

rules  
and  
standing orders

## **SOUTH WEST TUC RULES and CONSTITUTION**

### **1. Name**

The name of the organisation constituted by these rules, which have been approved by the General Council of the Trades Union Congress shall be the TUC (South West) Regional Council (hereinafter called The Council).

### **2. Membership**

- i. The Council shall consist of (a) representatives of those trade unions which are affiliated to the Trades Union Congress (TUC) and which have members in the South West Region and (b) representatives of Trades Union Councils recognised by the TUC in the South West.
- ii. Unions with up to 10,000 members in the region shall be entitled to two representatives. Unions with more than 10,000 members shall be entitled to an additional member for each additional 10,000 members or part thereof.
- iii. Each year the Secretary shall review union representation on the Council using the scale set out in (ii) above.
- iv. Each functioning Trades Union Council, recognised by the TUC in the South West shall be entitled to one delegate. Vacant trades union councils seats shall be filled by ballot held at the AGM of Trade Union Councils. No Trade Union Council shall have more than three delegates.
- v. The need to ensure that all sections of the trade union community are fully represented is recognised. Organisations are strongly encouraged to ensure that at least one of their representatives is a woman. Organisations are also encouraged to appoint black and ethnic minority members as representatives.
- vi. In order to encourage youth involvement, any affiliated trade union is entitled to an additional delegate under the age of 30.

### **3. Trades Union Council Representation**

- i. The Council may hold an annual regional meeting of Trades Union Council representatives. The function of this annual meeting will be to discuss issues of concern to the Region. Any motions carried shall be advisory to the Regional Council.
- ii. Each Trades Union Council in the South West recognised by the TUC shall be

informed yearly by the Executive Committee how many representative(s) they are entitled to send to this meeting.

- iii. In the event of any vacancy arising the Executive Committee will decide if and how the vacancy should be filled.

#### **4. Council Meetings**

- i. There will be not more than four ordinary meetings of the Council during the year, one of which will be the Annual Meeting of the Council which shall take place in the month of April or May in each year.
- ii. The Ordinary Meetings of the Council shall take place every three months if possible (except when the Annual meeting is held) on a Saturday, to commence at (10.30 a.m.) and shall not continue after (3.30 p.m.) unless by special resolution of the Council.
- iii. Each delegate shall receive from the Secretary not less than five clear days' notice of the business to be transacted at such meetings.
- iv. A Special Meeting may be called at any time by the Executive, or in the case of urgency by the Chair and Secretary.

#### **5. Duties of the Council**

The duties of the Council shall be:

- i. To make representations to bodies at various levels throughout the South West Region including Government departments, local authorities and other bodies on economic, political, industrial, social and environmental questions pertaining to the South West region;
- ii. To appoint or nominate representatives to bodies appropriate to the work of the Council;
- iii. To service such representatives and to receive and consider reports from them about the activities of the bodies of which they are members;
- iv. To promote publicly the policies of the Trades Union Congress within the South West Region;
- v. To keep the TUC informed of developments in the South West Region;
- vi. To give effect to policies adopted by the Trades Union Congress and to keep

- trade unionists in the region informed of these policies;
- vii. To promote the exchange of information between unions in the South West Region;
  - viii. To assist unions in the recruitment of members in the South West Region;
  - ix. To encourage the development of trades union councils and encourages unions to take part in the work of Trades Union Councils in the South West Region;
  - x. To give effect to any directions by the General Council of the Trades Union Congress;
  - xi. To provide the TUC with a copy of the minutes of each meeting of the Council and its Committees.

## **6. Executive Committee**

- i. There shall be an Executive Committee which shall conduct the detailed business of the Council and which shall be composed of a minimum of 20 members. The Executive shall consist of: two reserved seats for trade unions with over 100,000 members in the region (at least one shall be a woman); a reserved trade union seat for each union with over 50,000 members in the region; 14 elected trade union seats open to all unions represented on the Regional Council, with additional seats to ensure gender balance; two reserved seats for black and ethnic minority members from unions; two reserved seats for disabled members from unions, two reserved seats for bisexual, lesbian, gay and transgender members from unions, and two reserved seats young members under the age of 30 years from unions. In each of the reserved seat sections there must be at least one woman. One seat shall be reserved for the South West TUC Pensioners' Committee.
- ii. A special meeting of the Executive Committee may be called in the event of urgent business arising, as and when deemed necessary by the Chair and Secretary. A copy of the minutes of each meeting of the Executive Committee shall be submitted to the Regional Council.

## **7. Qualification for Executive Committee**

No candidate shall be eligible for election to the Executive Committee unless he or she is a delegate to the Annual Meeting. If any member is unable to attend the

Annual Meeting because of serious illness, or other reasons acceptable to the Regional Council, his or her nomination shall stand.

## **8. Nomination and Election of Executive Committee**

- i. Each trade union represented on the Regional Council with a membership exceeding 100,000 in the South West Region is entitled to two Reserved Executive Seats at least one of which must be a woman.
- ii. Each trade union represented on the Regional Council with a membership exceeding 50,000 in the South West Region is entitled to a Reserved Executive Seat.

Each trade union represented on the Regional Council with a membership exceeding 100,000 members in the region, shall have the right to nominate up to four of its delegates to the Regional Council as a candidate for the 14 trade union Executive Committee seats. If four delegates are nominated, at least two must be women.

Each trade union represented on the Regional Council with less than 100,000 members in the region, shall have the right to nominate up to two of its delegates to the Regional Council as a candidate for the 14 trade union Executive Committee seats. If two delegates are nominated, at least one must be a woman.

Fourteen members of the Executive Committee shall be elected at the Annual Meeting from and by the representatives of the trade unions on the council by ballot vote. Each trade union representative present shall have fourteen votes that he/she may cast for the candidates nominated by the unions. The fourteen trade union candidates securing the highest number of votes shall be declared elected. Additional members will be added from the runners-up, in the order of votes cast, to make up equal numbers between men and women.

Unions with Automatic Seats on the Executive shall provide the names at least seven weeks prior to each Annual Meeting; however the Executive members may be changed by his/her union at any stage provided the South West TUC Regional Council Secretary is informed of the change and that the new Executive member is also a delegate to the Regional Council.

- iii. Each trade union represented on the Regional Council shall have the right to

nominate up to two black and ethnic minority candidates for election to the black and ethnic minority seats on the Executive Committee. If two delegates are nominated at least one must be a woman. No union is entitled to more than one reserved seat in this section.

- iv. Each trade union represented on the Regional Council shall have the right to nominate up to two disabled candidates for election to the disability seats on the Executive Committee. If two delegates are nominated at least one must be a woman. No union is entitled to more than one reserved seat in this section.
- v. Each trade union represented on the Regional Council shall have the right to nominate up to two lesbian, gay, bisexual and transgender candidates for election to the lesbian, gay and transgender seats on the Executive Committee. If two delegates are nominated at least one must be a woman. No union is entitled to more than one reserved seat in this section.
- vi. Each trade union represented on the Regional Council shall have the right to nominate up to two young candidates under the age of 30 years for election to the youth seats on the Executive Committee. If two delegates are nominated at least one must be a woman. No union is entitled to more than one reserved seat in this section.
- vii. There shall be six seats reserved for Trades Council representation, including the South West representative on the TUC Joint Consultative Committee. These will be elected as follows:
  - viii. Three Trades Council members will be elected at the South West TUC Annual General Meeting by a ballot of Trades Council delegates. No Trades Union Council is entitled to more than one seat in this section.
  - ix. Two women members elected at the annual meeting of South West Trades Union Councils. Nominations shall be invited in advance from all Trades Councils and the successful candidates shall be added to the Trades Union Council delegation to the Regional Council. No Trades Union Council is entitled to more than one seat in this section.
  - x. The South West representative on the TUC Joint Consultative Committee.
  - xi. All union nominations for the Executive Committee shall be sent to the Secretary at least seven weeks prior to each Annual Meeting. The Secretary

shall then circulate delegates with the list of names.

- xii. Where, because of the death or withdrawal of a candidate before election or because of any other cause, there is an insufficiency of candidates to fill the number of seats on the Executive Committee allocated either to unions or to Trades Union Council County delegates, the Regional Council shall have the power to call for fresh nominations.

## **9. Period of Office and Filling Vacancies**

- i. Members of the Executive Committee shall remain in office until the termination of the next Annual Meeting and shall be eligible for re-election.
- ii. In the event of death or resignation of any trade union member of the Executive Committee, the vacancy shall be filled by the trade union members of the Council from nominations submitted by unions.
- iii. In the event of the death or resignation of any member of the Executive Committee, the Executive Committee shall determine the procedure for filling the vacancy.
- iv. In respect of (ii) and (iii) above no casual vacancy will be filled if it arises within four months of the next Annual Meeting.

## **10. Officers**

The Officers of the Council shall include a Chair, Vice-Chair and Secretary. The Chair and Vice-Chair shall be entitled to vote at Executive Committee meetings, but the Secretary shall not be entitled to do so.

### **Election of Chair and Vice-Chair**

The Chair and Vice-Chair shall be elected by ballot vote at the Annual Meeting from members of the Executive Committee by the delegates on the Council. Each representative shall have one vote and the candidate securing the highest number of votes shall be declared elected.

### **The Secretary**

The Secretary shall be appointed by the TUC General Secretary following consultations with representatives of the Council. He/she will remain in office as long as he/she performs his/her duties to the satisfaction of the TUC General Secretary. The Secretary shall devote his/her whole time to the duties of his/her office and shall

receive such salary as determined by the appropriate scale for TUC staff. The Secretary shall comply with the terms of the Union Membership Agreement for TUC Staff. He/she shall not represent his/her union on the Council.

## **11. Duties of Officers**

### **Chair**

The Chair shall preside at all meetings of the Council and the Executive Committee and see that the business at meetings and of the Council generally is conducted in a proper manner. At meetings where the Chair is not in attendance, the Vice-Chair shall preside; in the absence of both, the meeting shall elect one of the members present to preside. In the case of meetings of the Full Council, the meeting shall elect a member of the Executive Committee to preside.

### **Secretary**

The Secretary will be responsible for the functioning and administration of the Council and its Executive Committee and sub-committees; initiating and organising the activities of the Council; liaising with the TUC nationally on all aspects of the work of the Council; and representing the Council at trade union and other meetings. The Secretary will be responsible the Council at trade union and other meetings. The Secretary will be responsible to the Council and its Executive Committee and to the TUC General Secretary.

The Secretary shall attend all meetings of the Council and Executive Committee, keep a correct record of the proceedings and conduct the business of the Council in accordance with the rules. He/she shall keep a true account of income and expenditure. He/she shall issue to each delegate notice of Council meetings five clear days prior to the meeting except in the case of emergency meetings, when the notice shall be left to the discretion of the Chair and Secretary.

## **12. Retirement of Officers**

Upon retirement from office, officers shall hand over to their successors or to the Executive committee all books, cash, keys, papers and other property of the Council.

## **13. Finance**

The Trades Union Congress will meet the normal administrative expenses of the Council, ie the costs of running an office; of arranging meetings as provided for in the rules; and the full fare and as appropriate loss of earnings allowance of Trades

Union Councils `County' delegates to meetings of the Council's Executive Committee. The Council shall not incur any additional expenses to be met by the TUC without obtaining the approval of the TUC.

#### **14. Motions**

- i. To ensure that all items of business for the Regional Council are fairly and adequately dealt with, the Executive Committee have absolute discretion in determining which and how many of the motions submitted appear on the agenda of any meeting of the Regional Council. No motion shall be accepted for the agenda if it is without the duties of the Council. Motions from CATUC's and Trades Union Councils shall be confined to issues of direct concern at their county, locality or region.
- ii. Subject to (i) above each Trades Union Council and where established each CATUC shall have the right to submit to the Executive Committee one motion for each meeting of the Regional Council. Motions must be received by the Secretary at least ten days prior to the Executive Committee meeting.

#### **15. Alternation of Rules**

No alteration of rule by the Regional Council shall take place except as decided at the Annual Meeting or Extraordinary Regional Council called by the Executive and only upon a vote of 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 which it is desired to be discussed. Any change in these rules must be submitted for the approval of the General Council.

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## **STANDING ORDERS FOR THE SOUTH WEST TUC**

### **1. Meetings**

- (a) Meetings of the Council shall be held as follows:
  - i. The Annual Conference in April
  - ii. On a Saturday in July at Bristol
  - iii. On a Saturday in October at Plymouth
  - iv. On a Saturday in January at Exeter
- (b) The aforesaid meetings shall commence at 10.30 a.m. and shall not continue after 3.30 p.m. unless the Council so determine. In the event of an extension of time being agreed, the precise period of the extension must be specified. Further, there shall be an adjournment of 45 minutes for lunch to be declared by the Chair his/her direction, that adjournment beginning not earlier than 12.30 p.m. and not later than 1.15 p.m.
- (c) In addition to ordinary quarterly meetings, a special meeting of the Council can be called by the Executive Committee, or, in a case of extreme urgency, by the Chair and Secretary.
- (d) The arrangements provided for in paragraphs (a) and (b) above relating to dates, venues and starting times, may be varied by the Executive Committee in exceptional circumstances, provided that in relation to date, not less than three months notice is given to all members of the Regional Council.

### **2. Attendance Sheets**

Attendance sheets will be laid on the table at every meeting of the Council and must be signed by all delegates, including accredited substitute delegates.

### **3. Order of Business**

Except where the Council vary the order of business in accordance with Standing Order 5, the order of business shall be as set out in the agenda, provided that the first items shall be as follows:-

- (a) appointment of a member to preside if the Chair and Vice-Chair be absent;
- (b) approving as a correct record and signing the minutes of the last meeting of the Council;
- (c) dealing with matters arising therefrom.

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#### **4. Initiation of Business**

The business of the Regional Council will be initiated by any of the following procedures:-

- (a) by an invitation from the Trades Union Congress or a non-trade union body in the Region (for example, a Government Department) to examine an issue, submit nominations, or undertake other appropriate activities;
- (b) by the Secretary or a member of the Executive Committee raising an issue on which it is felt the Regional Council should take action or express a view;
- (c) by letter (which may contain a motion) from the Secretary of a County Association of Trades Union Councils, or by a Union representative on the Regional Council on behalf of the Union in that region, raising an issue on which it is felt that the Regional Council should take action or express a view.

#### **5. Motion Varying Order of Business**

A motion to vary the order of business:-

- (a) shall not displace business falling under items (a) and (b) in Standing Order No 3;
- (b) may, when an item on the agenda has been disposed of, be moved either by the Chair or any member of the Council;
- (c) shall be put to the vote without discussion.

#### **6. Notices of Motion**

Subject to the provisions of Standing Order 4, notices of motions shall be sent to the Secretary so as to reach him/her by the date prescribed by the Secretary in the notification of the meeting.

The Secretary shall set out, on the agenda, all motions thus received.

#### **7. Motions not on the Agenda**

Except as provided by Standing Order 10, a motion which is set forth on the agenda cannot be submitted without the consent of the Regional Council.

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## **8. Moving of Motions**

All motions must be moved and seconded, provided that a seconder may reserve their speech until later in the debate.

## **9. Amendments**

An amendment to a motion may be moved at any time after the motion has been moved and seconded. The Chair may, at his/her discretion, require any amendment which may be of unusual complexity, to be handed to him/her in writing. If an amendment to a motion be moved, a further amendment shall not be moved until the first amendment is disposed of. If an amendment be negative, a further amendment may be moved to the original motion, but only one amendment shall be submitted at one time. Whenever an amendment to a motion is declared to be carried, the motion, as so amended, will thereupon become the substantive motion, to which a further amendment may be moved.

## **10. Motions without notice and in part, without debate**

The following motions may be moved at any time without previous notice on the agenda:

- (a) That precedence be given any particular business set forth on the agenda;
- (b) that leave be given to withdraw or amend a motion or an amendment, or refer a motion or an amendment to the Executive Committee for consideration;
- (c) That the question be now put;
- (d) that the Council proceed to the next business;
- (e) that the speaker be no longer heard;
- (f) that the debate be adjourned;
- (g) that the Council be adjourned.

Provided that:

- (a) a motion that leave be given to withdraw a motion or an amendment may only be moved by a representative of the organisation in whose name the motion or amendment is submitted;
- (b) any motion falling under sections (a) and (c) to (f) inclusive shall be immediately put to the vote without discussion, and no amendment shall be allowed;

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- (c) any motion falling under sections (b) and (g) may be in the discretion of the Chair be discussed, and s/he may allow amendments to be moved thereto;
  - (d) if a motion that the question be now put is carried the motion shall take effect subject to any right of reply as provided for in these standing orders and the debate shall conclude and the vote be taken immediately thereafter;
  - (e) a motion that the question be now put shall be moved while a representative is addressing Council;
  - (f) no motion under section (c), (d) or (e) shall be moved by a representative who has already addressed Council on the motion or amendment under debate.

#### **11. Restriction on moving of motions and amendments by one representative**

A representative shall not move more than one amendment to any one motion; nor shall the mover of a motion move any amendment to such motion.

#### **12. Mode of address to Council through Chair**

A representative, when speaking, shall stand and address the Chair. In the first place they shall state their name and the body they represent.

#### **13. Priority of speaking**

If two or more representatives rise at the same time to speak, the Chair shall decide to whom priority shall be given.

#### **14. Representative to speak once**

A representative shall not speak more than once to the same motion or amendment, except in explanation, or (being the mover of a motion or of an amendment which has become the substantive motion) in reply, as provided in Standing Order 17.

#### **15. Time limit on speeches**

The mover of a motion or an amendment shall not be allowed to speak for more than ten minutes and each succeeding speaker shall not be allowed to speak for more than five minutes, provided that the prescribed time limit may be exceeded by periods of five minutes only with the consent of Council.

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## **16. Questions and Points of Order**

A representative may at any time raise a point of order or asked a question, but must confine the points of order or question to the subject at the time before the Council. S/he must address the Chair, through whom all questions shall be put, and shall introduce his observations by 'to a point of order' or 'asking a question' as the case may be.

## **17. 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 be introduced. After the reply, if any, the motion or amendment as the case may be shall be put to the vote forthwith. The mover of an amendment shall not be entitled to reply.
- (b) Where an original motion has been displaced by an amendment which has become the substantive motion the right of reply, as above provided for, ensures to the mover of the latter, and where Council is dealing with a series of amendments such right shifts likewise to the mover of the amendment which has finally become the substantive motion before Council.

## **18. Chair Rising**

On the Chair of the Council rising, any representatives then standing shall immediately resume his seat.

## **19. Conduct of Proceedings**

The proceedings of the Council shall be conducted in accordance with the Constitution and Rules of the Council and these Standing Orders. In cases not provided for, the Chair shall decide. The ruling of the Chair on any question of procedure arising at a Council shall be final unless challenged by at least four members, and unless two-thirds of the members present vote against such ruling.

Any member who therefore wishes to challenge the ruling of the Chair shall so declare. The Chair shall then determine whether there are at least three other members who stand to associate themselves with the challenge. If there are not, the matter is at an end and the Chair's ruling upheld. If three additional members rise,

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the Chair shall temporarily vacate the Chair to permit discussion on the ruling and a vote to be taken.

Voting on all issues unless otherwise decreed by the Council, shall be by a single show of hands except as provided in these Rules and Standing Orders.

In the event of the number of votes cast for and against a motion being equal, the Chair shall declare the motion 'not carried'.

If the issue being decided by the vote concerns the election, appointment or nomination of individuals, the following procedure shall be followed, unless specifically provided for in the Rules of the Council:-

- (a) Each delegate shall be able to cast the number of votes equal to the number of persons to be elected. No candidate shall be elected without receiving over one third of the votes cast. In the event of more candidates than are needed exceeding this quota, those elected shall be determined by reference to actual votes, starting with the highest, until all seats are filled.
- (b) If the number of persons to be elected is not finalised in the first ballot, the candidate receiving the lowest number of votes shall be eliminated and there shall be a second and if necessary, further ballots until the appropriate number of persons are declared elected in accordance with (a) above.
- (c) If any election where there is a dead heat between candidates and there are no others involved, the matter shall be resolved by the drawing of lots.

## **20. Suspension of Standing Orders**

Any one or more of these Standing Orders may be suspended by a resolution of Council in relation to a specific item of business properly before that Council, and to the proceedings thereon at that council; provided that at least two-thirds of the representatives present and voting shall vote for the resolution.

## **21. Changes in Standing Orders**

These Standing Orders shall not be altered other than by resolution at an Annual Meeting of the Regional Council. Any amendment to be submitted to that meeting must be tabled in accordance with these Standing orders and must be circulated to members of the Regional Council not later than the last day of February preceding the Annual Meeting. Any amendment to the Standing Orders shall not be deemed to have been carried unless at least two-thirds of the members present and voting at the Annual Meeting shall have voted in favour of such amendment.