



UCU SCOTLAND RULES

PREAMBLE

The following Rules are authorised by UCU Rule 36.1 establishing the rights of the Scottish branches and local associations of UCU to form UCU Scotland.

RULE 1 NAME

- 1.1 The name of the union is the University and College Union Scotland. The University and College Union Scotland is a federation of the Scottish branches and local associations of the University and College Union, and the membership of any Central Groups in Scotland.

RULE 2 OBJECTS

The objects of the University and College Union Scotland (UCU Scotland) are the objects of the University and College Union (UCU), in respect of matters specifically Scottish and of concern to Scottish Universities. UCU Scotland shall, conducive to the attainment of UCU object 2.7 below, affiliate to the Scottish Trades Union Congress and co-operate, where appropriate, with it or any of its affiliated unions.

The aims and objects of UCU are:

- 2.1 To protect and promote the professional interests of members individually and collectively, to regulate the conditions of their employment and the relations between them and their employers, and to safeguard their interests;
- 2.2 To promote Adult, Further and Higher Education and research;
- 2.3 To provide and maintain such services to members as may be approved by National Congress or the National Executive Committee from time to time;
- 2.4 To promote equality for all including through:

- i. collective bargaining, publicity material and campaigning, representation, Union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits and all other activities;
 - ii. the Union's own employment practices;
- 2.5 To oppose actively all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, colour, class, caring responsibilities, marital status, sexuality, disability, age, or other status or personal characteristic;
- 2.6 To pursue political objects including those under the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992 as set out in these Rules;
- 2.7 To affiliate to the Trades Union Congress and to cooperate, where appropriate, with it or any of its affiliated unions;
- 2.8 To affiliate to, cooperate with, make donations to or otherwise expend money on or in support of such other trade union or labour organisations, organisations for the advancement of education or other organisations in the UK or abroad which in the opinion of the National Executive Committee or Congress have the same or similar aims, objects or policies as the union.
- 2.9 To pursue by appropriate means approved by the National Executive Committee or Congress lawful acts of solidarity with other trade union or labour organisations, organisations for the advancement of education or other organisations in the UK or abroad which in the opinion of the National Executive Committee or Congress have the same or similar aims, objects or policies as the union.
- 2.10 Notwithstanding any other provision of these Rules no part of any fund of the Union, or of any local branch/local association, shall be used for, or with a view to, affiliation to any political party;
- 2.11 To do all such other things as may in the opinion of the National Executive Committee be incidental or conducive to the attainment of these objects.

RULE 3 OFFICERS

- 3.1 There shall be six Officers of UCU Scotland: the President, the Vice-President, the Immediate Past President, the Honorary Secretary, the Honorary Treasurer and the Equality Officer.

- 3.1.1 The President shall chair UCUS Executive Committee and Congress, and represent UCUS in accordance with these rules.
- 3.1.2 The Vice President and Immediate Past President shall support the President in the conduct of their duties in accordance with these rules.
- 3.1.3 The Honorary Secretary shall provide secretarial oversight of UCU Scotland meetings, and give an annual report to Congress on the activity of UCU Scotland.
- 3.1.4 The Honorary Treasurer shall be responsible for the oversight of the funds of UCU Scotland subject to such conditions as the Executive Committee shall impose, in accordance with these rules.
- 3.1.5 The Equality Officer shall take a lead in advancing equality and human rights issues, and for challenging unfair discrimination. They shall chair the UCU Scotland Equality and Human Rights Network.
- 3.2 The President and Honorary Secretary of UCU Scotland are the geographically-elected higher education sector members of the National Executive Committee of UCU, and will be elected in accordance with the rules of UCU and these rules.
- 3.3 All officers will be elected to serve a term of two years, starting at the end of the annual meeting of UCU National Congress following election.
- 3.4 All members of UCU Scotland are eligible to stand for election as Vice President or Honorary Treasurer or Equality Officer, subject to Schedule A5(d).
- 3.5 All members of UCU Scotland who are members of a local association or central group in the higher education sector of UCU are eligible to stand for election as President and/or Honorary Secretary, subject to the national rules of UCU.
- 3.6 Members may be concurrently nominated for more than one vacancy for officers and executive committee member. Nomination to each vacancy will require a separate nomination to be submitted in accordance with UCU and UCU Scotland rules, including those set out at Schedule A.

Ballots for elections to offices that are to be taken up on the same date will be counted in the following order:

- i. president

- ii. honorary secretary
- iii. vice president
- iv. honorary treasurer
- v. equality officer
- vi. ordinary member of the executive committee.

After a candidate is successfully elected, votes for that candidate will be disregarded in subsequent elections.

- 3.7 The Vice-President, Honorary Treasurer or Past President or Equality Officer will cease to hold that office on ceasing to be a member of UCU Scotland, or upon resignation.
- 3.8 The President or Honorary Secretary will cease to hold that office on ceasing to be a member of UCU, or upon resignation.
- 3.9 An officer may resign, and a prospective office holder or a candidate standing for election may withdraw, by written notice to the Honorary Secretary.
- 3.10 No member who would, on taking office, have completed six or more continuous years' service in that office is entitled to serve again in that office except after an interval of one year or more.
- 3.11 If a vacancy or casual vacancy arises or is due to arise in the office of President, Honorary Secretary, Vice-President, Honorary Treasurer or Equality Officer during the first year of a two-year term of office, a by-election will be held. A by-election for the position of President or Honorary Secretary will be arranged in accordance with the rules of UCU. A by-election for the office of Vice-President, Honorary Treasurer or Equality Officer will be arranged to a schedule which will be determined by the Honorary Secretary as returning officer, or failing whom the President. Except in respect of any dates fixed by the calendar in Schedule A, by-elections will be conducted in accordance with Schedule A to these rules.
- 3.12 The term of office of a person elected to fill a vacancy or casual vacancy will begin as soon as possible after election, after the vacancy has arisen. It will run for the period that the person causing the vacancy was elected to serve.
- 3.13 If a casual vacancy arises in the position of President, Honorary Secretary, Vice-President, Honorary Treasurer or Equality Officer during the second year of the two year term, no by-election will be held.
- 3.14 A casual vacancy arising in the office of Past President will not be filled.

- 3.15 During a temporary vacancy in an officer position, or during incapacity or absence or in the event that a position is otherwise unfilled, the Executive Committee may delegate relevant powers and duties to any member or members of UCU Scotland, except that under these circumstances no member will assume voting membership of the National Executive Committee of UCU.
- 3.16 The Officers shall be responsible for the duties laid upon them by these Rules, by the Standing Orders of the Congress and by the authority of the Executive Committee.

RULE 4 CONGRESS

- 4.1 UCU Scotland Congress is the governing body of UCU Scotland and determines the general policy of UCU Scotland. Hereafter, all references to the Congress mean the UCU Scotland Congress unless explicitly stated otherwise.
- 4.2 There shall be one ordinary meeting of Congress each year held between 15 March and 15 June. Seven working weeks' notice must be given of each ordinary meeting.
- 4.3 By the same procedure as is required to alter Rules, the annual meeting of Congress shall adopt (and may amend) Congress Standing Orders to regulate the transaction of the business of Congress and the operation of the Congress Business Committee.
- 4.4 Motions for Congress, and amendments thereto, may be proposed by the Executive Committee, branches/local associations, and the central group
- 4.5 Motions for the annual meeting of Congress shall be submitted to the Honorary Secretary at least 28 days, and amendments at least 7 days, before the opening of the annual meeting. Motions that are urgent, and could not have been submitted in accordance with these requirements, may be accepted as business by Congress, by a two-thirds majority of those voting on a motion so to accept, an abstention not being regarded as a vote for this purpose.

- 4.6 Congress Standing Orders shall make provision for the handling of motions that are urgent; which arrangements shall be implemented by the Congress Business Committee.
- 4.7 The transaction of business of Congress shall be planned by a Congress Business Committee, whose composition and operation shall be defined in Congress Standing Orders.
- 4.8 A special meeting of Congress must be convened within five working weeks when it is so resolved by the Executive Committee or following receipt of a requisition from quorate general meetings in 20% of local associations within UCU Scotland, or bearing the identifiable signatures of not less than one tenth of the members of UCU Scotland. Such resolution or requisition shall specify the intended business, and only that business may be transacted at the special meeting.

RULE 5 CONGRESS MEMBERSHIP

- 5.1 All references to the Executive Committee mean the Executive Committee of UCU Scotland unless explicitly stated otherwise.
- 5.2 Congress shall consist of:
- 5.2.1 ex officio, all members of the UCU Scotland Executive Committee
 - 5.2.2 representatives elected by the local associations
 - 5.2.3 for any Central Group in Scotland, one representative member for each 150 members or part thereof, elected by that Central Group.
 - 5.2.4 the President of UCU or as a deputy, one of the Vice-Presidents of UCU.
- 5.3 Each local association may elect three representatives for each meeting of Congress who must be members of that local association. Each local association may, if necessary, fill any vacancy in its representatives for Congress.

RULE 6 EXECUTIVE COMMITTEE

- 6.1 There shall be an Executive Committee which shall be responsible to Congress for the execution of policy and, within these Rules, for all

aspects of the conduct of UCU Scotland between meetings of Congress, including the general administration of UCU Scotland. It shall be the general duty of the Executive Committee to gather and, where appropriate, disseminate information to members and to inform and advise Congress, other than on a particular matter that Congress has referred to a special committee.

6.2 The following shall be members of the Executive Committee:

- i ex officio - the Officers of UCU Scotland;
- ii the Secretary or a nominated representative of each Scottish local association, or their nominated deputy; and
- iii up to three ordinary members, being members of Scottish local associations or of any Central Group in Scotland, elected by the members of UCU Scotland.

6.3 Ordinary members of the Executive Committee will be elected in accordance with Schedule A. Ordinary members elected to the Executive Committee will take up position at the end of the annual meeting of UCU National Congress following their election. Ordinary members of the Executive Committee will be elected for a term of two years.

6.4 If a casual vacancy arises for a period of less than one year for an ordinary member of the Executive Committee, no by-election will be held.

6.5 Each Scottish local association must inform the Honorary Secretary in writing, between 1 October and 31 October each year, whether its representative on UCU Scotland's Executive Committee will be the Secretary for the time being of the local association or a nominated representative. A new local association will do this immediately upon its constitution.

6.6 Any substitution of the Secretary for the time being of each Scottish Local Association or the nominated representative by a nominated deputy must be done in writing and submitted to the Honorary Secretary prior to the commencement of the Executive meeting at which the deputy is to attend.

6.7 Subject to the rules, the Executive Committee shall determine its own standing orders to govern how its meetings are convened and conducted, and how its powers under the rules shall be exercised.

Standing orders may be amended by notice being given in advance to a regular meeting of Executive, the decision to be made at the next regular meeting, such decision requiring the support or two-thirds of the members present and voting, and abstention not being regarded as a vote for this purpose.

Executive standing orders will require that in the event of a vote being taken and an equal number of votes recorded, the status quo ante will prevail.

- 6.8 The Executive Committee will meet not less than three times in each year.
- 6.9 A quorum at all meetings shall be one-third of the committee's membership.
- 6.10 Minutes shall be kept of the resolutions and proceedings of the Executive Committee and of every sub-committee to which any of its powers have been delegated.
- 6.11 The Executive Committee may establish sub-committees of its members and may delegate its powers and functions under these Rules to such subcommittees between its meetings. The quorum of a sub-committee shall be one third of its members, and not less than three.
- 6.12 The Executive Committee may, by its own resolution or following a resolution of Congress, establish special committees of members of UCU Scotland, which may contain up to two non-members, for specified purposes. No executive power shall be delegated to a special committee established under this rule.
- 6.13 The Executive Committee will establish a UCU Scotland Equality and Human Rights Network, to advance equality and human rights issues, to support members, and to challenge unfair discrimination.
- 6.14 A member of the Executive Committee may resign, and a prospective member or a candidate standing for election may withdraw, by written notice to the Honorary Secretary. Ordinary membership of, or candidature for, the Executive Committee, will end if membership of UCU Scotland ceases. Ordinary membership will also end upon appointment as an ex-officio member.
- 6.15 The Executive Committee will appoint an appropriate number of delegates to the Scottish Trades Union Congress. The President, the Honorary Secretary, the UCU official with responsibility for Scotland, and the General Secretary of UCU shall be ex-officio delegates.
- 6.16 No member who would, on taking up ordinary membership of the Executive Committee, have completed six or more continuous years' service as an ordinary member of the Executive Committee, is entitled to serve again in that office except after an interval of one year or more.
- 6.17 Under UCU Rules 16.7.5 and 17.1, the Executive has the right to elect delegates and submit motions to UCU National Congress.

RULE 7 FINANCES

- 7.1 The funds of UCU Scotland shall be employed for any purpose which, in the opinion of the Congress or the Executive Committee, furthers, or tends to further, the work of UCU Scotland. The Honorary Treasurer is responsible for the keeping of proper accounting records. Auditors shall be appointed annually by the Congress and a financial statement, signed by the Auditors, shall be presented annually to the Executive Committee and the Congress.
- 7.2 The funds of UCU Scotland shall be under the oversight of the Honorary Treasurer subject to such conditions as the Executive Committee shall impose.

RULE 8 ALTERATION OF RULES

- 8.1 Any part of these Rules or Schedules may be altered by a resolution passed by Congress, provided that such resolution shall receive the support, at the final stage, of not less than two-thirds of the votes cast at that meeting, an abstention not being regarded as a vote for this purpose.
- 8.2 A resolution to alter these Rules or Schedules, or an amendment to such a resolution, may be proposed by any of the bodies defined in Rule 4.4 as capable of proposing motions to Congress.
- 8.3 Unless otherwise determined by Congress, Rule changes agreed under Rule 8.1 shall come into effect immediately.

RULE 9 INTERPRETATION OF RULES

- 9.1 If any question as to the meaning or intention of these Rules or any Schedule to these Rules or any Standing Order or direction made thereunder arises, that question shall be decided by the Executive Committee.

RULE 10 VOTING

- 10.1 No meeting and no vote, act or proceeding at any meeting of Congress or in relation to a vote at any meeting of the Executive Committee or any other body of the UCU Scotland shall be rendered void or voidable by reason only that:

- 10.1.1 it was afterwards discovered that there was a defect in the appointment, election or nomination of any person attending such a meeting or so voting or by reason of the fact that any person had become disqualified from attending, or voting at the meeting; or
- 10.1.2 there was some accidental omission to give due notice to any person, or any person failed to receive such a notice; or
- 10.1.3 there was not issued to any person any voting paper which should have been issued, or any person failed to receive such a voting paper.

SCHEDULE A

CONDUCT OF BALLOTS TO ELECT OFFICERS AND ORDINARY MEMBERS OF THE EXECUTIVE COMMITTEE

- 1 Every year, the National Executive Committee of UCU will appoint an independent scrutineer qualified to be appointed for the purposes of Section 49 of the Trade Union and Labour Relations (Consolidation) Act 1992. The scrutineer will be responsible for supervising the secure conduct of all ballots to elect members of the National Executive Committee of UCU including, when necessary, the President and Honorary Secretary of UCU Scotland. The Executive Committee of UCU Scotland will confirm the appointment of this independent scrutineer for supervising, if necessary, the secure conduct of ballots for any other officers of UCU Scotland and ordinary members of the UCU Scotland Executive Committee.
- 2 The President and Honorary Secretary will be elected in accordance with the rules of UCU and the President of UCU will act as returning officer for these elections. When calling for nominations to the two geographically elected higher education sector seats of the National Executive Committee of UCU, nominees will be asked to state if they wish to stand as President or Honorary Secretary of UCU Scotland.
- 3 The Honorary Secretary will act as returning officer for the election of the Vice-President, Honorary Treasurer, Equality Officer and ordinary members of the Executive Committee and will comply with reasonable directions of the independent scrutineer.
- 4 Between 1 September and 30 November biennially, and at least 28 days before the closing date for nominations, the returning officer will publish to all members a notice that states:
 - a. the vacancies that will exist for Vice-President, Honorary Treasurer, Equality Officer and ordinary members of the Executive Committee at the end of the next annual meeting of UCU National Congress;
 - b. the information that is required in order for a valid nomination to be made;
 - c. the last date for the receipt of nominations by the returning officer, which must be the same as the last date for receipt of nominations for UCU Officer and National Executive Committee nominations for offices beginning on the same date, between 31 October and 31 January
 - d. the date by which candidates must submit their election addresses, which must be the same as the date by which candidates must submit their election addresses for UCU Officer and

- National Executive Committee elections for offices beginning on the same date, not sooner than 14 days after the last date for the receipt of nominations
- e. the name and address of the independent scrutineer.
- 5 Every nomination to a vacancy for the office of Vice-President, Honorary Treasurer, Equality Officer or ordinary member of the Executive Committee must be supported by:
- a. the signed consent of the candidate;
 - b. a statement confirming the position to which the candidate wishes to stand;
 - c. either (i) the identifiable signatures of ten members of the UCU Scotland who are entitled to vote in any ballot held to fill that position, not more than five of whom may be from the same branch/local association, or (ii) a statement signed by the Presiding Officer or Honorary Secretary of a local association or branch that the nomination has been adopted by a resolution at a quorate general meeting of that branch/local association;
 - d. a statement confirming that, at the time of nomination, the candidate is in qualifying employment, under UCU Rule 3.1.1, or has been in qualifying employment within the preceding 6 months, unless a pattern of casualised work in the post-16 sector can be proven within the preceding 24 months, and shall provide proof of such qualifying employment, normally in the form of a payslip dated within the preceding 6 months, or as otherwise determined by the returning officer.
 - e. any further information reasonably requested by the returning officer in the notice published to members under paragraph 4 of this Schedule; all of which must be received by the returning officer not later than the deadline set under paragraph 4 of this Schedule.
- 6 Within 14 days of the closing date for nominations, the returning officer will provide local associations with the following information:
- a. the names of all nominations received for all vacancies publicised;
 - b. the way in which each nomination was supported;
 - c. in the case of any uncontested nominations, a declaration that those candidates are elected to take up office at the end of the next annual meeting of UCU National Congress;
 - d. if there are more eligible candidates than vacancies for the office of Vice-President, Honorary Treasurer or Equality Officer or ordinary members of the Executive Committee, a schedule for elections to these vacancies, including the date on which it is expected that ballot papers will be sent to members, and the date by which ballot papers must be returned, which must be the

same as the date on which it is expected that ballot papers will be sent to members and the date by which ballot papers must be returned for UCU Officer and Executive Committee elections for offices beginning on the same date.

- 7 All candidates will have the opportunity to provide an election address. Election addresses will conform to any regulations governing election addresses that have been approved by the Executive Committee and are currently in force.
- 8 All candidates who submit their completed nomination not less than ten working days before the closing date for nominations, shall be informed, not less than five working days before the closing date for nominations, whether there is any defect in their nomination, including any discrepancy in the membership standing of persons providing supporting signatures under paragraph 5c of this schedule.
- 9 All ballots will be counted by the Single Transferable Vote (STV) in accordance with the method determined by the independent scrutineer.
- 10 In the event of any postal, administrative, or other doubt or difficulty, the returning officer will seek the advice of the independent scrutineer.
- 11 As soon as is practical after receipt of the independent scrutineer's report following the close of any ballot to elect officers or members of the Executive Committee, the returning officer will make available to members the results of those elections.
- 12 A copy of the scrutineer's report of any election will be provided to any member on written request to the Honorary Secretary of UCU Scotland.