

Public and Commercial Services Union East Kilbride Revenue & Customs Branch Constitution

Name

Rule 1 The name of the Branch shall be the 'Public and Commercial Services Union East Kilbride Revenue & Customs Branch'.

Objects

Rule 2 The objects of the Branch shall be to:

- (a) Protect and promote the interests of its members.
- (b) Help to recruit and retain members, and collect subscriptions.
- (c) Co-ordinate the views of its members, and take action on matters of Branch interest.
- (d) Protect and promote the service(s) in which members are employed.
- (e) Provide the NEC, Group Executive Committee and Association Committee(s) promptly with any information and returns they require.
- (f) Arrange the distribution or sale of all Union circulars and literature.
- (g) Generally assist the NEC in compliance with the Union's Rules.

Membership

Rule 3 All members employed at HMRC sites within the geographical location of East Kilbride shall be deemed to be members of the Branch.

Management

Rule 4 The management of the Branch shall be vested in Branch General Meetings, the Branch Executive Committee ("BEC"), and the Branch officers.

Annual General Meeting

Rule 5 The Annual General Meeting ("AGM") shall (in the case of the year concerned) be held between 1 January and the last day allowing for the timely submission of motions and nominations for the Union ADC. No quorum shall be needed.

Rule 6 The AGM shall:

- (a) Receive the Annual Report, Financial Report and audited Statement of Accounts.
- (b) Where possible elect the Branch Women's Advisory Committee (BWAC), Branch Young Members' Advisory Committee (BYMAC), 2 Branch auditors (who shall not be BEC members) & delegates to the Union Annual

Delegate Conference and to the HMRC Group Delegate Conference.

(c) Elect 2 scrutineers (who shall not be BEC members) to count the votes in elections held at the AGM.

(d) Consider motions and nominations submitted by the BEC, Constituency or individual members.

(e) Where possible receive the results of Branch Officer and BEC elections conducted under principal rules PR3 and PR4.

Rule 7 A notice convening the AGM will be issued no later than 14 days prior to the meeting. The Annual Report, Financial Report and audited Statement of Accounts, shall be circulated by the Branch Secretary to members before the meeting. Written notice of motions and nominations for inclusion on the agenda shall be sent to the Branch Secretary before the meeting. The agenda, including details of all proposed motions and nominations, shall be circulated by the Branch Secretary before the meeting.

Rule 8 The BEC may not make any nomination for election as Branch officer, BEC member, BWAC member, Branch auditor, delegate to the Union or Group Delegate Conference, or scrutineer.

Rule 9 Each member attending the AGM, subject to the Union's Rules, may vote on matters put to the meeting for decision. The Chairperson shall have a casting vote in the event of an equality of votes for and against a proposal. Voting shall be by show of hands; but any vote may be taken by ballot of those present at the discretion of the Chairperson, or at the request of a majority of those present provided that such request is made before the question is put.

Rule 10 In the case of elections conducted at the AGM, each member shall have one vote for each position to be filled. The votes shall be counted by the scrutineers and the candidates for each position placed in order. The candidate(s) with the most votes shall be elected.

Autumn General Meeting

Rule 10(a) The Branch will hold an Autumn General Meeting to consult members on the business of the union. Discussion shall be confined to the item(s) notified in the agenda, which shall be circulated to members not later than 14 days before the meeting. Voting at the meeting shall be on the same basis as the AGM. No quorum shall be needed.

Mandating meetings

Rule 11 General Meetings shall be convened by the Branch Secretary to mandate delegate(s) on the business of Union and Group Delegate Conferences. The meetings shall be held between the receipt of the booklet of Conference motions and the last day allowing for the timely submission of emergency motions before the Conference. A notice convening the meeting shall be

circulated to members not later than 14 days before the meeting. Voting at the meeting shall be on the same basis as the AGM. No quorum shall be needed.

Special General Meeting

Rule 12 A Special General Meeting shall be held no later than 21 days after receipt by the Branch Secretary of a written request signed by not fewer than 100 members. The request shall be supported by reasons for calling the meeting, together with any proposed motion and the names of the mover and seconder. Discussion at the meeting shall be confined to the items notified on the agenda, which shall be circulated to members not later than 14 days before the meeting. Voting shall be on the same basis as the AGM. The quorum shall be not less than 10% of the members.

Extraordinary General Meeting

Rule 13 An Extraordinary General Meeting shall be convened at the discretion of the BEC. Discussion shall be confined to the item(s) notified in the agenda, which shall be circulated to members not later than 14 days before the meeting. Voting at the meeting shall be on the same basis as the AGM. No quorum shall be needed.

Branch officers

Rule 14 The Branch officers shall consist of a Chairperson, Vice Chairperson, Secretary, Organiser and Treasurer. The officers shall be members of the Branch elected by secret, individual ballot of the members in the Branch. The BEC may fill any casual vacancy.

Rule 15 The duties of each officer shall be allocated by the BEC, subject to the Union's Rules. Each officer shall give a report to each BEC meeting on the business of their office. The Chairperson and Secretary may attend any sub-committee meeting.

Branch Executive Committee

Rule 16 (a) The BEC shall consist of the Branch officers, 7 other members elected by secret, individual ballot of the members of the Branch, and members who shall be workplace representatives.

Rule 16 (b) The 7 other members noted above will consist of a Learning Co-Ordinator, a Disabled Members' Officer, a Women's Officer, a Lesbian, Gay, Bisexual & Transgender (LGBT) Members' Officer, a Black, Asian & Minority Ethnic (BAME) Members' Officer, a Young Members' Officer and an Environmental Officer.

Rule 16 (c) The workplace representatives will consist of 1 member for each constituency the Branch covers as defined by rule 22.

Rule 16 (d) The BEC as defined in rule 16(a) will consist of a minimum of 8 members from Queensway House and 8 members from Plaza Tower. There will be a maximum of 25 members.

Rule 16 (e) The BEC shall meet at least 8 times in the year. The quorum at meetings of the BEC or of any sub-committee shall be a majority of the voting members.

Rule 17 The BEC may co-opt additional members in an advisory capacity, without voting powers.

Rule 18 The BEC will fill a casual vacancy on the Committee.

Rule 19 Any member absent from a BEC or sub-committee meeting shall give an explanation. Any member absent from three consecutive meetings without giving reasons which the BEC considers adequate shall be deemed to have resigned.

Rule 20 The BEC shall conduct the business of the Branch in conformity with Union policy and the instructions of Branch General Meetings. It shall deal with all business remitted to the Branch by the Union and take any action required.

Rule 21 The BEC shall give the AGM an Annual Report of its activities and a Financial Report and audited Statement of Accounts. The Annual Report shall contain a record of attendance of each BEC member at BEC meetings.

Local representatives

Rule 22 The Branch shall be divided into constituencies with each separate business stream the Branch covers forming one constituency.

Rule 22 (a) Constituencies may be further broken down into separate work areas where appropriate at the discretion of the BEC following consultation with local representatives in the constituency

Rule 22 (b) An annual meeting of the members in each constituency or individual work area shall be held before the Branch AGM. The meeting shall receive an annual report.

Rule 22 (c) Each local representative for the coming year shall be elected by secret, individual ballot of members within the constituency concerned

Rule 23 A notice convening the annual constituency meeting shall be sent to members not later than 14 days before the Branch AGM. Nominations for local representative shall be sent to the Branch Secretary before the AGM.

Rule 24 The local representatives shall represent the constituency in local negotiations and report their activities to constituency meetings, held where practicable at least once a month.

Rule 25 All local representatives will be required to record and report their facility times to the Branch

Secretary for the previous month as set by the employer. Any representative who fails to submit a return for three consecutive months shall be deemed to have resigned their position. Where mitigation is provided at a later date, the BEC shall be authorised to decide on reinstatement.

Branch Advisory Committees

Rule 26 The Branch shall establish a BWAC, consisting of at least 6 women members, which shall meet at least once a quarter. The Women's Officer or in her absence a BWAC member shall attend BEC meetings and report on BWAC activities.

Rule 27 The Branch shall also establish a BYMAC consisting of at least 6 young members, based on criteria set by PCS, which shall meet at least once a quarter. The Young Members' Officer, or in their absence a BYMAC member, shall attend BEC meetings and report on BYMAC activities.

Branch representatives

Rule 28 Branch representatives on regional or national business stream negotiating or advisory committees shall be appointed by the BEC from among the workplace representatives in the relevant constituencies. They shall report regularly to the BEC on their activities.

Rule 29 The BEC shall ensure the annual election or appointment of health and safety representatives and union learning reps covering all workplaces in its area.

Finance

Rule 30 The Branch's financial year shall correspond to that of the Union.

Rule 31 Branch funds shall be administered by the Branch Treasurer in accordance with BEC directions. The Treasurer shall take charge of the funds and pay all demands as instructed by the BEC. Expenses necessarily incurred by BEC members or auditors on Branch business, where not otherwise reimbursed, may be paid for out of Branch funds within limits set by the NEC.

Rule 32 The Treasurer shall present at each regular BEC meeting for inspection thereby the books of account, the bank pass book, and such other documents as the BEC may require if requested. The Treasurer shall give a report to the BEC at least once a quarter, and give up all books, documents, monies and property of the Union in their possession, whenever required to do so by either the NEC or the BEC.

Rule 33 A bank account (with a bank approved by the NEC) shall be opened in the name of the Branch, and each cheque thereon shall be signed by the treasurer

and by one of the Chairperson, Secretary or Organiser. Each quarter the Chairperson shall sign a statement to the effect that the bank balances and Branch bank book can be reconciled, and that no excessive cash balance in hand is held.

Rule 34 The BEC shall cause the Branch accounts to be entered regularly in proper books, and shall before the 31 January submit accounts for the year ended on the previous 31 December to the Branch auditors. A Financial Report and the audited Statement of Accounts shall be presented to the AGM in the form prescribed by the NEC; a copy shall be sent to the Union's Treasurer as soon as practicable and not later than 31 March.

Constitution

Rule 35 The Branch shall be governed by the Union's Rules and by Group and Association constitutions where they apply in addition to this constitution. If this constitution conflicts with the Union's Rules or with Group or Association constitutions, the latter shall prevail.

Rule 36 This constitution may not be amended except by the AGM or by an EGM convened for the purpose. A motion to amend the constitution shall require a majority of at least two-thirds of the votes cast in order to be carried. Any amendment shall be subject to ratification by the NEC and shall not take effect until then.

Rule 37 The Chairperson shall rule on any matter of interpretation of this constitution, and on any matter where it is silent. Any such ruling may only be challenged by:

(a) A Branch General Meeting. Members shall carry a motion which states: 'This Branch challenges the Chairperson's ruling in connection with...' The motion 'That the Chairperson's ruling be upheld' shall then be immediately put to the meeting without debate by the deputising officer while the Chairperson 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.

(b) A Branch member (including a BEC member), by writing to the Branch Secretary stating the reasons for the challenge. The challenge shall require a simple majority of the votes cast at a BEC meeting to be upheld.

Dissolution

Rule 38 The Branch shall not be dissolved except with the consent of the NEC. On dissolution any money remaining in the hands of the Branch, together with all documents, vouchers and records, shall be surrendered to the Union's Treasurer.

(Last Amended 10/03/18)