#

# The Open University branch of

# the university and college union

# (ou Branch of ucu)

# rules

[1 NAME 4](#_Toc131083750)

[2 CONSTITUTION 4](#_Toc131083751)

[3 OBJECTS 4](#_Toc131083752)

[4 MEMBERSHIP 4](#_Toc131083753)

[5 SUBSCRIPTION 5](#_Toc131083754)

[6 USE OF FUNDS 5](#_Toc131083755)

[7 EXECUTIVE COMMITTEE 6](#_Toc131083756)

[8 ROLES WITHIN THE BRANCH 7](#_Toc131083757)

[8.2 President 7](#_Toc131083758)

[8.2.1 Vice Presidents 7](#_Toc131083759)

[8.3 Honorary Secretary 7](#_Toc131083760)

[8.4 Honorary Treasurer 8](#_Toc131083761)

[8.5 Membership/Recruitment Secretary 8](#_Toc131083762)

[8.6 Equality officer 8](#_Toc131083763)

[8.7 Central academic staff officer 8](#_Toc131083764)

[8.8 Central Academic-related staff officer 9](#_Toc131083765)

[8.9 Associate lecturers officer 9](#_Toc131083766)

[8.10 Regional/national academic staff officer 9](#_Toc131083767)

[8.11 Regional/national academic-related staff officer 9](#_Toc131083768)

[8.12 Casual vacancies 9](#_Toc131083769)

[9 ELECTIONS OF ORDINARY MEMBERS OF THE EXECUTIVE COMMITTEE AND OFFICERS 10](#_Toc131083770)

[9.1 Returning Officer 10](#_Toc131083771)

[9.2 Nominations 10](#_Toc131083772)

[9.3 Eligibility to stand for election 10](#_Toc131083773)

[9.4 Elections 11](#_Toc131083774)

[9.5 Term of Office 11](#_Toc131083775)

[9.6 By-elections 12](#_Toc131083776)

[10 CONDUCT OF OTHER BALLOTS 12](#_Toc131083777)

[11 CONGRESS AND SECTOR CONFERENCE REPRESENTATIVES 13](#_Toc131083778)

[11.1 Election of Congress and Sector Conference Representatives 13](#_Toc131083779)

[11.2 Casual vacancies 13](#_Toc131083780)

[12 REMOVAL FROM OFFICE 13](#_Toc131083781)

[13 MEETINGS OF THE BRANCH 13](#_Toc131083782)

[13.1 Annual General Meeting 13](#_Toc131083783)

[13.2 Other General Meetings 14](#_Toc131083784)

[13.3 Executive Meetings 14](#_Toc131083785)

[14 EXTRAORDINARY GENERAL MEETING 14](#_Toc131083786)

[15 EMERGENCY GENERAL MEETINGS 14](#_Toc131083787)

[16 QUORUM 15](#_Toc131083788)

[17 QUORUM ARRANGEMENTS FOR FORMAL BUSINESS 15](#_Toc131083789)

[18 MOTIONS 15](#_Toc131083790)

[19 NATIONAL EQUALITY CONFERENCES AND NATIONAL MEETINGS FOR SPECIAL EMPLOYMENT INTERESTS 15](#_Toc131083791)

[20 OBLIGATIONS AND CONDUCT OF MEMBERS 16](#_Toc131083792)

[21 VALIDATION 16](#_Toc131083793)

[22 RULES 16](#_Toc131083794)

[23 AMENDMENT OF RULES 16](#_Toc131083795)

[EXPLANATORY NOTES TO ALL RULES 17](#_Toc131083796)

[Explanatory note 1: periods of notice 17](#_Toc131083797)

[Explanatory note 2: communication 17](#_Toc131083798)

[Explanatory note 3: presence at meetings 17](#_Toc131083799)

[STANDING ORDERS FOR THE CONDUCT OF BUSINESS AT GENERAL MEETINGS AND AT MEETINGS OF THE EXECUTIVE COMMITTEE 17](#_Toc131083800)

[1 Business of the meeting 17](#_Toc131083801)

[2 Chairing 18](#_Toc131083802)

[3 Conduct of meetings 18](#_Toc131083803)

[4 Minutes 18](#_Toc131083804)

[5 Voting 18](#_Toc131083805)

[6 Motions 18](#_Toc131083806)

[7 Motions to close debate 18](#_Toc131083807)

[8 Effect of motions to close debate 19](#_Toc131083808)

[9 Points of order 19](#_Toc131083809)

[10 Points of information 19](#_Toc131083810)

[11 Withdrawal of propositions 19](#_Toc131083811)

[12 Reference of motions 19](#_Toc131083812)

[13 Suspension of standing orders 19](#_Toc131083813)

[14 Alteration of standing orders 19](#_Toc131083814)

# OUBUCU Rules

## 1 NAME

The name of the branch is 'The Open University Branch of the University and College Union', subsequently referred to as the branch.

## 2 CONSTITUTION

The branch is constituted in accordance with the current rules of the University and College Union (UCU).

## 3 OBJECTS

3.1 The aims and objects of the branch are the same as those of UCU, set out in national rule 2, except that they exclude the political objects of UCU referred to in national rule 2.6. The branch may discuss UCU's political objects and may act to further these provided that no funds of the branch are spent on those political objects. All actions taken by the branch shall be consistent with the national Rules of UCU.

3.2 The objects of the branch exclude the political objects of UCU referred to in national rule 2.6. The branch may discuss UCU's political objects and may act to further these, provided that no funds of the branch are spent on those political objects.

## 4 MEMBERSHIP

4.1 Members of the branch shall be those assigned to the branch in accordance with national Rule 12. Normally, this will include all UCU members for whom The Open University is their principal qualifying employment.

4.2 In accordance with national Rule 12.2, members who are employed at The Open University but who have been assigned to a different branch may become Affiliate Members of this branch. That is, they may attend meetings, and vote on matters concerned with their employment, at this branch. They are also eligible for membership of the Executive Committee of this branch, but may stand for election as a local officer only in their designated branch. In relation to national office and national elections, they shall be entitled to stand for office and vote in national elections only in their designated branch. 'National elections' includes all elections for General Secretary, Officers, Trustees, NEC representatives and Congress delegates. In particular, this includes Associate Lecturers who are assigned to other branches or local associations (see also rules 5.6, 9.3, 9.4 and 10.2).

4.3 Members of UCU who have retired from The Open University, and members who have left qualifying employment before retirement but who remain in membership, whose membership derives from their association with The Open University, may choose to be members of the branch.

4.4 The branch may also admit to membership, in consultation with the general secretary, members of the University and College Union who work in institutions which have a geographical or other link with The Open University and which do not have their own branch or local association.

4.5 There is a special category of student membership open to those who qualify for this category under national rule 3.2.

4.6 All membership data, including names, e-mail addresses and other contact details, may only be used for purposes approved by the Executive Committee or a General Meeting. The use of such information to campaign for or against particular candidates in branch elections is permitted only under arrangements approved by the Executive Committee guaranteeing equal access to all candidates.

## 5 SUBSCRIPTION

5.1 Each member of the branch will pay, in accordance with procedures determined by the NEC, a subscription to the funds of UCU consisting of the current national subscription as determined by the NEC, and any current local subscription agreed by the branch.

5.2 The national executive committee shall determine methods of paying subscriptions (including any supplementary local subscriptions).

5.3 Where any subscription payment is not received from a member for five months after its due date, then membership shall cease on the expiry of one month from notice then being sent to the member of the Union's intention to cancel membership, unless there is settlement of all arrears prior to the expiry of such notice [see national rule 9.1].

5.4 The branch's local subscription will be approved by a decision of the annual general meeting and published to all members.

5.5 A person whose membership derives from the provisions of a joint membership or a reciprocal membership scheme shall pay subscriptions determined in accordance with agreements approved by the National Executive Committee (see national rule 7.4).

5.6 Affiliate members, as defined in rule 4.2, do not pay any additional subscription to that already paid in respect of their membership of another branch or local association or central group of UCU.

5.7 A national levy, which shall be payable by members in addition to the subscription, may be authorised by resolution of the National Executive Committee [see national rule 11.1].

## 6 USE OF FUNDS

6.1 All expenditure by the branch must further the objects of the branch.

The finances of the branch shall be conducted in accordance with arrangements determined by the National Executive Committee which shall include an audit and report prepared in accordance with instructions issued by the National Treasurer.

6.2 No funds of the branch will be used for affiliation to a political party, or for the furtherance of the union's political objects.

6.3 The funds of the branch will be used for:

6.3.1 Costs incurred in the proper conduct of the business of the branch, as agreed by the Executive Committee. At its first meeting each year following the annual general meeting, the Executive Committee will determine its policies and arrangements for the exercise of this function. These agreed policies and arrangements will be brought to the attention of members.

6.3.2 Payment of expenses of members duly appointed by the branch to represent it.

6.3.3 Payment of other such expenses as will from time to time be determined by a majority of members present and voting at a quorate general meeting of the branch, subject to 6.1 and 6.2 above.

6.3.4 Donations to charities or other bodies whose objects are consistent with those of the branch. Donations greater than one year's maximum individual annual subscription must be approved by a quorate general meeting of the branch. Donations below this amount may be approved by a quorate meeting of the Executive Committee, subject to any such donation being reported to the next general meeting and there being an overall limit of three times the above amount in any one year for donations made without the prior approval of a quorate general meeting.

*Note: Under trade union legislation, any expenditure on political objects must be made from a designated political fund, which is established and continued by a vote of the membership every ten years. This fund under UCU rules is one per cent of membership subscriptions and members may opt out of paying it. (Northern Ireland members opt 'in'.) All expenditure on political objects must be made nationally out of this designated political fund; expenditure on political objects cannot be made out of local funds*

## 7 EXECUTIVE COMMITTEE

7.1 There will be an Executive Committee of the branch responsible for conducting the day-to-day business of the branch. The Executive Committee will meet within one calendar month of the annual general meeting and thereafter will meet not less than once every two months, unless the period between two meetings includes the whole of the month of August, in which case there may be a gap of up to three months between the meetings. At its first meeting following the annual general meeting, the Executive Committee will determine the dates for Executive Committee meetings for the rest of the year. These dates will be notified to members as soon as possible. The Executive Committee should make arrangements for its meetings that maximise the opportunities for participation by its members. This should include the use of appropriate technology to allow simultaneous participation by members of the Executive Committee at different sites. ***Not less than one third of those who are at that time voting members of the Executive Committee must be present (see explanatory note 3) to form a quorum at any meeting.***

7.2 If presented with a written request signed by at least half of the members of the Executive Committee (see explanatory note 2) the Honorary Secretary must call a meeting of the committee to take place not less than 5 days and not later than 10 days following the day on which that written request is received.

#### 7.3 The Executive Committee will consist of:

7.3a the officers of the branch, that is, the president, two vice-presidents, honorary secretary, honorary treasurer, membership/recruitment secretary, equality officer, central academic staff officer, central academic-related staff officer, associate lecturers officer, regional/national academic staff officer, regional/national academic-related staff officer, and immediate past president. (The immediate Past President is the person whose term of office as President ended less than one year previously, either on the date given in rule 7.4, or at some other point in their term of office, and that person will serve as Past President until the next time elected officers take office on the date specified in rule 7.4. If two members share an officer role they are both members of the executive committee, and will each have one vote at executive committee meetings.

7.3b twelve members elected annually from members of the branch;

7.3c any member of the branch who is a member of the National Executive Committee of UCU;

7.3d up to four additional voting members as co-opted by the Executive Committee

**7.4** The elected officers and ordinary members of the branch executive will take office on 25th June following the AGM, after which the branch executive will hold its first meeting as soon as practicable and within 15 days of taking office.

7.5 The management of any branch office accommodation and branch communication systems will be agreed at the first meeting of the Executive Committee.

7.6 The Executive Committee shall determine its own Standing Orders to govern how it conducts its business. The Executive Committee shall establish any sub-committees of its own members as it sees fit. The Executive Committee shall also establish any advisory committees (which may include non-Executive Committee members) as it sees fit. The terms of reference for any sub-committee or advisory committee shall be determined by the Executive Committee. The Executive Committee should make arrangements for meetings of any sub-committees and/or advisory committees that maximise the opportunities for participation by members. This should include the use of appropriate technology to allow simultaneous participation by members at different sites. The amendment of Standing Orders shall require the support of two-thirds of the members of the Executive Committee present and voting at a quorate Executive Committee meeting, an abstention not being regarded as a vote for this purpose. Standing orders will be reviewed as the Executive Committee sees fit.

7.7 All collective agreements shall be approved by a ballot of the branch members whose interests are affected by them unless the Executive Committee decides, for specified reasons, that a ballot is not required.

7.8 Any draft local agreements must be ratified in accordance with national ratification procedures where these exist.

7.9 The composition of any branch negotiating teams will be determined by the Executive Committee. Negotiators may include a national official.

7.10 The Executive Committee may agree to delegate specific functions to the officers of the branch. A record of any such delegation will be made.

## 8 ROLES WITHIN THE BRANCH

8.1 Members will be elected to the following officer roles within the branch:

* The president
* Two vice-presidents
* The honorary secretary
* The honorary treasurer
* The membership/recruitment secretary
* The equality officer
* The central academic staff officer
* The central academic-related staff officer
* The associate lecturers officer
* The regional/national academic staff officer

These positions will be declared elected annually at the annual general meeting from members of the branch in accordance with Rule 9 which includes provision for candidates who wish to share an officer role.

### 8.2 President

Subject to any Executive Committee Standing Orders, the president will chair all general meetings of the branch and perform such other duties as are laid upon the president by these rules or are decided by the Executive Committee. In the absence of the president these duties will be performed by one of the vice-presidents. In the absence of the president and vice-presidents these duties will be performed by the honorary secretary, or another officer as the committee decides. The President may, between meetings of the Executive Committee, take any action on behalf of the committee which is both urgent and necessary, but cannot bind the branch to any agreement with management. Such action must be reported for ratification to the next meeting of the Executive Committee.

### 8.2.1 Vice Presidents

To assist with the running of the branch and with the work of the branch in whatever ways are agreed between themselves, the President and the Executive Committee. This may include standing in for other officers in their absence.

### 8.3 Honorary Secretary

The duties of the honorary secretary are to call general and Executive Committee meetings of the branch; to ensure that minutes of those meetings are kept; to organise membership circulations as the Executive Committee deems necessary; to arrange notification of local election and ballot results to all members; and to perform such other duties as are laid on the honorary secretary by any rule or are decided by the Executive Committee.

In the absence of the honorary secretary, the honorary secretary's duties will be performed by another officer as the committee decides.

### 8.4 Honorary Treasurer

The honorary treasurer will have custody of the funds of the branch and authority to make payments from them in accordance with the rules as the need arises. The honorary treasurer's duties will be to keep the books of the branch; to present the accounts of the branch for auditing as necessary; to present these audited accounts to a general meeting of the branch, to publish them to all members of the branch, and to submit a copy forthwith to the national treasurer. The accounts of the branch will be audited in accordance with procedures determined by the national Executive Committee. The honorary treasurer will arrange for the remittance of national subscriptions to UCU head office in accordance with procedures determined by the national Executive Committee. In the absence of the honorary treasurer, the honorary treasurer's duties will be performed by another officer as the committee decides.

### 8.5 Membership/Recruitment Secretary

The membership/recruitment secretary will be responsible for recruitment and for keeping any membership records that are necessary at local level. The membership secretary will provide membership information promptly to UCU in accordance with instructions from UCU Head Office or Regional Office to enable statutory and rule requirements of membership records to be met. In the absence of the membership secretary, these duties will be performed by another officer as the committee decides.

### 8.6 Equality officer

The equality officer will:

i) monitor the volume and nature of personal casework which involves equality issues, in particular issues of discrimination, bullying and harassment, to ensure that the branch has appropriate mechanisms in place for handling such personal cases

ii) on request, provide support to other branch officers, Executive Committee members, or other branch representatives in particular personal cases

iii) provide information to members about the Open University's equality policy/policies

iv) where appropriate, encourage and support local negotiations on equality matters

v) ensure that UCU's national annual equality conferences, and any other relevant events and opportunities for women, black and ethnic minorities members, lesbian, gay, bisexual and transgender members and disabled members are publicised locally, that members from all groups are encouraged to participate, and that the branch maximises the opportunities for recruitment and organisation amongst all groups

vi) have knowledge of and commitment to relevant issues, and be willing to undertake training according to the needs of UCU

vii) where appropriate, provide liaison between the branch and the UCU's national standing committees

viii) have a requirement to monitor the implementation of equality policies within the Open University.

In the absence of the equality officer, these duties will be performed by another officer or officers as the Executive Committee decides.

### 8.7 Central academic staff officer

The central academic staff officer will be a member of the central academic staff and will have a special responsibility for ensuring that the interests and concerns of central academic staff are reflected in the work of the branch. S/he will assist in communications with central academic staff members and will assist in branch recruitment efforts in respect of the staff for which s/he is responsible.

### 8.8 Central Academic-related staff officer

The central academic-related staff officer will be a member of the central academic-related staff and will have a special responsibility for ensuring that the interests and concerns of central academic-related staff are reflected in the work of the branch. S/he will assist in communications with central academic-related staff members, and will assist in branch recruitment efforts in respect of the staff for which s/he is responsible.

### 8.9 Associate lecturers officer

The associate lecturers officer will be an associate lecturer and will have a special responsibility for ensuring that the interests and concerns of associate lecturers are reflected in the work of the branch. S/he will assist in communications with AL members, and will assist in branch recruitment efforts in respect of the staff for which s/he is responsible.

### 8.10 Regional/national academic staff officer

The regional/national academic staff officer will be a member of the regional/national academic staff and will have a special responsibility for ensuring that the interests and concerns of regional/national academic staff are reflected in the work of the branch. S/he will assist in communications with regional/national academic staff members, and will assist in branch recruitment efforts in respect of the staff for which s/he is responsible.

### 8.11 Regional/national academic-related staff officer

The regional/national academic-related staff officer will be a member of the regional/national academic-related staff and will have a special responsibility for ensuring that the interests and concerns of regional/national academic-related staff are reflected in the work of the branch. S/he will assist in communications with regional/national academic-related staff members, and will assist in branch recruitment efforts in respect of the staff for which s/he is responsible.

Members who share the officer roles in rules 8.6 to 8.10 must both be members of the staff category for which the officer role has a special responsibility.

### 8.12 Casual vacancies

If there is a vacancy on the Executive Committee and no ballot is held for that vacancy, then subject to rule 9.6 the committee is empowered to fill the vacancy from members of the branch. In these circumstances the Executive Committee may fill an officer vacancy with two members who are willing to share the officer role.

If one partner sharing an officer role resigns or is unable to continue at any point during their term of office, the remaining partner will be asked if they wish to continue. If the remaining partner wishes to continue the executive committee may co-opt another member to role share with them or may decide the remaining partner will continue alone in the role if they are willing. If the remaining partner does not wish to continue the officer role will be vacant and this rule along with rule 9.6 will apply.

Committee members so appointed will retire at the same time as if they had been duly declared elected at the previous Annual General Meeting.

## 9 ELECTIONS OF ORDINARY MEMBERS OF THE EXECUTIVE COMMITTEE AND OFFICERS

### 9.1 Returning Officer

The Executive Committee will appoint a returning officer for elections who is neither a candidate for any office in the branch nor a member of the Executive Committee. The returning officer may be a member of the branch but must not be involved in the nomination of, or support for, any candidates in the election. The returning officer may also be any other person considered appropriate by the Executive Committee.

### 9.2 Nominations

The notice calling the annual general meeting will include a notice from the returning officer inviting nominations for officer and Executive Committee posts to be received in writing by the returning officer no later than the day that is 43 days before the day of the annual general meeting. Nominations must contain the information requested by the returning officer and must be supported by the written consent of the nominee and by the identifiable signatures of 2 members of the branch either in writing or electronic form (see explanatory note 2). Nominees may submit an election address of no more than 300 words, and a biography of up to 100 words including their employment status with The Open University. Election addresses will conform to any relevant parts (other than word limits) of regulations governing election addresses that have been approved by the UCU National Executive Committee and are currently in force.

Two members may stand for election jointly in order to share an officer role. Their nominations must be supported by the written consent of both the members to stand jointly with one another for the officer role, and identifiable signatures of two members supporting the joint candidacy. They may submit one joint election statement of not more than 300 words and each may submit an individual biography of up to 100 words including their employment status with the Open University. For purposes of rules 9.4.1 to 9.4.13 members standing jointly for one officer role will be regarded as one candidate.

### 9.3 Eligibility to stand for election

9.3.1 Members are eligible to stand for election as officers and ordinary members of the Executive Committee, with the exception of affiliate members who have been assigned to a different branch or local association. They may attend meetings of the branch and vote on matters concerned with their employment. They are eligible to stand for membership of the Executive Committee but may stand for election as officers only in their designated branch or local association. This includes standing for election in order to share officer roles. In relation to national office and national elections, they shall be entitled to stand for office and vote in national elections only in their designated branch, local association or central group. 'National elections' includes all elections for General Secretary, Officers, NEC representatives and Congress delegates. Student members have the right to vote and stand for office only in student groups, under national rule 5.3.

9.3.2 Officers and ordinary members of the Executive Committee will be eligible for re-election, but officers may not stand for re-election or be co-opted to serve again in the same officer role if they will already have served for more than 4 years and 11 months in the role at the time they would take office. Following a break of one year or more such persons will be eligible for re-election. For purposes of this rule ordinary members of the Executive Committee are not considered to be officers.

For purposes of this rule service before 1st March 2023 will not be counted for officers not included in the rule before March 2023. This sentence and the previous sentence will be removed from the branch rules on 1st March 2028

### 9.4 Elections

9.4.1 Subject to rule 9.4.12, if there is only one eligible candidate for any officer vacancy that candidate will be declared elected at the annual general meeting.

9.4.2 If the number of candidates to be ordinary members of the committee does not exceed the number of vacancies those candidates will be declared elected at the annual general meeting.

9.4.3 A member may not be declared elected to more than one office or other position on the Executive Committee. This includes any office to which a member is elected to share with another member. See rule 9.4.12 for priority of positions.

9.4.4 If there is either more than one eligible candidate for any officer vacancy or more candidates than there are vacancies of ordinary members of the Executive Committee a ballot of the members of the branch will be conducted prior to the annual general meeting. Student members are not eligible to vote in a ballot to elect officers and ordinary members of the Executive Committee.

9.4.5 If a ballot is required the Executive Committee will make arrangements for it to be conducted by an independent body, such as Electoral Reform Services, who will act as independent scrutineer.

9.4.6 Where appropriate, ballots will be held by electronic means.

9.4.7 The returning officer will be responsible for providing the independent scrutineer with the information and material necessary for the conduct of the ballot. Officers and members of the Executive Committee shall comply with any reasonable request made by the Returning Officer.

9.4.8 The independent scrutineer will be responsible for the conduct of the ballot including the distribution and return of ballot forms. The returning officer will liaise with the independent scrutineer to determine the precise arrangements.

9.4.9 Ballot forms will be sent to each member of the branch not later than the end of the day that is 33 days before the date of the annual general meeting.

9.4.10 The closing date for the return of ballot forms to the independent scrutineer will be not later than the end of the day that is 10 days before the date of the annual general meeting.

9.4.11 The ballot will be secret. Where applicable, ballots will be counted by the single transferable vote system (STV) in accordance with the method determined by the independent scrutineer.

9.4.12 When officer and committee ballots are conducted over the same time period, they will be counted in the following order: officer and other positions set out in rule 8.1, in the order in which they are set out in that rule, followed by ordinary Executive Committee members. If a person is a candidate in two or more elections over the same time period for positions that cannot be held concurrently under rule, after the successful election of that candidate to a position, votes for that candidate will be disregarded in subsequent elections.

9.4.13 The result will be notified in writing by the independent scrutineer to the returning officer. The returning officer will announce the results at the annual general meeting. As soon as practicable after the annual general meeting the honorary secretary will notify the results in writing to the members of the branch and to the general secretary of the University and College Union.

### 9.5 Term of Office

The term of office of an officer or ordinary member of the Executive Committee elected under this rule 9 will commence at 00.01am on the 25th June following the AGM at which he or she is declared elected. Following the AGM but prior to the start of the new term of office, outgoing officers and committee members will encourage and facilitate shadowing and handover opportunities so that incoming officers are fully prepared to take office.

### 9.6 By-elections

Where a vacancy occurs in any post on the Executive Committee prior to 15th November in any year, a by-election shall be held if two or more candidates want the post. For purposes of this rule, a candidate may be either an individual member, or two members who intend to share an officer role. Nominations shall be invited within 2 weeks of the notification to the Honorary Secretary of the vacancy; nominations must be received within 14 days thereafter and ballot papers shall be delivered to members not later than 14 days after the expiry of the time allowed for nominations to be received. The procedural provisions of Rule 9.4 on the conduct of elections shall apply to such by-elections.

## 10 CONDUCT OF OTHER BALLOTS

10.1 All industrial action ballots will be conducted in accordance with national rules. All other ballots, other than those held under rule 9, will be conducted in accordance with this rule.

10.2 A decision to hold a ballot of all, or a section of, the members of the branch (other than a ballot relating to those elections described in rule 9.4) will be taken either by a quorate general meeting of the branch or by a quorate meeting of the Executive Committee. In accordance with national rule 12.2, affiliate members may participate in ballots on matters concerned with their employment.

10.3 Any resolution calling for a ballot to be held must specify the nature of the ballot ie:

10.3.1 a ballot to elect representatives set out in 11.1; or

10.3.2 a ballot to decide on proposed rule changes as outlined in rule 22; or

10.3.3 a ballot to provide a decision of all, or a section of, the members of the branch that is to be binding on the Executive Committee; or

10.3.4 a consultative ballot to provide the views of all, or a section of, the members of the branch but that is not to be binding on the Executive Committee.

10.4 Following a resolution to hold a ballot under 10.3.1 the Executive Committee will appoint a returning officer who will not be a member of the Executive Committee or a candidate in the election. The returning officer may be a member of the branch but they must not be involved in the nomination of, or support of, any candidates in the election. The returning officer may also be an employee of UCU or other person considered appropriate by the Executive Committee. The role of the returning officer will be to call for nominations, to liaise with the scrutineer should a ballot be necessary, and to announce the results.

10.5 Following a resolution to hold a ballot, the Executive Committee will appoint a scrutineer who will not be a member of the Executive Committee or a candidate of the election. The scrutineer may be an independent body, employee of UCU, or member of the branch but they must not be involved in the nomination of, or support of, any candidates in the elections.

10.6 The scrutineer will be responsible for the conduct of the ballot, including the distribution and return of ballot forms, and will fix the date and time for starting the ballot.

10.7 Wherever appropriate, ballots will be held by electronic means. Such ballots must be secure and reliable, and have an alternative postal option.

10.8 The content of any material, other than the election addresses from individual candidates, to be included with ballot forms or otherwise circulated using branch membership lists, must have been approved by a quorate general meeting of the branch or by a quorate meeting of the Executive Committee. Nominees in an election held under 10.3.1 may submit an election address of no more than 300 words. Election addresses will conform to any regulations governing election addresses that have been approved by the UCU national Executive Committee and are currently in force.

10.9. Not later than the end of the day that is 15 days before the date fixed for counting the ballot, the ballot forms will be sent to each member of the branch. The ballot will be secret. Where applicable, ballots will be counted by the single transferable vote system (STV) in accordance with the method determined by the scrutineer.

10.10 The scrutineer shall, as far as is reasonably practicable, permit observers to attend the count but may limit attendance where s/he believes that excessive numbers might detrimentally affect the effective conduct of the count.

10.11 The result will be notified in writing by the scrutineer to the Honorary Secretary and as soon as practicable by the Honorary Secretary to the members of the branch and the general secretary of the University and College Union.

## 11 CONGRESS AND SECTOR CONFERENCE REPRESENTATIVES

### 11.1 Election of Congress and Sector Conference Representatives

Congress and Sector Conference representatives will be elected annually from members of the branch. Names of the representatives will be notified to the UCU head office in accordance with national rules. Any ballot that is necessary will be conducted in accordance with Rule 10. Where an elected representative is unable to attend a particular Congress, a substitute may be elected by a General Meeting. Where this is not possible, a substitute may be elected by the Executive Committee. In the latter event, if reasonably practicable, volunteers from the membership shall be sought to fill any such vacancies.

### 11.2 Casual vacancies

The Executive Committee will have power to fill any vacancies of Congress and Sector Conference representatives that occur before the next annual election.

## 12 REMOVAL FROM OFFICE

Any member of the Executive Committee and any other persons elected to represent the branch may be removed from office by resolution in a ballot of all the branch's members. A proposal for such a resolution must be supported by at least 50 members of the branch and must be delivered to the honorary secretary. On receipt of such a proposal, the honorary secretary shall:

(a) call a general meeting which shall be held within 14 days of receipt of the proposal and

(b) take all reasonable steps to ensure that the proposal is received by each member of the branch not later than the day that is 7 days before the general meeting at which it is to be considered.

If the resolution is supported at the general meeting it will then be put to a ballot of all members under rule 10. Any general meeting which supports the removal of a member or members of the Executive Committee in accordance with the above will have power to replace any such member or members until such time as the normal election of the officers and other members of the committee next occurs; such replacement can only become operative if the resolution is supported in the ballot of members.

## 13 MEETINGS OF THE BRANCH

There will be at least three general meetings of the branch each year, plus the annual general meeting. At its first meeting following the annual general meeting, the Executive Committee will determine the dates for general meetings and the following year's annual general meeting. These dates will be notified to members as soon as possible. The Executive Committee should make arrangements for general meetings that maximise the opportunities for participation by members. This should include the use of appropriate technology to allow simultaneous participation by members at different sites where practicable.

### 13.1 Annual General Meeting

The annual general meeting will be held between 25th May and 8th June each year. The honorary secretary will take all reasonable steps to ensure that notice of the annual general meeting is received by members not later than the day that is 63 days before the day on which the meeting is to be held. The calling notice will include an invitation from the returning officer inviting members to submit nominations for officers and members of the Executive Committee (see rule 9.2). The calling notice will also invite members to submit motions for discussion at the annual general meeting. All motions must be received by the honorary secretary no later than the day that is 20 days before the day of the annual general meeting. The honorary secretary will take all reasonable steps to ensure that the agenda for the meeting is received by members not later than the day that is 15 days before the day on which the meeting is to be held.

The annual general meeting will receive the results of elections of the officers and ordinary members of the Executive Committee. It will appoint an auditor or auditors as required.

### 13.2 Other General Meetings

The honorary secretary will take all reasonable steps to ensure that notice of other general meetings is received by members not later than the day that is 21 days before the day on which the meeting is to be held. The calling notice will invite members to submit motions for discussion at the general meeting. Motions must be received by the honorary secretary no later than the day that is 13 days before the day of the general meeting. The honorary secretary will take all reasonable steps to ensure that the agenda for the meeting is received by members not later than the day that is 10 days before the day on which the meeting is to be held.

### 13.3 Executive Meetings

The branch executive committee will elect from amongst the members of the Executive Committee a Chair and a Vice Chair. Such elections will normally take place at the first meeting of the executive committee after each annual general meeting.  The Chair - or in his or her absence the Vice Chair - will, as their sole function, chair all meetings of the executive committee. In the event of a tied vote in an executive meeting the Branch President, will have the casting vote.

## 14 EXTRAORDINARY GENERAL MEETING

An extraordinary general meeting of the branch will be called at any time provided that notification of such a meeting signed by the president or at least 30 members of the branch and the topics or motions to be discussed is delivered in writing to the honorary secretary. Such a meeting will be arranged to take place not later than 14 days after the day on which that notice was received. The honorary secretary will take all reasonable steps to ensure that notice of the extraordinary general meeting is received by members not later than the day that is five days before the day on which the meeting is to be held. Note: If decisions are required, the motions that are intended to form the basis of those decisions should be included in the notification.

The Executive Committee should make arrangements for extraordinary general meetings that maximise the opportunities for participation by members. This should include the use of appropriate technology to allow simultaneous participation by members at different sites where practicable.

## 15 EMERGENCY GENERAL MEETINGS

Where an issue is urgent and an emergency meeting is called by the branch president and honorary secretary the secretary will take all reasonable steps to ensure that notice of such a meeting is received by members as soon as reasonably practical and not later than the day that is 10 days before the day on which the meeting is to be held. The calling notice will invite members to submit motions for discussion at the general meeting. Motions must be received by the honorary secretary no later than the day that is 7 days before the day of the general meeting. The honorary secretary will take all reasonable steps to ensure that the agenda for the meeting is received by members not later than the day that is 5 days before the day on which the meeting is to be held.

## 16 QUORUM

16.1 At all general meetings, including extraordinary general meetings, of the branch a quorum will be 30 (see explanatory note 3).

16.2 If the quorum has not been obtained by the advertised start time for the meeting, then the start time may be delayed for up to 20 minutes to see if the quorum is obtained.

## 17 QUORUM ARRANGEMENTS FOR FORMAL BUSINESS

17.1 Where an annual general meeting, extraordinary general meeting or general meeting is unable to complete items of formal business required by national or local rules, or resulting from trade union legislation, or from membership of the TUC, because the meeting was not quorate, the arrangements set out below will apply.

17.2 Where a quorum has not been achieved for the purpose of conducting such business, notice of a further meeting will be circulated to members to take place no later than 15 days after the date of the inquorate meeting. The agenda of the further meeting will be restricted to this incomplete, formal business. It will be quorate if 15 members are in attendance, except that in respect of items (a) and (d), below, these 15 will not for purposes of the quorum include the branch's honorary treasurer or its local auditors.

17.3 Formal business is (a) the adoption of audited branch accounts; (b) determination of the branch budget including the setting of the local subscription; (c) confirmation of any financial or membership data required by the union in order to comply with its rules, or to make returns to the Certification Officer or any other body designated by legislation, or to the Trades Union Congress (including the Scottish, Welsh and Irish congresses); (d) determination in local rules of the manner in which the branch's funds will be held; (e) the appointment of branch officers and auditors; and (f) any matter which the general secretary notified the branch was required by legislation.

## 18 MOTIONS

18.1 A resolution of a general meeting is a motion that has been approved while that meeting was quorate by a simple majority of members present and voting except as provided elsewhere in these rules.

18.2 Any motion (other than an emergency motion) submitted by the branch to an ordinary meeting of the congress or sector conference of the University and College Union will be circulated to all members of the branch and approved by a quorate general meeting of the branch. Amendments to Congress motions, which may not introduce new subject matters to motions, may be taken at the discretion of the chair of the meeting.

18.3 Where a general meeting is called, and part of the business of the meeting is to approve motions for submission to the congress or sector conference of the UCU, and this meeting is inquorate, motions for submission to congress or sector conference may be approved subsequently in a manner determined by the Executive Committee and consistent with the Standing Orders of Congress.

18.4 Late motions to congress or sector conference, or motions to congress or sector conference which have not been discussed by a properly called general meeting and are also urgent and timely, must be agreed in circumstances that are in accordance with national UCU rules and standing orders.

## 19 NATIONAL EQUALITY CONFERENCES AND NATIONAL MEETINGS FOR SPECIAL EMPLOYMENT INTERESTS

All motions to the national meetings specified in national rules 23 (equality structures) and 25 (special employment interests) shall be approved by a properly convened meeting of members of the relevant specialist interest group, for which the Executive Committee shall determine the appropriate quorum or by a quorate general meeting or by a quorate meeting of the Executive Committee. Motions, notice of delegates, and nominations to national meetings should be sent via the honorary secretary.

## 20 OBLIGATIONS AND CONDUCT OF MEMBERS

The obligations of members are outlined in national rule 6. The procedure for dealing with complaints about the conduct of members is outlined in national rule 13.

## 21 VALIDATION

No act done in good faith under these rules by the Executive Committee, an officer or any other person or body will be invalidated only by reason of the subsequent discovery of a defect in, or the expiry of, their appointment.

## 22 RULES

No rule or rules of the branch will at any time be in conflict with a rule or rules of the University and College Union currently in force. Changes in the rules of the University and College Union will, where applicable, automatically constitute changes in these rules of the branch.

## 23 AMENDMENT OF RULES

23.1 Rule changes other than those which are insubstantial and do not involve points of principle must be approved by a ballot of the membership. Rule changes will require the support of two thirds of the members casting votes in a ballot arranged for that purpose.

23.2 Proposed amendments to these rules must be submitted in writing to the honorary secretary by the end of the day that is 15 days before the day of the general meeting at which they are to be considered. The honorary secretary will take all reasonable steps to ensure that these proposed amendments are received by members not later than the day that is 10 days before the day on which the meeting is to be held at which they are to be considered. If two thirds of those present and voting (an abstention not being counted for this purpose) vote in favour of amending the rules, these rules will be put to a ballot of the membership, unless the meeting resolves that the changes are insubstantial and do not involve points of principle, and therefore do not require a ballot of members.

23.3 Either the committee or a quorate general meeting may decide to hold such a membership ballot.

23.4 All rules of the branch and amendments to these rules will be subject to approval by the National Executive Committee of the UCU.

.

EXPLANATORY NOTES TO ALL RULES

## Explanatory note 1: periods of notice

In these local rules, notice of meetings is described as follows:

'The honorary secretary will take all reasonable steps to ensure that notice of the meeting is received by members not later than the day that is five days before the day on which the meeting is to be held.'

If a meeting is taking place on Wednesday 6 May, the day that is five days before this is Friday 1 May. So proper notice is given if it can be reasonably expected that members will have received notice before the end of that day Ð so by the sending of an email on that day, or by sending a notice by first class post the previous day.

All references are to calendar days. The structure of the Open University means that members of the branch have differing arrangements for public holidays, therefore references to 'working days' have been avoided.

Where any act must be done within a certain number of days of or from an event, the date of that event shall not be included in the calculation. So where 'such a meeting will be arranged to take place not later than seven days after the day on which that notice was received', and the notice was received on 1 October, the last day on which the meeting can be held is 8 October.

## Explanatory note 2: communication

Wherever practicable, communication will be by electronic means.

It is intended that the sending of a notice by email should comply with the requirements within these rules to give notice or otherwise circulate information to members.

An individual email message from the member concerned will satisfy the requirement for a signature under rules 7.2, 9.2, 10, 12, 13, and 14. It must be clear that the email is from the member concerned and the honorary secretary will send an acknowledgement email to ask for confirmation.

## Explanatory note 3: presence at meetings

Where participation in a meeting is permitted via an electronic/video/audio link then all those participating in this way are to be counted as being present for the purposes of recording votes and determining whether a quorum has been reached.

STANDING ORDERS FOR THE CONDUCT OF BUSINESS AT GENERAL MEETINGS AND AT MEETINGS OF THE EXECUTIVE COMMITTEE

*The arrangements for the quorum, calling of meetings and circulation of motions to meetings are as given in the rules of the branch.*

## 1 Business of the meeting

(a) In advance of a General Meeting, the Executive Committee will determine the agenda and prepare recommendations as to the order in which the business is to be conducted. The Executive Committee will also decide on the duration of the meeting. The competent business of the General Meeting will be the matters stated in the agenda circulated to members in accordance with the local rules.

(b) In advance of an Executive Committee meeting, the Honorary Secretary will determine the agenda and prepare recommendations as to the order in which the business is to be conducted. The Honorary Secretary will also recommend the duration of the meeting. The competent business of the meeting will be the matters stated I the agenda circulated to committee members plus any other matters proposed and seconded by one or more members and accepted by a majority vote of the committee.

## 2 Chairing

The president will chair the meeting. In the absence of the president, a vice-president will chair the meeting, and in the absence of a vice-president, another officer of the local association. If there are no officers present, the meeting will elect a chair.

## 3 Conduct of meetings

The conduct of meetings will be the responsibility of the chair. The chair will have power to lay down time limits for the discussion of items on the agenda. The chair will rule on any question under the standing orders, or on points of order or information. A challenge to a ruling by the Chair must be proposed, seconded and put to the vote without debate. In a vote, such a challenge will require the support of two-thirds of the members present and voting at the meeting, an abstention not being regarded as a vote for this purpose.

## 4 Minutes

Minutes will be kept of all meetings. The minutes of the previous meeting will be circulated in advance and the chair will call for any questions regarding their accuracy. When there are no further questions the chair will declare them (as amended, if necessary) confirmed. Members will then be at liberty to raise points arising out of the minutes, except on matters appearing elsewhere on the agenda.

## 5 Voting

Voting will be by show of hands, unless the chair directs otherwise. Tellers will be appointed as necessary. Decisions will be taken by a simple majority of those present and voting, including those participating in the meeting by remote means, as provided for by Rule 15, unless otherwise directed by these standing orders or the rules of the local association.

## 6 Motions

All motions must be proposed and seconded. Proposers of motions may speak for five minutes. All other speakers may speak for a maximum of three minutes. Except at the discretion of the chair, no member will speak more than once on any motion, except that the proposer of the motion will have a right to reply. Any member may formally second any proposition and reserve his or her speech until a later period in the debate.

Amendments from the floor of the meeting will be taken at the chair's discretion. All amendments must be proposed and seconded.

## 7 Motions to close debate

Any member of the meeting may seek to end the debate on a motion or amendment by proposing THAT THE MEETING PROCEED TO NEXT BUSINESS or THAT THE QUESTION BE NOW PUT provided that there has been at least one speech each for and against the motion or amendment under discussion.

Such motions must be seconded and no speeches will be allowed on them but the vote on them must be taken straightaway. If either motion be lost, the same motion will not be moved until at least ten minutes have elapsed.

## 8 Effect of motions to close debate

If the motion TO PROCEED TO NEXT BUSINESS is carried, the debate will cease and no vote may be taken on the main question nor on any amendment; if it is lost, the debate will continue as if NEXT BUSINESS had not been moved.

If the motion THAT THE QUESTION BE NOW PUT is carried, the meeting will vote immediately on the proposition before it.

## 9 Points of order

Any member may, at any time, raise a point of order.

## 10 Points of information

Any member may, with the leave of the chair, raise a point of information.

## 11 Withdrawal of propositions

Permission to withdraw any proposition that is before the meeting may be granted by a simple majority of those present and voting at the meeting, an abstention not being regarded as a vote for this purpose.

## 12 Reference of motions

Any motion to refer a motion before a General Meeting to the Executive Committee either for examination or for re-drafting will, if seconded, have precedence over any amendment.

Any motion which is left on the agenda at the end of an Executive Committee meeting will be considered by the committee at their next meeting.

## 13 Suspension of standing orders

Any of the above standing orders will be suspended by the meeting for a specified purpose if a motion to that effect is moved, seconded and supported by two-thirds of those present and voting, an abstention not being regarded as a vote for this purpose. Standing orders will again apply as soon as the specified issue has been concluded.

## 14 Alteration of standing orders

(a) For General Meetings these standing orders may be altered by a resolution of a General Meeting of the local association, provided that notice of any proposed amendment is received by members not later than the day that is fifteen days before the day on which that general meeting takes place. Such a resolution requires the support of two thirds of the members present and voting, an abstention not being regarded as a vote for this purpose.

(b) For executive Committee meetings, these standing orders may be altered by a two-thirds vote of committee members present and voting.