

Democratic continuity: advice for branches, regions/devolved nations

Introduction

This paper sets out guidance for the conduct of union business by branches and regions/devolved nations during the Covid-19 pandemic. It follows on from decisions taken to maintain democratic continuity at national level in UCU (see:

https://www.ucu.org.uk/media/10855/SFC-paper-April-2020/pdf/NEC1328__Democratic_Continuity_paper.pdf).

The guidance will be kept under review and refined and supplemented as required. We are very keen to receive feedback from branches and regions/devolved nations on their experience in conducting union business during this very difficult period. Any suggestions for improving the guidance or examples of successful practice will be gratefully received. Similarly, please let us have any questions or requests for advice and support.

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General principles

It is important that the union takes steps to maintain its democratic decision-making procedures during the crisis as far as is reasonably possible. At the time of writing, most members and union staff will be working under the constraints of 'lockdown'. They will be working at home and also coping with personal challenges as well as in many cases family and other caring responsibilities. Union officers and representatives will not have access to the normal facilities or support, but will nevertheless be doing their best to protect the interests of their members in accordance with the advice issued nationally (see:

<https://www.ucu.org.uk/covid19>).

UCU has over 400 branches and 13 regions/devolved nations. Branches vary considerably in the nature and extent of their organisational strength, for example, whether they have full quotas of officers and committee members. Some have high levels of participation and their own local funds; others may struggle to carry out basic functions; and some have the additional challenge of operating across a number of sites. This guidance takes account of these variations.

Minimum requirements

Not all branches and regions/devolved nations will be able to hold online meetings for their members and delegates during the current period. Some branches, in particular, will simply not have the means to do so. In these cases, they are advised to focus on maintaining regular contact among their officers and committee members, either online, by email or by telephone. For the most part, they will be engaged in union work within existing policy parameters and will be able to continue with that work without formal branch or regional/devolved committee/council meetings. If confronted with an issue outside existing policy parameters or with a new threat from the employer such as redundancies, they should take advice from their regional official and consult members by email before taking decisions. In summary:

If in your branch or region/devolved nation it is not possible to hold online general meetings:

- ensure that your officers and committee members maintain close contact by email and telephone and by online meetings if possible
- keep members informed of what you are doing by email
- it should be possible to deal with most matters within the established policy and practice of the branch and national guidance, but use email consultation of members if you need to get member support for decisions falling outside those parameters, for example, new initiatives from the employer affecting members' conditions – if in doubt, consult
- stay in touch with your regional/national official.

As the paper on democratic continuity at national level (referred to above) explains, it will not always be possible in the current circumstances to adhere to the letter of every requirement under the union's rules. The key issues to consider are the holding of meetings, terms of office for current postholders, and the conduct of elections. Guidance on local negotiations in response to the Covid-19 crisis has already been issued to branches (https://www.ucu.org.uk/media/10841/Branch-Covid-19-bargaining-guidance/pdf/ucu_covid19_bargaining-guide.pdf).

Holding online meetings

Branch rules, regional committee standing orders and the devolved nation constitutions set out requirements for minimum numbers of general and committee meetings, as well as for an annual general meeting.

Where online meetings cannot be held, the four bullet points under 'minimum requirements' above should be followed in consultation with regional/national officials.

Any online meetings should only take place where the organisers can be confident that:

- **the meetings will be reasonably accessible to all those entitled by rule to attend**
- **they can be conducted in a manner which ensures participation by all those attending**
- **the conferencing technology is reliable and secure and that those acting as 'hosts' have sufficient technical knowledge and experience to use it effectively.**

UCU uses Skype for Business/Microsoft Teams. This is being kept under review, but at present UCU does not have licenses for any other conferencing software and cannot provide technical support and advice on their use. Some branches may have access to platforms provided by their institutions, possibly under facilities agreements, and will be able to use these platforms securely.

Branch officers and regional/devolved nation officers who choose to use other platforms should be aware that they will have to take responsibility for their use. This may include agreeing to user terms and conditions imposed by the developers, and to licensing and payment arrangements, as well as complying with data protection and security issues (such as the gaining of consent from individual participants for the recording of meetings, which is a responsibility of meeting hosts individually). The 'hosts' or 'administrators' of online meetings will be 'data controllers' under the GDPR (as incorporated in the Data Protection Act 2018). Officers should ensure that they examine the terms of use and Privacy Notices of conferencing software platforms carefully before using them.

Although UCU cannot provide IT support, advice should be sought on any potential impact on the data protection rights of UCU members before committing to the use of a conferencing platform. Advice can be obtained from the union's Data Protection Officer, Paul Cottrell (pcottrell@ucu.org.uk).

Online meetings of regional committees and committees/councils of the devolved nations should be organised via the relevant regional/national officials and their administrative staff in the usual way.

Regional/national officials should be informed of plans for online branch meetings as early as possible so that they can provide advice on their set-up and administration.

The experience of online meetings to date suggests some general (and for the most part, fairly obvious) advice:

- small online meetings (12-15 max) work best; large general and annual general meetings should only be attempted where the three bullet points in bold above can be confidently ticked

- online meetings should be as short as possible (1.5-2 hours max) and that means focusing on the key issues, which at present, of course, are likely to be workplace issues arising from the Covid-19 crisis
- although it is possible to use an online 'polling' facility during a meeting, it is not straightforward or always entirely reliable. Voice voting by an alphabetical roll call of participants may be feasible and some platforms may make a vote by hand raising possible if the meeting is not too large; recording votes in the chat window may work with relatively small numbers but can be very confusing. For these reasons voting is best avoided in online meetings, particularly on contentious or controversial topics. If, however, voting on a proposition is unavoidable, it may be better conducted by an electronic poll as quickly as possible after the meeting (which means having an accurate list of all those present at the online meeting and entitled to vote).

More detailed, practical advice on the conduct of online meetings is given in an appendix to this paper.

Terms of office for current post-holders and conduct of elections

In general, at branch and regional/devolved nation levels elected officers and committee/council members should remain in office until normal business can be resumed.

Under the model local rules for branches, elections may be held electronically (<https://www.ucu.org.uk/ucurules>). UCU head office can assist with e-ballots for branch positions with sufficient notice (but depending on the level of demand).

The result of branch elections that take place prior to annual general meetings can of course be announced at online AGMs in the usual way.

However, careful thought will need to be given to the conduct of elections that normally take place at meetings, for example, regional committee AGMs. Electing members to posts at online meetings can be difficult to handle, particularly if there are several elections and perhaps closely contested ones, or if some members of the meeting are participating by audio-only or have unreliable connections; or also, of course, if the opportunity of some members to participate fully is affected by disability. For those reasons, the general advice to regions/devolved nations is that existing office holders should remain in place until normal annual general meetings can be held. This advice will need to be re-visited depending on the nature and length of the Covid-19 restrictions.

Appendix: the effective conduct of online meetings

Standing orders

In so far as possible, online meetings must be conducted in line with the union's rules and standing orders.

As a minimum, meetings must be:

- **properly constituted:** required notice periods to members of the date and time of the online meeting (with of course details of how to join the meeting) and pre-circulation of agendas and papers must be followed. Meetings should be minuted in the normal way
- **attendance:** care should be taken to check that all participants are members entitled to attend
- **quorate:** this means quorate at the start and throughout the meeting. The meeting administrator (see below) should keep an eye on the number of participants and alert the chair if the meeting becomes inquorate. An inquorate meeting cannot conduct any business.

Procedural motions (points of order/information, suspensions of standing orders, challenges to the chair etc.) can be extremely difficult to handle in an online meeting; they can be discouraged but not entirely proscribed. This reinforces the advice to keep agendas as short and as focused as possible and to pre-circulate written reports. Chairs of online meetings need to be firm in not allowing discussion to drift away from the agenda. It is very difficult to rescue an online meeting which gets out of control.

Good practice

1. Before the meeting (thorough preparation is the key to success):

- Ensure that someone understands the software platform that you are using and its settings, paying particular attention to accessibility and security.
- Test the platform in advance by running 'dummy' meetings.
- Ask members if they have any personal accessibility issues and take reasonable steps to accommodate them, including trialling access to the platform with them in advance of the meeting¹.

¹ Online meetings usually require sustained visual and auditory attention, which can create barriers for some members with disabilities. So, for example, if there is anything important within the meeting in terms of instructions or ideas, it needs to be both stated out loud and put into the chat window. If there is a significant change to paperwork such as an amendment to a paper that's been pre-circulated, it should be placed in the chat window or the 'view documents' function if available. A hearing-impaired participant might need to use transcription software or subtitles. Some members may benefit from having someone at the end of a telephone line or in email communication to type questions for them and help during the meeting.

- Do not assume that all members are familiar with the online platform or even with online meetings: issue clear guidance on how to join the meeting and on the 'ground rules' for conduct of the meeting.
- Let members know how the meeting will 'look'. For example, they will need to know how to open the 'chat/conversation' window and how it will be used during the meeting, and how the muting facility works.
- Circulate as much information about agenda items as possible in advance of the meeting; emphasise to members that the meeting will be conducted on the assumption that all participants have read the pre-circulated material thoroughly.
- Encourage members to give notice of questions/comments in writing in advance of the meeting and by a deadline; it may be possible to deal with some of these by email before the meeting.
- Make clear that any corrections/amendments to previous minutes must be notified in writing in advance and will not be taken at the meeting itself; items of AOB should only be taken if similarly notified in advance and only if they are genuinely urgent and requiring a decision at a meeting (i.e. they cannot be referred to the committee or officers to deal with).
- Anticipate problems: how you will handle connection problems or disruptive behaviour.

2. The meeting:

The chair should be free to concentrate on chairing and will need at least one person to act as 'meeting administrator'. The ideal is to have two: one with responsibility for keeping an eye on the chat window and dealing with, for example, the order of speakers and any procedural questions posted; the other with responsibility for dealing with any technical problems. The meeting administrator(s) should be able to communicate directly with the chair if necessary (the software may have a built-in mechanism that could be used for this; if not, text or email).

It is essential to make sure everyone can hear and see before starting any business. Individual connection problems for joiners are extremely common—normally this means the person needs to leave the meeting and return, and that sorts out about 90% of issues (the others are usually because of a poor internet connection). If possible, everyone should be given the means to join by phone as a backup measure. It may be necessary to pause meetings to give participants time to re-connect.

The chair should take time at the beginning of the meeting to:

- explain the purpose and scope of each agenda item and indicate which pre-circulated papers are relevant to each item (links to the papers can be posted on the chat window in advance of the meeting)
- give timings for each item and emphasise that the meeting will end promptly at the time notified

- describe how participants should indicate a wish to speak (e.g. by posting their name in the chat window; or by saying their name or by emailing/texting a meeting administrator if they are using an audio only link or joining the meeting by telephone)
- list those participating by audio link or telephone so that all participants are aware of them
- emphasise the importance of one speaker at a time and explain how 'muting' will work (either participants mute themselves when not speaking or a meeting administrator controls muting). Along with technical problems, people speaking at the same time is probably the most common reason for unsuccessful online meetings
- if votes are unavoidable, explain the method (by e-balloting after the meeting or by some method during the meeting such as a voice vote by rollcall or a visual vote if the platform allows that to be done reliably, with audio only and dial-in participants counted separately).

During the meeting:

- A good online meeting is a bit like a broadcast where the announcer keeps saying, 'If you're just joining us, we're talking to x about y'. The chair needs to remind the meeting what the current business is and what the process is for indicating a wish to speak.
- Listing the speakers' queue regularly is helpful—it means those online are confident that they will be heard even if they have to wait a while. This will help to reduce spontaneous interventions, which are very disruptive in online meetings.
- Special care needs to be taken to ensure that audio-only and dial-in participants are not overlooked. The chair should specifically invite them to add their names to the list of speakers or to ask questions at the appropriate points in the meeting.
- Any key questions or points from the chat window should be repeated by the chair. The meeting should be assured that questions or points not taken by the chair will be looked at after the meeting and responses circulated (most software will save the contents of the chat window or it can be copied and pasted).
- Participants should be discouraged from using the chat window to start their own debates and exchanges with each other. This can make it very difficult to keep track of speaker lists and questions and can stimulate disruptive interventions by participants and distract from the agenda. Chairs may need to remind participants that at a normal meeting background chatting would not be allowed.
- Clear summing-up by the chair after each agenda item is always important but particularly so in an online meeting. Agreements on issues, endorsements of reports and so on should be clearly stated for the minutes.

After the meeting:

- Minutes of online meetings should be produced and circulated to all members in the usual way.
- If the meeting has agreed to an e-ballot on an issue, this needs to be done as quickly as possible while the issues and debate are fresh in the minds of participants. Care must be taken to ensure that only those present at the meeting take part in any post-meeting votes.
- Respond to questions that could not be dealt with in the meeting by email circulation to participants (again, this needs to be done as quickly as possible).
- Review the experience of the meeting and look at ways of overcoming any problems encountered. Please provide feedback to UCU head office (pcottrell@ucu.org.uk).

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