



**UNISON South West
Regional Council**

**CONSTITUTION
AND
RULES**



UNISON South West Regional Council

CONSTITUTION AND RULES

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UNISON SOUTH WEST REGIONAL COUNCIL

CONSTITUTION AND RULES

1. Title and Area

The Council shall be called 'The UNISON South West Regional Council' (hereinafter called the 'Regional Council') and shall operate in the South West Region as defined in the national rules.

2. Acceptance of the Constitution

The Regional Council accepts the Constitution of UNISON, together with any subsequent alterations or additions, with the intent that the Rules and Constitution of the Regional Council shall always be consistent with those of UNISON and in the event of any conflict, the national rules will take precedence.

3. Functions

The functions of the Regional Council are to carry out the national functions of UNISON as applicable to South West Region as follows:

3.1 Development and Organisation

- a) Encourage the development and maintenance of a strong and flexible branch structure, in accordance with principles laid down by the National Executive Council
- b) Plan and implement strategies for recruitment and retention of members and representatives across all service groups and employers
- c) Oversee strategies to educate and train our activists and members in order to fulfil the union's objectives
- d) Develop and promote a strong network of self-organised groups at branch and regional level in order to strengthen the diversity and inclusion of our structures

3.2 Service Groups and Bargaining

- a) Co-ordinate work across Service Groups and share best practice in the interests of improving our collective bargaining approach
- b) Monitor the provision and governance of pension schemes available to our members and ensure full participation in activities designed to improve pensions and ensure ethical investment
- c) Establish and support a network of Branch Health and Safety Officers and deliver such training and development as needed to promote effective Health and Safety standards in the workplace

3.3 Campaigning, Communication and Policy Development

- a) Deliver effective campaigns in defence of high quality public services across the South West
- b) Ensure effective communication with members, activists and other stakeholders, providing up to date information about the union's activities on behalf of its members
- c) Develop policy on issues affecting the region and participate in the national policy making structures of UNISON
- d) Work with our Labour Link and General Political sections to ensure a strong political voice for the region and its members

3.4 Finance and Resources

- a) Determine a budget setting process which involves all lay committees and produce a budget for each calendar year
- b) Monitor the use of resources across lay committees and agree the allocation of resources to any regional priorities
- c) Allocate resources from such other funds as may be made available to the region
- d) Oversee the operation of any NEC scheme on honoraria or expenses

3.5 Welfare

- a) To raise funds for the UNISON Welfare Charity There For You and promote the work of the charity across branches and with members
- b) To support and guide Branch Welfare Officers in advising and assisting members who may qualify for assistance through the establishment of a Regional Welfare Network

- c) To ensure effective governance of the charity at a regional level as required by the Trustees of the charity

3.6 General

- a) At each meeting of the Regional Council to consider reports from the constituent bodies of South West Committee, Service Groups, Self Organised Groups, Retired Members Committee and Young Members Committee
- b) Consider motions from branches and regional bodies with submission rights
- c) Ensure that the union rules on proportionality and fair representation are rigorously upheld
- d) Elect regional delegates to internal and external bodies or make arrangements for such elections to be held.
- e) Produce a Regional Work Plan
- f) Produce an annual calendar stating the dates on which calling notices, agendas and other documents will be issued and the timetable for any elections

4. Composition of Regional Council

The Regional Council shall consist of:

- a) Representatives of each branch within the Region as follows:
 - (i) One delegate per 500 members or part thereof
 - (ii) Delegates shall be full members of UNISON
 - (iii) Branch delegations will be required to comply with the principles of proportionality as set out in the scheme of representation for National Delegate Conference as agreed by the NEC. Where branches do not send their full entitlement of delegates, they will still have a duty to ensure the reduced delegation complies with the principles of proportionality, based on the proportion of women members of the branch
- b) Officers of the Regional Council elected at the Annual General Meeting:
 - (i) Regional Convenor (including any job share partner)
 - (ii) Deputy Regional Convenor (including any job share partner)

- c) National Delegate Conference Standing Orders Committee member
- d) Retired Members' representative
- e) Young Members' representative
- f) Regional NEC members
- g) Two members of each of the following Self-Organised Groups established within the Region:
 - (i) Women's Group
 - (ii) Black Members' Group
 - (iii) Members with Disabilities Group
 - (iv) Lesbian, Gay, Bisexual, Transgender (LGBT)
 - (v) Each group shall nominate at least one woman and one other delegate
- h) Chairs of Strategic Committees as set out in [14a](#))
- i) Two nominees from each Service Group, at least one of which shall be a woman

5. Administrative and Financial Year

The administrative year of the Regional Council will commence on the 1 January and end on the 31 December in each year.

6. Election of Officers

- a) Each Branch shall be entitled to nominate one member from their Branch for the Officers identified in [4b](#))
- b) Nominations for both posts must either come from a quorate general meeting of the Branch or a quorate meeting of the Branch Committee/Council which has been convened in accordance with the rules of the Branch
- c) The principle of proportionality shall apply to both elections and in particular if a man is elected as the Convenor, the Deputy Regional Convenor shall be a woman. In the event of job-share arrangements, the total number of office holders must be at least 50% female
- d) These elections will be held annually

- e) Candidates may submit an election address of not more than 100 words
- f) The Regional Secretary shall be the Returning Officer and in the event of a contested election, South West Committee will appoint two members of the Committee to act as scrutineers
- g) If a casual vacancy arises it will be filled by election at the next meeting of the Regional Council and this election shall be advertised on the agenda to delegates in advance

7. Arrangements for Annual Branch Ballot

- a) A timetable will be established for nominations and a postal ballot of Branches to ensure that the results can be announced at the annual meeting in May
- b) Nominations will be invited from Branches for the posts of Regional Convenor and Deputy Regional Convenor
- c) A ballot of Branches will take place for the post of Regional Convenor and Deputy Convenor
- d) Arrangements will be made in this ballot to ensure proportionality in the Convenor and Deputy Convenor post. Where a man is elected Convenor, only women will be eligible to be elected as Deputy Convenor. Branches will be advised of the arrangements clearly on any balloting material
- e) Ballots will be electronic or postal as determined by South West Committee

8. National Executive Council

Members of the National Executive Council in the Region have the right to attend and speak at any Regional meeting, in a non-voting capacity.

9. Role of Officers

- a) The Regional Convenor shall chair the Regional Council and South West Committee
- b) The Deputy Regional Convenor will substitute for the Regional Convenor, as appropriate
- c) The Regional Secretary or such other staff as he/she deems appropriate shall act as Secretary at both South West Committee and Regional Council

- d) The Convenor, Deputy Convenor, and Regional Secretary shall have the responsibility of arranging the agenda for the Regional Council and South West Committee meetings
- e) In addition to their rights with regard to the Regional Council and South West Committee the Regional Convenor and/or Deputy and the Regional Secretary have the right to attend and speak at any other Regional meetings, in a non-voting capacity
- f) The Regional Convenor, Deputy Convenor, Regional NEC members and Chairs of Strategic Committees shall meet on a regular basis between meetings of the South West Committee, with the Regional Secretary and such other staff as s/he deems appropriate

This group shall be known as the CNR Group and will consider urgent issues between meetings and refer any matters back to the South West Committee or Regional Council

10. Meetings of the Regional Council

- a) The Regional Council shall be convened by the Regional Secretary no fewer than three times per year, one of which shall be the Annual Meeting. No fewer than three weeks notice shall be given to each member, of such meetings
- b) The Annual Meeting of the Regional Council shall be held in May and will transact the following business
 - (i) To receive and/or adopt the Annual Report and Annual Accounts
 - (ii) Appointment of Auditors (two)
 - (iii) Receive and approve the annual meeting minutes of the previous year.
 - (iv) To receive the results of the elections of officers identified in rule [4b](#)
 - (v) The election of the South West Committee as identified in rule [14](#)
 - (vi) To consider and determine constitutional matters and consider motions from Branches, South West Committee, Self Organised Groups and Service Group Executive
- c) Election of Regional Representatives to the Annual Congress of the TUC

- d) To ensure that a programme of meetings of the Regional Council is in place for the forthcoming two years, including a calendar of all timescales for meetings and elections
- e) Any other competent business
- f) A Special Meeting of the Regional Council shall be convened:
 - (i) In pursuance of a resolution passed by the Regional Council or by the South West Committee
 - (ii) Upon a request received by the Regional Secretary, which has been requested by 25 of the Branches in the Region. The requisition shall state the business to be presented to the Special meeting

11. Quorums

The quorum of the Regional Council shall be 25% of the voting membership eligible to attend. The quorum of the South West Committee and Strategic Committees shall be one third of the voting membership of each Committee or three whichever is the greater number.

12. Job Sharing

The Convenor and Deputy Convenor's post and any delegate position to the Regional Council or its Committees may be filled on a job share basis providing that the reason for filling the position by a job share is that it assists the principles of proportionality and fair representation.

Where a delegate position to Regional Council, or its Committees, is job shared, then if both job sharers are present at the same meeting, they shall only be entitled to one vote. Only one of the job-share partners shall be allowed to speak in any one debate and one should sit in the visitor section.

13. South West Committee

- a) The composition of the South West Committee shall be:
 - (i) Regional Convenor
Deputy Regional Convenor
Members of Strategic Committees elected at [14a](#)) (20)
 - (ii) Elected by Service Groups
Two seats per service group (one general and one woman) as defined by the national rulebook

- (iii) Self-Organised Groups

Two Representatives of each recognised Regional Self-Organised Group as provided for in [rule 4g](#). All Groups should nominate a woman delegate and may nominate one other delegate
 - (iv) One Representative from the Retired Members' Committee
 - (v) One Representative of the Young Members' Forum
 - (vi) Chair of South West Labour Link Committee
 - (vii) Chair of Regional Welfare Network or equivalent
 - (viii) Chair of Health and Safety Network or equivalent
- b) Other Provisions
- The Committee will meet on the day before the Regional Council and otherwise as appropriate.

14. Strategic Committees of the South West Committee

- a) The following Strategic Committees of the South West Committee shall be elected at the Annual Meeting of the Regional Council:
 - (i) Development and Organisation, responsible for the functions set out at [3.1](#)

Four Women
Three General
One Low Paid Woman
 - (ii) Campaigns Communication and Political Development, responsible for the functions set out at [3.3](#)

Four Women
Three General
One Low Paid Woman
 - (iii) Finance and Resources, responsible for the functions set out at [3.4](#)

Three Women
Two General
One Low Paid Woman
- b) Strategic Committees shall meet as part of South West Committee business and at other times as appropriate

- c) SOGs will be invited to send up to one delegate to each of these meetings; however these delegates will not be full members of South West Committee except for those nominated under [4g](#))
- d) Additional arrangements will be made for Service Group Liaison work and in particular the functions set out at [3.2](#)

15. Labour Link Committee

The Labour Link Committee will be comprised of 6 representatives from the South West Committee paying into Labour Link, together with representatives elected by ballot by the members paying into Labour Link in all branches, on a basis that will ensure a spread of Service Group representation. All members of the Labour Link Committee shall be individual members of the Labour Party.

16. Functions of the South West Committee

- a) To consider and report to the Regional Council on all financial and other matters relating to the duties and functions of the Regional Council, other than those allocated to or coming within the scope of any other Committee of the Regional Council
- b) To deal with all questions of emergency and report to the next meeting of the Regional Council
- c) To ensure that policy made at the Regional Council is carried through, maintained and developed
- d) To perform any duties delegated from the Regional Council

17. Finance

The accounts of the Regional Council shall be prepared by the Regional Secretary at the end of the financial year, and shall be duly audited before being submitted to the annual meeting of the Regional Council.

A copy of the annual statement of accounts shall be sent to the Secretary of each branch within the Region and to each member of the Regional Council before the appropriate meeting.

Delegate expenses shall be reimbursed in accordance with a Scheme drawn up by the South West Committee, and approved by the Regional Council.

18. Alteration of Rules

The rules and their appendices shall not be altered or rescinded except with the consent of at least two thirds of the members present and voting at any meeting of the Regional Council. The procedure for amending rules shall be as follows:

- a) Proposals for amendments may be made by the Regional Council, South West Committee, Service Group Executive, Self Organised Group or a Branch within the Region
- b) Proposed amendments must be received by the Regional Secretary no later than 28 days before the appropriate meeting of the Regional Council
- c) A written notice shall be given to every member of the Regional Council of any meeting convened for consideration of amendments to rules 14 days prior to the date of the meeting. The notice convening the meeting shall contain the terms of the proposed amendment

19. South West Regional Council – Standing Orders

The following procedure for the conduct of meetings shall apply:

19.1 Chair

The Authority for the business of the Regional Council is vested in the Regional Convenor who shall preside at meetings and in whose absence the Deputy Regional Convenor shall act as Chair. If both are absent, the Regional Secretary shall ask the meeting to elect a member to preside.

19.2 Motions

- a) Motions may be submitted by the South West Committee and its constituent Strategic Committees (as detailed in [rule 14](#)), Service Group Executive, Regional Self Organised Groups and Branches
- b) Motions or proposed topics for debate must be submitted to the regional office 28 days prior to the date of the appropriate Regional Council Meeting. Motions may also be considered at a special meeting called in accordance with [rule 10e](#)
- c) The maximum number of motions which will be considered at any particular meeting of the Regional Council from any of the bodies mentioned in a) above will be three
- d) The officers of the Regional Council will make every effort to assist the branch/submitting body in constructing competent motions which meet the wishes of the branch or in identifying other ways in which the issue might be discussed on the agenda, subject to the agreement of the branch/submitting body, such as a guest speaker or open debate

No motion or agenda item will be submitted unless there is express agreement by the branch/submitting body

Where agreement cannot be reached, the original submission will be placed on the agenda and the Chair will advise Council why it is not competent. It will then be put to Council to decide

- e) Motions received from Branches must either come from a quorate general meeting, or a quorate meeting of the Branch Committee and should be conveyed in accordance with the rules of the Branch and signed by the Branch Chair and Secretary. (In both Cases referred to above, motions should be submitted on the correct form.)
- f) Motions must be within the ability of the South West Committee's and Regional Council's powers to achieve

19.3 Composite Motions

On occasions several motions may attempt to deal with the same subject, or appear to overlap one another. When this occurs it will be the duty of the Officers of Regional Council to suggest to the movers a revised set of wording covering the subjects that overlap and if agreed they will be known as "Composite Motions".

19.4 Amendments

Amendments to motions appearing on the Agenda must be in writing and received by the Regional Secretary no later than 2pm on the day preceding Regional Council and governed by the same procedures applying to motions.

19.5 Emergency Motions

Emergency Motions shall be submitted to the Regional Secretary as soon as is practical and no later than 2pm on the day preceding Regional Council. They will then be considered by the officers of the Regional Council.

They will require the same evidence of consideration by the submitting body as that for other motions except that it will be submitted with an explanation of the reasons for the item not being submitted in accordance with these procedures.

The criteria for acceptance of emergency motions are:

- a) The matter could not be raised in debate on the Agenda
- b) The action called for is not covered by another motion, or amendment
- c) The facts giving rise to the subject matter have occurred since the closing date for motions and amendments [It is not sufficient that the branch was not aware of the facts until after the closing date]

- d) The subject cannot be dealt with through normal channels other than Regional Council

19.6 Procedural Motions

The following motions may be moved without previous notice on the agenda: [They must be seconded before being considered]

- a) That an agenda item be given precedence
- b) That a motion or amendment be withdrawn
- c) That a motion be referred to a Committee of the Regional Council for consideration
- d) That the question now be put [the Chair may caution the Council not to accept this motion if deciding there has been insufficient debate]
- e) That the speaker be no longer heard
- f) That the meeting be now adjourned until a specified time and/or date
- g) That the meeting moves immediately to the next business

NOTES:

Any motion under [19.6d](#)), [19.6e](#)), and [19.6g](#)) shall be immediately put to the vote without discussion.

If a motion under [19.6d](#)) is carried, there must be a right of reply and the vote be taken immediately.

A motion under [19.6d](#)) cannot be moved while a delegate is addressing the meeting.

No motion under [19.6d](#)) shall be moved by a delegate who has already addressed the Council on the motion or amendment under the debate.

If [19.6g](#)) is carried, there should be no further debate nor a vote on the Agenda item currently under discussion.

19.7 Time Limit for Speakers

Movers of motions or amendments shall speak for up to five minutes; other speakers shall speak for up to three minutes; the right of reply shall be restricted to three minutes; time limits may be exceeded by three minutes with the consent of the Council.

19.8 Reserving Speech

A delegate may formally second a motion or an amendment and reserve their speech for a later period in the debate. If a motion that the question be now put is carried, no speech so reserved can then be made.

19.9 Restriction on Moving of Motions and Amendments by One Delegate

A delegate shall not move more than one amendment to any one motion; neither shall the mover of a motion move any amendment to such motion.

19.10 Delegate to Speak Once Only

A delegate shall not speak more than once to the same motion or amendment except in explanation, or in reply.

19.11 Amendments

If an amendment to a motion is moved, a further amendment may not be moved until the first amendment is disposed of.

Whenever an amendment to a motion is carried, the motion as amended will become the substantive motion, to which a further amendment may be moved.

19.12 Right of Reply

- a) The mover of a motion [including the mover of an amendment which has become the substantive motion] shall have the right of reply, provided that the reply be confined to answering previous speakers and no new matter is introduced

After the reply, the motion shall be put immediately to the vote. The mover of an amendment shall not be entitled to reply

- b) Where an original motion has been displaced by an amendment or has become the substantive motion, the rights of reply, as provided for above, pass to the mover of the latter and where the meeting is dealing with a series of amendments, such rights shift likewise to the mover of the amendment, which has finally become the substantive motion before the meeting

19.13 Questions and Points of Order

A delegate may address a point of order or ask a question through the Chair at any time on the specific item under discussion.

19.14 Voting

Voting shall, in the first instance, be by a show of voting cards except for elections of officers and committee representatives, which shall be by secret ballot.

There shall, however, be a facility for a card vote based on [rule 7](#) by the request at a Regional Council meeting of 10% of registered delegates who demand such a vote, by waving their Agenda papers.

Where a card vote is carried out, on a policy issue, there shall be provision for a branch to indicate a split vote, some for, some against. Such a split vote must not total more than the vote allocated to the Branch, but may be less through abstention.

If the Chair decides that a count is necessary, it shall be conducted by the tellers elected at the start of the meeting.

19.15 Chairperson's Authority

- a) The ruling of the Chairperson under these Standing Orders shall be final unless, on being challenged by not less than ten members, two thirds of the members present and voting vote to the contrary. The Chairperson shall vacate the Chair and the Vice Chairperson shall conduct the meeting until the issue is resolved
- b) The Chair may give a casting vote if there is a tied vote on any matter

19.16 Suspension of Standing Orders

In the event of any matter of urgency the Chair may accept a motion for the suspension of Standing Orders.

- a) A member moving such suspension must clearly state the nature and urgency of the business, the Standing Orders affected, and the length of time she/he desires such a suspension to last
- b) No suspension shall take place except by a two-thirds majority vote of the members present and voting

19.17 Reports to the Regional Council

Reports to the Regional Council by NEC members, Officers of the Council, Committee Chairs and Regional Secretary shall be in writing where practicable.

19.18 Access to Meetings

All meetings should be accessible to all members of the Regional Council and therefore crèche facilities and/or payment for carers shall be available for all meetings.

All venues must be appropriate and accessible for members with disability.

No smoking shall be allowed in any room in which a UNISON meeting shall be taking place and smoking shall only be allowed in designated areas.

19.19 Branch Representation at Regional Council Meetings

Where a person has been elected as an Officer of the Regional Council and the Branch is unable to send a delegate to the Regional Council that Branch will be deemed to be present at the Regional Council.