 **Clause 7.4**
Add at end: "Regional Industrial Sector Committees shall be elected at triennial meetings of Regional Industrial Sector Conferences."

Clause 7.8
Line 1: After "Each" insert "National and"
Line 3: delete "2", insert "3"

Executive Council
- 7/2 **Clause 7.3**
Line 2: delete "have the right to amalgamate existing sectors and create new sectors" replace with "and after full consultation and approval of the sectors can amalgamate existing sectors"

North East, Yorkshire & Humber/Automotive RISC
- 7/3 **Clause 7.3**
Rewrite as follows:

An Industrial Sector must have a minimum of 25,000 paying members. The Executive Council shall have the right to amalgamate existing sectors and to create new sectors as seems expedient on the basis of industrial logic and developing patterns of membership organisation only after consulting with the appropriate National Industrial Sector Committees. A full audit of each Industrial Sector's membership will take place prior to the election of the Executive Council, or where the Executive Council deems it appropriate.

South West/Aerospace and Shipbuilding RISC
- 7/4 **Clause 7.4**
Add at end: "Regional Industrial Sector Committees shall be elected at triennial meetings of Regional Industrial Sector Conferences. Every elected lay representative (Rule 6 compliant) listed in Rules 17 and 18 is entitled to attend the triennial conference."

Clause 7.7
Add at end: "including geographical and industrial sub-sector distribution of the sector membership."

London & Eastern/GPM & IT RISC
- 7/5 **Clause 7.4**
Line 2: after "elected" insert "or substituted"

North East, Yorkshire & Humber/Health RISC

Current Rules

- 7.10 Special sub-sectors and/or advisory committees of Industrial Sectors
- 7.10.1 The Executive Council shall constitute special sub-sectors and/or advisory committees of Industrial Sectors as may seem expedient, on the basis of company or occupation, and shall have discretion to maintain the autonomy of specific craft or professional groupings which may not have the status of industrial committees.
- 7.10.2 The Executive Council may approve byelaws to govern the activities of a group or association or other body or organisation of members. In the event of a conflict between these rules and the byelaws of a group or association or other body or organisation of members, these rules shall prevail. Any amendment to the byelaws of a group or association or other body or organisation of members shall require the consent of the Executive Council
- 7.10.3 Any group or association or other body or organisation of members existing immediately before these rules came into force which had its own constitution, byelaws, regulations or rules shall treat that constitution, those byelaws, regulations or rules as being byelaws for the purposes of these rules. Accordingly, in the event of a conflict between these rules and the constitution, byelaws, regulations or rules of a group or association or other body or organisation of members, these rules shall prevail. Further, any amendment to such constitution, byelaws, regulations or rules shall require the consent of the Executive Council which may also amend such constitution, byelaws, regulations or rules after consultation with the relevant group or association or other body or organisation of members.

Proposed Amendments

7/6

Change Title

Industrial Pillars/AGSs – Manufacturing, Services and Transport Conferences/Election

Clause 7.6

Amend to read: “Each Industrial Sector will be allocated to one of the three industrial pillars of the union Manufacturing, Services and Transport. Each one of these pillars will have an accountable Assistant General Secretary. The Executive Council shall determine the composition of each of the union’s industrial pillars.”

Add sub-clauses

- 7.6.1 Each Industrial Sector shall hold a National Sector Conference with delegates elected from amongst the membership in the appropriate industrial sectors, once every three years to determine its own industrial policies and policies appropriate for their industrial pillar (provided that they are not inconsistent with the general policy and objectives of the Union). The Executive Council shall determine the size and composition of each National Sector Conference ensuring that each Industrial Sector delegation is larger than the number of seats on the corresponding National Industrial Sector Committee.
- 7.6.2 The National Sector Conferences will be organised and aligned in accordance with the three Industrial Pillars – Manufacturing, Services and Transport. Following the National Sector Conferences each sector delegation will attend a general assembly of its applicable industrial pillar. This general assembly shall consist of an address by the General Secretary and appropriate Assistant General Secretary. Each sector will be entitled to register a strategic industrial policy motion specific to their industrial pillar for debate and ballot of the general assembly, providing that’s it is not inconsistent with the general policy and objectives of the Union.
- 7.6.3 Manufacturing, Services and Transport Assistant General Secretaries’ positions will be elected by each Manufacturing, Services and Transport general assembly Conference respectively (every three years). For the position of Assistant General Secretaries, existing officers of the union with 5 years continuous membership shall be accorded equally an entitlement to apply for the position.
- 7.6.4 Should a candidate receive 50% of the number of votes cast in the first ballot he/she shall be duly elected as AGS. In the event that no candidate receives 50% of the vote cast within the first ballot, a run off ballot will take place between the two candidates receiving the highest number of votes in the first ballot. The candidate who receives the highest number of votes in the second ballot will be duly elected as the AGS for that respective industrial pillar. In the event that an Assistant General Secretaries post is vacated in the period between industrial pillar Conferences, the Executive Council shall appoint an interim Assistance General Secretary until the following industrial pillar Conference.
- 7.6.5 For those elected they will receive pay equal to the grade of Assistant General Secretary the additional payments above the grade of Regional Officer will not be directly pensionable to the unions defined benefit scheme but shall have the option for pensionable payments into to an additional payment defined contribution scheme. Assistant General Secretaries, who are not subsequently re-elected the additional pay and pension contributions will be rescinded and they will return to their original pay grade. The Executive Council shall apply rule in reallocation of duties.

Scotland/267 Rolls Royce Branch

7/7

Clause 7.8

Add at the end of the last sentence:

Furthermore, in the case of a delegate being unable to serve on the Committee by becoming a permanent or a temporary employee of the Union or carrying out the role of a stand down officer, then that Regional Committee may elect a replacement from that persons specific constituency.

West Midlands/LGBT Committee

7/8

New clause 7.11

The Executive Council shall decide, and may alter, the number and description of the Sectors provided that any one Sector has a minimum membership of 25,000 members.

West Midlands/7190 Arriva Burton Branch

RULE 8 REGIONS

- 8.1 For the purpose of regional administration the Union shall constitute Regions for Ireland, Scotland and Wales with England divided into 7 Regions on the basis of Regional Development Agency boundaries (as at 1st January 2006) as follows:
- North West;
 North East, Yorkshire and Humberside;
 West Midlands;
 East Midlands;
 South West;
 South East; and
 London and Eastern
- 8.2 Each Region shall have a Regional Committee of lay members elected from the Regional Industrial Sector Committees, Area Activists Committees where established, and as otherwise provided for by these rules in such proportions, as may be determined by the Executive Council. Should any seat become vacant on the Regional Committee, then the Regional Secretary shall write to the nominating committee seeking a replacement delegate.
- 8.3 The Regional Committees shall have responsibility for the management of the Union's affairs in their Regions in conformity with decisions of the Executive Council and responsible to it.
- 8.4 The Regional Committees shall have their own funds not exceeding 1% of the membership income attributable to members within that Region. Regional Committees shall be responsible for the affiliation of union organisations to Trades Councils and appropriate public bodies within their Region.
- 8.5 Regions shall constitute Area Activists meetings between activists in different companies, sectors and Branches, across geographical areas within a Region, subject to the approval of the Executive Council. The first of these meetings in an electoral period shall elect Area Activists Committees, the size and composition of which being determined by the respective Regional Committee, subject to the approval of the Executive Council. Thereafter Regions may convene further Area Activists meetings, up to four times a year. All activists shall be eligible to stand for election to Area Activists Committees.
- 8.6 The Regional Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.
- 8.7 A special Regional Committee meeting can be called by 50% +1 of the members of the Regional Committee, either by a show of hands at a Regional Committee meeting or by written requisition.
- 8.8 The Regional Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate

RULE 8 REGIONS

- 8/1 **Clause 8.2**
 Line 2: after "Area Activists Committees where established", insert "Regional Equalities Committees"
- New clause 8.9**
 Each Regional Committee shall be empowered to fill vacancies arising from the failure of any Regional Committee member, without good reason, to attend three consecutive Regional Committee meetings or following the resignation of any member.
Executive Council
- 8/2 **Clause 8.1 to read:**
 For the purpose of regional administration, the Union shall constitute regions for Ireland, Scotland and Wales, with England divided into 8 regions, on the basis of Regional Development Agency boundaries (as at the 1st January 2006) as follows:
- North West;
 North East, Yorkshire and Humberside;
 West Midlands;
 East Midlands;
 South West;
 South East;
 London; and
 Eastern.
London & Eastern/7355E South Cambs GEMS Branch
- 8/3 **Clause 8.1**
 Line 2: delete; "7" insert "8"
 Line 8: after "East Midlands", insert new line; "Eastern
 Line 11, delete; "and Eastern."
 Line 3 delete: "Regional Development Agency boundaries (as at 1st January 2006)" insert "'regional boundary data available from the ONS"
London & Eastern/7026E GPM Essex Branch

Current Rules

to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.

Proposed Amendments

8/4

Clause 8.5

Delete existing clause and insert:

Regions shall constitute Branch District Committees, all Branch Secretaries, Officers of Workplace, Composite, Geographical; Retired & Community Branches within the area boundary of the Branch District are entitled to a seat on the committee and attend such meetings, subject to the approval of the Executive Council.

East Midlands/Derby Area Activists Committee

8/5

Clause 8.5

Delete existing clause and insert:

Where a Regional Committee determines there is activism, Regions shall create local Area Activists Groups (AAG) bringing together activists from different companies, sectors, membership categories and branches (including Retired Member and Community branches), subject to the approval of the Executive Council. Area Activists Groups will meet as appropriate to determine, organise, support and deliver a programme of local recruitment, solidarity and social policy campaigns within their local communities. The first meeting of an AAG in an electoral period shall elect an Area Organising Committee (AOC) responsible for developing and organising the AAG's activities and campaigns which shall be determined by the respective Regional Committee, subject to the approval of the Executive Council. All activists (including Retired Member Plus and Community members) shall be eligible to stand for election to AOCs. AOCs may not submit motions to the Policy Conference or Rules Conference nor shall they be allocated seats on Regional Committees.

London & Eastern/300 Heathrow Taxi Branch

RULE 9 YOUNG MEMBERS

- 9.1 In each Region there shall be a young members’ forum open to all members up to and including the age of 30 in that Region.
- 9.2 The purpose of the structure shall be to advocate the interests of young workers, to cement links with youth organizations both within the labour movement and beyond and to promote relevant policies provided that they are not inconsistent with the general policy and objectives of the Union.
- 9.3 There shall be conferences in each Region every three years for young members. The Regional Secretary shall be responsible for convening these conferences. The Executive Council shall determine the number of delegates to the regional conferences and how they shall be appointed or elected.
- 9.4 There shall be a Young Members Regional Committee elected from Branches, Regional Industrial Sector Committees and Area Activists Committees where established in such proportion, as may be determined from time to time by the Executive Council. The Regional Young Members Committee shall elect a delegate to the Regional Committee.
- 9.5 There shall be a national conference every two years for young members which the Executive Council shall be responsible for convening. The Executive Council shall determine the number of delegates to the national conference and how they shall be appointed or elected.
- 9.6 There shall be a Young Members National Committee elected from each Young Members Regional Committee in such proportion, as may be determined from time to time by the Executive Council.
- 9.7 The Young Members’ National committee shall elect from its number an observer delegate to the Executive Council.

RULE 9 YOUNG MEMBERS

- 9/1 **Clause 9.1**
 Line 2: delete “30”, insert “27”
 Line 2: add at end “commencing from the 2018/21 electoral cycle”

Clause 9.2
 Line 1: between “the” and “structure” insert “young members’”
 Line 1: before “interests” insert “industrial and social”
 Line 2: after “links with” insert “the Union’s industrial and community members”

Clause 9.4
 Line 1: before “Young” insert “Regional”; after “members” delete “Regional”
 Lines 2/3: delete “elected from Branches, Regional Industrial Sector Committees and Area Activists Committees where established”; after “Committee” insert “charged with developing, organising and delivering the young members’ strategy in the Region, elected at the Regional Young Members’ Conference”

Insert new Clause 9.6
 Young member activists are entitled to attend meetings of Area Activists Meeting and to stand for election to at least 2 defined young member’s seats on the Area Activists’ Committee, elected by young members attending the Meeting.

Insert new Clause 9.7
 Young members who are also Unite branch CLP GC delegates and up to four nominees (who must be members of the Labour Party) from the Regional Young Members’ Committee, elected by members of that Committee, are entitled to attend the Regional Political Conference and are eligible to stand for election to two additional young members’ seats on the Regional Political Committee.
 Renumber old Clause 9.6 as new Clause 9.8
 Delete old Clause 9.7
- 9/2 **Clause 9.1**
 9.1 Line 2: delete 30, insert ‘27’
 9.1 Line 2: insert following ...that Region, ‘commencing from the 2018/21 election cycle’

Executive Council

Clause 9.2

9.2 line 1: after ...of the add, 'young members'

9.2 line 1: after advocate the, 'industrial and social'

9.2 line 2 after links with, 'the Union's industrial and community members'

Clause 9.4

9.4 line 1 insert after ...be a, 'Regional'

9.4 line 1 delete after ...young members, 'Regional'

9.4 line 1 delete after ...Committee, 'elected from Branches, Regional Industrial Sector Committees and Area Activists Committees where established'

9.4 line 1 add after ... Committee, 'charged with developing, organising and delivering the young members strategy in the Region, elected at and from the Regional Young Members Conference' continue to end of rule.

Insert new clause 9.6

'Young member activists are entitled to attend Area Activists Meetings and to stand for election to at least 2 defined young member's seats on Area Activists Committees, elected by young members attending the meeting'.

Insert new clause 9.7

'Young Members who are also Unite Branch CLP GC delegates, and up to four nominees (who must be members of the Labour Party) from the Regional Young Members Committee, elected by members of that Committee, are entitled to attend the Regional Political Conference and are eligible to stand for election to two additional young members seats on the Regional Political Committee'

Renumber 9.6 as '9.8'

Delete 9.7

Young Members National Committee

9/3

Clause 9.2

Add at end: "All eligible young members will elect a Young Members' voting delegate to the Executive Council, who must be compliant with Rule 6."

East Midlands/Young Members Committee

RULE 10 MEMBERS IN RETIREMENT

- 10.1 Members in retirement may be organised as “retired members plus” or as ordinary retired members. Only “retired members plus” members or members in retirement who choose to pay full contributions may hold office in any retired members’ structures that the Union may establish. Separate arrangements may apply in the Republic of Ireland, Channel Islands, Isle of Man and Gibraltar.
- 10.2 Unite retired members, working through retired members’ structures, shall promote the interests of senior citizens by working with other bodies involved with the retired, cementing links with the Union and ensuring support both within Unite and beyond.
- 10.3 The retired members’ structures shall harness the support of retired members in promoting the Union’s political and campaigning objectives.
- 10.4 Retired members may be members of the workplace, local or national branches of the union (as defined in Rule 17) or may be organised in retired members’ branches. Members in retirement may not simultaneously be members of more than one branch of the union.
- 10.5 In each Region there shall be a triennial conference of retired members representatives, elected in such proportion as may be determined by the Executive Council. The Regional Secretary shall be responsible for convening the conference.
- 10.6 There shall be Regional Co-ordinating Committees for retired members, elected from the regional conference, in such proportion as may be determined by the Executive Council. These Committees shall elect an observer delegate to their respective Regional Committee of the union as a whole.
- 10.7 Retired member activists are entitled to attend the triennial Area Activists Meetings and general Area Activists Meetings, and to stand for election for up to 2 defined retired members’ seats on Area Activists Committees, elected by retired members attending the meeting.
- 10.8 Retired members who are also Unite branch CLP GC delegates plus up to four nominees (who must be a members of the Labour Party) from the Regional Retired Members’ Co-ordinating Committee, elected by the members of that Committee, are entitled to attend the Regional Political Conference and are eligible to stand for election to additional retired members seats on Regional Political Committees.
- 10.9 There shall be a national conference of retired members’ representatives held every two years. The Executive Council shall be responsible for convening this conference which shall be made up of delegates elected by the regional retired members’ structures.
- 10.10 There shall be a National Committee for retired members, elected from the Regional Co-ordinating Committees in such proportion as may be determined by the Executive Council. This Committee shall elect an observer delegate to the National Political Committee who must be a member of the Labour Party, and, an observer delegate to the Executive Council.

RULE 10 MEMBERS IN RETIREMENT

- 10/1 **Clause 10.1**
Line 4: after “establish” insert “which shall include attendance at Regional Retired Members’ Conference.”

Clause 10.2
Line 2: to start “campaign for and”
Line 2: after “citizens” insert “and the communities in which they live”
Line 2: after “with” insert “the wider structures of the Union as well as”

Clause 10.5
Lines 2/3: delete “elected in such proportion as may be determined by the Executive Council.”; after “representative” insert “which shall be defined as officers of Retired Members’ branches and retired members who may hold office in other types of branch.”

Clause 10.8
Line 5: before “additional” insert “at least two”

Clause 10.10
Line 3: after “elect” insert “a lay Chair and Co-ordinator to organise the work of the Committee in co-operation with the responsible National Officer,”
Line 5: after “Party” insert “as well as delegates to national campaigning and labour movement organisations,”

Executive Council
- 10/2 **Clause 10.1**
Line 3: delete “or members in retirement who choose to pay full contributions”
Line 3/4: after “may hold office” insert “as a Branch Officer, Regional Equality Committee Member (giving priority to accountable representatives of members in employment) and”

North West/LGBT Committee
- 10/3 **Clause 10.1**
Line 2: delete “ordinary” insert “honorary”
Line 4: after “establish” add “which shall include attendance at Regional Retired Members Conference.”

Current Rules

10.11 No member who is in receipt of a pension from any funds of the union shall be eligible for election to the observer positions as set out in Clauses 10.6 and 10.10 of this Rule.

Proposed Amendments

Clause 10.2

Line 1: after "shall" insert "campaign for and"

Line 2: after "citizens" insert "and the communities in which they live"

Line 2: after "working" insert "within the wider structures of the union as well as"

Clause 10.5

Line 2: delete "elected in such proportion as may be determined by the Executive Council." replace with "which shall be defined as officers of Retired Members' Branches and retired members who may hold office in other types of branch."

Clause 10.6

Line 4: delete "an observer delegate" replace with "a delegate"

Lines 4/5: Delete: "of the union as a whole" replace with "Such Regional Co-ordinating Committees shall have the right to nominate delegates, as appropriate, to local campaigning and Labour movement organisations and shall have the right to elect a Chair and Co-ordinator to organise the work of the committee in cooperation with the responsible Regional Officer."

Clause 10.8

Line 5: between "to" and "additional" insert "two"

Clause 10.9

Line 1: after "members" insert "plus"

Line 4: after "members" insert "plus"

Clause 10.10

Line 3: after "elect" insert "a lay Chair and Co-ordinator to organise the work of the committee in cooperation with the responsible National Officer"

Line 5: after "Labour Party" insert "as well as delegates to national campaigning and Labour movement organisations"

Clause 10.11

Line 2: delete "observer" insert "delegate"

Scotland/Glasgow & Renfrewshire Area Activists Committee
Wales/North East Wales Area Activists Committee
East Midlands/NG09 University of Nottingham Branch
Ireland/NI/B0025 Local Councils Branch

10/4

Clause 10.1

Line 2: delete "ordinary" insert "honorary"

Line 4: after "establish" add "which shall include attendance at Regional Retired Members Conference."

Clause 10.2

Line 1: after "shall" insert "campaign for and"

Line 2: after "citizens" insert "and the communities in which they live"

Line 2: after "working" insert "within the wider structures of the union as well as"

Clause 10.5

Line 2: delete "elected in such proportion as may be determined by the Executive Council." replace with "which shall be defined as officers of Retired Members' Branches and retired members who may hold office in other types of branch."

Clause 10.6

Line 4: delete "an observer delegate" replace with "a delegate"

Lines 4/5: Delete: "of the union as a whole" replace with "Such Regional Co-ordinating Committees shall have the right to nominate delegates, as appropriate, to local campaigning and Labour movement organisations and shall have the right to elect a Chair and Co-ordinator to organise the work of the committee in cooperation with the responsible Regional Officer."

Clause 10.9

Line 1: after "members" insert "plus"

Line 4: after "members" insert "plus"

Clause 10.10

Line 3: after "elect" insert "a lay Chair and Co-ordinator to organise the work of the committee in cooperation with the responsible National Officer"

Line 5: after "Labour Party" insert "as well as delegates to national campaigning and Labour movement organisations"

Clause 10.11

Line 2: delete "observer" insert "delegate"

10/5

Clause 10.1

Line 2: delete "ordinary" insert "honorary"

Line 4: after "establish" add "which shall include attendance at Regional Retired Members Conference."

Clause 10.2

Line 1: after "shall" insert "campaign for and"

Line 2: after "citizens" insert "and the communities in which they live"

Line 2: after "working" insert "within the wider structures of the union as well as"

Clause 10.5

Line 2: delete "elected in such proportion as may be determined by the Executive Council." replace with "which shall be defined as officers of Retired Members' Branches and retired members who may hold office in other types of branch."

Clause 10.6

Line 4: delete "an observer delegate" replace with "a delegate"

Lines 4/5: Delete: "of the union as a whole" replace with "Such Regional Co-ordinating Committees shall have the right to nominate delegates, as appropriate, to local campaigning and Labour movement organisations and shall have the right to elect a Chair and Co-ordinator to organise the work of the committee in cooperation with the responsible Regional Officer."

Clause 10.9

Line 1: after "members" insert "plus"

Line 4: after "members" insert "plus"

North East, Yorkshire & Humber/401/1 Moorish Solicitors Branch

10/6

Clause 10.6

Line 4: delete "an observer" insert "a delegate"

Line 4/5: delete: "of the union as a whole" add at end "Such Regional Co-ordinating Committees shall have the right to nominate delegates, as appropriate, to local campaigning and Labour movement organisations and shall have the right to elect a Chair and Co-ordinator to organise the work of the committee in cooperation with the responsible Regional Officer"

Ireland/NI/B0016/Northern Ireland Health Service Branch

- 10/7 **Clause 10.6**
Lines 3/4: delete "an observer" insert "a"
London & Eastern/7064E GPM National Publishing & Media Branch
- 10/8 **Clause 10.6**
Line 3: delete "These Committees shall elect an observer delegate to their respective Regional Committee of the Union as a whole." insert "These Committees shall elect two retired member plus delegates to their respective Regional Committee."
West Midlands/Stoke and North Staffs Area Activists Committee
- 10/9 **Clause 10.10**
Lines 4 and 5: delete "observer"
North East, Yorkshire & Humber/South Yorkshire Area Activists Committee
- 10/10 **New clause 10.12**
Retired Members Branches & the Retired Members Co-ordinating Committee should be able to send motions to Unite Conferences (Rule & Policy) on matters pertaining to Retired Members. This would not cover matters of industrial/sector policy of Unite.
South West/Bristol AAC
- 10/11 **New clause 10.12**
Retired Members' Branches shall have the opportunity to submit motions to the Policy and Rules Conferences; Retired Members shall be entitled to attend such Conferences to speak on these issues that directly affect the lives of our retired members.
Scotland/Fife Area Activists Committee
South West/Plymouth Area Activists Committee
London & Eastern/979 Sudbury Branch
North West/17 Central Lancashire Branch
North West/0538 Liverpool Branch
North West/0611 Manchester Manufacturing Branch
- 10/12 **New clause 10.12**
Retired members paying the 'retired members plus' subscription rate shall be entitled to the same representational rights as full subscription paying members.
Wales/Swansea Area Activists Committee

10/13 New clause

There shall be at least five Retired Member delegates at the Policy Conference and at least five Retired Member delegates at the Rules Conference.

South East/6236 Southampton Branch
South East/6249 Guildford & District Branch

RULE 11 EQUALITIES

- 11.1 The Union shall strive to have elected equalities representatives recognized and active in all workplaces and who participate in the work of the Union's industrial structure.
- 11.2 All constitutional conferences and committees of the Union shall have a gender and ethnic balance of elected representatives at least reflecting the proportion of the black, Asian and ethnic minority and female membership which they represent. The Executive Council shall ensure the implementation of this rule and shall report on its implementation to the Policy Conference of the Union.
- 11.3 There shall be separate conferences in each Region every three years for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members. The Regional Secretary shall be responsible for convening these conferences.
- 11.4 There shall be Regional Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members, elected in constituencies at the appropriate regional conference in 11.3, to advance the area of equalities, and to represent and report to the Regional Industrial Sector Committees and Area Activists Committees where established in such proportion, as may be determined by the Executive Council. These committees shall each elect a delegate to their respective Regional Committee of the Union as a whole.
- 11.5 There shall be separate national conferences every two years for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members. The Executive Council shall be responsible for convening these conferences which shall be made up of delegates elected at each of the appropriate Regional Conferences.
- 11.6 There shall be National Committees for women members; black, Asian and ethnic minority members; disabled members; and lesbian, gay, bisexual and transgender members, elected from their respective Regional Committees in such proportion, as may be determined by the Executive Council.

RULE 11 EQUALITIES

- 11/1 **Clause 11.4**
 Line 3: before "constituencies" insert "in Sector based"; after "constituencies" insert "of at least one member per regional Sector"

 Line 7: After "Council" insert new sentence "Members elected to such Sector based seats shall become full members of the Regional Industrial Sector Committee, provided that they are an 'accountable representative of workers'."

New Clause 11.5, and renumber accordingly

 Each National and Regional Equalities Committee shall be empowered to fill vacancies arising from the failure of any appropriate Regional Equalities Committee member, without good reason, to attend 3 consecutive Regional Equalities Committee meetings or following the resignation of any member.

Old 11.5
 Line 5: delete "Conferences", insert "Equalities Committees"

Old 11.6
 Line 4: before "Committees" insert "Equalities"

Executive Council
- 11/2 **Clause 11.2**
 Line 1: after "All constitutional conferences and committees of the Union" insert "and delegations or deputations to represent the Union approved by the Executive Council"

National Women's Committee
- 11/3 **Clause 11.2**
 Line 1: after "All constitutional conferences and committees of the Union" insert "and delegations approved by the Executive Council"

London & Eastern/Women's Committee
- 11/4 **Clause 11.2**
 Line 3: after "which they represent" insert "except that this rule shall not be used in any election to set aside more than 50% of seats in a constituency for women or more than 50% of such seats for black, Asian and ethnic minority candidates".

London & Eastern/Finance & Legal RISC

- 11/5 **Clause 11.2**
Line 3: after "female" add "or male minority"

North East, Yorkshire & Humber/Finance and Legal RISC
- 11/6 **Clause 11.2**
Line 4: after "represent" insert "where possible. Where this is not possible, officers shall report the reasons to the relevant National Officer.

Black, Asian and ethnic minority and female representatives shall always have first preference in elections for equalities designated seats, any remaining unfilled seats to be provisionally filled by any representatives who are available.

If a Black, Asian or ethnic minority or female representative comes forward at a later date to fill a provisionally held seat, they shall duly take the seat, or an election held where there are more eligible representatives than provisionally held seats."

Continue with Rule as printed.

North West/Finance & Legal RISC
- 11/7 **Clause 11.2**
Line 3: after "Black Asians and ethnic minority" insert "including Latin Americans and any Eastern Europeans"
- Clause 11.3**
Line 2: after "Black Asians and ethnic minority" insert "including Latin Americans and any Eastern Europeans"
- Clause 11.4**
Line 1/2: after "Black Asians and ethnic minority" insert "including Latin Americans and any Eastern Europeans"
- Clause 11.5**
Line 2: after "Black Asians and ethnic minority" insert "including Latin Americans and any Eastern Europeans"
- Clause 11.6**
Line 1/2: after "Black Asians and ethnic minority" insert "including Latin Americans and any Eastern Europeans"

North West/Disabled Members Committee

- 11/8 **Clause 11.5**
Add at end: "Each separate conference will be staggered throughout the year to ensure delegates with multiple equality characteristics can participate."
East Midlands/LGBT Committee
- 11/9 **Clause 11.6**
Add at end of clause: "The National Equalities Conferences shall not run concurrently to enable members with multiple identities the opportunity to attend all appropriate conferences, National Women's Conference, National BAEM Conference, National Disabled Members' Conference and National LGBT Conference."
South West/Women's Committee
- 11/10 **New clause 11.7**
As a trade union representing working people and as an employer with a workforce of its own, the Union will strive to: eliminate discrimination, harassment and victimisation; advance equality of opportunity between people who share a protected characteristic and those who do not; foster good relations between people who share a protected characteristic and those who do not. The Union shall produce a biennial report on its implementation of this commitment.
Scotland/164/403 Glasgow/Lanarkshire CN4P Branch

RULE 12 POLICY CONFERENCE

- 12.1 The supreme policy making body of the Union shall be a Policy Conference held every two years consisting so far as is reasonably practicable of one lay delegate for each two thousand working members of the Union. Additionally, each Regional Committee shall elect two Lesbian, Gay, Bisexual & Transgender members and two Disabled members to attend the Policy Conference. Only elected lay delegates shall have the right to vote. No member shall be a lay delegate if they are currently employed by the Union.
- 12.2 Motions to the Policy Conference shall be confined to the general policies of the Union and shall not deal with matters relating to the interpretation or amendment of rule or which are concerned solely with the Union's policy within an Industrial Sector. Following the conference any motion which commits the Union to expenditure of funds must be put to the Executive Council for consideration and ratification before implementation.
- 12.3 The General Secretary will present a financial report to the Policy Conference.
- 12.4 The Executive Council shall determine the procedure for nomination, qualification and election of delegates and the constituencies from which they shall be elected.
- 12.4.1 In addition each Regional Committee shall elect three delegates to Policy Conference directly.
- 12.5 The Executive Council shall be in attendance at any Policy Conference, and its members may speak upon but may not vote on any subject.
- 12.6 Each delegate shall hold office until the next Policy Conference.
- 12.7 The Executive Council shall determine the number of policy motions which may be submitted by the Branch; regional; industrial and equalities structures, and from the Executive Council itself.
- 12.8 The Policy Conference shall be chaired by the Chair of the Executive Council.
- 12.9 The Policy Conference may be recalled by the Executive Council in an emergency. It shall deal only with the business for which it is summoned.
- 12.10 The Executive Council shall draft the standing orders for the Policy Conference. A Standing Orders Committee shall be constituted on the basis of one delegate from each Region, under a procedure to be agreed by the Executive Council. No member of the Executive Council shall be eligible to serve on the Standing Orders Committee. The Chair of conference may attend the meetings of the Committee.
- 12.11 No member of the Executive Council, employee of the Union or retired employee of the Union, or any member who is in receipt of a pension from any of the funds of the Union, no tutor employed by the Education Department, and no member who is employed on Union business on a full-time basis with remuneration paid from funds which are raised from special contributions paid by Branch members as distinct from Union

RULE 12 POLICY CONFERENCE

- 12/1 **Clause 12.1**
Line 4: delete "Additionally, each Regional Committee shall elect two Lesbian, Gay, Bisexual & Transgender members and two Disabled members to attend the Policy Conference."
- Clause 12.4.1**
Rewrite as follows:
"In addition each Regional Committee shall elect the following delegates:
(a) three delegates from the Regional Committee
(b) two Lesbian, Gay, Bisexual or Transgender members
(c) two disabled members, and,
(d) two young members."
- Clause 12.10**
Line 3: after "basis of" insert "at least"
Add at end of clause: "and may issue directions prior to the Conference, subject to those directions being upheld by the Conference itself."
- New 12.10.1**
A member of the Standing Orders Committee may not simultaneously be a delegate to the Conference, but for the purpose of electing the next Policy Conference Standing Orders Committee members will be treated as being a delegate to Conference and may be nominated and elected to serve on the next Standing Orders Committee.
Executive Council
- 12/2 **Clause 12.1**
Line 6: after "members" insert ", two Retired Members members,"
- Clause 12.7**
Line 2: after "the" change "branch" to "branches" and insert "including Retired Members Branches;"
East Midlands/Northamptonshire Area Activists Committee
- 12/3 **Clause 12.1**
Line 6: after "members" insert ", two Retired Members members,"
West Midlands/7141 Michelin Branch

Current Rules

contributions, shall be eligible for nomination as a delegate to the Policy Conference.

Proposed Amendments

- 12/4 **Clause 12.1**
Line 6: after “to attend the Policy Conference” insert “In addition, each Area Activist Committee will elect two delegates to the Policy Conference, who will be accountable representatives of workers in accordance with Rule 6.2.”
North West/0754 Preston Branch
- 12/5 **Clause 12.1**
Lines 1/2: delete “Policy Conference held every two years” insert “Policy Conference held every year”
North West/63 Central Manchester Health Branch
- 12/6 **Clause 12.2**
1st sentence: delete all after “amendment of rule” insert “, or contradict Industrial Sector policy set at an Industrial Sector Conference or have a detrimental impact on members in a particular sector.”
East Midlands/DE13 Rolls-Royce (Nuclear Power) Branch
- 12/7 **Clause 12.3**
Line 2: after the word “Conference” insert “, which will include a question and answer session at Conference by the General Secretary and the Chair of the Executive Council concerning the Union’s finances and administration.”
East Midlands/DE53 Nestlé Branch
- 12/8 **New clause 12.3, renumber accordingly**
The Assistant General Secretaries positions will be elected by Policy Conference. For the positions of Assistant General Secretaries, existing officers of the union with 5 years continuous membership shall be accorded equally an entitlement to apply for the position. The Policy Conference will elect from their delegates present at conference, by secret ballot, the Assistant General Secretaries. In the event that an Assistant General Secretaries post is vacated in the period between Conferences, the Executive Council shall appoint an interim Assistant General Secretary until the following Conference. For Assistance General Secretaries in office, who are not subsequently re-elected, the Executive Council shall determine reallocation of duties, along with corresponding pay, terms and conditions of employment, or, if the individual concerned so wishes, severance conditions in line with Unite policy.
East Midlands/LN12 GPM & IT Lincolnshire Branch
- 12/9 **Clause 12.4.1**
After “directly” add “and each National Equality Committee shall elect one delegate directly.”
BAEM National Committee

- 12/10 **Clause 12.4.1**
After “directly” add “and each Regional Equality Committee i.e. BAEM, LGBT and Disability shall elect one delegate directly to Policy Conference.”
London & Eastern/BAEM Committee
- 12/11 **New clause 12.4.2**
Each Area Activist Committee, which has demonstrated to their Regional Committee that they are active and regularly quorate, shall be given permission by their Regional Committee, to elect 2 delegates to Policy Conference directly, these delegates must comply with Rule 6.
North West/Lancashire Area Activists Committee
- 12/12 **New clause 12.4.2**
When a Branch that does not have a member attending Conference as a delegate has submitted a motion that has been scheduled for debate, a member of that Branch shall be entitled to attend Policy Conference in order that the Branch is able to move that motion and reply to the debate.
Scotland/0034M Scottish Professional Executive Staffs Branch
- 12/13 **Clause 12.8**
Amend to read: “The Policy Conference shall be chaired by the Chair of the Executive Council. Confidential electronic voting will be used as the method of voting at Policy Conference.”
South West/Regional Committee
- 12/14 **Clause 12.11**
Line 4: after “Department”, insert “or registered for delivery of Unite education,”
Line 5: after word “full-time” insert “or part-time”
East Midlands/DE39 Arriva Derby Branch
- 12/15 **New clause 12.12**
The Standing Orders for the Policy conference will state that motions will only be put to conference if the Policy Conference Standing Orders Committee decides motions significantly add to existing policy or call for a change in existing policy or create new policy. Any motion that supports current policies passed at the previous Policy Conference by 75% of the conference will be sent to the EC to confirm that they are existing policy and will not be taken at the Policy Conference, unless there is a change in law or policy of a political party that impacts upon the issue the motion seeks to address.
South West/8171 GE Aviation Bishops Cleeve & Arle Court Branch

RULE 13 RULES AMENDMENT

- 13.1 For the revision of the rules and constitution of the Union there shall be a Rules Conference which shall meet in every fourth year. The first Rules Conference shall take place in the year following the first Policy Conference. No member shall be a lay delegate if they are currently employed by the Union.
- 13.2 The Rules Conference shall be constituted in the same way as the Policy Conference.
- 13.3 Amendments to rule may be approved by a simple majority of those voting. Only elected lay delegates shall have the right to vote.
- 13.4 The Executive Council shall be entitled to submit motions and amendments to motions to amend the rules to a Rules Conference and if an urgent issue arises it may do so at short notice.
- 13.5 If in the opinion of the Executive Council there is an urgent need to amend the rules between Rules Conferences, the Executive Council may amend the rules by a resolution supported by not less than 75% of its members, provided that amendment shall cease to have effect at the end of the next Rules Conference unless it has been ratified by a resolution of that conference.
- 13.6 The Executive Council shall determine the procedure for nomination, qualification and election of delegates and the constituencies from which they shall be elected.
- 13.7 The Executive Council shall be in attendance at any Rules Conference, and its members may speak upon but may not vote on any subject.
- 13.8 Each delegate shall hold office until the next Rules Conference.
- 13.9 The Executive Council shall determine the number of rules motions which may be submitted by from the Branch; regional; industrial and equalities structures, and from the Executive Council itself.
- 13.10 The Rules Conference shall be chaired by the Chair of the Executive Council.
- 13.11 The Rules Conference may be recalled by the Executive Council in an emergency. It shall deal only with the business for which it is summoned.
- 13.12 The Executive Council shall draft the standing orders for the Rules Conference. A Standing Orders Committee shall be constituted on the basis of one delegate from each Region under a procedure to be agreed by the Executive Council. No member of the Executive Council shall be eligible to serve on the Standing Orders Committee. The Chair of conference may attend the meetings of the Committee.
- 13.13 No member of the Executive Council, employee of the Union or retired employee of the Union, or any member who is in receipt of a pension from any of the funds of the Union, no tutor employed by the Education Department, and no member who is employed on Union business on a full-time basis with remuneration paid from funds which are raised from special contributions paid by Branch members as distinct from Union contributions, shall be eligible for nomination as a delegate to the Rules Conference.

RULE 13 RULES AMENDMENT

- 13/1 **Clause 13.1**
Line 2: delete "The first Rules Conference shall take place in the year following the first Policy Conference."

- Clause 13.12**
Line 3: after "basis of" insert "at least"
Add at end of clause: "and may issue directions prior to the Conference, subject to those directions being upheld by the Conference itself."

- New clause 13.12.1**
A member of the Standing Orders Committee may not simultaneously be a delegate to the Conference, but for the purpose of electing the next Rules Conference Standing Orders Committee members will be treated as being a delegate to Conference and may be nominated and elected to serve on the next Standing Orders Committee.

Executive Council

- 13/2 **Clause 13.4**
Line 1: delete "motions" insert "one motion"
Line 2: delete "amendments to motions" insert "one amendment to a motion"
Line 2/3: delete "and if an urgent issue arises it may do so at short notice." insert "which is in line with all other constitutional committees of the Union."

South East/6217 Sussex & Surrey RTC Branch

- 13/3 **Clause 13.5**
Delete entire clause, and replace with:
"The rules of the union can only be amended by a Rules Conference. However, if a change in legislation requires an immediate consideration of rule changes to avoid placing the union at immediate risk of litigation which is not frivolous, then the rules of the union can be temporarily amended with the support of 75% of elected EC members. Any rule change must be ratified at the next Rules Conference before it can be made a permanent rule."

East Midlands/Energy & Utilities RISC

- 13/4 **Clause 13.5**
Delete entire clause, and replace with:
The Rules of the union can only be amended by a Rules Conference. However, if an instruction from the Certification Officer or a change in legislation requires an immediate consideration of rule changes to avoid placing the union at immediate risk of litigation which is not frivolous, then the rules of the union can be temporarily amended with the support of 80% of elected EC members. Any rule change must be ratified at the next Rules Conference before it can be made a permanent rule
North West/0988M Barnoldswick 2 Branch
- 13/5 **Clause 13.5**
Delete and insert:
If as an exception there is a need for the Union to amend any rule between Rules Conferences the Executive Council shall have the authority to recall the Rules Conference in line with Rule 13.8 of this Rule Book
South East/6144 Surrey & Sussex Rural & Agriculture Branch
- 13/6 **New sub-clause 13.6.1**
In addition, the National Equalities Committee, set out in Rule 11.6 shall elect one delegate to Rules Conference directly
National LGBT Committee
- 13/7 **Clause 13.9**
Line 2: after "Branch" insert "Retired Members branches;"
East Midlands/NN08 Wincanton Argos Kettering Branch
- 13/8 **Clause 13.10**
After "Executive Council" insert "Confidential Electronic voting will be used as the method of voting at Rules Conference."
South West/8006 Augusta Westland Industrial Branch
- 13/9 **Clause 13.10**
Add new sentence at end: "Confidential electronic voting will be used as the method of voting at Policy Conference."
West Midlands/CN4P RISC

- 13/10 **Clause 13.12**
Line 1: delete "The Executive Council" insert "The Standing Orders Committee constituted for the Rules Conference"

Scotland/157 Spiritaero Branch
- 13/11 **Clause 13.13**
Add at end: "it is allowed for Retired members and Community members to send delegates to Rules Conference as observers only."

North East, Yorkshire & Humber/FDT RISC
- 13/12 **Clause 13.13**
Line 3: after the word "tutor" delete "employed" replace with "registered for delivery of Unite education"
Line 5: after the word "full-time" insert "or part-time"

Wales/B1082 GE Aviation Branch

RULE 14 EXECUTIVE COUNCIL

- 14.1 Election of the Executive Council
- 14.1.1 The election of the Executive Council shall be on the basis of representatives from the Union’s regional structure, representatives from the Union’s Industrial Sectors and National Representatives of the Union’s women and black, Asian and ethnic minority, disabled and LGBT membership.
- 14.1.2 Elections to the Executive Council shall be conducted in conformity with guidance issued by the Executive Council from time to time.
- 14.2 14.2.1 Election to the Executive Council shall be on the basis of electoral constituencies determined by the Executive Council. These constituencies shall ensure the fair and equitable representation of the working membership and shall include representatives to be elected from the Regions as constituted in the union on the basis of each region with fewer than 150,000 members on the date at which the membership figures are struck having two representatives, each region with 150,000 members but fewer than 200,000 members having three, and each region with 200,000 members or more having four; and shall include representatives from the national industrial sectors, on the basis of each sector with fewer than 50,000 members at the date at which the membership figures is struck having one representative, each sector with 50,000 but fewer than 100,000 members having two and each sector with 100,000 members or more having three. The allocation of constituencies based on this formula will be automatically applied to all Executive Council elections henceforward unless the formula is varied by the Rules Conference.
- 14.2.2 The Executive Council shall also provide for National Representatives for women and for black, Asian and ethnic minority; Lesbian, Gay, Bisexual & Transgender; and Disabled members to sit on the Executive Council.
- 14.2.3 The Executive Council of the Union shall include designated seats within the electoral constituencies to ensure the proportionate representation of women members and of black, Asian and ethnic minority members.
- 14.2.4 The term of office for the Executive Council shall be three years.
- 14.2.5 No current or former employee of the Union, nor any current employee of any other union, is eligible to stand for, or hold office on, the Executive Council.
- 14.3 The Executive Council shall meet at least four times a year, with up to a maximum of five days duration per meeting to complete the business at hand. Special meetings of the Executive Council may be called when the General Secretary or when a majority of the Executive Council considers it necessary.

RULE 14 EXECUTIVE COUNCIL

- 14/1 **Clause 14.1.1**
Line 5: between disabled and LGBT delete “and”; after LGBT insert “and Young”
- Clause 14.2.2**
Delete and renumber accordingly
Executive Council
- 14/2 **Clause 14.8.3**
Line 1: after “auditor” insert “and assurer in relation to membership records”
Executive Council
- 14/3 **Clause 14.1.1**
Line 5: after “LGBT” insert “and youth”
North West/Young Members Committee
- 14/4 **Clause 14.1.2**
Clause to read: “Elections to the Executive Council shall be conducted in conformity with guidance issued by the Executive Council. Such guidance will ensure equality and fairness throughout the election and balloting process. All nominees gaining the required number of nominations will be provided with the same appropriate access to branch secretaries, workplaces and constitutional committees information and promotion throughout the union.”
Local Authority NISC
- 14/5 **Clause 14.1.1.**
Line 4: delete “and” after “women”
Line 5: delete “and” after “disabled”
Line 5: after “LGBT” insert “and Retired Members”
- Clause 14.2.2.**
Line 3: delete “and” after “Transgender”
Line 3: after “Disabled” insert “and Retired Members”
**East Midlands/LN16 Dawson James & Son Branch
North West/34 Warrington Composite Branch**

Current Rules

- 14.4 Members of the Executive Council who do not attend two consecutive meetings to which they are summoned, may be removed from office by the Executive Council if they fail to provide a written explanation of that absence to the General Secretary or if any written explanation provided is in the opinion of the Executive Council unsatisfactory. The Executive Council shall determine the guidance on the application of this rule.
- 14.5 The Executive Council shall elect a Finance and General Purposes Committee provided that it shall include the Chair of the Executive Council. The Executive Council shall determine the number of members thereof. This committee shall meet not less than six times a year. This Committee shall also act as an emergency committee, and the Executive Council shall delegate to such Committee all or any of its powers and duties as it may determine, and may modify or revoke such powers.
- 14.6 At the first meeting of the Executive Council following its election there shall be appointed by and from the members a Chair. The Executive Committee will have the power to remove and replace its Chair at any time, and to appoint one or more Vice Chairs for such business and period as it deems fit from time to time.
- 14.7 The Chair shall preside over all Executive Council meetings, see that the business is properly conducted, and sign the minutes of each meeting when passed. The Chair shall also preside at the Biennial Policy Conference, the Rules Conference, the Finance and General Purposes Committee and in addition shall be a delegate to the Trades Union Congress and Annual Conference of the Labour Party (where appropriate) held during their term of office, and to such other conferences as the Executive Council may determine.
- 14.8 The Government, management and control of the Union shall be vested in the Executive Council collectively, which may do such things consistent with the rules and objects of the Union as it may consider expedient to promote the interests of the Union or any of its members. In particular and without limiting the general powers conferred on it by these rules the Executive Council shall have the power to:
- 14.8.1 Ensure that properly prepared management accounts and annual statements of account relating to all financial affairs of the Union are presented at its regular meetings, and it may call for the production of any book, vouchers, or documents.
- 14.8.2 Direct that special audits or examinations of the books or finances of any part of the Union shall be made by special auditors appointed by the Executive Council.
- 14.8.3 Appoint and remove the Union's auditor for which purpose the members of the Executive Council shall act as the delegates of the members by whom they were elected.
- 14.8.4 Appoint all officers who are employed as such by the Union (who shall have been paying members of this Union or, if employed by Unite, paying members of another trade union recognised by the union for bargaining purposes, for at least two years immediately preceding the date of application) other than the General Secretary. The promotion of individual officers (up to but excluding the level of General Secretary) and the

Proposed Amendments

- 14/6 **Clause 14.2.1**
After first sentence insert new sentence
"A full audit of each Industrial Sector's membership will take place at the September Executive Council meeting in the year prior to the election of the Executive Council to determine Executive Election Constituencies."
East Midlands/LN05 Siemens Lincoln Branch
- 14/7 **Clause 14.2.2**
Clause to read: "The Executive Council shall also provide for National Representatives for women and for black, Asian and ethnic minority; Lesbian, Gay, Bisexual & Transgender, Disabled and Young Members to sit on the Executive Council."
London & Eastern/Regional Committee
- 14/8 **Clause 14.2.2**
The Executive Council shall also provide for National Representatives for women and for black, Asian and ethnic minority; Lesbian, Gay, Bisexual and Transgender, Disabled and Young members to sit on the Executive Council.
London & Eastern/524 Central London Voluntary Sector Branch
- 14/9 **Clause 14.2.2**
Amend as follows: following "Transgender;" delete "and"; following "Disabled" insert "and Young"
North East, Yorkshire & Humberside/205/3 Scunthorpe Steelworks Branch
- 14/10 **Clause 14.2.2**
Clause to read: "The Executive Council shall also provide for National Representatives, who are Rule 6 compliant, for women and for black, Asian and ethnic minority; Lesbian, Gay, Bisexual & Transgender; and Disabled and Young members to sit on the Executive Council."
West Midlands/7248 Big Lottery Fund Branch
- 14/11 **Clause 14.1.1**
The election of the Executive Council shall be on the basis of representatives from the Unions retired and industrial sectors and national representatives of the Unions women, black, Asian and ethnic minority, disabled, LGBT and retired members.
Clause 14.2.2
Amend to read as follows: The Executive Council shall provide for all men and women including Black Asian and ethnic minority Lesbian Bisexual Transgender and Disabled members to sit on the Executive Council.
North East, Yorkshire and Humberside/300/32 RTC Branch

Current Rules

allocation/reallocation of officer roles shall be subject to the approval of the Executive Council in each case.

- 14.8.5 Determine one or more constitutional committees of lay members to which each officer employed by the Union shall report and be accountable and ensure that the list of these allocations is available to members.
- 14.8.6 Consider all appeals and resolutions addressed to it, subject to where it deems appropriate the Council shall have the power to refer such appeals and references to Regional or National Industrial Committees.
- 14.8.7 Require reports to be submitted to it of all disputes, and shall take such action with regard thereto as it shall deem fit.
- 14.8.8 Raise or borrow money and secure the payment of money or the carrying out of any other obligation of the Union on any of the properties or securities of the Union in such manner as it shall think fit.
- 14.8.9 Decide questions of policy which may arise between Policy Conferences and which have not been decided by a previous decision of such a conference.
- 14.8.10 Send delegates or deputations to represent the Union, and to delegate power to any person to act on behalf of the Union for any purpose.
- 14.8.11 Sanction payment of benefit in respect of any strike and in respect of any lockout.
- 14.8.12 Expend moneys on any of the purposes authorised by these rules, or on any other purpose which, in their opinion, is expedient in the interests of the Union or its members, including, at its discretion, the provision of legal services to members (and where it additionally and severally sees fit, to members' families), and the taking and defending of legal action by the Union.
- 14.8.13 Suspend, or impose any other penalty on any Branch, Region or other administrative section of the Union for such reasons and on such terms as they deem expedient and their decisions, save as herein provided, shall be final and conclusive for all purposes provided that every Branch, Region or other administrative section shall have the right within 14 days, of the date of notification of the decision of the Executive Council to give notice of appeal, and until the hearing of such appeal the decision of the Council shall be binding.
- 14.8.14 Delegate to any committee constituted under these rules such of their powers as are necessary or expedient and consistent with the powers and duties of such committee as in these rules provided, and may modify or revoke such powers and duties from time to time.
- 14.8.15 Provide training for lay representatives, activists and its employees.

Proposed Amendments

14/12 Clauses 14.2.2 and 14.2.3

Delete existing clauses, replace with:

The Executive Council shall provide for National Representatives for Lesbian, Gay, Bisexual & Transgender; and Disabled members to sit on the Executive Council. The Executive Council of the Union shall include designated or additional seats within the electoral constituencies to ensure the proportionate representation of women members and of Black, Asian and ethnic minority members. The Executive Council shall provide for a minimum of one woman, plus one Black, Asian and ethnic minority (BAEM) EC regional representative per region to sit on the Executive Council.

East Midlands/BAEM Committee

14/13 Clause 14.2.4

Add new sentence at end:

If an Executive Council seat becomes vacant within the first two years of the electoral period a by-election shall be held. If the vacancy occurs during the third year of the term of the electoral period there shall be no by-election but an Observer may be appointed for the remainder of the term by the relevant Regional or National Committee.

West Midlands/Automotive RISC

14/14 Clause 14.2.4

Amend to read: "The term of office for the Executive Council shall be three years. The maximum number of Unite EC terms in office that any member can serve is three electoral terms."

East Midlands/LE04 SPS Technologies Branch

14/15 Clause 14.8.4

Amend as follows: Approval is required by the Executive Council for all officer appointments, other than elected positions. The Executive Council will also appoint to the following positions:

1. Chief of Staff
2. Executive Officer – Organising
3. Departmental Directors

... and insert new clause

For the position of National Officer, applicants will require 5 years continuous membership in order to apply for the position. Applicants will be interviewed by a panel consisting of the General Secretary, Executive Council Chair, Executive Council Industrial Sector Members and Chair of the National Industrial Sector Committee, who will draw up a short list of suitable candidates. The National Industrial Sector Committee will interview all shortlisted candidates and will elect their preferred candidate on the basis of the first candidate receiving 50% + 1 of the votes cast being the elected candidate. Appointments will be subject to final approval by the Executive Council.

GPM & IT NISC

Current Rules

- 14.8.16 Decide its own Standing Orders and procedures in all matters not expressly provided for in these rules.
- 14.8.17 Make standing orders, consistent with these rules, governing the proceedings of Regional Committees, Industrial Committees and any other body provided for by these rules, as it sees fit.
- 14.8.18 Decide any question relating to the meaning and the interpretation of these rules or any matter not expressly provided for by these rules which decision shall be binding on all members of the Union.
- 14.9 Recognising the central importance of the organisation of workers into the Union the Executive Council shall devote no less than five per cent of membership income to organising each year and shall aim to move to no less than ten per cent within no less than three years of amalgamation. Organising units shall be maintained by these funds in each Region and shall be controlled by a national organising department under the control of the General Secretary.
- 14.10 In addition to any express powers in these rules provided, the Executive Council shall have power generally to carry on the business of the Union, as it may deem necessary, and do such things and authorise such acts, including the payment of moneys, on behalf of the Union, as it, in the general interests of the Union, may deem expedient, and to delegate to any person or persons the power to represent and to act on behalf of the Union. Between Executive Council meetings the Executive Council's powers under clause 8 above and this clause are delegated to the General Secretary save the following:
- 14.10.1 regarding appeals and resolutions
- 14.10.2 regarding delegation of powers from the Executive to any committee
- 14.10.3 regarding Executive Council procedures
- 14.11 The Executive Council may exercise any power given to it by these rules as it sees fit from time to time.

Proposed Amendments

- 14/16 **Clause 14.8.4**
- Delete clause 14.8.4, replace with:
- Appoint, in accordance with rules 14.8.4.1, 14.8.4.2, 14.8.4.3 below, all officers of the union, other than elected positions. The Executive Council will also appoint to the following positions:
1. Chief of Staff
 2. Executive Officer Organising
 3. Departmental Directors
- ... and add new clauses
- 14.8.4.1** For the position of Regional Secretary, applicants will require 5 years continuous membership in order to apply for the position. Applicants will be interviewed by a panel consisting of the General Secretary, Executive Council Chair, Executive Council Regional Members and Chair of the Regional Committee, who will draw up a short list of suitable candidates. The Regional Committee will interview all shortlisted candidates and will elect by simple majority their preferred candidate. Appointments will be subject to final approval by the Executive Council.
- 14.8.4.2** For the position of National Officer, applicants will require 5 years continuous membership in order to apply for the position. Applicants will be interviewed by a panel consisting of the General Secretary, Executive Council Chair, Executive Council Industrial Sector Members and Chair of the National Industrial Sector Committee, who will draw up a short list of suitable candidates. The National Industrial Sector Committee will interview all shortlisted candidates and will elect by simple majority their preferred candidate. Appointments will be subject to final approval by the Executive Council.
- 14.8.4.3** For position of Regional Officer and RCO, applicants will require 2 years continuous membership in order to apply for the position. Applicants will be interviewed by a panel consisting of the Regional Secretary, Chair of the Regional Committee and Executive Council Regional Members, who will draw up a short list of suitable candidates. The Regional Committee will interview all shortlisted candidates and will elect by simple majority their preferred candidate. Appointments will be subject to final approval by the Executive Council.
- East Midlands/GPM&IT RISC**
- 14/17 **Clause 14.8.4**
- Delete and replace with: "That all future officers who are to be employed by Unite are to be elected by the Sector they will represent and not be employed on an appointment bases.
- North West/0604 Manchester Construction Branch**
- 14/18 **New sub-clause 14.8.4.1**
- The ability and performance of officers employed by the union is of paramount importance to the Executive Council. To this end the Executive Council shall put in place a Capability/Support Policy to maintain the standards required to be an officer of the union. Officers failing to meet the required standards will be referred under the policy for support, assistance and training. Failure by an officer to perform after such support may lead to dismissal on the grounds of capability. For dismissal of individual officers on grounds of capability (up to but excluding the level of General Secretary) shall be subject to the approval of the Executive Council in each case.
- Wales/B1003 South East Wales Construction Branch**

14/19 **New clause**
When a member is elected to an Executive Council position, s/he will not hold any other position(s) on any of the Union's constitutional committees from within the Executive constituency they are elected as an Executive Council Member. Executive Council Members will be allowed to attend any union constitutional committee, from within the Executive Council constituency they are elected, as an Executive Council Member, as an observer.

North East, Yorkshire & Humber/200/07 Nissan Branch

14/20 **New clause:**
An elected Executive Council member cannot act as a Stand Down Officer during his/her elected period of office as an Executive Council member."

Aerospace & Shipbuilding NISC

Current Rules

RULE 15 GENERAL SECRETARY

- 15.1 All elections for the General Secretary shall be on the basis of a ballot of the whole membership of the Union.
- 15.2 The General Secretary shall not hold office without re-election for more than 5 years from the last day on which the votes were cast in his/her previous election.
- 15.3 The General Secretary shall be responsible for the administration of the affairs of the Union; including convening the meetings and implementing the decisions of the Executive Council, and such other duties as may be determined by the Executive Council.
- 15.4 All employees of the Union shall be under ultimate control of the Executive Council whose approval shall be required before changing their terms and conditions of employment or superannuation arrangements. Subject to that ultimate control the General Secretary shall be responsible for managing all employees of the Union who, subject to their terms and conditions of employment, shall perform such duties and work from such locations as the General Secretary may direct.
- 15.5 The General Secretary shall be under the control of and act in accordance with the directions of the Executive Council.
- 15.6 The General Secretary may delegate to any employee of the Union such of the General Secretary's powers as the General Secretary may consider appropriate.
- 15.7 The General Secretary shall be entitled to attend all meetings of the Union and to take part in their deliberations but shall not have a vote.

Proposed Amendments

RULE 15 GENERAL SECRETARY

- 15/1 **Clause 15.1**
Add at end: "other than 'ordinary' retired members who shall not be eligible to vote."

Executive Council
- 15/2 **Clause 15.1**
Amend as follows:
Line 2: after "Union." insert "The fixed term of office for each General Secretary election will be set at 5 years. If the General Secretary position becomes vacant due to retirement, resignation or death within a fixed term of office a General Secretary election will be called."

East Midlands/LE17 Benson Box Branch
- 15/3 **Clause 15.1**
Line 1: after "Secretary" insert "and Deputy General Secretary."

Clause 15.2
Line 1, after "Secretary" insert "and Deputy General Secretary."

New sub-clause 15.2.1
In the event of death or serious incapacity to the General Secretary, the Deputy General Secretary will assume control of the union, until the incumbent General Secretary returns to his/her position or a new General Secretary is elected.

Clause 15.5
Line 1: after the word "Secretary" insert "and Deputy General Secretary."

East Midlands/NG21 Chesapeake Nottingham Branch
- 15/4 **Change the Title to: "General Secretary and Regional Secretaries"**

New Clause 15.4
"All elections for Regional Secretary shall be on the basis of a ballot of the whole membership within that Region." and renumber remaining clauses.

New Clause 15.6 (as identified in current Rule Book):

“The Regional Secretary shall be responsible for the administration and affairs of the union in that region, under the control and of and acting in accordance with the direction of the Executive Council.” and renumber accordingly.

New clause at end:

“The Regional Secretary shall be entitled to attend all meetings of the Union within the Region and take part in their deliberations but shall not have a vote.”

South West/8244 Plymouth Local Authorities Branch

15/5 Change title: “ELECTION OF GENERAL SECRETARY AND SENIOR NATIONAL OFFICERS – DEPUTY GENERAL SECRETARY, ASSISTANT GENERAL SECRETARY, AND HEADS OF SECTORS”

New clauses

National Officials

- National officials of the union shall be elected by a ballot of all the members in the appropriate constituency who are eligible to vote for an initial term of 3 years. They shall if otherwise qualified be eligible for re-election for a term of 5 years.
- The national officials shall retire on attaining age 65. If at that date their term of office would otherwise expire, he/she has completed 10 years service as a full time officer and is within 5 years of age 65, he/she shall be entitled to continue in office until retirement without re-election.
- A candidate for election as National Officer must be eligible to vote in the election, have 10 years continuous adult membership of the union (and unless he/she is seeking re-election) be less than 60 years of age at the date the term of office will commence. The Executive Committee shall determine the number of nominations required to stand in a National Officer election.
- A senior officer who is not re-elected for another term shall return to their previous employment in the union with no detriment to their pension or terms and conditions of their employment

North West/52 Blood Branch

RULE 16 ELECTION OF EXECUTIVE COUNCIL MEMBERS AND THE GENERAL SECRETARY

- 16.1 Subject to the provisions of these rules and the powers of the independent scrutineer, the election of members of the Executive Council and the General Secretary shall be organised and conducted in accordance with the directions of the Executive Council.
- 16.2 The Executive Council shall appoint an independent scrutineer to supervise the production, storage and distribution of voting papers, to receive and count the voting papers, to report on the election, to retain the voting papers for an appropriate period and to perform such other duties as the Executive Council may specify.
- 16.3 The Executive Council shall appoint a suitable, independent person to act as Election Commissioner to adjudicate on any complaints made under clause (23) of this rule relating to the conduct of the election. In the event that the Electoral Commissioner finds it necessary to carry out an investigation in the conduct of his or her duties under rule all members and employees of the Union are required to afford him or her every assistance in this regard.
- 16.4 The Executive Council shall appoint a Returning Officer to deal with the conduct of the election between the Executive Council meetings and may delegate to him/her its powers relating to the conduct of that election provided that the Returning Officer shall not act inconsistently with any decision of the Executive Council and shall report to the next meeting of the Executive Council all actions taken and decisions made in respect of that election.
- 16.5 A candidate in an election shall play no part in any deliberations or decision by the Executive Council which relates specifically to the conduct of an election in the constituency in which an individual is a candidate.
- 16.6 Executive Council candidates for election to represent a Region shall be nominated by at least three Branches within that Region or that part of a Region as the case may be. A branch shall be entitled to make only such number of nominations as there are members to be elected from that Region or part thereof.
- 16.7 Executive Council candidates for election to represent a particular Industrial Sector constituency shall be nominated by branches and workplaces consisting of members of the particular Industrial Sector constituency concerned (where there is no workplace branch).
- 16.8 In every case no nomination shall be valid unless a meeting of the Branch, or workplace, has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance shall state whether and how a nomination may be made by a workplace, or Branch (in relation to Industrial Sector seats).
- 16.9 A member is required to receive at least three nominations. On receipt of such nominations the candidate shall be invited to confirm in writing that she/he accepts the nomination. Each member who does so and who is otherwise eligible shall be a candidate in the election for that constituency.

RULE 16 ELECTION OF EXECUTIVE COUNCIL MEMBERS AND THE GENERAL SECRETARY

- 16/1 **Clause 16.7**
 Lines 2/3: delete "and workplaces"
 Line 4: delete "(where there is no workplace branch)"

Clause 16.8
 Delete all and replace with: "Executive Council candidates for election to represent a constituency under any Equalities or Youth provision of these Rules shall be nominated by Branches."

Clause 16.9
 Delete all and replace with: "In every case no nomination shall be valid unless a meeting of the Branch has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance shall state whether and how a nomination may be made by a Branch."

Clause 16.10
 Delete all and replace with: "A member is required to receive at least six nominations. On receipt of such nominations the candidate shall be invited to confirm in writing that she/he accepts the nomination. Each member who does so and who is otherwise eligible shall be a candidate in the election for that constituency."

Clause 16.12
 Line 2: delete "and each workplace."
 Line 4: delete "50, insert "100"
 Lines 4/5: delete "or workplace nominations (where there is no workplace branch),"
 Line 7: delete "or workplace"
 Line 10: delete "workplace, or"

New Clause 16.20 and renumber accordingly
 In relation to the election of the National Representative(s) for Young Members, members who are aged 27 or under shall be accorded equally an entitlement to stand and vote.

Existing clause 16.20
 Line 1: after "19" insert "and 20"

Current Rules

- 16.10 Executive Council candidates for election to represent a constituency under any equalities provision of these rules shall be nominated by Branches and workplaces (where there is no workplace branch).
- 16.11 Executive Council candidates must be a member of the electoral constituency they wish to represent.
- 16.12 Nominations of Candidates for election of General Secretary may be made by each branch and each workplace. A candidate must be eligible to vote in the election; have at least 5 years continuous membership of the union; and have received at least 50 branch nominations or workplace nominations (where there is no workplace branch), subject to the total including nominations from more than one region. In every case no nomination will be valid unless a meeting of the branch, or workplace, has been convened and that nomination has been endorsed by the meeting. The Executive Council guidance will state whether and how a nomination may be made by a workplace, or branch.
- 16.13 If the number of candidates does not exceed the number of vacancies to be filled by that constituency, the candidate(s) shall be declared elected. If there are more candidates than vacancies, the election shall be conducted by a secret postal ballot.
- 16.14 The election shall not be concluded until the Executive Council has received the independent scrutineer's report and declared which candidate(s) has been elected. This should take place as soon as reasonably practicable after the votes have been counted. If the Election Commissioner advises the Executive Council that it should not declare the outcome of an election until he/she has adjudicated on a complaint, it shall comply with that request.
- 16.15 The Executive Council may decide that members who have joined the Union after a prescribed date shall not be eligible to vote, provided the date shall not be more than 13 weeks before the first day on which voting is due to take place in that election.
- 16.16 Members of a territorial Region shall be accorded equally an entitlement to vote in the election for a representative from their own territorial Region (but no other territorial Region) to the Executive Council. A member's Region for the purposes of this rule shall be the Region to which their Branch is allocated by the Executive Council. In the case of Branches covering more than one Region the method of establishing a member's individual Region shall be determined by the Executive Council.
- 16.17 Members of a particular Industrial Sector shall be accorded equally an entitlement to vote in the election for a representative from their own Industrial Sector Constituency (but no other Industrial Sector Constituency) to the Executive Council.
- 16.18 In relation to the election of the National Representative(s) for Women Members; members who are women shall be accorded equally an entitlement to stand and vote.
- 16.19 In relation to the election of the National Representative(s) for Black or Asian ethnic minority Members; members who are Black or Asian ethnic minority members shall be accorded equally an entitlement to stand and vote.

Proposed Amendments

Existing clause 16.22

Line 1: after "the" insert "verification of the"

New 16.32 (old numbering)

Casual vacancies on the Executive Council that arise in the last year of the term of office shall not be filled until the next electoral period. Such vacancies shall be addressed by the co-option of an observer from the National Industrial Sector, National Equalities or Regional Committee concerned.

Executive Council

16/2 Clause 16.1

Add at end of clause

"These elections to take place after branch elections to ensure members being nominated are at time of election a current representative."

Scotland/1/4 Cowdenbeath Passenger Branch

16/3 Clause 16.1

Line 2: after "the election" insert "to become officers, including National Industrial Sector officers, Regional Secretaries and Assistant General Secretaries and..."

and

add at end: ", except in the case of the election of all officers, including National Industrial Sector Officers, Regional Secretaries and Assistant General Secretaries the election criteria shall be the same as Rule 18.1 Workplace Representation, in that the election shall take place and be completed no later than June 30 in each third year, and the elected candidates shall take office the following July for three years, with also the sole candidate criteria being that you are a fully paid up Unite member and have been a Unite member in good standing for at least the past six months prior to the election."

Scotland/156LTCONS Laggan Tormore Construction Branch

16/4 Clause 16.1

Line 4: after "Council" add new sentence "These directions shall include both printed hard copy and electronic balloting options for members."

West Midlands/7342 GKN Driveline Birmingham Branch

16/5 Clause 16.4

Line 1: after the word "Officer" insert "which will not be the General Secretary"

North West/0658 Nelson Branch

Current Rules

- 16.20 In relation to clauses 18 and 19 above, the Union shall rely on its membership records and shall endeavour to collect and record such relevant information, but shall be entitled to make a presumption of non-entitlement to vote in such election where there is an absence of the relevant qualification information.
- 16.21 A member who is eligible to vote in an election who does not receive a voting paper should contact the Union but the final decision on whether to issue a further voting paper to that member shall be a matter for the independent scrutineer.
- 16.22 Each candidate shall be entitled to attend as an observer the counting of the votes from the constituency in which he/she is a candidate.
- 16.23 If at any stage during an election or within 28 days of the declaration of the outcome a candidate in an election or the Executive Council considers that there has been a breach of these rules or of any other legal requirement relating to the conduct of the election or any other interference with the conduct of the election and that the breach or interference may materially affect or may have materially affected the outcome of the election, he/she or the Executive Council may submit a complaint to the Election Commissioner.
- 16.24 If the Returning Officer or a member who is not a candidate considers that there are grounds for a complaint to the Election Commissioner, he/she should refer the matter to the Executive Council.
- 16.25 A complaint to the Election Commissioner should be made as soon as is reasonably practicable. The Election Commissioner shall not consider any complaint made more than 28 days after the date on which the Executive Council declared the outcome of the election.
- 16.26 A complaint to the Election Commissioner shall be made in writing addressed to the Election Commissioner care of the Returning Officer and accompanied by all the supporting evidence which the complainant wishes to be taken into account.
- 16.27 If when the Election Commissioner receives a complaint the independent scrutineer has not yet reported on the election and the Election Commissioner considers that the complaint raises matters which fall within the jurisdiction of the independent scrutineer, he/she shall refer the complaint (or the part thereof which raise such matters) to the independent scrutineer unless it is not reasonably practicable to do so. When the Election Commissioner has referred a complaint (or part thereof) to the independent scrutineer he/she shall not adjudicate on the complaint until the independent scrutineer has expressed a view on that complaint.
- 16.28 The Election Commissioner may adjudicate on a complaint on the basis of written material submitted with the complaint or, at his/her complete discretion, call for such further information as he/she shall think fit and/or conduct a hearing of the complaint. Subject to the provisions of this rule, the Election Commissioner shall decide his/her own procedures for investigating and adjudicating upon the complaint provided that he/she shall endeavour to adjudicate on the complaint as quickly as is reasonable practicable.

Proposed Amendments

- 16/6 **Clause 16.7**
Line 3: after "workplaces" insert rewritten sentence "A workplace or branch 'nomination' meeting requires a minimum of five members in attendance within the particular Industrial Sector constituency concerned."
South East/6288 Southampton City Council Branch
- 16/7 **New clause 16.8, renumber accordingly**
Executive Council candidates for election to represent one seat per region for Equalities to be elected from BAEM, Disabled, LGBT, and Women members in the region and to be nominated by at least three workplace branches.
South West/BAEM Committee
- 16/8 **Clause 16.10**
Line 3: after "workplaces" insert "A workplace or branch 'nomination' meeting requires a minimum of five members in attendance within the particular constituency concerned."
South East/Local Authorities RISC
- 16/9 **Clause 16.10**
Line 3: add at end "Candidates for election to the Retired members Plus constituency may only be nominated by retired members branches."
Clause 16.12
Line 2: delete "each branch and each workplace," insert "any branch, including Retired members Branches and workplaces (where there is no workplace branch)."
Clause 16.19
Line 2: replace after "members," with: disabled, LGBT, "and Retired Members Plus members, all members in these categories shall be accorded equally an entitlement to stand and vote in their respective constituencies."
London & Eastern/3321M London Mechanical Construction Branch
- 16/10 **Clause 16.12**
Line 6: after "subject to the total including nominations from more than one region." insert "Every potential candidate will be provided with equal access to circulate Branch Secretaries with a view to securing the branch nomination."
Line 10; after "The Executive Council guidance will state whether and how a nomination may be made by a workplace or branch." Insert "Any candidate duly nominated under this Rule will be provided with equal access to communicate with the Union's shop stewards/workplace representatives in writing and be

Current Rules

- 16.29 If after considering a complaint the Election Commissioner considers; that there has been a material breach of these rules or of any other legal requirement relating to the conduct of the election or any other material interference with the conduct of the election; and that the breach or interference may materially affect or has or may have materially affected the outcome of the election; the Election Commissioner may recommend that the Executive Council should take one or more of the following measures:-
- 16.29.1 Declare the ballot and, if it has been declared, the outcome of the election void and call for a fresh ballot to be held;
- 16.29.2 Disqualify a candidate or candidates and permit the remaining candidates to go forward in the ballot or in any fresh ballot that may be ordered; or
- 16.29.3 Such other remedial measures as the Election Commissioner considers appropriate.
- 16.30 Subject always to any decision to the contrary by a court, the Certification Officer or any other lawful authority, the Executive Council shall give effect to any recommendation by the Election Commissioner made in accordance with clause (29) of this rule.
- 16.31 If an election is delayed as a result of action taken pursuant to a recommendation by the Election Commissioner, an order of a court, the Certification Officer or other lawful authority, a member who holds the office which is the subject of that election shall be entitled to continue in that office until the election is concluded.

Proposed Amendments

provided with access to communicate with the membership of every branch that has appropriately nominated that candidate.”

Energy & Utilities NISC

16/11 New clause between existing 16.14 and 16.15

Executive constitutional elections to be based on paying membership allocations as reported at the September Executive Council in the year prior to the Executive Elections.

South West/8130 Babcock Marine Devonport Branch

16/12 Clause 16.19

Add new sentence at end: “All members are entitled to vote.”

Clause 16.20

Delete

South West/8062 Siemens Poole Branch

16/13 New clause between exiting 16.19 and 16.20, renumber accordingly

In relation to the election of the National Representative(s) for Disabled Members; members who are disabled shall be accorded equally an entitlement to stand and vote.

Existing clause 16.20

Line 1: delete “18 and 19” insert “18, 19, and 20”

National Disabled Members Committee

16/14 Clause 16.22

Rewrite as follows:

Each candidate or their appointed representative shall be entitled to attend as an observer and scrutinise the full counting/recounting of the votes from the constituency in which he/she is a candidate. Candidates will be entitled to request an inspection and a recount of all ballot papers cast when the winning margin is less than 5% of total votes cast.

West Midlands/7044 Rolls Royce Coventry Branch

- 16/15 **New clause 16.32**
- In the event of Sectoral/Regional/Equalities Executive Council seat becoming available during the term of office of the Executive Council the seat shall be filled as follows:
- A. If the vacancy occurs within the first two years of the electoral term, the seat shall be awarded to the highest runner up from the original ballot.
 - B. If option A is not possible or if the vacancy occurs in the last year of the electoral term the appropriate Regional or National Industrial/Equalities Committees shall nominate an observer delegate.
- Irish Executive Committee
-
- 16/16 **New clause 16:32**
- Vacancies on the Executive Council that occur within the first two years of the electoral term shall be filled by a by-election. If the vacancy occurs in the final year of the electoral term there shall not be a by-election, but an observer may be elected to represent the sector's interests on the Executive Council from the relevant National Industrial Sector Committee.
- North West/Automotive RISC
-
- 16/17 **New clause 16.32**
- If an elected Executive Council member applies for an officer/staff position within the union the Executive member will immediately vacate their position as an Executive Council member, and a by-election will be called. If the previous Executive Council member was unsuccessful in acquiring employment within the union they have the right to stand for nomination in the by-election.
- East Midlands/LE01 Brush Electrical Machines Branch
-
- 16/18 **Add at end:**
- 16.32 If an Executive Council member is removed/resigns within two years of being elected, the candidate with second highest number of votes, in the same Executive Council election, for the same constituency position, will become the duly elected Executive Council member. If the candidate with second highest number of votes, declines to take up the Executive Council position, this same procedure (i.e. the candidate with the next highest number of votes) will be declared duly elected. If all of the candidates, in the same Executive Council election, for the same constituency position, decline to take up the Executive Council position, or no other candidate stood for election; a new Executive Council election will take place for that Executive Council constituency position.
 - 16.33 If a Regional Executive Council Member seat becomes vacant within their last year of office, the Regional Committee of the vacant constituency position will elect a member of their Regional Committee to act as observer (with no voting rights) for the vacant Regional Executive Council position.
 - 16.34 If a National Industrial Sector Executive Member seat becomes vacant within their last year of office, the National Industrial Sector Committee of the vacant constituency will elect a member of their National Industrial Sector Committee to act as observer (with no voting rights) for the vacant National Executive Council position.
- East Midlands/LE19 Leicester GPM Branch

16/19 **New clause 16.32**
When a member is elected to an Executive Council position, he/she will not hold any other position(s) on any of the union's constitutional committees; from within the Executive Council constituency they are elected as an Executive Council Member. Executive Council members will be allowed to attend any union constitutional committee, from within the Executive Council constituency they are elected, as an Executive Council Member, as an observer.

East Midlands/LE25 J Sainsbury Leicestershire Branch

16/20 **New clause 16.32**
"Any casual vacancies on the Executive Council that occur within the first two years of the electoral term shall be filled by a by-election for a replacement delegate. If that casual vacancy occurs in the final year of the electoral term, there shall not be a by-election but that an observer may be elected to represent the section's interests from the relevant constituency, ie, NISC, Regional Committee, National Equalities Committee."

London & Eastern/230 Central London Taxi Branch

RULE 17 BRANCHES

- 17.1 Wherever possible, Branches shall be based on the workplace, although provision shall also be made for local Branches, including local industrial sector branches, and National Industrial Branches as appropriate and as approved by the Executive Council.
- 17.2 Branch membership shall be allocated on the basis of the workplace if there is a workplace branch at the member's workplace, or the local branch most appropriate for their workplace if there is not a workplace or National Industrial branch.
- 17.3 Branches shall have direct access to a proportion of membership subscriptions. Such a proportion and access arrangements to be determined by the Executive Council, and may be conditional on performed compliance with financial reporting requirements. These funds may be used to meet the cost of administering the Branch; for recruitment and other campaigns approved by the Executive Council; for local affiliations; to assist members or their dependants who have suffered misfortune; or for any other worthy cause, subject to any provisions elsewhere in these rules, and that no general purposes funds shall be used for political objects. Any payments made in connection with any form of industrial action must be made strictly in line with Executive Council guidance applicable at the time.
- 17.4 All the property of the Branch including the books and other effects of the Branch, shall be the property of the Union and shall, on request by the Executive Council, be produced for inspection and audit. In the event of a closure, merger or dissolution of the Branch, all property of the Branch shall be dealt with as directed by the Regional Committee subject to the overall control of the Executive Council.
- 17.5 The Regional Committee shall be required to ensure that each Branch meets at regular intervals and operates in accordance with the standing orders provided for in clause 10 of this rule. Where a Branch fails to convene an Annual General Meeting of all members that Branch shall be suspended and members of the Branch shall be allocated to a Branch which meets subject to the right of the Branch to appeal to the Executive Council.
- 17.6 Where deemed desirable for organisational and/or administrative reasons the Regional Committee shall be empowered to merge Branches; which shall be implemented in the event of approval by the Executive Council.
- 17.7 Each Branch shall have for its management a Chair, a Treasurer, an Equality Officer and a Secretary and such other officers as the Branch may elect. They shall be elected at a Branch meeting by show of hands, or by ballot, if so decided by the meeting. The election shall take place and be completed not later than June 30 in each third year, and the elected candidates shall take office the following July for three years. Casual vacancies may be filled at an ordinary Branch meeting, but notice of the impending election must be given to members of the Branch on the notice convening the meeting. The positions of Secretary and Treasurer may be held by the same member if the Branch so chooses.
- 17.8 The Regional Committee shall be required to ensure that branches meet at regular intervals; at a minimum they shall convene an Annual General Meeting of all members. Where a branch fails to convene such a meeting

RULE 17 BRANCHES

- 17/1 **Clause 17.1**
Line 3: insert "community and retired" between "sector" and "branches"
- Clause 17.1**
Add at end: "Members of National Industrial Branches may fully participate in the structures of the Union, including the Regional Industrial Sector Conference and the Regional Political Conference (in both cases subject to meeting eligibility criteria), in the Region where they live if different from the Region where the branch is based."
- Clause 17.5**
Line 2: delete "at regular intervals" insert "at least quarterly"
Line 4: delete "convene an Annual General Meeting" insert "meet quarterly"
Line 6: after "meets" insert "the requirements of rule"
Add at end: "Branches shall, with the assistance of the Region, advise their members of the venue, time and date of branch meetings; this may be by post or by posting the information on the Union's website. It shall be the responsibility of the branch secretary to ensure that up to date information about branch meetings is held by the Union."
- Clause 17.8**
Delete and renumber accordingly.
- Executive Council**
- 17/2 **Clause 17.1**
Amend as follows:
Alongside shop stewards' committees, the Branch is the basic building block of the union. Therefore, all attendees to RISCs and Conferences are delegated from Branches. Wherever possible, Branches shall be based on the workplace, although provision shall also be made for local Branches and National Industrial Branches as appropriate and approved by the Executive Council."
- North West/Health RISC**
- 17/3 **Clause 17.1**
Delete: "and National Industrial Branches as appropriate and as approved by the Executive Council"
- North West/Women's Committee**

Current Rules

the branch will be suspended and members of the branch shall be allocated to a branch which meets the requirements of rule subject to the right of the branch to appeal to the Executive Council. Branches, shall, with the assistance of the Region advise their members of the venue, time and date of branch meetings, this may be by post or by posting the information on the union's website. It shall be the responsibility of the branch secretary to ensure that up to date information about branch meetings is held by the Union.

- 17.9 The Executive Council shall issue standing orders to regulate the conduct of Branch meetings and business and may amend the standing orders from time to time. Those standing orders may only be varied in respect of a Branch with the prior approval of the Executive Council. The quorum for a Branch meeting to make a decision on any matter shall be 5 members and all matters should be decided by a simple majority of those voting. If the votes are equal the proposition before the meeting shall fail.
- 17.10 The Branch chair shall preside over all meetings of the Branch and shall ensure that business is conducted in accordance with the rules and Branch standing orders. If the chair is absent from a Branch meeting, those present shall elect a substitute to take his/her place for that meeting. The chair shall be entitled to vote on all matters to be decided by the Branch but he/she shall not have a second or casting vote. The Branch secretary shall be responsible for the general administration of the Branch including maintaining the Branch membership, financial and other records in the manner required by the Executive Council, taking and preserving Branch minutes and conducting all correspondence on behalf of the Branch. On taking office the branch secretary shall provide an address where members can contact him or her. This information shall be posted on the Union's website.
- 17.11 The Branch treasurer shall be responsible for dealing with financial transactions concerning the Branch, ensuring that all payments are made in accordance with the rules of the Union, receiving contributions from members who pay at the Branch and banking monies. He/she shall provide the Branch secretary with a record of all financial transactions and shall ensure that they are accurately recorded in the Branch records and that all monies are dealt with in accordance with the rules and the instructions of the Executive Council.
- 17.12 If a Branch is unable to fill a vacancy for secretary or treasurer, the Executive Council may appoint a full time officer to fulfil the duties of that office until such time as the Branch is able to fill the position.
- 17.13 All references to "Branch" throughout these rules refer to lay member organisations. All references to Branch secretaries refer to lay officials.

Proposed Amendments

- 17/4 **Clause 17.3**
Lines 2/3: delete "and access arrangements to be determined by the Executive Council" replace with "shall be 12.5%"
North West/628 Port of Liverpool Branch
- 17/5 **Clause 17.5**
Amend/rewrite to read as follows: "The Regional Committee shall be required to ensure that each Branch meets at regular intervals and operates in accordance with the standing orders provided for in Clause 10 of this Rule. Where a Branch fails to convene 4 meetings a year including an Annual General Meeting of all members that Branch shall be suspended and members of the Branch shall be allocated to a Branch which meets subject to the right of the Branch to appeal to the Executive Council."
South West/8001 Filton Aerospace and Support Staff Branch
- 17/6 **Clause 17.5**
Line 2: delete "at regular intervals" insert "at least every three months"
Clause 17.8:
Line 2: delete "at regular intervals; at a minimum" insert "at least every three months, and"
**Wales/Aerospace & Shipbuilding RISC
Wales/B6080 Airbus Branch**
- 17/7 **Clause 17.7**
Amend first sentence as follows:
Each Branch shall have for its management a Chair, a Treasurer, an Equality Officer and Secretary and will seek additional roles of a Women's Officer, a BAEM Officer, a Disability Officer, a LGBT Officer, a Young Members Officer and such other officers as the Branch may elect.
East Midlands/Disability Committee
- 17/8 **Clause 17.7**
Line 4, delete the words 'and be completed not later than June 30', and replace with 'at a Branch meeting held between 1st January and 31st March'
Line 5, delete the words, 'and the elected candidates shall take office the following July for three years'.
South East/6262 Fawley Contractors Branch

- 17/9 **Clause 17.7**
Last sentence: delete all after "Treasurer" replace with "may not be held by the same member of the branch. All cheques written on the branch bank account shall require a minimum of two signatories."
North West/0520M Fylde Coast Branch
- 17/10 **New clause 17.12, renumber accordingly:**
An annual review of banking practices be undertaken by the Executive Council to ensure that best value and practices be obtained and observed with regards to Unite's branch banking requirements.
Ireland/Finance and Legal RISC
- 17/11 **New clause 17.14**
Branch officers shall receive the fullest support and protection from the union, and an immediate enquiry shall be undertaken by the appropriate regional industrial sector or regional committee into every case of victimisation of a branch officer with a view of preventing victimisation, whether open or concealed.
Community, Youth Workers and Not for Profit NISC

RULE 18 WORKPLACE REPRESENTATION

- 18.1 At each workplace, the members employed at that workplace, shall elect from amongst themselves, at least every 3 years, 1 or more of the following representatives:
- 18.1.1 Shop stewards/workplace representatives
 - 18.1.2 Safety representatives
 - 18.1.3 Learning representatives
 - 18.1.4 Equality representatives
 - 18.1.5 Environment representatives
- The election shall take place and be completed not later than June 30 in each third year, and the elected candidates shall take office the following July for three years.
- 18.2 The election of workplace representatives shall, where practicable, have a gender and ethnic balance at least reflecting the proportion of black, Asian and ethnic minority and female members which they represent. Election to one representative role shall not preclude election to another such role within the same workplace.
- 18.3 The method of election shall be by such means as authorised by relevant guidance which shall be issued by the Executive Council from time to time.
- 18.4 The Executive Council may group workplaces together for the purposes of representation where the number of members at each workplace is so small that representation and bargaining for the individual workplaces is not, in the opinion of the Executive Council, practicable.
- 18.5 The constituency of a workplace representative shall be the workplace from which they were elected, or such grouping of workplaces as was defined by the Executive Council under clause 4 of this rule.
- 18.6 Following election of a workplace representative the appropriate Regional Officer shall be informed of the election by the elected representative without delay. The Regional Officer shall ensure that the Regional Industrial Sector Committee and the Union's membership department are informed of the date of the election and the identity, constituency and contact details of the elected workplace representative.
- 18.7 The Executive Council may issue guidance on the powers and procedures of the Regional Industrial Sector Committee in relation to ratification of such election. The Regional Industrial Sector Committee shall ensure compliance with such procedures.
- 18.8 Shop stewards/workplace representatives shall receive the fullest support and protection from the union, and an immediate inquiry shall be undertaken by the appropriate regional industrial sector or regional committee into every case of dismissal of a shop steward with a view to preventing victimisation, either open or concealed. If it is deemed necessary, a ballot for industrial action will be convened.

RULE 18 WORKPLACE REPRESENTATION

- 18/1 **Clause 18.1**
Add at end: "Such workplace representatives as listed above shall be entitled to attend the triennial Regional Industrial Sector Conference."
Executive Council
- 18/2 **Clause 18.1**
Add at end "Workplace Representatives elected under 18.1.1 and compliant with Rule 6 shall be entitled to attend the relevant triennial Regional Industrial Sector Conference".
West Midlands/6030 Birmingham South Local Branch
- 18/3 **New clause 18.2, renumber accordingly**
To be classified as an 'accountable representative of workers' for the union's constitutional structures, the workplace must contain a minimum of five members.
East Midlands/Passenger RISC
- 18/4 **New clause, insert between 18.3 and 18.4, then renumber accordingly**
On being elected for the first time in a particular role, each representative should within twelve months attend an appropriate union training course. On re-election, representatives are expected to continue to attend appropriate training courses as provided by the union to ensure they can best represent members.
South West/Energy & Utilities RISC
- 18/5 **Clause 18.8**
Rewrite as follows:
Shop stewards/workplace representatives shall receive the fullest support and protection from the union, which includes officers being able and willing to fully support shop stewards/workplace representatives facing victimisation/bullying/disciplinary action. Officers should consistently support all shop stewards/workplace representatives and where appropriate be able to provide support in legal referrals to the Union's solicitors. Officers should ensure shop stewards/workplace representatives are updated within a reasonable time. An immediate inquiry shall be undertaken by the appropriate regional industrial sector or Regional Committee into every case of dismissal of a shop steward with a view to preventing victimisation, either open or concealed. If it is deemed necessary, a ballot for industrial action will be convened.
East Midlands/Finance & Legal RISC

Current Rules

RULE 19 FUNDS

- 19.1 The General Secretary and employees of the Union authorised by him/her shall subject to the endorsement of the Executive Council have authority to open and operate such bank accounts on behalf of the Union as he/she may consider appropriate.
- 19.2 Subject to clause 3 of this rule, the funds of the Union may be used in accordance with the provisions of these rules for the payment of provident benefits as defined in Section 467(2) Income and Corporation Taxes Act 1988, as that section may be amended, consolidated or re-enacted from time to time. Such provident benefits shall include the provision of legal advice and assistance.
- 19.3 No member shall be entitled to sums in excess of the limits set out in section 467(1) of the Income and Corporation Taxes Act 1988 as that section may be amended, consolidated or re-enacted from time to time.
- 19.4 There shall be a provident benefits fund which shall only be used for paying provident benefits expressly authorised by these rules.
- 19.5 The Executive Council shall publish an annual financial report providing details of the Union's income and expenditure in the previous year, this shall include an audited account of all Officers and Organisers remuneration including the pay, benefits and expenses – up to and including all Unite the union Regional Secretaries, National Officers, Directors, Executives, Assistant General Secretaries, Deputy General Secretaries and the General Secretary, as well as details of Departmental and Regional spending, campaign costs and any other significant union expenditure.
- 19.6 All property (including all books, effects, funds or other assets) which immediately prior to the date of these rules coming in to effect was held by or in trust for or otherwise on behalf of the Amicus or TGWU Sections of the Union or the former trade unions Amicus or TGWU, or any committee, council, Branch, or other body of one of those sections or unions, shall be the property of the Union and shall be dealt with in accordance with the instructions of the Executive Council.
- 19.7 The Executive Council shall cause to be kept proper accounting records with respect to the Union's transactions, assets and liabilities and establish and maintain a satisfactory system of control of its accounting records, its cash holdings and all receipts and payments in accordance with Sections 28 and 29 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 19.8 The Accounts of the Union shall be audited at least once a year. The auditor shall be qualified in accordance with Section 34 of the Trade Union and Labour Relations Act (Consolidation) 1992. The appointment and removal of the auditor shall be subject to the provisions Section 35 of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 19.9 No member or members, or Branch, or any committee of members shall be permitted to use the name of the Union, or any machinery of the Union, in connection with any appeal for funds or establishment of any subsidiary benefit connected with a Branch, unless the conditions stated

Proposed Amendments

RULE 19 FUNDS

- 19/1 **Clause 19.4**
Delete and renumber accordingly

Executive Council
- 19/2 **Clause 19.5**
Rewrite as follows:

The Executive Council shall monitor on a quarterly basis and publish an annual financial report providing details of the Union's income and expenditure in the previous year. This shall include an audited account of all Officers', Organisers' and Staff remuneration including the pay, benefits and expenses (including non-taxable expenses) – up to and including all Unite the union Regional Secretaries, National Officers, Directors, Executives, Assistant General Secretaries, Deputy General Secretaries and the General Secretary. It shall also include details of Stand Down and Consultancy fees/payments, fixed term contracts payments, Departmental and Regional spending, campaign costs and any other significant union expenditure.

East Midlands/Automotive RISC
- 19/3 **Clause 19.5**
Line 4: after the word "expenses", insert "(including 'non-taxable' expenses)"
Line 7: after the word "of" insert "consultant fees/payments, fixed term contracts,"

East Midlands/DE14 Rolls Royce Aerospace Staff Branch
- 19/4 **New clause 19.11**
There shall be a national access fund for the provision of British Sign Language/English Interpreters, communication support, or other forms of support as required by Deaf or disabled members so that they may access branch meetings, national meetings or other Union events.

London & Eastern/7380L National Union of British Sign Language Interpreters Branch

Current Rules

hereunder are accepted and the requisite official sanction obtained:-

- 19.9.1 That the accounts of such funds and all documents in connection therewith shall be open at all times to inspection by the Union accountants.
 - 19.9.2 That in the case of a regional or local appeal the permission and sanction of the Regional Committee shall be first obtained, and thereafter is subject to the endorsement of the Executive Council.
 - 19.9.3 That in the case of a national appeal the permission and sanction of the Executive Council shall be first obtained.
 - 19.9.4 Where such funds are properly raised they are included in the consolidated accounts of the Union and be subject to the requirements in clauses 1 and 2 of this rule.
- 19.10 In accordance with Section 30 of the Trade Union and Labour Relations (Consolidation) Act, 1992, any member of the Union has the right to access to any accounting records of the Union which are available for inspection and which relate to periods including a time when that person was a member of the Union.

Proposed Amendments

Current Rules

RULE 21 EXPENSES

A lay member engaged on Union business shall be entitled to such reasonable expenses and in such circumstances as may be decided by the Executive Council provided that the method of calculating such expenses and any subsequent alteration thereto must be reported to and shall cease to have effect unless ratified by the next Policy Conference of the Union.

Proposed Amendments

RULE 21 EXPENSES

21/1 Add at end: "All expenses should be paid at the same rate and in the same manner across all disciplines. (ie; constitutional committees, branches, education, etc)"

Scotland/117/137 Scottish Borders Council Composite Branch

RULE 22 POLITICAL ORGANISATION – THE LABOUR PARTY

- 22.1 There shall be Regional and National Political Committees composed of individual members of the Labour Party to co-ordinate the Union’s work in the Labour Party, acting under the direction of the Executive Council.
- 22.2 Neither the Union, nor any constituent part of the Union, shall affiliate to or give support to the candidates of any other political party in Great Britain and Northern Ireland other than the Labour Party.
- 22.3 Each Branch of the Union in Great Britain and Northern Ireland shall be entitled to affiliate and elect delegates to Constituency Labour Parties in appropriate areas subject to agreement by the Regional Political Committee and approval of the Executive Council.
- 22.4 A portion of the political fund, to be determined by the Executive Council, shall be remitted to each Region.
- 22.5 All Branch Constituency Labour Party delegates together with representatives from the Regional Industrial Sector Committees, Area Activist Committees and the Regional Committee, who are Labour Party members, shall be entitled to attend triennial Regional Political Conferences. The Regional Political Conferences shall elect Regional Political Committees. Retired members who conform with Rule 10.8 and community members who confirm with rule 3.3 are eligible to stand for election for Regional Political Committees. The size and composition of the Regional Political Committees shall be determined by the Executive Council from time to time. The Regional Political Conferences shall also elect delegates who, together with delegates from the Executive Council, shall form a National Political Committee, the size of which shall be determined by Executive Council.
- 22.6 The Executive Council shall designate a Regional Political officer in each Region, who shall act as Secretary to the Regional Political Conference and Regional Political Committee. Any individual Regional Political Officer may also have other responsibilities. The Executive Council is free to designate this role to a different employee at any time as it sees fit.
- 22.7 The Union shall be represented at the Labour Party Annual Conference by delegates elected by the Regional Political Conferences, the National Political Committee and others as determined by the Executive Council. The Regional Political Committees shall represent the Union at the Labour Party regional conference.
- 22.8 The Union shall enter into Labour Party Constituency Development Plans subject to agreement by the Regional and National Political Committees and sanction of the Executive Council.
- 22.9 The Union shall support a parliamentary group of Labour Party MPs who are members of the Union. Such support shall be determined by the Executive Council.
- 22.10 The Union shall maintain a panel of members wishing to seek political office including becoming member of the UK, Scottish, Welsh Assembly and European Parliaments and any such other public bodies as the Executive Council may decide. The composition, including the process and

RULE 22 POLITICAL ORGANISATION – THE LABOUR PARTY

- 22/1 **Clause 22.5**
 Lines 2/3: after “Area Activist Committees”, insert “Regional Equalities Committees”

 Lines 6/7: delete “Retired Members who conform with Rule 10.8 and Community members who conform with Rule 3.3 are eligible to stand for election for Regional Political Committee” insert “Retired Member Plus, Community and Young Members are eligible to stand for election to Regional Political Committees subject to meeting eligibility criteria specified elsewhere in these Rules.”

 Line 10: delete “Conferences”, insert “Committees”

Clause 22.7
 Line 2: delete “delegates elected by the Regional Political Conferences,”

Executive Council
- 22/2 **Title**
 Amend as follows:

 To read: General Political Organisation – Labour Party Affiliation

Clause 22.1
 Delete and replace with:

 There shall be a Regional and a National Political Committees of lay members of the Union, who pay the Political Levy, to co-ordinate its campaigning work on a wide basis in civil society, working to the direction of the Policy Conference and EC policy decisions. Separately and additionally, for the purpose of managing the Union’s affiliation to the Labour Party, there shall be Regional and National Labour Party Affiliation Committees composed of individual members of the Labour Party acting to the direction of the EC.

**West Midlands/GPM & IT RISC
West Midlands/6702 GPM Birmingham Branch**
- 22/3 **Title**
 Amend as follows:

 To read: General Political Organisation and Labour Party Affiliation

Clause 22.1
 Line 2: after “individual” insert “Political Levy paying”

 Line 2: after “Union’s” insert “political”

 Lines 2: delete “of the Labour Party” and “in”

 Line 3: delete “the Labour Party”

Current Rules

the qualifications required to become a member of the panel, shall be determined by the Executive Council.

Proposed Amendments

New clause 22.2, renumber accordingly:

Payment of the Political Levy is required for members who wish to participate in the Union's Political Organisation.

Existing clause 22.3

Line 2: after "elect" insert "Political Levy paying, Labour Party members as"

New clause 22.5, renumber accordingly:

Each Branch of the Union in Great Britain and Northern Ireland shall be entitled to elect one Branch Political delegate per 500 Political Levy paying members (or part thereof) to the appropriate Regional Political Conference.

Existing clause 22.5

Line 1: after "delegates" insert "and Branch Political delegates"

Line 2: after "Labour Party" insert "Political Levy paying"

Line 6: delete "who conform with Rule 10.8"

Line 7: delete "conform with rule 3.3"

Line 7: after "are" insert "Political Levy paying members are"

Existing clause 22.7

Line 2: after "delegates" insert "who are Political Levy paying, Labour Party members and"

Ireland/NI/B0026 Belfast Shorts & NI Technical & Engineering Branch

22/4

Title

Delete "THE LABOUR PARTY".

Insert new clauses 22.1, 22.2, 22.3; renumber accordingly

- 22.1** Policy Conference may, by resolution, agree to affiliate or disaffiliate from any political party in furtherance of the objects of the Union. Following the adoption of this Rule, any existing affiliations to political parties will remain in force unless a subsequent Policy Conference resolves to disaffiliate from a specific political party.
- 22.2** The Irish Policy Conference may, by resolution, agree to affiliate or disaffiliate from any political party that stands candidates for election solely in the Republic of Ireland and/or Northern Ireland in furtherance of the objects of the Union. The Irish Policy Conference may not affiliate to a political party that stands candidates against any political party to which the Union's Policy Conference has resolved to affiliate.
- 22.3** The Regional Committees of the Scottish and Welsh Regions of the Union may, by resolution, not affiliate to, or disaffiliate from, the regional organisations of any political party to which the national union is affiliated."

Current clause 22.1

Delete "individual members of the Labour Party" replace with "members who contribute to the Political Fund"

Delete "work in the Labour Party" replace with "work with political parties to which the Union is affiliated"

Current clause 22.2

Delete "other political party in Great Britain and Northern Ireland other than the Labour Party" replace with "any political party that stands in opposition to a political party to which the union is affiliated".

Current clause 22.3

Delete "Constituency Labour Parties" replace with "the constituency organisations of political parties to which the Union is affiliated".

Current clause 22.5

Delete "Constituency Labour Party delegates" replace with "delegates to the constituency organisations of political parties to which the union is affiliated"

Delete "are Labour Party members" replace with "contribute to the Political Fund".

Current clause 22.7

Delete "the Labour Party Annual Conference" replace with "the principal policy conferences of political parties to which the Union is affiliated"

Delete "the Labour Party regional conference" replace with "the regional conferences of political parties to which the Union is affiliated"

Insert at end "Eligibility to be a delegate to Conferences covered by this clause may be restricted by the rules of the political parties to which the Union is affiliated."

Current clause 22.8

Insert at beginning: "If affiliated to the Labour Party,"

Current clause 22.9

Delete "Labour Party".

London & Eastern/7046E Cambridge University Press Branch

- 22/5 **Clause 22.1**
Amend as follows:
There shall be Regional and National Committees composed of members who contribute to the Union's Political levy to co-ordinate the Union's work in the Labour Party, acting under the direction of the Executive Council.
**East Midlands/NG58 Nottingham Central Branch
London & Eastern/7031L London Print Branch**
- 22/6 **Clause 22.1**
Rewrite as follows:
There shall be Regional and National Political Committees composed of elected branch political officers and delegates from the Regional and National Industrial Sectors and Regional Committee to co-ordinate the Union's political work, acting under the direction of the Executive Council.
- Clause 22.5**
Line 1: delete "Constituency Labour Party delegates" replace with "Political Officers"
**South East/South Kent Area Activists Committee
South West/001401 Bristol Finance & Legal Branch**
- 22/7 **Clause 22.1**
Rewrite as follows:
There shall be Regional and National Political Committees composed of elected branch political officers and delegates from the Regional and National Industrial Sectors and Regional Committee to co-ordinate the Union's political work, acting under the direction of the Executive Council.
- Clause 22.2**
Rewrite as follows:
National and Regional Political Committees shall be entitled to affiliate to or give support to the candidates of political parties in Great Britain and Northern Ireland whose manifesto is aligned to Unite objectives or policy, including on equalities.
- Clause 22.3**
Line 2: delete "Constituency Labour Parties" insert "participate in political activities"
- Clause 22.5**
Line 1: delete "Constituency Labour Party delegates" replace with "Political Officers"

Clause 22.7

Line 1: delete "the Labour Party Annual Conference" insert "political activities"

Clause 22.9

Line 1: delete "Labour Party" insert "Unite sponsored"

North East, Yorkshire & Humber/GEO/25 Hull Branch

22/8

Clause 22.1

Rewrite as follows:

There shall be Regional and National Political Committees composed of elected branch political officers and delegates from the Regional and National Industrial Sectors and Regional Committee to co-ordinate the Union's political work, acting under the direction of the Executive Council.

Clause 22.5

Line 1: delete "Constituency Labour Party delegates" replace with "Political Officers"

Line 3: delete "who are Labour Party members"

North West/127404 Merseyside Area Civil Engineering Branch

22/9

Clause 22.2

Clause to read: "Unite will not be affiliated to any political party. Unite will utilise its Political Fund to support any candidate in national parliament, regional, European and local elections as the Executive Council deems appropriate and deems to be in accordance with the priorities that the Policy Conference and Executive Council of Unite have determined.

Delete rules: 22.3, 22.5, 22.7, 22.8, 22.9

East Midlands/DE40 Manufacturing & Rail Branch

22/10

Clause 22.4

Rewrite as follows:

The Political Fund of the union will be allocated in the following way:

- i. 30% proportion will be remitted back to each Regional Committee. The proportion allocated to each Regional Committee will be based on the percentage of members in each region, who contribute to the political fund of the union.
- ii. 70% will be remitted to the Executive Council.

Financial records to be maintained of the political fund, allocation and expenditure.

East Midlands/Regional Committee

22/11 New Clause 22.9 and renumber accordingly:

The union shall not provide any financial support to any CLP where any of the parliamentary or assembly candidates from the CLP are members of political organisations, whether internal or external to the Labour Party, that does not support trade union activity or the aims of Unite.

Finance & Legal NISC

22/12 New clause 22.11

The union's representation on the Labour Party's committee structure should, so far as is practicable, be made up equally of lay members and union officials, subject to ratification by the Executive Council or Regional Committee as appropriate.

London & Eastern/Passenger RISC

22/13 New clause 22.11

At least 50% +1 of the Unite nominees to the Labour Party National Policy Forum shall be lay members. The (Unite) National Political Committee shall be invited to make nominations (including those for full-time officials) to the Executive Committee who shall then determine the nominees.

London & Eastern/427 Parliamentary Staff Branch

RULE 23 POLITICAL FUND

Political Fund – Other than in Northern Ireland

- 23.1 The objects of the Union shall include the furtherance of the political objects to which section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, that is to say the expenditure of money:
- 23.1.1 on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
 - 23.1.2 on the provision of any service or property for use by or on behalf of any political party;
 - 23.1.3 in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the Union in connection with any election to a political office;
 - 23.1.4 on the maintenance of any holder of a political office;
 - 23.1.5 on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
 - 23.1.6 on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his/her attendance as such shall, for the purposes of paragraph 1.5 above, be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs 1.1 to 1.6, whether the Union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Union.

In these objects:-

“candidate” means a candidate for election to a political office and includes a prospective candidate;

“contribution”, in relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

“electors” means electors at any election to a political office;

“film” includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

“local authority” means a local authority within the meaning of

RULE 23 POLITICAL FUND

23/1 **New clauses 23.1 and 23.2, renumber accordingly:**

- 1 Unite’s political fund contributions shall be split into two categories:
 - A the Affiliated Political Fund (APF). The APF shall campaign for members through affiliation to the Labour Party, both nationally and locally; and
 - B the General Political Fund (GPF). The GPF shall not be affiliated to any political party. The money paid into the GPF will be used to support local campaigns, to give a boost to the union’s national political campaigns and pay for political advertising.
- 2 Every Unite member will have the option of contributing to the APF, or to the GPF, or to both, or to opt out of any contribution to either Fund.

Scotland/151 Housing Associations Branch

section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

“political office” means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

- 23.2 Any payments in the furtherance of such political objects shall be made out of a separate fund of the Union (hereinafter called the political fund).
- 23.3 As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Union the Executive Council shall ensure that a notice in the following form is given to all members of the Union in accordance with this rule:-

Trade Union and Labour Relations (Consolidation) Act 1992

A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the Union has been adopted by a ballot under the Act. Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of the Union but every member of the Union has a right to be exempt from contributing to that fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the head office or any branch office of the Union or from the Certification Office for Trade Unions and Employers’ Associations, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ.

This form, when filled in, or a written request in a form to the like effect, should be handed or sent to the secretary of the branch to which the member belongs.

The notice shall be published to members by such methods as are customarily used by the Union to publish notices of importance to members and shall include the following minimum requirements. The notice shall be published in the Union’s main journal which is circulated to members. A copy of the notice shall be posted up and kept posted up for at least 12 months in a conspicuous place, accessible to members at the office or meeting place of each Branch of the Union. The secretary of each Branch shall also take steps to secure that every member of the Branch, so far as is reasonably practicable, receives a copy of the notice and shall supply a copy to any member on request. The Executive Council shall provide the secretary of each Branch with a number of copies of the notice sufficient for these purposes.

- 23.4 Any member of the Union may at any time give notice on the form of exemption notice specified in Clause (5) or by a written request in a form to the like effect, that he/she objects to contribute to the political fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the head office or any Branch office of the Union, or from the Certification Office for Trade Unions and Employers’ Associations, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ.

23.5 The form of exemption notice shall be as follows:-

Unite the union
<p>POLITICAL FUND EXEMPTION NOTICE</p> <p>I hereby give notice that I object to contributing to the political fund of the Union and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.</p> <p>Signature _____</p> <p>Name _____</p> <p>Address _____</p> <p>Name of Branch _____</p> <p>Membership No _____ Date _____</p>

23.6 Any member may obtain exemption by sending such notice to the secretary of the Branch to which the member belongs and, on receiving it, the secretary shall send an acknowledgement of its receipt to the member at the address in the notice, and shall inform the General Secretary of the name and address of that member.

23.7 On giving such notice, a member shall be exempt, so long as his/her notice is not withdrawn, from contributing to the political fund of the Union as from either: (a) the first day of January next after notice by the member is given, or, (b) in the case of a notice given within one month after the notice given to members under Clause (3) or after the date on which a new member admitted to the Union is supplied with a copy of these rules under Clause (17), as from the date on which the member's notice is given.

23.8 The Executive Council shall give effect to the exemption of members to contribute to the political fund of the Union by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment.

For the purposes of enabling each member of the Union to know as respects any such periodical contribution what portion, if any, of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.

23.9 A member who is exempt from the obligation to contribute to the political fund of the Union shall not be excluded from any benefits of the Union, or

placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the political fund) by reason of his/her being so exempt.

- 23.10 Contribution to the political fund of the Union shall not be made a condition for admission to the Union.
- 23.11 If any member alleges that he/she is aggrieved by a breach of any provision of this rule for the political fund, being a rule made pursuant to section 82 of the Act, he/she may complain to the Certification Officer, and the Certification Officer, after making such enquiries as he/she thinks fit and after giving the complainant and any representative of the Union an opportunity of being heard, may, if he/she considers that such a breach has been committed, make such order for remedying the breach as he/she thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the Act, be enforced in the manner provided for in section 82(4) of the Act.
- 23.12 Any member may withdraw his/her notice of exemption on notifying his/her desire to that effect to the secretary of his/her Branch, who shall on receiving it send the member an acknowledgement of receipt of the notification and inform the General Secretary of the name and address of that member.
- 23.13 The Executive Council shall ensure that a copy of this rule is available, free of charge, to any member of the Union who requests a copy.
- 23.14 The Executive Council shall, so far as possible, secure that each member of the Union receives a copy of this rule.
- 23.15 The Executive Council shall also send to the secretary of each Branch sufficient copies of this rule to satisfy any requests for a copy by members of the Branch.
- 23.16 The secretary of each Branch shall supply a copy of this rule free of charge to each member who requests a copy.
- 23.17 A copy of this rule shall also be supplied by the secretary of each Branch to every new member on his/her admission to the Union.

Political Fund – Northern Ireland

- 23.18 Under Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 no Northern Ireland member of the Union shall be required to make any contribution to the political fund of the Union as defined by Clauses (1) and (2) of this rule unless he/she delivered, as provided in Clause (20), to the Head Office or some Branch office of the Union, a notice in writing, in the form set out below, of his/her willingness to contribute to that Fund, and has not withdrawn the notice in the manner provided in Clause (19). Every member of the Union who has not delivered such a notice or who, having delivered such a notice, has withdrawn it in the manner provided in Clause (19), is to be deemed for the purpose of these rules to be a member who is exempt from the obligation to contribute to the political fund of the Union.

The form of the notice of willingness to contribute to the political fund of the Union is as follows:-

POLITICAL FUND NOTICE – NORTHERN IRELAND	
I HEREBY give notice that I am willing, and agree, to contribute to the political fund of Unite the union, and I understand that I shall in consequence, be liable to contribute to that fund and shall continue to be so liable, unless I deliver to the head office or some branch office of the Union, a written notice of withdrawal. I also understand that after delivering such a notice of withdrawal I shall continue to be liable to contribute to the political fund until the next following first day of January.	
Signature _____	
Name _____	
Address _____	
Name of Branch _____	
Membership No _____	Date _____

- 23.19 If at any time a member of the Union, who has delivered such a notice as is provided for in Clause (18) gives notice of withdrawal thereof, delivered as provided in Clause (20), to the head office or at any Branch office of the Union, he/she shall be deemed to have withdrawn the notice as from the first day of January next after the delivery of the notice of withdrawal.
- 23.20 The notices referred to in Clauses (18) and (19) may be delivered personally by the member or by an authorised agent of the member, and any notice shall be deemed to have been delivered at the head or Branch office of the Union if it has been sent by post properly addressed to that office.
- 23.21 The Executive Council shall give effect to the exemption of Northern Ireland members to contribute to the political fund of the Union by relieving those members who are legally exempt from the payment of part of any periodical contributions required from the members of the Union towards the expenses of the Union as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment.
- 23.22 For the purpose of enabling each Northern Ireland member, who has opted to pay to the political fund, to know as respects any such periodical contribution what portion of the sum payable by him/her is a contribution to the political fund of the Union, it is hereby provided that a sum equal to seventy percent of the weekly contribution rate of a full time member payable in the first week of each quarter is a contribution to the political fund and any member who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.
- 23.23 Northern Ireland members who are statutorily exempt from the obligation to contribute to the political fund of the Union shall not be excluded from any benefits of the Union, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Union (except in relation to the control or management of the political fund) by reason of their being exempt.

- 23.24 Contribution to the political fund of the Union shall not be made a condition for admission to the Union.
- 23.25 If any Northern Ireland member alleges that he/she is aggrieved by a breach of any of the rules made pursuant to Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 he/she may complain to the Northern Ireland Certification Officer, 10-16 Gordon Street, Belfast, BT1 2LG, under Article 57 (2) to (4) of that Order.
- 23.26 If after giving the complainant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Under Article 70 the Industrial Relations (N.I.) Order 1992 (as amended) an appeal against any decision of the Certification Officer may be made to the Court Rule 10 of Appeal on a question of law.
- 23.27 Additionally, if any Northern Ireland member alleges that he/she is aggrieved by a breach of the political fund rules made pursuant to section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 he/she may complain to the GB Certification Officer, 22nd Floor, Euston Tower, 286 Euston Road, London NW1 3JJ. If, after giving the complainant and representative of the Union an opportunity of being heard, the GB Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Any such order of the GB Certification Officer is subject to the right of appeal provided for by section 82 (4) of the 1992 Act.

Political Fund – Republic of Ireland

- 23.28 Clauses (1) – (17) of this rule shall have effect in the Republic of Ireland subject to the following modifications:
- 23.28.1 all references to statutory provisions therein shall be construed as references to the appropriate legislation in the Republic of Ireland.
- 23.28.2 “political office” means the office of President, member of Dail Eireann, member of Seanad Eireann, member of the European Parliament, or any member of a local authority.
- 23.28.3 Forms of exemption notice may be obtained at or by post from any Union office within the Republic of Ireland.
- 23.28.4 A sufficient number of the forms of exemption notice shall be available at each office of the Union within the Republic of Ireland and any member shall be provided with a copy of such form on his/her request.

RULE 27 MEMBERSHIP DISCIPLINE

- 27.1 A member may be charged with:
- 27.1.1 Acting in any way contrary to the rules or any duty or obligation imposed on that member by or pursuant to these rules whether in his/her capacity as a member, a holder of a lay office or a representative of the Union.
 - 27.1.2 Being a party to any fraud on the Union or any misappropriation or misuse of its funds or property.
 - 27.1.3 Knowingly, recklessly or in bad faith providing the Union with false or misleading information relating to a member or any other aspect of the Union's activities.
 - 27.1.4 Inciting, espousing or practising discrimination or intolerance amongst members on grounds of race, ethnic origin, religion, age, gender, disability or sexual orientation.
 - 27.1.5 Bringing about injury to or discredit upon the Union or any member of the Union.
 - 27.1.6 Obtaining membership of the Union by false statement material to their admission into the Union or any evasion in that regard.
- 27.2 Disciplinary Hearings shall be organised and conducted under directions issued by the Executive Council. These directions ensure that the process is fair and conducted in accordance with the principles of natural justice.
- 27.3 A charge under this rule may be heard by a Branch, Branch Committee (where so determined by the Branch), Regional Committee or the Executive Council. The Executive Council may delegate to a sub-committee of the Executive Council.
- 27.4 The Executive Council or the relevant Regional Committee may suspend a member charged under this rule from holding any office or representing the Union in any capacity pending its decision. A member shall be given written notice (or, if the member was informed verbally confirmation in writing) of any such suspension as soon as is reasonably practicable.
- 27.5 The range of disciplinary sanctions shall include the following:
- 27.5.1 censure;
 - 27.5.2 withdrawal of workplace credentials;
 - 27.5.3 removal from office;
 - 27.5.4 barring from holding office and
 - 27.5.5 expulsion.
- 27.6 The full range of disciplinary sanctions shall be available to the Executive Council, however the range of disciplinary sanctions for other bodies shall be limited to the following:
- 27.6.1 Branch, shall have the power to censure;

RULE 27 MEMBERSHIP DISCIPLINE

- 27/1 **Clause 27.6**
Line 2: after "Council" insert "and Regional Committees"
- Clause 27.6.2**
Delete
- Clause 27.7.4**
Rewrite as follows: "In the case of a sanction imposed by the Executive Council the appeal to shall be to an Appeals Committee elected from the Policy Conference, whose decision shall be final. Such an Appeals Committee shall be constituted on the basis of at least one delegate from each Region, under a procedure to be agreed by the Executive Council. There shall be an eligibility criterion to serve on the Appeals Committee of at least 15 years continuous membership of Union (including predecessor unions)."
- Clauses 27.7.5 to 27.7.10 (inclusive)**
Delete
- Clause 27.8**
Line 1: delete "member" insert "employee"
Add at end: "Complaints against employees shall be investigated under the Members' Complaints Procedure agreed by the Executive Council and if disciplinary action is deemed appropriate this shall be executed under the procedures negotiated with employees' representative bodies for that purpose."
- Executive Council**
- 27/2 **New clause 27.1.7**
Breach of the Union's policies in regards to diversity, bullying and harassment in the workplace and or undermining of the Union, branch or individual shop stewards.
- Amend clause 27.3 as follows:**
Charges under this rule will be heard in the first instance by a Branch or Branch Committee (where so determined by the Branch) Regional committee or Executive Council. Under normal circumstances, all complaints will be heard by the applicable branch, any appeal would be referred to the regional committee and any final appeal, to the Executive Council. Only if deemed to be a serious breach of rule by the Chief of Staff should the matter may be referred directly to the Executive Council. Where a case is to be to be heard by The Executive Council, the Council may also delegate to a panel comprising of The Chief of staff, Executive Council Chair, one Regional and one Industrial sector Executive council members covering the affected workplace branch to hear the case.

Current Rules

- 27.6.2 Regional Committee, shall have the power to censure and withdraw workplace credentials.
- 27.7 Appeals
- 27.7.1 A member shall have the right to appeal against any disciplinary sanctions.
- 27.7.2 In the case of a sanction imposed by a Branch, or Branch Committee, the appeal shall be to the Regional Committee, whose decision shall be final.
- 27.7.3 In the case of a sanction imposed by a Regional Committee the appeal to shall be to the Executive Council, whose decision shall be final.
- 27.7.4 In the case of a sanction imposed by the Executive Council the appeal to shall be to the Appeals' Tribunal, whose decision shall be final.
- 27.7.5 An Appeal against a decision of the Executive Council shall be heard by an Appeals' Tribunal consisting of an individual nominated by the Chair of ACAS. The Appeals' Tribunal shall hear and adjudicate on an appeal as quickly as is reasonably practicable.
- 27.7.6 Unless and until annulled or varied by the Appeals' Tribunal, the decision of the Executive Council shall remain in force.
- 27.7.7 The Appeals' Tribunal shall have the power to decide its own procedures for dealing with the appeal. Providing that the process is fair and conducted in accordance with the principles of natural justice.
- 27.7.8 The Appeals' Tribunal shall have the power to annul the Executive Council's decision that the charge was proven or to uphold that decision and either confirm or vary the penalties imposed pursuant to this rule.
- 27.7.9 There shall be no further appeal from a decision of the Appeals' Tribunal.
- 27.7.10 The Executive Council shall comply with any decision of the Appeals' Tribunal made in accordance with this rule.
- 27.8 A member may not be charged under this rule in respect of any alleged act or omission in connection with the performance of his/her duties as a full time officer and/or employee of the Union.

Proposed Amendments

- 27.3.1 Additionally, if a branch, shop steward or member feels they have been subject to behaviour that is in breach of these principles, and that the interests of the union are being undermined, they should also submit a report in the first instance directly to their elected branch official or directly to the Chief of Staff.

In conjunction with the branch, the Chief of Staff will arrange to review the evidence provided and if deemed appropriate, will instigate an impartial investigation into any allegations made in accordance with the procedures specified under this rulebook.

- 27.3.2 Any complaint received deemed to be of a vexatious, malicious or defamatory nature may also be considered a breach of this rule and referred to a discipline committee.

Amend clause 27.4 as follows:

Suspension from branch and/or workplace credentials.

If the allegations are of such a serious nature that by allowing an individual to remain in their current workplace or branch could lead to further breaches of rule and to protect the interests of the union and individuals, an individual may, as a precaution, be removed from their branch on a temporary or permanent basis. This can take place prior to, during or after an investigation has taken place.

- 27.4.1 Any such decision should take into account the industrial situation within the workplace and the resultant consequence in regards to relations with the relevant employer.
- 27.4.2 A temporary suspension from an allocated branch, pending any investigation or hearing would be without prejudice and only be carried out after due consideration of the allegations in line with the Union's responsibilities. This would be carried out by a panel comprising of The Chief of staff, Executive Council Chair and both the applicable Regional and National secretaries. The decision to do so will also be reported directly to the Executive council
- 27.4.3 If the allegations relate to a workplace shop steward, any temporary removal of union credentials will be without prejudice and only be carried out after due consideration of the industrial consequences of doing so. This will be carried out by a panel comprising of The Chief of staff, Executive Council Chair and both the applicable Regional and National secretaries. The decision to do so will also be reported directly to the Executive council
- 27.4.4 A permanent removal from branch and or union credentials would only take place after an investigation has concluded and any findings indicated this course of action as necessary.
- 27.4.5 If allegations are proven to be unfounded, an individual would be immediately restored in good standing to their previous workplace or branch.
- If allegations are in relation to a shop steward and proven to be unfounded, their union credentials would be immediately restored in good standing in their previous position within the workplace or branch.
- 27.4.6 Any member transferred on a temporary or permanent basis via this process will remain a member of Unite but will be allocated to a holding branch number in terms of administration and representation. A holding branch for this specific purpose will be created within each region.

Amend clause 27.5 as follows:

The Executive Council may suspend a member charged under this rule from holding any office or representing the Union in any capacity pending its decision. A member shall be given written notice (or, if the member was informed verbally, confirmation in writing) of any such suspension as soon as is reasonably practicable.

Amend clause 27.6 as follows:

The full range of disciplinary sanctions shall include the following:

- 27.6.1 censure;
- 27.6.2 withdrawal of workplace credentials;
- 27.6.3 removal from office;
- 27.6.4 barred from holding office
- 27.6.5 transfer of membership branch
- 27.6.6 expulsion.

Amend clause 27.7 as follows:

The full range of recommended disciplinary sanctions shall be available to a Discipline committee of the Executive council but should also be endorsed by full Executive Council. The range of disciplinary sanctions for other bodies shall be limited to the following:

- 27.7.1 Branch shall have the power to censure;
- 27.7.2 Regional Committee shall have the power to censure and withdraw workplace credentials.

Amend clause 27.8 as follows:

Appeals

- 27.8.1 A member shall have the right to appeal against any disciplinary sanctions.
- 27.8.2 In the case of a sanction imposed by a Branch, or Branch Committee, the appeal shall be to the Regional Committee, whose decision will be final.
- 27.8.3 In the case of a sanction imposed by a Regional Committee, the appeal shall be to the Executive Council, whose decision will be final.
- 27.8.4 In the case of a sanction imposed by the Executive Council, that decision will be final.

Existing 27.8 renumbered as 27.9

New clause 27.10

Specifically, complaints cannot be made by this process in relation to agreements reached by the union and its representatives where normal process has been followed and the applicable membership have been consulted.

- 27/3 **New clause 27.1.7**
 In operating a Dignity at Work Policy for employees of the Union, members should not conduct themselves in a way which breaches this procedure. If a member's conduct is such that it contravenes the Union's Policy on Dignity and Respect in the Workplace, this will be deemed reasonable grounds for disciplinary action under these rules.
 West Midlands/Regional Committee
- 27/4 **Clause 27.4**
 Line 1: insert "(or subcommittee thereof)" between "Regional Committee" and "may suspend"
 Line 2: delete "charged"
 Insert new sentence after first sentence and before current second sentence "Suspension may occur whilst an investigation takes place if the Executive Council or relevant Regional Committee (or subcommittee thereof) deem an allegation to be serious enough."
 Passenger NISC
- 27/5 **Clause 27.4**
 The Executive Council, relevant Regional Committee or relevant Branch may suspend a member charged under this rule from holding office or representing the Union in any capacity pending its decision. A member shall be given written notice (or, if the member was informed verbally confirmation in writing) of any such suspension as soon as is reasonably practicable.
 South East/Passenger RISC
- 27/6 **Clause 27.4**
 Line 1: insert "or Regional Secretary" after "relevant regional committee"
 London & Eastern/1426 Great Yarmouth Branch
- 27/7 **Clause 27.6.2**
 Amend to read as follows: "Regional Committee shall have the power to censure, withdraw workplace credentials, remove from office and bar from holding office."
 South East/6153 Reigate, Crawley & Kent Finance & Legal Branch
- 27/8 **Clause 27.7**
 27.7.3 to read: "In the case of a sanction imposed by a Regional Committee the appeal to shall be to the Executive Council, whose decision shall be final".
 Delete 27.7.4, 27.7.5, 27.7.6, 27.7.7, 27.7.8, 27.7.9 and 27.7.10
 Road Transport (Commercial) & Logistics NISC

27/9

Clause 27.7.4 to read:

Amend to read as follows: "There shall be no further appeal from a decision of the Executive Council. The Executive Council decision shall be final, this concludes the disciplinary procedure."

Delete clauses 7.5, 7.6, 7.8, 7.9, 7.10

South West/011300 Taunton RTC & Logistics Branch

Current Rules

RULE 28 OFFICIAL ANNOUNCEMENTS

The Union shall maintain a website and posting information on this website, together with posting to Branch secretaries, shall be the official means of making announcements to members on matters of general interest concerning the affairs of the Union.

Proposed Amendments

RULE 28 OFFICIAL ANNOUNCEMENTS

28/1 **New clause**

The union will inform members who will be called upon to participate in industrial action of the details of that industrial action in writing and sent to their home addresses by post in advance of the action.

North East, Yorkshire & Humber/408/2 Leeds Teaching Hospitals Branch

Current Rules

RULE 30 TRANSITIONAL PROVISIONS FOR SUPERANNUATION SCHEMES

The Union hereby adopts the trust deeds and rules (including any amendments) which respectively govern the Unite Amicus Section Pension Scheme, the Officials and Staff Superannuation Fund, the MSF Staff Pension Scheme (NUIW Section) and the Unite Ireland Pension Scheme (together the "Scheme Rules") provided that: references in the Scheme Rules to Amicus, TGWU and/or their predecessors or any body, officer or employee of Amicus, TGWU and/or their predecessors and references to the Amicus Section of the Union or the TGWU Section of the Union or any body, officer or employee of those Sections shall be construed respectively as references to the Union or the equivalent body, officer or employee of the Union; and further provided that any consent required under the Scheme Rules from Amicus, TGWU and/or their predecessors to an amendment to the Scheme Rules shall be dispensed with and the trustees of the relevant pension scheme may with the consent of only the Executive Council of the Union exercise the powers to amend the Scheme Rules contained therein.

Proposed Amendments

RULE 30 TRANSITIONAL PROVISIONS FOR SUPERANNUATION SCHEMES

30/1 Complete re-write, including title

Exercise of Union Powers in the Pension Schemes

Any power which continues to be exercisable by a sponsoring employer or by any body, officer or employee of that sponsoring employer by reference to the trust deeds and rules of the Unite Ireland Pension Scheme or of any legacy union pension scheme which has been merged directly or indirectly into the Unite Pension Scheme shall be exercisable by the Union. Any power which is exercisable by the Union under these trust deeds and rules or under the trust deeds and rules which govern the Unite Pension Scheme from time to time shall be exercisable by the Executive Council or by an individual or body to whom the Executive Council has delegated this power in writing on any basis which it decides.

Executive Council

Proposed New Rules

Proposed New Rules

NR/1 Community/Student Members

- X.1 Unite Community Membership shall be open to all not in paid employment as well as those not seeking employment. The sections aims are to organise, campaign, protest and mobilise, both independently as well as alongside our industrial, young and retired members, in order to progress matters of interest and/or concern to our community and wider industrial membership, provided that such activities are not inconsistent with the general policy and objectives of the Union.
- X.2 Other than vocational students, who shall be organised within the appropriate industrial sector, Community and Student Members shall be organised in local groups and wider Area Community Branches. In each Region there shall be a Regional Co-ordinating Group, meeting as appropriate, in order to plan, coordinate, organise and evaluate campaigns and activities. There shall be National Co-ordinating Group, meeting as appropriate, drawn from activists at the regional level.
- X.3 Community/Student Member activists are entitled to attend Area Activists Meetings and to stand for election for at least 2 defined Community/Student Member seats on Area Activist Committees, elected by Community/Student Members attending the Meeting.

Executive Council

NR/2 Scotland

- X.1 There shall be an Scottish Executive Committee which shall make decisions in matters of an industrial or political nature which arise out of and in connection with the economic or political condition of the Scotland and which are of direct concern to members of the Union resident in Scotland and which do not affect members of the Union not so resident. Each member of the Scottish Executive Committee shall be resident in Scotland.
- X.2 The Scottish Executive Committee shall be composed of elected lay members who are resident in Scotland.
- X.3 The size and composition of the Scottish Executive Committee shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.
- X.4 The procedure for qualifications, election and nomination of representatives to the Scottish Executive Committee shall be determined by the Executive Council. The Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with appropriate constitutional committees in Scotland.
- X.5 The Scottish Executive Committee shall take the place and have the powers, duties and responsibilities of the Regional Committee for Scotland. The Regional Secretary shall act as secretary to the Scottish Executive Committee and shall be responsible for implementing its decisions.
- X.6 The Scottish Executive Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.
- X.7 The Scottish Executive Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.

Proposed New Rules

- X.8 The Executive Council, in consultation with the Scottish Executive Committee, shall determine the number of delegates to be elected to the conferences/congresses of organisations in Scotland to which the Union is affiliated.
- X.9 In alternate years to the Union's Policy Conference there shall be a Scottish Policy Conference, the size and composition of which shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.
- X.10 For the purpose of electing delegates to the Scottish Policy Conference the Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with Scottish Executive Committee.
- X.11 The procedure for qualifications, election and nomination of representatives to the Scottish Policy Conference shall be determined by the Executive Council in consultation with the Scottish Executive Committee.
- X.12 The Scottish Executive Committee shall determine the number of policy motions which may be submitted by the Branch; area regional; industrial and equalities structures, and from the Scottish Executive Committee itself. The Scottish Executive Committee shall submit a report to the Scottish Policy Conference on the activities of the Union within Scotland.
- X.13 The chair of the Scottish Executive Committee shall chair the Scottish Conference.
- X.14 Resolutions of the Scottish Conference concerning general policy matters affecting members employed in the Scotland shall, provided they are not inconsistent with the general policy and objectives of the Union, constitute the policy of the Union in the Scotland and shall be binding upon the Scottish Executive Committee.

Scotland/Regional Committee
Scotland/Health RISC
Scotland/162/403 Edinburgh CN4P Branch

NR/3 Scotland

- X.1 There shall be an Scottish Executive Committee which shall make decisions in matters of an industrial or political nature which arise out of and in connection with the economic or political condition of the Scotland and which are of direct concern to members of the Union resident in Scotland and which do not affect members of the Union not so resident. Each member of the Scottish Executive Committee shall be resident in Scotland.
- X.2 The Scottish Executive Committee shall be composed of elected lay members who are resident in Scotland.
- X.3 The size and composition of the Scottish Executive Committee shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.
- X.4 The procedure for qualifications, election and nomination of representatives to the Scottish Executive Committee shall be determined by the Executive Council. The Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with appropriate constitutional committees in Scotland.
- X.5 The Scottish Executive Committee shall take the place and have the powers, duties and responsibilities of the Regional Committee for Scotland. The Regional Secretary shall act as secretary to the Scottish Executive Committee and shall be responsible for implementing its decisions.

Proposed New Rules

- X.6 The Scottish Executive Committee shall meet once a quarter or more frequently if, in the opinion of the Regional Secretary, the business renders it necessary. The Regional Secretary is responsible for convening all meetings.
- X.7 The Scottish Executive Committee shall have power to appoint one or more sub-committees from among its members and, except where otherwise determined by the Executive Council, shall have the power to delegate to any such sub-committee all or any of its powers including therein the conduct of hearings, appeals, inquiries, investigations or any other proceedings or functions whatever which it is authorised by these rules to undertake.
- X.8 The Executive Council, in consultation with the Scottish Executive Committee, shall determine the number of delegates to be elected to the conferences/congresses of organisations in Scotland to which the Union is affiliated.
- X.9 In alternate years to the Union's Policy Conference there shall be a Scottish Policy Conference, the size and composition of which shall be determined by the Executive Council provided that the gender and ethnic balance of elected representatives at least reflect proportionality of the membership they represent.
- X.10 For the purpose of electing delegates to the Scottish Policy Conference the Executive Council may organise constituencies both by reference to Industrial Sectors and geographic area following consultation with Scottish Executive Committee.
- X.11 The procedure for qualifications, election and nomination of representatives to the Scottish Policy Conference shall be determined by the Executive Council in consultation with the Scottish Executive Committee.
- X.12 The Scottish Executive Committee shall determine the number of policy motions which may be submitted by the Branch; area regional; industrial and equalities structures, and from the Scottish Executive Committee itself. The Scottish Executive Committee shall submit a report to the Scottish Policy Conference on the activities of the Union within Scotland.
- X.13 The chair of the Scottish Executive Committee shall chair the Scottish Conference.
- X.14 Resolutions of the Scottish Conference concerning general policy matters affecting members employed in the Scotland shall, provided they are not inconsistent with the general policy and objectives of the Union, constitute the policy of the Union in the Scotland and shall be binding upon the Scottish Executive Committee.
- X.15 In respect of each Industrial Sector, the Executive Council shall convene a Regional Sector Conference for Scotland. Policy decisions of a Sector Conference for Scotland shall decide the Union's policy in Scotland for that sector provided they are not inconsistent with the general policy and objectives of the Union.

Scotland/164/NHS Greater Glasgow and Clyde Branch

NR/4 Gibraltar

Gibraltar shall have an Area Activist Meeting of lay members comprised of elected representatives from companies, sectors and branches based in Gibraltar. The first of these meetings in an electoral period shall elect a Gibraltar Committee for the purposes of local administration; the size and composition of which will be subject to the approval of the Executive Council. The Gibraltar Committee shall elect from its number an observer delegate to the Executive Council and who will brief the Gibraltar Committee after each Executive Council.

Gibraltar Area Committee

Proposed New Rules

NR/5 Lay Member Grievance Procedure

- z.1 Where a member feels that the union, its employees or its agents (eg solicitors) have not provided a service, they have the right to register a grievance. Where member's grievance concerns advice from our lawyers, or conduct of our lawyers, the union shall use its normal procedures for legal review, which may include the solicitors' own internal complaints procedure. The decision shall be final.
- z.2 Members in the first instance are to seek to resolve their grievance informally, either with the officer/employee concerned, or with the Regional Secretary. The officer/employee should have the opportunity to address the grievance.
- z.3 If the informal process fails to reach a resolution, a formal grievance should be submitted. All formal grievances are to be submitted in writing to the office of the General Secretary. The aim is to acknowledge receipt within a week and allocate a senior officer to investigate.
- z.4 An assessment will be made as to the most appropriate person to investigate the grievance. In respect of officers & staff in the regions, this will normally be the regional secretary but may be a national officer or other official. For head office staff, a decision will be taken in the General Secretary's office. In cases where the grievance is against the Regional Secretary, another senior officer will be asked to consider the grievance.
- z.5 Any investigation will be conducted fairly and with no initial presumption of fault on either side. Once completed, the investigating officer shall arrange a formal grievance hearing with the member as quickly as possible and no more than one month after receipt of the grievance by the investigating officer. Grievance Hearings shall be organised and conducted under directions issued by the Executive Council. These directions ensure that the process is fair and conducted in accordance with the principles of natural justice.
- z.6 The member may appeal the decision. Any request for an appeal should be submitted to the Executive council via the General Secretary office within one week of the grievance hearing and should specify the grounds on which the member is disputing and appealing against the findings of the investigation.
- z.7 On receipt of the appeal, the Executive Council will form an Executive Council Grievance Appeal Panel which shall include the General Secretary or delegated Assistant General Secretary to conduct a review of the case and adjudicate an appeal hearing. Grievance Appeal Hearings shall be organised and conducted under directions issued by the Executive Council. These directions ensure that the process is fair and conducted in accordance with the principles of natural justice.

The decision of the Executive Council Grievance Appeal Panel is final.

East Midlands/Aerospace and Shipbuilding RISC

NR/6 Lay Member Grievance Procedure

- x.1 Where a member or lay representative has a grievance against the union, its employees or another member of the union, they have the right to register a grievance in accordance with this rule directly to the Chief of Staff.
- x.1.1 The Chief of Staff will review or appoint an officer to review the evidence provided and if deemed necessary, convene a panel comprising of The Chief of staff, Executive Council Chair, one Regional and one Industrial sector Executive council members covering the affected workplace branch. If they by the process of simple majority believe it appropriate to do so, a formal grievance process will be undertaken in accordance with the procedures specified under this rulebook.

Proposed New Rules

- x.1.2 If the Chief of Staff believes the grievance complaint itself or the content of the complaint could be of a vexatious or malicious nature, or involves a breach of Member discipline, the matter may instead be investigated under rule 27.
- x.1.3 A grievance cannot be raised over any workplace agreement reached by Unite, its employees, branch of unite or individual representatives.
- x.2 Members/lay representatives in the first instance must seek to resolve their grievance informally, directly with either the officer/employee or member/lay representative concerned, or with the Regional Secretary. The officer/employee or member/lay representative should have the opportunity to address the grievance.
- x.3 If the informal process fails to reach a resolution, a formal grievance should be submitted. All formal grievances are to be submitted in writing to the office of the General Secretary. The aim is to acknowledge receipt and allocate a senior officer to investigate within a week.
- x.4 An assessment will be made as to the most appropriate person to investigate the grievance. In respect of officers/staff or members/lay representatives in the regions this will normally be the regional secretary but may be a national officer or other official. For head office staff, a decision will be taken in the General Secretary's office. In cases where the grievance is against the Regional Secretary, another senior officer will be asked to consider the grievance.
- x.5 Any investigation will be conducted in an impartial manner and with no initial presumption of fault on either side. Once completed, the investigating officer shall arrange a formal grievance hearing with the member/lay representative as quickly as possible and no more than one month after receipt of the grievance by the investigating officer. Grievance Hearings shall be organised and conducted under directions issued by the Executive Council. These directions ensure that the process is fair and conducted in accordance with the principles of natural justice.
- x.6 The member/lay representative may appeal the decision. Any request for an appeal should be submitted to the Executive council via the General Secretary office within one week of receipt of the outcome of the grievance hearing and should specify the grounds on which the member is disputing and appealing against the findings of the investigation.
- x.7 On receipt of the appeal, the Executive Council will form an Executive Council Grievance Appeal Panel which shall include the General Secretary or delegated Assistant General Secretary to conduct a review of the case and adjudicate an appeal hearing. Grievance Appeal Hearings shall be organised and conducted under directions issued by the Executive Council. These directions should ensure that the process is fair and conducted in accordance with the principles of natural justice.
- x.8 Any grievance considered by the Executive Council Grievance panel to be of a vexatious nature may be dismissed and instead referred to a discipline committee for consideration as covered by rule 27.3.1

The decision of the Executive Council Grievance Appeal Panel is final.

Where members'/lay representatives' grievance concerns advice from our lawyers, or conduct of our lawyers, the union shall use its normal procedures for legal review, which may include the solicitors' own internal complaints procedure. The decision shall be final.

London & Eastern/CAT RISC
London & Eastern/2000 BASSA Branch

Proposed New Rules

NR/7 Constitutional Conferences & Elections on a 3 year cycle

Maintain the following 3 year cycle Constitutional Conferences & Elections

- EC Elections
- Workplace & Branch Rep Elections
- Regional Industrial Sector Conferences/Elections
- Regional Equality Conferences/Elections
- Area Activists Meetings/Elections
- Regional Retired Conferences

Amend Rules to put the following Constitutional Conferences onto a 3 year cycle

- Policy Conference
- Rules Conferences
- National Sector Conferences
- National Equalities Conferences
- National Retired Members Conference
- Regional Political Conferences/Elections

Amend Rules to provide the following 3year timetable (Executive Council to determine transition timetable to implement new rotational format post Rules Conference 2015)

Year 1

- Election off Reps/Branch Officers
- Regional Industrial Sector Conferences – Constitutional Committees Elections/Inaugural RISC Meeting
- Regional Equalities Conferences – Constitutional Committees Elections/Inaugural Equality Meeting
- Regional Young Members Conference
- Regional Retired Members Conferences – Constitutional Committee Elections/Inaugural Committee
- Regional Community Conferences
- Area Activists Meetings – Constitutional Committees Elections/Inaugural AA Committee Meeting
- Inaugural Regional Committee Meeting
- Regional Political Conferences – Political Committee Elections

Year 2

- National Sector Conferences
- National Equality Conferences
- National Young Members Conference
- National Retired Members Conference
- National Community Conferences

Year 3

- EC Election
- Policy / Rules Conference

North West/0062 Barnoldswick Branch

NR/8 Consultants

Consultants will not be employed by the union.

East Midlands/NN27 Cummins Branch



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