

Model rules for Trades Union Councils registered with the Trades Union Congress

*The General Council of the Trades Union Congress has approved the following Model Rules and Standing Orders, prepared by the Trades Councils Joint Consultative Committee, for the use of Trades Union Councils. **Trades Union Councils may maintain or introduce their own constitution, rules and standing orders to the extent that they are compatible with the following rules.***

Rule 1: Name

The name of the Council shall be the..... Trades Union Council. The Council shall be registered annually with the TUC in accordance with these rules and standing orders.

Rule 2: Purpose and Objects

The purpose of a trades union council, recognised by the Trades Union Congress (TUC), is to bring together union branches at a local level to campaign around issues affecting working people in their workplaces and local communities.

- i. The objects of the Council shall be:
 - a) Raise public awareness of rights at work and the union role in enforcing those rights.
 - b) To promote the interests of all its affiliated unions and to secure united action on all questions affecting or likely to affect those interests.
 - c) Act as the voice of trades union branches in the local community and to support and work for the application of objectives that the TUC and Regional TUC may from time to time determine, as well as making more widely known, in its area, national policies declared by the TUC.
 - d) Follow the programme of work agreed by the annual conference and the TUCJCC.
 - e) Promote organising and recruitment drives to build union membership.
 - f) Support trade union and community campaigns for dignity and respect in the workplace and beyond.
 - g) Promote equality and diversity in all its activities.
 - h) Campaign in support of local or regional industrial action officially authorised by the union or unions concerned.
 - i) Improve generally the economic and social conditions of working people.
 - j) Help promote suitable cultural, educational, social and sports facilities for all working people.
 - k) Play a leading role in anti-fascists/racist activity.
 - l) Play a leading role in developing awareness in green and climate change issues in their locality.
- ii. Where a County or other Association of Trades Union Councils exists, Trades Union Councils are encouraged to affiliate to their local Association, or if no County or other Association exists, liaise with other local Trades Union Councils to create a County or other Association in their county, area or district.
- iii. The Trades Union Council will register with the General Council. Such registration may be made at any time and will remain current and operative from the date it is received by the TUC until the last Friday of January in the following year.
- iv. In no circumstances shall the Council: cooperate with or subscribe to the funds of fascist parties or any subsidiary organisation of these parties; any organisations whose policies or activities are contrary to those of the Trades Union Congress; or subscribe to the funds of

- any industrial organisation which has been proscribed by the General Council. Nor shall the Council subscribe to the funds of any political party.
- v. The Council may cooperate with the local Labour Party, providing that no part of the funds of the Council derived from the general funds of affiliated trade unions shall be applied directly or indirectly in the furtherance of the political objects specified in Section 72 of the Trade Union and Labour Relations (Consolidation) Act, 1992. Note: This rule must be included as printed.
 - vi. All participants taking part in meetings and activities organised by Trades Union Councils, do so on condition that they always act in a comradely manner and refrain from any behaviour that might be regarded as racist, sexist, misogynistic, homophobic or transphobic and in any way that might be regarded as bullying or harassment of others.

Rule 3: Registration

- i. For a Trades Union Council to be recognised by the TUC it must register with the General Council in the way stipulated by the TUC. An initial registration by a new Trades Union Council may be made at any time and will remain current and operative from the date it is received by the TUC. All trades union councils must re-register by the last Friday in January to be able to participate that year in those activities listed under Rule 3 (iv).
- ii. Trades Union Councils when registering for the first time or re-registering, must confirm that copies of their constitution, rules and standing orders and financial accounts are available for inspection.
- iii. All Trades Union Councils on re-registration must confirm and if required be able to provide evidence to the TUC that they have met at least once in the previous year and for the nomination of delegates to, and the submission of motions to, the Conference of Trades Union Councils. Delegates at the meeting at which nominations are dealt with must originate from at least three branches from a minimum of two different unions. Officers of the Trades Union Council should endeavour to ensure that over 10% of all delegates entitled to attend and vote are present at that meeting to enable the broadest support. It is recognised that this may not always be possible.
- iv. Trades Union Councils that are registered with the General Council by the deadline may:
 - a. Participate in the activities of and be represented on the TUC Regional Council
 - b. Submit motions for consideration by the Conference of Trades Union Councils
 - c. Be represented at the Conference.
 - d. Nominate an individual to be the representative for their area on the TUC Joint Consultative Committee.
 - e. Participate in the ballot to elect a representative on to the TUC Joint Consultative Committee.
 - f. Make applications to the TUC development fund.
- v. The General Council may, on the recommendation of the TUCJCC, deregister a Trades Union Council where, in its opinion, the actions of that Trades Union Council bring the trade union movement into disrepute.
- vi. Registration with the TUC confers no authorisation to speak on behalf of the Trades Union Congress; Trades Union Councils should bear this in mind in any publicity.
- vii. The TUC logo should not be used on any website, press release or similar communication should make clear the role of the Trades Union Council as the voice of trade union branches in the local community.

Rule 4: Constitution

- i. The Trades Union Council shall only consist of representatives of trade unions or branches of trade unions, whose place of meeting are within the area covered by the Council or who have members working or living in the area. Councils may also seek to involve local shop stewards' committees, Student Unions and other appropriate organisations, though only delegates from trade union branches will be allowed to vote at meetings.
- ii. The application of any trade union branch, from a TUC affiliated union, shall be submitted to the full Council for its approval.

Rule 5: Representation

The recommended representation of affiliated trade union branches to the Trades Union Council is as follows.

- 100 members or under - 1 delegate.
- 101 members to 250 - 2 delegates.
- 251 members to 400 - 3 delegates.
- One delegate for every additional 250 members (maximum of 8 delegates).

However, the TUCJCC recommends that Trades Union Councils use the above as a recommendation and adopt a rule of affiliation that represents local circumstances and facilitates a viable and active Trades Union Council.

Rule 6: Affiliation Fees

Each affiliated trade union branch shall contribute a minimum affiliation fee each year. The minimum amount will be agreed at the Annual General Meeting of the Trades Union Council. Each Trades Union Council will set its own affiliation fee.

Rule 7: Composition of Executive Committee

Each trades union council will need to decide, preferably at its inaugural meeting or an AGM, whether it needs to establish an Executive Committee to carry out the decisions of the council between meetings.

Where it is agreed to establish an Executive Committee, the following should apply. The Executive Committee shall be elected at the Annual Meeting of the Council.

Officers of the Trades Council shall be ex-officio members of the Executive Committee with full voting rights.

Rule 8: Nomination of Executive Committee

- i. Each affiliated branch shall have the right to nominate to the Executive Committee.
- ii. Trades Union Councils which have a Women's Group can adopt the following additional clause: 'Unions having women members shall, in addition, have the right to nominate one member to represent the Women's Group on the Executive Committee.' This also applies if other groups have been established to reflect the diversity of the Trades Union Council.
- iii. A nomination for any group of representatives may only be made by a branch in that group.
- iv. All nominated candidates must be delegates to the Council.
- v. Nominations for the Executive shall be:

- a. Submitted by affiliated branches in writing to the Secretary at least 21 days prior to the Annual Meeting.
- b. Made verbally at the Annual Meeting for positions for which no nominations had been received by the deadline in rule 8(v)a.

Rule 9: Election of the Executive Committee

The Executive Committee shall be elected by (ballot) vote at the Annual Meeting of the Council, the necessary number of nominees in each group securing the highest number of votes to be declared elected. Officers of the Trades Council are ex-officio members of the Executive Committee.

Rule 10: Meetings of the Executive Committee

- i. The Executive Committee shall conduct the detailed business and report to meetings of the Council.
- ii. Any member of the Executive being absent at three consecutive Executive Meetings shall, unless a satisfactory reason for such absence has been sent to the Secretary, be deemed to have vacated office, and the vacancy shall be filled by inviting nominations from affiliated branches with an election taking place at the next meeting of the Trades Council.
- iii. A special meeting of the Executive Committee may be called in the event of urgent business arising as and when deemed necessary by the president and Secretary.

Rule 11: Council Meetings

- i. Each Trades Union Council will hold an Annual General Meeting every 12 months.
- ii. To ensure Trades Union Councils comply with the requirements of registration with the TUC General Council, Trades Union Councils must meet at least once between registrations.
- iii. A list of attending delegates shall be kept.
- iv. Each delegate shall receive from the secretary not less than days clear notice of the business to be transacted at such meetings, where possible by email.
- v. A Special Meeting may be called at any time by the Executive Committee, or in the case of urgency, by the President and Secretary, or upon written request of.....delegates. In the latter case the object of the meeting must be clearly stated upon the requisition.
- vi. No business shall be transacted at any meeting of the Council at which less than delegates are present.

Rule 12: Officers

- i. The officers of the Council shall be those determined as appropriate by the Trades Union Council but must include a Chair, Secretary and a Treasurer.
- ii. All officers of the Council shall be elected at the Annual Meeting to serve for one year and shall be eligible for re-election.
- iii. In accordance with Rule 7, officers shall be ex-officio members of the Executive Committee with full voting rights.

NB: The TUC JCC recommends that where possible the position of Treasurer is held by a person other than the Chair and Secretary.

Rule 13: Duties of Secretary and Treasurer

Secretary

- a) The Secretary shall attend all meetings of the Council, Executive Committee and Sub-Committees, and ensure a correct record of the proceedings is kept and conduct the business of the Council in accordance with the rules.
- b) The Secretary shall issue to each delegate notice of Council meetings seven clear days prior to the meetings except in the case of emergency meetings, when the notice shall be left to the discretion of the President and the Secretary.
- c) Should any delegate be absent from the Council three meetings in succession, the Secretary shall notify the delegate's branch of the fact.
- d) The Secretary shall receive all moneys due to the Council and shall pay these to the Treasurer without delay.
- e) The Secretary shall prepare the Annual Report and submit it for comment to the AGM of the Trades Union Council.

Treasurer

- a) The Treasurer shall keep account of all sums of money received from the Secretary and shall bank them in the name of the Council.
- b) The Treasurer shall make and record such payments as may from time to time be authorised by the Council or the Executive Committee.
- c) The Treasurer shall keep a true account of income and expenditure. All cheques must be signed by at least two officers, one of which must be the Treasurer.
- d) The Treasurer shall prepare the annual Balance Sheet for inclusion in the Financial Statement to the AGM. The Financial Statement may form part of the Annual Report by the Secretary or be considered separately.
- e) The Treasurer shall submit their accounts and Financial Statement to the auditors prior to reporting to the AGM.
- f) The Treasurer shall submit regular financial statements to the trades union council or whenever requested by the Executive Committee.

Rule 14: Auditors

The Council at its Annual Meeting shall appoint two Auditors, whose duty is to audit all accounts and the Annual Financial Statement, to certify their correctness or otherwise and report their findings at the Annual Meeting of the Council.

Rule 15: Retirement of Officers

Upon retirement from office, officers shall hand over to their successors, or the Executive Committee, all books, cash, keys, papers, relevant passwords for emails etc. and other property of the Trades Union Council.

Rule 16: Deputations

Any delegate appointed to attend any conference or transact business on behalf of the Council, shall be allowed out-of-pocket expenses to be paid by the Trades Union Council.

Rule 17: Alteration of Rule

Alteration of rule shall only take place at the Annual General Meeting and requires two-thirds of the delegates present voting in favour of the proposed alteration. Three months' notice shall be given to the Secretary of any proposed alteration of rule to be discussed at the Annual Meeting. Changes to rules must be submitted to the TUC for approval.

Rule 18: Unauthorised Use of Name of Council

- i. The unauthorised use by any delegate of the name of the council is expressly forbidden.
- ii. Any delegate who, for whatever reason, uses the name of the Council without the expressed permission of the Council shall be requested to attend a full meeting of the Council which will consider the alleged contravention of Rule 18(i). The Council shall inform the delegate's branch of the action being taken under this rule.
- iii. At the hearing before the Council, the delegate concerned will have a full opportunity of presenting his /her case. After hearing all the evidence, the Council, if finding the contravention of Rule 18 (i) proved, shall have the power to
 - a. Warn them as to their future conduct
 - b. Exclude the delegate from meetings of the council (number to be agreed); or
 - c. Permanently withdraw the credentials of the delegate concerned.
- iv. The branch of the delegate concerned shall be informed of the decision of the Council.

Rule 19: Dissolution of Trades Union Council

- i. In the event of a Council's annual registration not being renewed, or the Trades Union Council no longer meeting, the officers shall hand over the funds and property of the council to the Association to which the Trades Council was affiliated. Where no association exists or where the Trades Council was not affiliated to an Association, the property and funds shall be handed over to the Regional TUC.
- ii. The Association or Regional TUC shall retain these funds as a provision for the reestablishment of a Trades Union Council in the area or have discretion to use the funds and property to the benefit of trades union councils and advancing the trades union council programme of work or for the union movement.

Complaints Procedure for Trades Councils or Associations

This complaints procedure is provided for information.

Trades Councils and Associations operate in every part of England and Wales, providing support to union campaigns and solidarity action, providing a valuable interface between trade unions, workplaces and communities. In most situations Trades Councils and Associations work cooperatively and collaborate in comradeship and solidarity.

On occasions disputes can arise between or within Trades Councils and / or Associations. In such circumstance, in the spirit of comradeship and collective endeavour, every effort should be made to resolve disputes bilaterally and informally. All proceedings and communications must be conducted in mutual respect and in a manner which ensures the good standing of the Trades Council and Trade Union movement.

Where a situation cannot be resolved informally and bilaterally the TUCJCC has a role in investigating, adjudicating and seeking to resolve any relevant and appropriate complaint that has been brought.

1. Before a complaint is considered for action by the TUCJCC the Trades Council or Association must seek to resolve their concerns themselves.
2. Once point 1 has been satisfied, the aggrieved party may raise the matter concerned with their TUCJCC regional representative who may seek to bring about a mutual agreement. If the specific concern is directly related to the TUCJCC representative, the matter is referred to the TUCJCC directly for their consideration. The TUCJCC will only hear complaints referred to it by individual trades council delegates, trades union councils or Associations.
3. The TUCJCC, upon receipt of a complaint, must first be satisfied that point 1 has been properly considered and acted upon.
4. The TUCJCC will then consider whether the complaint is a bona fide concern for the TUCJCC, within the authority of the TUCJCC, i.e. a breach of the conditions of registering with the TUC, which confers a set of responsibilities on each Trades Council, including;
 - a. Conforming to a set of model rules or an agreed local adaptation of those rules.
 - b. Acting in a way which does not contravene or bring into disrepute TUC policy, campaigns or rule.
 - c. Acting in a way which does not contravene or bring into disrepute individual trade union policy, campaigns or rules.
 - d. Accounting for TUC and trade union resources which are administered or accounted for by the Trades Council.
5. Upon satisfaction that the complaint is appropriate for investigation by the TUCJCC the committee will establish a formal complaints panel consisting of two lay representative members of the TUCJCC. The 'office' will provide support to the panel and a date for an

investigatory hearing will be agreed, not more than 8 weeks from the meeting at which the TUCJCC panel is established, unless there are extenuating circumstances.

6. The trades council or association bringing the complaint will be issued with Terms of Reference and invited to submit a statement to the panel together with any relevant evidence at least four weeks before the investigatory hearing. This will be made available to the other trades council or county association involved.

7. The Trades Council or association subject to the complaint will be asked to provide a written response no later than two weeks before the hearing date.

8. The hearing will consist of an opportunity for both sides to make their case and to support or refute the complaint. These submissions will be heard separately.

9. The panel members will consider the evidence submitted and provide a written report with recommendations to the parties concerned in the complaint and a copy submitted to the TUCJCC.

10. Parties concerned in the complaint will have the opportunity at this stage to appeal to the TUCJCC if they do not agree either all or part of the recommendations of the panel. If there is no appeal the TUCJCC will consider the report and recommendations with a view to endorsing the panel's report.

11. In the event of an appeal, a meeting of the TUCJCC will consider the grounds of the appeal. If it considers the appeal justified the TUCJCC will appoint two of its members not so far involved in the complaint hearing to review the appeal, supported by the TUC office. This new appeal panel will consider any clarification of previous submissions or additional evidence provided by the parties bringing the appeal. The appeal panel will notify all parties involved in the complaint of its decision, following which it will compile a final report. The appeal process should take no longer than eight weeks unless there are exceptional circumstances.

12. In a report to be considered by the TUCJCC, the appeal panel will either confirm or amend the recommendations of the original hearing panel. Following the decision of the TUCJCC there will be no further appeal possible. The presence of General Council members on the TUCJCC ratifies the decisions of the TUCJCC in this context.

13. The recommendations agreed by the TUCJCC will be published in the minutes of the TUCJCC presented at the General Council, unless the TUCJCC agrees that there are reasons why this should not be the case.

14. Trades Councils are autonomous bodies and the powers related to sanctions recommended by the TUCJCC must fall within the authority of the committee, relating to the conditions of Trades Council registration. Examples may include requesting a Trades Council or Association to reverse a decision that conflicts with trade union campaigns; re-run a meeting that has not been held in accordance with agreed procedures or overturn a decision of such a meeting; agree a motion of censure against a Trades Council or

Association; recommend de-registration of a Trades Council or Association – this would need to be affirmed by the General Council.

15. Finally, decisions agreed by the TUCJCC, affirmed by the General Council, are not subject to further appeal.