

DWP FYLDE CENTRAL BENEFITS AND SERVICES BRANCH CONSTITUTION

BRANCH RULES, CONSTITUTION AND CONSTITUENCIES

PUBLIC AND COMMERCIAL SERVICES UNION

DEPARTMENT FOR WORK AND PENSIONS GROUP

FYLDE CENTRAL BENEFITS AND SERVICES

RULES AND CONSTITUTION

TITLE

1. The title of the BRANCH shall be **FYLDE CENTRAL BENEFITS AND SERVICES BRANCH** of the Department for Work and Pensions Group of the Public and Commercial Services Union.

OBJECTS

2. The objects of the Branch shall be:

- a. To promote and protect the interests of its members;
- b. To ensure the regular collection and remittance of subscriptions;
- c. To assist in the recruitment and maintenance of membership;
- d. To co-ordinate the views of its members and to take appropriate action on matters of Branch interest.
- e. To support and implement decisions of the Conferences of the Union and of the Group and to organise meetings of members in furtherance of such policies when required to do so;
- f. To protect and promote the effectiveness of the service or services in which members are involved;
- g. To provide the National Executive Committee of the Union and the Group Executive Committee with such returns of information as they may require;
- h. To arrange the distribution or sale of all circulars and literature issued by the Union.
- i. Generally to assist the National Executive Committee in compliance with the rules and constitution of the Union.
- j. To oppose any force in society which seeks to foster divisions based on race, creed, religion, sex, sexual orientation, age or disability.

MEMBERSHIP

3. All persons employed in the DWP at Norcross, Warbreck House, Moorland Road St. Annes, Peel Park, and all outstations thereof; and certain staff contracted to work on the provision of services to the DWP at the above mentioned sites (plus Heywood Stores, Faraday Way and Beacon Road), who are in membership of the union in accordance with the Rules and Constitution thereof shall be deemed to be members of the Branch.

MANAGEMENT

4. The Management of the Branch shall be vested in General Meetings of the Branch, a Branch Executive Committee and the Officers of the Branch.

ANNUAL GENERAL MEETING

5. The Annual General Meeting of the Branch shall be held on a day after 1 January, but not later than the last date for the timely submission of motions and nominations for the Delegate Conference of the Union and the Annual Group Delegate Conference, for the purpose of determining such motions and nominations.

6. The Annual General Meeting shall receive the Annual Report and the Financial Report and audited Statement of Accounts; and it shall elect the members of the Branch Women's Committee, members of the Branch Black Members' Committee, members of the Branch Young Members' Committee, 2 Branch auditors (who shall not be members of the Branch Executive Committee), and Branch delegates to the Delegate Conference of the Union, to the Annual Group Delegate Conference, (and to the Section Delegate Conference(s)).

The Annual General meeting shall also receive the results of elections conducted under Rule 15.

In respect of elections held at the Annual General Meeting, a member who is present at the Annual General Meeting shall be entitled to one vote for each position which is to be filled. The votes shall be counted and the candidates for each position shall be placed in order, and the candidate(s) with the highest number of votes shall be elected.

7. The Branch Annual Report, the Financial Report and the audited Statement of Accounts and a notice convening the Annual General Meeting and calling for Branch Officer nominations, nominations for positions under Rule 6 and motions for the Annual General Meeting shall be circulated to members not later than 42 days prior to the meeting. All notices of motions and nominations for inclusion on the agenda of the Annual General Meeting, and nominations for Branch Officers shall be forwarded in writing to the Branch Secretary, to arrive not later than 28 days prior to the meeting. In the event of there being more than one nomination for a Branch Officer position at close of nominations, the timetable for the election to be conducted under Rule 15 shall be as follows:

- Ballot period opens 21 days prior to the Annual General Meeting
- Ballot period closes at the Annual General Meeting.

The Agenda for the Annual General Meeting, which shall include details of all motions and nominations, shall be circulated to members not later than 14 days prior to the meeting. Motions submitted after the closing date for receipt of motions shall only be accepted for debate as emergency motions at the discretion of the Chair and with the approval of the members present at the meeting. No quorum shall be necessary at the Annual General Meeting.

8. All motions and nominations for election at the Delegate Conference of the Union, and at the Annual Group Delegate Conference shall proceed from the Branch Executive Committee or from members of the Branch. Nominations for Branch Officership, the Branch Women's Committee, the Branch Black Members' Committee, the Branch Young Members' Committee, Branch Auditors, Delegates to the Delegate Conference of the Union, and delegates to the Annual Group Delegate Conference shall proceed only from members. In respect of the elections for the National Executive Committee or appropriate Group Executive Committee, nominations shall proceed from the Branch Executive Committee or Members of the Branch in accordance with resolutions carried at meetings of those members who are entitled to vote for those seats to which the nominations relate.

9. All members of the Branch attending the Annual General Meeting shall be entitled to vote on the matters falling to be decided under Rule 8 except the Chair who shall have voting capability as follows:

In relation to any Election for Branch Officership, the Branch Women's Committee, the Branch Black Members' Committee, the Branch Young Members' Committee, Branch Auditors, Delegates to the Delegate Conference of the Union, and Delegates to the Annual Group Delegate Conference, the Chair shall be entitled to vote in the same manner as any other member. In the case of an equality of votes, the Chair shall in addition, have a casting vote.

In relation to all Motions and nominations for Election at the Delegate Conference of the Union, the Annual Group Delegate Conference, and nominations for the National and appropriate Group Executive Committees, the Chair shall have a casting vote only, in the case of an equality of votes.

Voting for Branch positions as specified in Rule 6 where nominations have been received in accordance with the timetable laid down in Rule 7 shall be by ballot. Voting for all Branch positions vacant at close of nominations and all voting on motions, and on nominations for positions other than Branch positions shall be by a show of hands; but any vote may be taken by ballot of those present at the discretion of the Chair, or at the request of the majority of members present provided that such a request is made before the question is put.

10. A motion shall be carried and a nomination for election at a Conference of the Union or nomination for election to the PCS National Executive Committee or appropriate Group Executive Committee shall be secured if it is endorsed by a majority of those present and voting at a duly constituted meeting.

11. In accordance with the Rules and Constitution of the Parent Organisation a General Meeting shall be convened by the Branch Secretary primarily for the purpose of mandating Branch Delegates in regard to the business to be transacted at Delegate Conference or Special Conferences of the Parent Organisation, Group or Section where appropriate. The composition of and representation and voting at a Mandating Meeting shall be the same as that for an Annual General Meeting. A notice convening the meeting shall be circulated to members not less than 14 days prior to the meeting. No quorum shall be necessary at a Mandating Meeting.

12. For the purposes of determining the vote of the Branch in any elections to be held at a Delegate Conference of the Union or Group, a member who is present at a mandating meeting shall be entitled to one vote for each position to be filled; the votes shall be counted and the candidates for each position shall be placed in order and the candidate(s) with the highest number of votes shall be regarded as having the support of the Branch.

SPECIAL GENERAL MEETING

13. A special General Meeting shall be held no later than 21 days following receipt by the Branch Secretary of a written request signed by not less than 6% of the members of the Branch. The request for the meeting, which must be in writing, shall be supported by the reasons for calling the meeting together with the motion(s), if any, it is proposed to submit to the meeting and the names of the mover(s) and the seconder(s) thereof. Discussion at a Special General Meeting shall be confined to the item(s) notified in the Agenda which shall be circulated to members not later than 7 days prior to the meeting. The composition of and representation and the voting arrangements at a Special General Meeting shall be the same as those for an Annual General Meeting. The quorum at a Special General Meeting shall be not less than 6% of the membership of the Branch.

EXTRAORDINARY GENERAL MEETING

14. An Extraordinary General Meeting shall be convened at the discretion of the Branch Executive Committee. Discussion at an Extraordinary General Meeting shall be confined to the item(s) notified in the agenda which shall be circulated to members not later than 14 days prior to the meeting. The composition of and representation and the voting arrangements at an Extraordinary General Meeting shall be the same as those for an Annual General Meeting. No quorum shall be necessary at an Extraordinary General Meeting.

BRANCH OFFICERS

15. The Officers of the Branch shall consist of a CHAIR; a DEPUTY CHAIR; 2 VICE CHAIRS; BRANCH SECRETARY; 3 BRANCH DEPUTY SECRETARIES one of which should come from Norcross et al, one from Lytham/Peel Park and one from Warbreck, save that, where there are insufficient nominations the requisite vacancy (s) shall be open to other candidates ; 4 ASSISTANT SECRETARIES of which one shall come from Job Centre Plus Head Office; one from DCS; one from Child Support Agency and one from the Departmental Directorates (Shared Services/ Corporate Centre); a TREASURER; an ASSISTANT TREASURER; an ORGANISER; 3 DEPUTY ORGANISERS one of which shall come from each of Norcross, Peel Park (or Lytham whilst it remains open in the DWP) and Warbreck; MEMBERSHIP OFFICER ; and an EQUAL OPPORTUNITIES OFFICER. The Officers shall be members of the Branch elected by secret individual ballot of the members in the Branch. The Branch Executive Committee shall have the power to fill any vacancies that occur during its term of office. No person shall hold more than one Branch Officer post at one time.

16. The duties to be allocated to each officer shall be determined by the Branch Executive Committee, subject to the Rules of the Union. The Officers shall render a report at each meeting of the Branch Executive committee with regard to the Business of the Office held.

17. The Chair, Deputy Chair, Vice Chair, Secretary and Organiser shall have the right to attend any meeting of any sub-committee that may be appointed by the Branch or Branch Executive Committee.

BRANCH EXECUTIVE COMMITTEE

18. The Branch Executive Committee shall consist of the Branch Officers and all Branch Executive Committee members.

19. The Branch Executive Committee shall meet at least every 2 months.

20. The Branch Executive Committee shall have the power to co-opt additional members in an advisory capacity, and in particular the Branch Executive Committee shall co-opt a

member of the Branch Women's Committee and Branch Black Members' Committee if there is no member of these committees on the Branch Executive Committee.

21. The Branch Executive Committee shall have the power to fill vacancies that occur during its term in office in those posts which are otherwise filled by elections at the Annual General Meeting.

22. All members of the BEC shall be entitled to vote save the Chair who shall have the casting vote only. A majority of the voting membership shall constitute a quorum at meetings of the Branch Executive Committee or at any of its sub-committees. For the purposes of establishing a quorum the voting membership under this rule shall include the Chair.

23. Any member absent from a meeting of the Branch Executive Committee or its sub-committees shall furnish an explanation for such absence. Any member absent from 3 consecutive meetings of a committee without furnishing reasons which in the opinion of the Committees are adequate shall be deemed to have resigned from the Committee.

24. The Branch Executive Committee shall conduct the Business of the Branch in conformity with the policy of the Union and in accordance with the instructions of the Annual or other General Meeting.

25. It shall deal with all business remitted to the branch by the Union or raised by the Branch Membership and shall take such action in connection therewith as may be required.

26. The Branch Executive Committee shall render to the Annual General Meeting a report of its activities during the year and a Financial Report. The Annual Report of the Committee shall contain a record of attendance of officers and members of the Committee at the Committee meetings.

BRANCH EXECUTIVE COMMITTEES MEMBERS AND LOCAL REPRESENTATIVES

27. For the purpose of representation the Branch shall be divided into constituencies for the purpose of the election of 31 Branch Executive Committee members and additionally 31 local representatives. Members may be nominated, and stand for election as a Branch Executive Committee Member and as a local representative. However a member cannot be elected into both categories, and a Member elected as a Branch Executive Committee member who is also elected as a local representative must take up post as a Branch Executive Committee member and shall be deemed to have declined election as a local representative. (National Rule 7.32 contains the principle).

Branch Executive Committee members and local representatives shall be elected by means of secret, individual voting by the members within the constituency concerned.

See Appendix B of the Branch Constitution for constituencies, their membership etc.

28. A notice calling for Branch Executive Committee nominations and the local representative nominations for positions under Rule 27 shall be circulated to members no later than 35 days prior to the Annual General Meeting. All nominations for the position of Branch Executive Committee member and local representative shall be received by the Branch Secretary 21 days prior to the Annual General Meeting. In the event of there being more than the required number of nominations for Branch Executive Committee members and /or local representatives the time table for the election to be conducted under Rule 27 shall be as follows:

- Ballot period opens 7 days prior to the Annual General Meeting

- Ballot period closes at the Annual General Meeting.

In the event of there being vacancies for Branch Executive Committee members and /or local representatives such vacancies may be filled at the Annual General Meeting.

29. Where possible the Branch Executive Committee members should come from the areas indicated in the reservations (see Appendix B). If however there are more people standing for the BEC from an oversubscribed area and in the same Main Constituency there are vacancies due to another not filling its reservation quota, then provided that the overall number of BEC members in the main constituency is not breached the sub- reservations shall not apply. If however during the term of office someone from the area not filling the full quota of BEC members applies to join the BEC and their application is accepted then the BEC has the authority to overbear until the next AGM when the appropriate reservations will apply.

BRANCH OFFICERS MEETINGS

30. The Branch shall establish an Officers Meeting consisting of all the Branch Officers.

31. This body will meet as appropriate. It shall make reports to the Branch Executive Committee for ratification. In between meetings of the Executive Committee, the Officers meeting shall have the power granted to the Executive Committee under Rules 24 and 25 and may take decisions thereunder. All such decisions shall be subject to ratification by the Executive Committee .

BRANCH SITE BASED SUB-COMMITTEE MEETINGS

32. The Branch shall establish three site-based sub-committees for the Lytham/Peel, Norcross et al, and Warbreck sites.

33. The site sub-committees shall consist of the Officers from that site plus the Branch Executive Committee members and the local representatives.

34. The Sub-Committees shall elect from within their number a Chair for the meetings. The Deputy Secretary for that site shall be the Secretary of the sub-Committee. **Note or the Chair Deputy Chair and Vice Chair could be appointed to cover one of these each.**

35. The Sub-Committees shall meet at least 3 times a year and the meeting shall be arranged in order that they report back to the BEC details of their activities.

36. Each Sub-Committee may have a site annual meeting; this shall take place on site and shall receive a brief verbal report from the Sub-Committee and shall hear motions/proposal for/contained within that site only.

The Site Annual Meeting shall take place at an appropriate time.

BRANCH WOMEN'S COMMITTEE

37. The Branch shall establish a Women's Committee consisting of 12 women members. The Committee shall appoint from within their number a Chair and Secretary.

38. The Committee shall normally meet at least once a quarter. It shall make reports to the Branch Executive Committee and for this purpose a member of the Committee shall attend the Branch Executive Committee Meetings.

BRANCH BLACK MEMBERS' COMMITTEE

39. The Branch shall establish a Black Members' Committee consisting of 12 black members. The Committee shall appoint from within their number a Chair and Secretary.

40. The Committee shall normally meet at least once a quarter. It shall make reports to the Branch Executive Committee and for this purpose a member of the Committee shall attend the Branch Executive Committee meetings.

BRANCH YOUNG MEMBERS' COMMITTEE

41. The Branch shall establish a Young Members' Committee consisting of 8 young members. A young member shall be a member who is aged 27 or younger. There shall be a young members' convenor who shall Chair the meeting and from within their number the committee shall appoint a Secretary. The Chair and Secretary of the Committee shall be ex-officio.

42. The Committee shall normally meet at least once a quarter. It shall make reports to the Branch Executive Committee and for this purpose a member of the Committee shall attend the Branch Executive Committee meetings.

BRANCH ORGANISATION SUB-COMMITTEE

43. There shall be an Organisation Sub-Committee formed consisting of a maximum of 12 members drawn from the officers, BEC members and local representatives and appointed by the BEC.

44. The Organiser shall Chair the Organisation sub-committee and the Assistant Organiser shall be the Secretary of the Sub-Committee.

BRANCH EQUAL OPPORTUNITIES SUB-COMMITTEE

45. There shall be an Equal Opportunities Sub-Committee formed consisting of a maximum of 12 members drawn from the officers, BEC members and local representatives and appointed by the BEC.

46. The Equal Opportunities Officer shall Chair the Equal Opportunities sub-committee and the Sub-Committee shall appoint from within their number a Secretary of the Sub-Committee.

BRANCH EXECUTIVE REPRESENTATIVES ETC

47. The representatives of the Branch to any Liaison Committee shall be appointed by the Branch Executive Committee. Such representatives shall be accountable to the Branch Executive Committee.

48. The Branch Executive Committee shall ensure the Annual election or appointment of a Health and Safety Convenor and three Deputy Convenors. Where possible one should come from each of the sites as covered by the site-based sub committees, and Representatives covering all workplaces in its area. The Branch Executive Committee shall also ensure the Annual election or appointment of Health and Safety representatives.

49. The Branch Executive Committee shall ensure the Annual election or appointment of a Union Learning Representatives Co-ordinator and three Deputy Co-ordinators one, where possible, should come from each of the sites as covered by the site-based sub committees;

and Representatives covering all workplaces in its area.

50. The Branch Executive Committee shall appoint from amongst its members an Education Convenor.

FINANCE

51. The financial year of the Branch shall correspond to that of the Union (1 January to 31 December).

52. Where subscriptions are paid to the Branch Treasurer these shall be payable not later than the 14th of the month in respect of that month, and the Treasurer shall remit them to the Treasurer of the Union as soon as practicable and in any event no later than the 21st of the month.

53. The funds of the Branch shall be administered by the Branch Treasurer in accordance with the policy of the Union, with the requirements of general meetings of the Branch, and at the discretion of the Branch Executive Committee.

54. The Treasurer shall take charge of the funds of the Branch and shall pay all demands when ordered to do so by the Branch Executive Committee. The Treasurer shall present at each regular meeting of the Branch Executive Committee a financial statement to the BEC to approve, produced in a style similar to that presented to the AGM, and shall present for inspection thereby the books of account, the bank pass book and such documents as may be required by the Committee. The Treasurer shall submit a report to the Branch Executive Committee at least once a quarter and shall give up all books, documents, monies and property of the Union in his/her possession, whenever required to do so by the National Executive Committee or the Branch Executive Committee.

55. A bank account (which shall be with a bank approved for this purpose by the National Executive Committee) shall be opened in the name of the Branch and each cheque thereon shall be signed by either the Treasurer, Assistant Treasurer, or Membership Officer and by either the Chair, Secretary, Deputy Chair or Vice Chair. The Branch Executive Committee shall cause the accounts of the Branch to be regularly entered in proper books, and shall once a year before 31 January but in sufficient time to ensure compliance with Rule 7 submit for audit by the duly elected auditors the accounts up to 31 December of the previous year, with a general statement of the same and all necessary vouchers. In the event of Audit having to be conducted by PCS National Finance Department, and in the event of the National Finance Department being unable to comply with the timescales required by Rule 7, unaudited accounts shall be used for the purposes of Rule 7. The findings of the Audit shall then be circulated to members in accordance with the timetable set down in Rule 7 for the next, subsequent AGM.

The financial Report and audited Statement of Accounts shall be presented to the Annual General Meeting, and a copy shall be sent to the Treasurer of the Union as soon as possible but not later than 2 months after the close of the financial year.

56. Each quarter the Chair shall sign a statement to the effect that the balances in the bank and the Branch bank book can be reconciled and that no excessive cash balance in hand is held.

57. Necessary expenses incurred by the Officers, Branch Executive Committee members or auditors when on Branch business, where not otherwise met, may be paid for out of the Branch funds within the limits of reimbursement from time to time set by the National Executive Committee.

CONSTITUTION

58. The Branch shall be governed by the Rules and Constitution of the Union and of the group in so far as their provisions apply in addition to this Constitution. If this constitution and that of the Union or the Group are incompatible, the latter 2 shall prevail.

59. These rules may not be rescinded or amended except by the Annual General Meeting, or by an Extraordinary or Special General Meeting convened for the purpose. A motion to amend the rules must be supported by not less than 2/3 of the total votes cast to become effective. All amendments to these rules shall be subject to the approval of the National Executive Committee and shall not be valid or binding until approved by that body.

60. The Chair shall rule upon any matter of interpretation or meaning of these rules, and upon any matter on which they are silent. The Chair's ruling may only be challenged at a General Meeting of the Branch or at a meeting of the Branch Executive Committee.

The procedure for challenging a Chair's ruling at a General Meeting of the Branch shall be as follows. The Chair shall briefly state the reasons for the ruling. The member, or one of them, making the challenge shall be invited to briefly state the reasons for the challenge.

The motion 'That the Chair's ruling shall stand' shall then be immediately put to the meeting without debate by the deputising officer while the Chair leaves the chair. The motion shall only be defeated by a majority of at least two-thirds of the votes cast. The decision of the meeting shall be final and binding on all members.

The procedure for challenging a Chair's ruling by a Member of the Branch shall be as follows. A Branch Member wishing to challenge the Chair's ruling may do so by writing to the Branch Secretary stating reasons for the challenge.

Additionally, a member of the Branch Executive Committee may challenge the Chair's ruling verbally whilst the Branch Executive Committee is in session. In all cases where the Branch Executive Committee is considering a challenge to the Chair's ruling the Chair shall briefly state the reasons for the Ruling. The Committee shall be appraised of the reasons for a challenge emanating from a Branch member. A Branch Executive Committee Member may briefly state the reasons for a challenge emanating from that Branch Executive Committee member. A Deputising Chair of the Branch shall put to the meeting of the BEC without debate the motion 'that the Chair's ruling shall stand'. The motion shall only be defeated by a majority of at least two-thirds of the votes cast at a meeting of the Branch Executive Committee.

DISSOLUTION

61. The Branch shall not be dissolved except with the consent of the National Executive Committee. Upon dissolution any monies remaining in the hands of Branch, together with all documents, vouchers and records, shall be handed over to the Union.

APPENDIX B

ELECTORAL CONSTITUENCIES (ALSO SEE SUB –COMMITTEES)

SUB-COMMITTEES- MAIN CONSTITUENCY	BEC MEMBERS	Sub Constituencies Reservations (where possible) for BEC in brackets.	LOCAL REPRESENTATIVES (no reservations)
1. Norcross	5	DCS (2) Shared Services (1) Corporate Centre (1) Float (1)	5
2. Warbreck	12	-	12
3. Lytham/ Peel Park	10	Shared Services (1) Corporate Centre (1) Job Centre Plus (1) Child Support Agency (5) Float (2)	10
MAIN CONSTITUENCY			
4.Private Sector	4		4
TOTALS	31		31

* Please note: DCS is not part of the Central Directorates