



# **ATL RULES & CONSTITUTION**

Agreed by Special Conference on 15 May 2010  
With changes made by the 2013 Liverpool Conference, the 2014 Manchester Conference  
and effective from 1 September 2014  
Including changes to be reported to the 2015 Liverpool Conference



## **Part One: General Rules**

### **Rule 1 Name and registered address of the Association**

1. The name of the Association formed under these rules shall be the Association of Teachers and Lecturers. The registered office of the Association shall be at 7 Northumberland St, London, WC2N 5RD or such other place as the Association's Executive Committee may decide.

### **Rule 2 The Objects of the Association**

2. The objects of the Association are:-
  - a) to promote the cause of education generally in the United Kingdom of Great Britain and Northern Ireland and elsewhere,
  - b) to protect and improve the status and to further the legitimate professional interests of members involved in the delivery of education; and
  - c) to promote equality of opportunity and treatment for its members
  - d) to affirm the independence of the Association from any political party.

### **Rule 3 Membership**

3. Membership of the Association is open to any person who is employed or self employed, or was previously employed or self employed, or who is an accredited student in the education sector in the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man or any other locations where the Association is organising members. Membership is available on an annually renewed basis. The type and categories of membership available shall be as defined by ATL Conference.
  - 3.1 Members shall be allocated on joining the Association to one of the following sub-sections within the Association: Standard, Associate and Student.
  - 3.2 The benefits of membership offered to any sub-section of members can be altered, amended or cancelled subject to review or decision of the Executive Committee at any time.
    - a) **Standard membership** is open to any teacher, lecturer or other person employed or self employed in education in any capacity which the Executive Committee considers to be appropriate. Standard members should:
      - i. hold a current teaching or lecturing contract; or
      - ii. hold a current head teacher/principal's contract, but excluding those who are the proprietor or owner or part owner of the educational establishments concerned; or
      - iii. be employed as a self-employed teacher or lecturer, so long as they have been engaged as such within the preceding six months; or
      - iv. be currently undertaking supply or casual teaching employment so long as they have been so engaged within the last six months; or
      - v. hold current registration with a teaching or lecturing employment agency, school, college or local authority accepted by the Executive Committee; or
      - vi. Be employed or work within the education sector in any other non-teaching professional or support capacity or any other role as defined and agreed by the Executive Committee for which working cover is agreed.

- b) The Executive Committee may require from members and applicants for Standard membership proof of their status as defined under 3.2a.i – 3.2a.vi above in order to guarantee members and applicants for membership the benefits under these rules of standard membership.
- c) Standard Members shall be eligible to stand for election as Officers of the Association, members of the Executive Committee or members of the annual conference of the Association. Standard Members shall be eligible to hold Branch Office. Only Standard Members may vote in any elections covered by this rule after they have contributed a minimum of thirteen weeks' subscriptions to the Association.
- d) Existing Standard Members who are on maternity or carers leave may apply to have their membership subscription suspended for a period of time as determined by the Association on completion of an application submitted to the Association's registered office. The Association will not accept applications that are retrospective of the member's current subscription year and should be considered alongside rule 4.7.
- e) Subject to the discretion of the Executive Committee, any member or applicant for membership who otherwise satisfies the requirements of Standard Membership while engaged by a UK education service provider outside the United Kingdom of Great Britain and Northern Ireland, the Channel Islands and the Isle of Man shall be eligible to be a member of the overseas branch(s). Terms and benefits of Standard Members of the overseas branch(s) shall be determined by the Executive Committee. Members of the overseas branch(s) shall not be eligible to stand as officers of the Association, members of the Executive Committee, or delegates to the annual conference. However, where the Executive Committee considers it viable, members of the overseas branch(s) may form Branches of the Association and elect the appropriate Branch Officers.

3.3 **Associate Membership** is available for those who are no longer eligible for standard membership because they have left employment in Education, but are not yet in receipt of their pension or for individuals employed within Education who do not qualify for other Membership categories. Associate members shall not hold elected office as Officers of the Association, members of the Executive Committee or members of the annual conference. However, they may hold district/branch office within the Association at the discretion of the Executive Committee. Terms and benefits of Associate membership shall be determined by the Executive Committee

3.4 **Student membership** of the Association is open to any student in full or part-time education who is studying to qualify as a teacher, lecturer or gain any other qualification within the education sector accepted by the Executive Committee. Student Members may convert to Standard Membership following the successful completion of their studies. Terms and benefits of Student membership shall be determined by the Executive Committee

3.5 **Retired Membership** is only available for those members who are no longer eligible for membership under rule 3.2a)i – 3.2a)vi or rules 3.3 to 3.4 and because they have left employment in education and that they are also in receipt of their pension. Retired members shall not hold elected office as Officers of the Association, membership of the Executive Committee or be members of the annual conference. However, they may hold district/branch office within the Association at the discretion of the Executive Committee. Only existing members

of the Association are eligible to transfer to retired membership, this rate is not available for those who wish to join the Association. Terms and benefits of Retired membership shall be determined by the Executive Committee

- 3.6 **Fellowship** of the Association shall be open to members and others who have rendered conspicuous and distinguished service to the Association and/or education generally. The Executive Committee shall be responsible for electing individuals to fellowship of the Association. Terms and benefits of Fellowship membership shall be determined by the Executive Committee.

#### **Rule 4 Joining the Association**

- 4.1 Every person wishing to become a member of the Association shall complete an application by a prescribed method of joining and ensure their details are submitted to the Association's registered office.
- 4.2 An applicant shall become a member after their application has been accepted and their name and address entered on the Association's central register of members at the registered address listed in Rule 1 of these rules.
- 4.3 If any applicant for Association membership requires representation or assistance (including legal advice), with problems that arose before they joined the prospective member should declare any such problems in a letter with their application form. The Association will not assist applicants with pre-existing issues.
- 4.4 Upon the application for membership being accepted, the Executive Committee shall allocate the member to the appropriate district/branch. The District/Branch a member is allocated to will be the one to which their employer is attached to or for those not attached to an employer to the one in which they live as defined by the Association. The Association retains the right to transfer a member to a different district/branch if it is found the details they have provided are different to those held.
- 4.5 Members must notify in writing to the Association's registered office of any change in the member's name, home address, employer, workplace, workplace address, category of employment or of their wish to transfer into a different category of membership or any other relevant change which could affect their membership of the Association.
- 4.6 The Executive Committee may reject any application for membership if in their opinion the activities of the applicant is or has been either incompatible with the Association's declared aims and objectives as set out in rule 2 and Appendix 1 to these rules, and/or such activities could bring the Association into disrepute.
- 4.7 Any member may resign her/his membership and cease to be a member and to be eligible for any benefits of membership by sending her/his resignation in writing to the Membership Department of the registered office of the Association. Unless the member specifically requests an earlier date, the resignation will take effect from the end of the current subscription year. The full subscription for the year of resignation will still be payable and the member will not be entitled to the refund of any part of such subscription.
- 4.8 A member may only transfer to another appropriate category of membership by giving notice in writing to the Membership Department of the registered office of the Association. The transfer shall normally become effective at the end of the subscription year in which the notice is given unless the member requires a higher level of cover than they already hold. Members who wish to transfer to a new rate after a new subscription year has already begun will note the full subscription for the year of transfer is still payable and members will not be entitled to a refund of any part of the subscription already paid.

- 4.9 Any member who ceases to be eligible for her/his existing category of membership shall terminate on the last day of the subscription year in which s/he ceases to be eligible, unless s/he transfers to another appropriate category of membership.
- 4.10 Any member who is working or living outside of the United Kingdom will be allocated to an appropriate overseas branch(s). Terms and benefits of membership of those allocated to the overseas branch(s) shall be determined by the Executive Committee.

#### **Rule 5 Subscriptions to the Association**

Membership of the Association renews on an annual basis and is subject to the payment of an annual subscription. The Executive Committee shall be responsible for setting the subscription rates, the role undertaken to determine the membership type and the differences between each category of the Association's membership.

- 5.1 Members will pay the appropriate level of annual subscriptions in advance on or before the anniversary of their joining date. It is a member's responsibility to ensure that their subscription is paid for at the correct type, category and level. Members who do not pay the correct subscription type, category and level may forfeit the right to representation or assistance (including legal advice)
- 5.2 The Executive Committee shall have the discretion to permit payment of subscriptions by instalments. The Executive Committee shall have the discretion to vary levels of subscriptions for specific groups of members.
- 5.3 Any member whose arrears of subscriptions exceed 13 weeks shall be deemed to have lapsed their membership, and as such shall no longer be a member of the Association will no longer be entitled to the benefits of membership and will not be entitled to hold office within the Association.
- 5.4 Any member whose membership is deemed to have lapsed may rejoin the Association at its discretion. The Association will decide what level of payment may be due and the right if any to representation or assistance (including legal advice).
- 5.5 In order to preserve a member's continuity of membership, the Executive Committee may, at its discretion, re-admit any member whose subscriptions are in arrears after deciding what level of payment may be due.
- 5.6 The Executive Committee will make the current subscription rates available to Members, in an Appendix B to these rules along with publishing them from time to time in the Association's published and electronic formats.

#### **Rule 6 Membership of the Association – obligations of membership**

The Executive Committee shall have the power to establish, alter, or change any method or process of dealing with complaints under this Rule as it sees fit, provided always that its procedures meet the criteria of natural justice.

- 6.1 The procedures and processes for receiving complaints, deciding penalties and hearing appeals shall be as set out in the Complaints Procedure.
- 6.2 A complaint under this Rule may be initiated by the Executive Committee, an individual member or a group of members or member of staff.
- 6.3 The Executive Committee shall have the power to charge a member with offences who, in its opinion, bring injury or discredit on the Association, for example by:-
  - (a) Acting contrary to these Rules as either an individual member or in the capacity of a representative of the Association;
  - (b) Being knowingly involved in any fraud on the Association or any misappropriation of its funds or property;

- (c) Practising any type of discrimination or intolerance against members in contradiction of the Objects of the Association set out in Rule 2 and Appendix A to these Rules.
  - (d) Being convicted in a Court of Law of any offence which may bring the Association into disrepute; or
  - (e) Otherwise engaging in unprofessional conduct.
- 6.4 When representing the Association, members must, as far as is possible, speak or write on the Association's behalf in line with the Association's policies laid down by the Conference or the Executive Committee.
- 6.5 The Executive Committee, (or any sub-group thereof to which the Executive Committee has delegated these powers), after following the Complaints Procedure established under rule 6 .1 above, may apply one or more of the following sanctions to a member: -
- (a) Censure;
  - (b) Removal of accreditation for any office or role in the Association held by the member either indefinitely or for a specified period;
  - (c) Removal from office in the Association for a specified period;
  - (d) Disqualification from holding any office or role in the Association either indefinitely or for a specified period;
  - (e) Expulsion from the Association.
- 6.6 The Complaints Procedure shall give a member who is the subject of a complaint the right of appeal against any of the sanctions imposed on him/her under rule 6.5 (a)-(e).
- 6.7 In addition, if the President after consultation with the General Secretary deems it appropriate, a member accused of any conduct under rule 6.3 a) – e) can be suspended, as a neutral act, from membership or from holding any office or accreditation or from undertaking any other role in the Association pending the completion of the full process of the Complaints Procedure.
- 6.8 Where a member has been charged with a criminal offence that may bring the Association into disrepute, the President, after consultation with the General Secretary can, as a neutral act, suspend the member from holding an office or accreditation or from undertaking another role in the Association, pending the completion of the prosecution process.
- 6.9 The Executive Committee shall make the Complaints Procedure available to members upon request in an appropriate format.

## **Rule 6.10**

### **"Members' Charter"**

The Executive Committee, or a sub-committee of the Executive Committee with delegated powers, shall have the power to establish, alter or change the conditions for the provision of support:

- i) to members in their employment;
- ii) to members and their families in cases of Personal Injury through the Association's appointed solicitors.

6.10.a A Members' Charter outlining the conditions under which support may be granted to members will be deemed to be accepted by the member, unless the member refuses to accept the terms of the Members' Charter in writing.

- 6.10b The conduct of members seeking assistance who do not follow the terms and conditions for providing support as set out in the Members' Charter may lead to a suspension or discontinuation of support.

### **Rule 7 Membership organisation – Districts and Branches**

The Executive Committee shall establish and maintain such Districts and Branches of the Association as it may consider necessary to further the objects of the Association.

#### 7.1.a Districts shall:

- represent the interests of members,
- nominate representatives to the Association's Executive Committee,
- nominate candidates for elected roles as National Officers and/or General Secretary within the Association
- elect district members of and submit resolutions to the Conference
- perform other such duties on behalf of the members as shall be laid down by the Executive Committee.

#### 7.1.b Branches shall:

- represent the interests of members within a recognised bargaining unit
- conduct industrial relations on behalf of members within their bargaining unit
- perform other such duties on behalf of the members as shall be laid down by the Executive Committee.

7.2 The Executive Committee shall have the power to define the geographical area of each District and Branch and may change the District or Branch area boundaries as they see fit. Appendix D details the current district and branch structure.

7.3 The Executive Committee may open, close or merge Districts or Branches at its discretion, but no District or Branch will be merged with another or closed without all members of the District or Branch affected being informed and consultation procedures being adopted that allow the Executive Committee to give information on any such proposal.

7.4 The Executive Committee may create Districts or Branches for members on a local, regional, national or any other basis that, in their opinion, best serves the Association's capacity to represent such members. The Rules governing such districts or branches will be determined by the Executive Committee, and their structures will form part of Appendix D to these rules.

7.5 Each member will be a voting member of only one district.

7.6 In the case of geographically based districts and branches, each member will be allocated to a District which includes the area in which they are mainly employed, and to the Branch that is relevant to their bargaining unit in which they are mainly employed (where one exists), unless the Executive Committee decide otherwise.

7.7 Retired members shall normally be members of the geographical District covering the area in which they reside, unless the Executive Committee decide otherwise.

7.8 Student members shall be members of the geographical district and branch in which their training institution is located, unless the Executive Committee decide otherwise.

7.9 Districts and Branches will meet in accordance with the Association's District and Branch Model Rules and their own standing orders. One meeting must be the Annual General Meeting (AGM) of the District, held before the end of the academic year.

7.10 Each District and Branch shall conduct its affairs in line with the model rules attached as Appendix E. However, any District or Branch may seek the permission of the Executive Committee to adopt its own District or Branch rules.

7.11 The Executive Committee members for the electoral district that includes the District shall be ex-officio non-voting members of the District Committee.



- 7.12 Districts and Branches must notify the Registered Office of the Association of the name and membership number of local representatives within the district and branch in order that they be formally accredited and regularly informed of Association affairs, including relevant training.
- 7.13 Each District shall hold a bank account at an appropriate branch of a bank approved by the Executive Committee.
- 7.14 The financial procedures to be followed by the Districts and Branches in financial matters shall be as laid down by the Executive Committee in the financial regulations authorised in *Rule 13 (6)* of these rules. Failure by District or Branch Officers to fulfil the requirements of this rule may result in the Executive Committee using its disciplinary powers against the Officers of defaulting Districts or Branches.
- 7.15 Every District shall submit a statement of district accounts to the Executive Committee in a manner and at a time prescribed by the Executive Committee that will allow a report of District finances to be included in the Executive Committee's annual financial report to Annual Conference.

### **Rule 7.a – Association for Managers in Education (AMiE)**

#### The AMiE Section

- 7.a.1 The Association shall have a National Section called The Association of Managers in Education ("AMiE"). AMiE shall represent the interests of members of the Association in leadership and/or management roles. The EC shall determine which members are eligible for admission to AMiE. Members of AMiE shall be described in these Rules as "AMiE members".
  - 7.a.1.a With effect from 1<sup>st</sup> January 2011 all former members of the Association for College Management ("ACM") and all members of the Association in leadership and/or management roles shall become AMiE members. The EC may determine whether a member is in a leadership and/or management role for this purpose.
- 7.a.2 AMiE members shall remain members of the Branches to which they belong by virtue of Rule 7. Nothing in this Rule 7.a shall affect AMiE members' membership status according to Rule 3.1. Members not wishing to be AMiE members may by written notice to the EC withdraw from AMiE membership.
- 7.a.3 There shall be an AMiE President and an AMiE Council to direct the organisation of and set policy for AMiE and the AMiE Council shall be free to decide its policy independently of any policy set by the Association. The AMiE President and the AMiE Council shall be elected from amongst AMiE members by ballot of AMiE members. The AMiE President shall be ex officio a member of the Association's EC. The AMiE President shall be a National Officer of the Association as defined in Rule 9.
- 7.a.4 The AMiE Council may (subject to the approval of the EC) make such By-laws and/or Rules for its own operation (including for the election of the AMiE President and the Council itself) and the operation and organisation of AMiE generally as it reasonably thinks fit.
- 7.a.5 For a period of 5 years from 1<sup>st</sup> January 2011 the EC shall establish a restricted fund of the Association, called the AMiE Restricted Fund. The AMiE Restricted Fund shall consist of the former assets of ACM (valued as at 31.12.10). The AMiE Restricted Fund shall be used exclusively for the purposes of AMiE and AMiE members. On 1<sup>st</sup> January 2016 the AMiE Restricted Fund shall cease to have any independent existence and shall be merged into and become part of the Association's general fund.

- 7.a.6 Notwithstanding Rule 11.16, this Rule 7.a shall continue in force, without amendment, unless (in addition to the other requirements of these Rules) at least 75% of all AMiE members consent to such amendment.
- 7.a.7 AMiE members shall be represented on the Association's EC by 3 EC members elected by and from amongst AMiE members, according to Rule 10, and the AMiE President.
- 7.a.8 The EC shall ensure that casework support to AMiE members will be provided by a network of permanently employed AMiE Regional Officers.
- 7.a.9 The EC shall ensure that at least one place on the Association's Annual Delegation to the Annual Trades Union Congress is reserved for an AMiE member.
- 7.a.10 AMiE shall become and remain an Associate Member of the GFTU (subject to the Rules of the GFTU).
- 7.a.11 AMiE may hold an Annual Conference (or similar event) either as part of the Association Conference or otherwise.

### **Rule 8 Local Representation of members**

- 8 In every workplace where the Association provides accredited representation, the members employed there, shall appoint, elect or confirm annually from among themselves one or more of the following representatives in accordance with the Model Branch Rules.
  - a) School, College or other educational establishment Representative
  - b) Health and Safety Representative
  - c) Learning Representative
  - d) Other Representative types approved by the Executive Committee
- 8.3 All such representatives must be Standard or Individual Affiliate Members of the Association.
- 8.4 A School or College or other workplace representative: -
  - a) Shall represent members collectively or individually in any first level grievance, dispute or negotiation procedure affecting the members in that workplace.
  - b) Shall establish and maintain information links between the Association's local District/Branch and local members.
  - c) May recruit new members and maintain the organised position of the Association in the workplace after completion of appropriate training and accreditation in conjunction with appropriate District/Branch Officers.
- 8.5 A Health and Safety Representative shall represent the interests of members in each educational establishment on any matters that may arise relating to Health and Safety.
- 8.6 A Learning Representative shall represent the interests of members in each educational establishment on any matters that may arise relating to their continuing professional development opportunities.
- 8.7 All such representatives must notify their local district/branch to be accredited as an Association representative in any of the categories outlined in Rule 8 (a-d).
- 8.8 Any representative elected, appointed or confirmed under this rule shall convene meetings of the members of the Association when they think it necessary or at the request of 20 per cent of the members they represent.
- 8.9 Each Representative elected, appointed or confirmed under this rule can be removed from office by a majority vote of the members in that workplace at properly constituted meetings according to District and Branch Model Rules.
- 8.10 Each Representative elected, appointed or confirmed under this rule need not be accredited by the Employer: rather, they must comply with the rules, policy and objectives of the Association.

## **Rule 9 National Officers of the Association**

- 9 There shall be a National President and other National Officers of the Association. The number of National Officers of the Association, their roles, responsibilities and terms of office shall be determined by Conference and are detailed in Appendix F of these Rules. The period of office for any National Officer shall not exceed statutory requirements. In any event, no National Officer shall serve more than four successive terms of office.
- 9.1 The National Officers shall collectively constitute a sub-committee of the Executive Committee and between meetings of the Executive Committee, shall collectively make decisions on behalf of the Executive Committee. All such relevant information shall be reported to the next meeting of the Executive Committee.
- 9.2 The National Officers of the Association shall each be elected by the standard membership of the Association. The timetable, methods of voting and other arrangements for these elections shall be as determined by the Executive Committee in accordance with statutory requirements. The returning Officer for the National Officer elections shall be the General Secretary or an appropriate independent person appointed by the Executive Committee.
- 9.3 Notice of any elections for the National Officer positions shall be sent by the General Secretary to the Association's branches, Executive Committee to standard members via the Association's journal and electronic communications. This notice of election will call for nominations to be returned to the Returning Officer by a date agreed by the Executive Committee. The Returning Officer will then forward ballot papers and election addresses to each member entitled to vote. Such voting papers shall be returned to the specified address within 28 days of their despatch to members in order to be counted in the ballot.
- 9.4 Nominations will only be valid if the candidate for any National Officer's post covered by this rule:
- a) Is currently a standard member of the Association and has been for at least three years including the 12 months immediately prior to the closure of nominations;
  - b) Has been nominated by at least 10 members of the Executive Committee OR at least 1 District/Branch or 25 standard members from more than 1 workplace.
- 9.5 Only standard members shall be eligible to hold office as National Officers of the Association, and only standard members are entitled to participate in their election. With the exception of the post of general secretary, employees of the Association (i.e. those holding a current contract of employment), will be ineligible to stand for or serve as a national officer of the Association.
- 9.6 All ballots in connection with these elections shall be by means of postal ballots.
- 9.7 The Executive Committee shall appoint a Qualified Independent Person, as defined within the Trade Union and Labour Relations (Consolidation) Act 1992, to scrutinise the counting of votes and report the results to the Executive Committee of the Association.
- 9.8 Once the Executive Committee has accepted the Scrutineer's Report, the General Secretary will publish the results and the Scrutineer's Report as required by legislation.
- 9.9 Casual Vacancies occurring among the National Officers shall be filled by the Executive Committee from amongst its number. A person so appointed to fill such a casual vacancy, shall hold office until the date on which the previous National Officers' term of office would have expired. If a National Officer resigns before taking up office after an election, another election shall be held, see appendix G.

## **Rule 10 Executive Committee**

### 10. Powers of the Executive Committee (EC)

The Executive Committee is responsible for the governance, management and control of the Association in accordance with these rules. In seeking to promote the interests of the Association or any of its members, the EC may do such things that are consistent with the rules, objects and policy of the Association. In particular, and without limiting these general powers of the EC, the Executive Committee shall, subject to the decisions of Conference, have the powers to: -

- a. Implement the policy decisions of the Association's Conference
- b. Decide questions of Association policy, including initiating new policy, where necessary and appropriate between meetings of Conference when Conference is silent.
- c. Determine the rates of subscription for Association members.
- d. Oversee the investment, disposal and use of the Association's assets.
- e. Borrow money for any purpose in furtherance of the objects of the Association set out in Rule 2, on such security as they consider expedient.
- f. Appoint or remove the Association's financial auditors
- g. Commence or defend legal proceedings on behalf of the Association or any of its members or employees
- h. Maintain and operate disciplinary procedures within the Association that both protect its professional reputation and the integrity of the Association's administration.
- i. Delegate such of its powers as it feels appropriate to its own General Purposes Committee and any other sub-committees for specific purposes set up by the Executive Committee. The membership of these sub-committees of the EC shall operate under standing orders decided by the EC, and the EC shall have the power to co-opt members who are not members of the EC. For committees with delegated powers these co-options shall be to a maximum of 25% of the sub-committee membership. The Executive Committee shall have the power to terminate the co-options.
- j. Draw up conference standing orders via the Conference Standing Orders Committee for the Conference to consider, accept or amend.
- k. Delegate its authority to Association members, Officers and staff to represent the Association at any body whose activities and principles in any way advance the objects of the Association.
- l. Consult the whole membership or sectional interest groups within the membership on questions of policy by postal or electronic means.
- m. Interpret these rules where appropriate and report their decisions to the next conference to accept, reject or amend.
- n. Agree amendments or additions to these rules that are required by law or other urgent necessity. Such changes must be supported by at least two thirds of Executive Committee members present and voting, and be reported to the next Conference for them to endorse, reject or amend.
- o. To employ a General Secretary and other staff and to determine their duties, remuneration and other terms of employment.
- p. To have the power itself or to direct the President, General Secretary and /or other elected National Officers of the Association to call, authorise or threaten any industrial action whatsoever by the Association's members, subject to the legal requirements.

10.1 The executive committee, subject only to its authority in delegating those powers as outlined in Rule 10 above, shall be the only body under these

rules with the power to authorise the calling of any industrial action whatsoever.

- 10.2 The composition of the Executive Committee will be made up of:
- a. Standard members elected by the members every two years from the Association's Electoral Districts according to the procedures laid out in Rule 10.3 below, with the right to speak and vote.
  - b. The National Officers of the Association as defined in Rule 9, who shall attend meetings of the EC with the right to speak and vote.
  - c. The General Secretary, who shall attend meetings of the Executive Committee with the right to speak but not vote.
  - d. There shall be, subject to the decision of the Executive Committee a minimum of 35 and a maximum of 50 standard members of the EC, including National Officers of the Association.
  - e. 3 AMiE members (in addition to the AMiE President), elected every 2 years by and from amongst AMiE members
- With the exception of the post of general secretary, employees of the Association (i.e. those holding a current contract of employment), will be excluded from membership of the executive committee.
- 10.3 The Executive Committee can invite any other person to attend meetings of the EC in order to provide the EC with factual, professional or technical information. All such persons shall only speak when called upon to do so by the Chairperson, and shall not vote.
- 10.4 The Executive Committee shall be, for electoral purposes, be divided into electoral districts:-
- a. "**Geographical Seats**" The Executive Committee shall have the power to group adjoining geographical branches together into electoral constituencies on a regional basis. This process will ensure that all regions of the Association have at least one representative and, proportionate to its membership, such additional representatives per region as the Executive Committee may determine.
  - b. "**Sectional Seats**" The Executive Committee shall have the power to place Sectional districts into electoral constituencies. This process will ensure that all Sectional districts of the Association have at least one representative and, proportionate to its membership, such additional representatives per sectional Branch as the Executive Committee may determine.
  - c. The balance of Executive Committee seats held between 'geographical' and 'sectional' seats shall be determined by the Executive Committee ahead of each set of EC elections.
  - d. "**AMiE Seats**" The EC shall allocate 3 seats on the EC for AMiE members and the electoral district for those seats shall consist of all AMiE members. These 3 seats shall be in addition to the seat of the AMiE President.
- 10.5 The Executive Committee (EC) shall be elected by the processes set out below. The EC will decide the timetable for elections, the electoral constituencies and will be responsible for the successful implementation of the following procedures:
- a. The EC will initiate the election timetable by appointing an election Returning Officer who will normally be the General Secretary.
  - b. In each year in which EC elections are scheduled in accordance with these rules, the EC shall appoint an Independent Scrutineer in line with current legislation affecting trade union elections.
  - c. Standard Members of the Association who are not more than 13 weeks in arrears with their subscriptions shall be entitled to nominate candidates for election, and to vote by secret postal or electronic voting methods that satisfy legislative requirements and are approved by the Independent Scrutineer of each Association election.

- d. The elections for National Officers are covered in Rule 9 above. Elections for all other Executive Committee members shall be held every two years.
- e. The Returning Officer shall give notice to all members of the Association of the election procedure by the end of February in a year in which EC elections are due via the Association's journal and electronic communications. The Returning Officer will make available appropriate nomination forms to districts and to individual members upon request and/or via the Association's website.
- f. Nominations shall be submitted within six weeks of the announcement of the election timetable by the Returning Officer.
- g. Nominees can only stand for election to the Executive Committee to one seat in any election.
- h. nominees for 'geographical' and 'sectional' seats may only stand for the electoral divisions in which they are a member.
- i. Nominees for 'additional' seats can only stand if they meet the criteria for that seat as determined by the Executive Committee.
- j. Candidates whose nomination is accepted as valid by the Returning Officer shall be given ten working days to submit an election address of not more than 300 words, along with their biographical details. The election address shall not be edited unless legal advice establishes the content to be defamatory or in any way liable to make the Association open to legal proceedings. The Executive Committee shall have the power to delete any such offending text in which case candidates will be given an opportunity to revise the election address appropriately.
- k. The election materials and ballot papers shall then be distributed to members either by post and/or electronically in order for the completed ballot papers to be returned to the offices of the Independent Scrutineer within 20 working days of their despatch.
- l. The Independent Scrutineer's report will be received by the EC and the results published. The new EC will then take up office on the 1<sup>st</sup> of September for two years.
- m. In the event of a casual vacancy arising on the EC, the EC shall call for an election to be held under these rules unless the vacancy occurs six months or less before the end of the current electoral cycle.
- n. The style of election materials, including the possible use of photographs in election addresses, the conduct of members while seeking nominations, the nature of campaigning for election and commenting on the Association's policies and other candidates shall be governed by the elections protocol set out as Appendix G to these rules.

#### 10.6 Procedures of the Executive Committee

The EC shall determine the policies of the Association on all matters except where these rules provide otherwise. It shall have full authority to act in the name of the Association, and in order to fulfil these responsibilities, it shall:-

- a. Meet not less than six times a year, and more frequently upon **either** a written or electronic request to the General Secretary of at least a third of the members of the EC **or** the President, or at the invitation of the General Secretary. All such requests shall be actioned within 30 working days.
- b. Be responsible for drawing up its own standing orders for the conduct of its meetings.
- c. Establish a quorum of not less than one third of serving members of the EC.
- d. Publish its decisions in order to inform members of its work.
- e. Delegate its powers between EC meetings to the National Officers provided that the National Officers shall not act inconsistently with either EC or

Conference decisions and report the work of the Association to each meeting of the EC.

### **Rule 11 Conference and its meetings**

- 11 The general principles of the policy of the Association shall be entrusted to the Conference.
- 11.1 Conference shall consist of voting representatives who shall all be standard members of the Association. The formula for deciding how many representatives should attend the Conference and the constituencies they represent, will be decided by the Executive Committee.
- 11.2 In addition, the Conference shall be attended by the Executive Committee, the General Secretary and the National Officers of the Association, as defined in Rules 8 and 12, and such members of the Association's staff as the General Secretary deems appropriate. The executive members and National Officers shall be ex-officio members of conference and shall have the right to vote.
- 11.3 The General Secretary shall have the right to speak but shall not have a vote. Other staff shall be allowed to speak at the invitation of the Conference's Chair, but shall have no vote.
- 11.4 The Executive Committee can invite any other person to speak at the invitation of the Chair of Conference, but such persons shall not vote
- 11.5 The President of the Association shall chair the Conference, and in his/her absence, the Conference shall be chaired by another of the National Officers. In the absence of any National Officer, the representatives present shall elect one of their number to chair the Conference.
- 11.6 The Conference Agenda will include motions submitted by the Association's branches and individual members along with motions submitted by the EC. The number of motions submitted by each branch or individual members shall be determined before each conference by the Standing Orders Committee, convened on behalf of Conference by the Executive Committee.
- 11.7 The Standing Orders Committee for Conference shall consist of a number of Rules and Procedures Committee members appointed by the Executive Committee.
- 11.8 The Standing Orders Committee, on behalf of Executive Committee, shall have the power to determine the admissibility of all motions, the compositing of motions and the order of business for the Conference.
- 11.9 The Executive Committee, via the Standing Orders Committee, shall have the responsibility for the preparation of the Conference agenda and its associated papers, standing orders, reports, invitations to outside speakers, media and guests of the Association and all other matters relating to Conference.
- 11.10 The Executive Committee will produce for Conference a written annual report of the Association's activities that the representatives will endorse, reject or amend.
- 11.11 The Executive Committee will produce for Conference an annual, independently audited financial report for discussion and endorsement by the Conference.
- 11.12 There will be a presumption that all sessions of conference will be held in public, but any subject may be discussed in private or closed session if supported by not less than two-thirds of the representatives present and voting.
- 11.13 At every conference, the Executive committee shall place on the agenda for endorse, reject or amend by Conference any changes to these rules that they have made since the previous Conference after changes in the law or other urgent necessities facing the Association.
- 11.14 Voting at the Conference shall be by whatever method the Standing Orders Committee recommends to Conference. A simple majority of votes will determine the policy of the Association that is binding on the Executive Committee, the Officers, staff and members of the Association, with the exception of rule changes

which shall be determined by two thirds majority votes by representatives present and voting.

- 11.15 The Executive Committee may call other conferences from time to time to discuss issues affecting discrete groups of members. The procedures for such supplementary conferences of the Association shall be proposed by the Executive Committee. The decisions of such conferences and the procedures adopted by them shall be reported to the next Conference for endorsement, rejection or amendment.
- 11.16 The Executive Committee may, at its discretion call an additional Conference to discuss particular issues facing the Association. In addition Conference may recall itself at the request of 100 representatives. Such a conference will be equally subject to this Rule 11.

### **Rule 12 General Secretary of the Association**

12 The Association's principal Official shall be the General Secretary.

12.1 The General Secretary shall be one of the Trustees of the Association.

12.2 The General Secretary shall act under the direction of the Executive Committee, who shall have the power to fix his/her remuneration and other terms and conditions of employment. The Executive Committee shall have the power to suspend or dismiss or otherwise discipline the General Secretary when in breach of their contract of employment.

12.3 The General Secretary, as secretary to the Executive Committee, shall be responsible for the administration of the Association's affairs, including maintaining a register of members and convening meetings of the Executive Committee, the Conference and other such conferences or meetings as decided by the Executive Committee.

12.4 The Executive Committee may additionally delegate such of its authority to the General Secretary as it determines between meetings of the Executive Committee, subject always to the General Secretary reporting the use of such powers to the Executive Committee.

12.5 Subject only to the ultimate control of the Association vested in the Executive Committee, the General Secretary shall be responsible for managing the employees of the Association, and organising the content and location from where their work may be done.

12.6 The General Secretary shall have the right to attend and speak at any meeting of the Association's Executive Committee, Conference or other committees, but shall not vote.

### **Rule 13 Election of General Secretary**

13 The General Secretary shall be elected by the whole standard membership every five years. Only standard members who have been in membership of the Association for at least 13 weeks and who are less than 13 weeks in arrears with their subscriptions may nominate or vote in such an election.

13.1 The Executive Committee will appoint a Returning Officer for the election, who will normally be the Association's President.

13.2 The Executive Committee will also appoint an Independent Person in line with the legislative requirements for trade union elections to supervise the distribution and counting of votes and to deal with any complaints about the election, if any.

13.3 Valid nominations for General Secretary will be nominated on the prescribed form(s) by **either** the Executive Committee, **or** 6 branches of the Association from six different Executive Committee Districts, **or** 100 individual standard members from at least six different Executive Committee Districts of the Association.



- 13.4 Nominees other than that chosen by the Executive Committee must be a standard member or member of the paid staff of the Association.
- 13.5 Candidates will be invited to confirm their acceptance of nomination, and those candidates with valid nominations shall be invited to submit an election address of not more than 400 words to be distributed with ballot papers. Candidate's names shall be listed alphabetically on the ballot paper.
- 13.6 In the event of only one valid nomination being made under these rules, that candidate shall be declared elected unopposed by the Executive Committee.
- 13.7 In the event of more than two valid candidates being nominated for the election of General Secretary, the method of voting used shall be the method decided upon by the Executive Committee from time to time.
- 13.8 The election period shall be 20 working days from the posting of the ballots, and the ballots shall be returned to the Independent Person. The votes will be counted under the Independent Person's supervision and candidates allowed to attend the count.
- 13.9 Following the counting of votes the Independent Person will send the result of the ballot to the Returning Officer who will report the result and the Independent Person's comments on the conduct of the election to the Executive Committee as soon as is practicable.
- 13.10 There will be a period of 20 working days following the counting of the votes for members to complain about any element of the election to the Independent Person. The Independent Person's decision on such complaints will be final, and will be judged on the basis of whether or not any such complaint shows a material breach of these rules or legal requirements such as to have materially affected the outcome of the election.
- 13.11 The Independent Person may then recommend to the Executive Committee that the election shall be declared void, or disqualify a particular candidate or any other remedial measure.
- 13.12 The Executive Committee shall respond to any report and recommendation of the Independent Person subject only to their decision being in line with legislation, the requirements of the Certification Officer or other lawful author
- 13.13 The Executive Committee shall publish the result of the election in the Association's journals and electronic channels of communication.
- 13.14 The successful candidate in an election for General Secretary shall sign a contract of employment containing such terms and conditions of employment as the executive committee shall specify, including the successful candidate's acceptance of the Objects of the Association.
- 13.15 This contract of employment shall come into force from the date specified as the commencement of the General Secretary's employment with the Association as laid out in the election material accompanying the ballot papers.

#### **Rule 14 Finances of the Association – General Principles**

14. The Executive Committee has overall responsibility for the management, control and expenditure of the Association's financial, investment, property and all other resources. In addition to these rules, the ATL Financial Regulations attached as Appendix H are to be construed as part of these rules. As such, the ATL Financial Regulations are binding on all member, Officers and staff within the Association, and are subject to annual review by the Executive Committee.
- 14.1 The Executive Committee may devolve its powers in total or part to a committee of the E.C known as the General Purposes Committee of the Association. The committee shall be made up of a number of National Officers and Executive Committee members to be determined by the Executive Committee. The General Purposes Committee will be responsible for keeping all the Association's financial

papers, preparing budgets, producing financial statements for the Executive Committee, the Conference and statutory bodies including the Certification Officer and the Inland Revenue.

- 14.2 The Treasurer and Member Governance Officer shall chair the General Purposes Committee and the Vice President shall become vice chair. In the absence of the chair the vice chair shall chair its meetings.
- 14.3 The Executive Committee will appoint the Association's professional auditors. The qualifications of the auditors and their re-appointment and removal shall be executed by the Executive Committee in compliance with the Trade Union and Labour Relations (consolidation) Act 1992 where the Act refers to auditors.
- 14.4 The auditors will be required to audit the Association's funds each year in time for the audited accounts of the previous financial year to be presented to the Conference. These accounts will be published in the Association's journal or on the Association's website.
- 14.5 The General Purposes Committee shall have the power to require the attendance of any member, officer or member of staff, or to invite any other person who can provide the financial advice and information they need as specified in the ATL Financial Regulations (Appendix H).
- 14.6 The General Secretary shall be responsible for the proper care and recording of the Association's financial records.
- 14.7 Any member of the Association, having given reasonable notice to the Association's General Secretary, may visit the registered office of the Association and examine the statutory accounting records of the Association as allowed by law. All requests made under this clause shall be reported to the next meeting of the Executive Committee.

#### **Rule 15 Finances of the Association – Funds of the Association**

15. The Funds of the Association shall consist of:
  - a. The General Fund
  - b. The Political Fund, (if one is established)
  - c. Other funds that the Executive Committee may establish from time to time
- 15.1 These funds shall all be used to further the objects of the Association as laid out in Rule 2, Appendix A, and Rule 19 of these rules.
- 15.2 All funds raised by the Association, whether by way of collecting subscriptions or other levies from the membership, borrowing, investment or sale of assets shall be remitted to the Association's Registered Office and recorded there in the funds authorised by the Executive Committee under the provisions of Rule 15(1).
- 15.3 The Executive Committee will be responsible for allocating funds from the General Fund to other funds of the Association as they see fit.
- 15.4 The allocation to any Political Fund the Association may establish shall be decided in line with the separate and specific provisions of Rule 19 Political Fund.
- 15.5 Monies donated by members specifically for the ATL Trust Fund shall be so allocated.

#### **Rule 16 Finances of the Association – Role and Responsibilities of the Trustees**

16. Notwithstanding the overall responsibility of the Executive Committee for the control and management of the Association's finances, the governance of the Association's investments, property and equipment shall be vested in the Association's Trustees.
- 16.1 The Trustees shall include the General Secretary and the Treasurer and Member Governance Officer.

- 16.2 The Trustees will also include two standard or retired members of the Association appointed by the Executive Committee for a term of office of four years, renewable by the Executive Committee.
- 16.3 Trustees may attend meetings of the General Purposes Committee, and their duties will be set out in the Finance Regulations attached to these rules as Appendix H.
- 16.4 The Trustees shall determine their own standing orders for the meetings of the Trustees.
- 16.5 A Trustee shall cease to be trustee if he/she is declared of unsound mind, becomes bankrupt or insolvent or is convicted of a criminal offence related to dishonesty.

#### **Rule 17 Miscellaneous**

17. Definitions
- 17.1 Except where the context makes plain to the contrary, all words denoting one gender shall be deemed to include the other gender, and all words denoting the singular number shall be understood to include the plural and vice versa.
- 17.2 Any notice, if sent by post, shall be deemed to have been sent at the time when the envelope containing the notice would have been delivered in the ordinary course of the postal service. It will be deemed sufficient to prove this if the envelope containing the notice was properly addressed and put into the post as a pre-paid letter. Similarly, if such communications are distributed electronically by email, they shall be deemed to have been sent according to the dates recorded thereon.
- 17.3 In the event of any dispute concerning issues in which these rules appear silent or unclear, the Executive Committee shall interpret them and their ruling shall be conclusive and binding on all members of the Association.
- 17.4 All such interpretations and rulings shall be reported to the next Conference.

#### **Rule 18 Dissolving the Association**

18. The Association can be dissolved in the event of a ballot of standard members and members in the retired category being carried by a majority of over 2/3rds of the votes cast.
- 18.1 Should the members so elect to dissolve the Association, the debts and liabilities of the Association shall all be honoured.
- 18.2 If there are any resources remaining after such liabilities and debts have been settled, they shall be given to an educational charity or other educational body in line with the members' preferences expressed in the same ballot that decides to dissolve the Association.

## **Part Two – Political Fund Rules**

### **Rule 19 Political Fund**

19. Notwithstanding the provisions within Rules 14,17,18 and 19 concerning a Political Fund for the Association, no such fund shall be established and no affiliations made to any political party and no payment to any political party's candidate unless and until Conference approves the establishment of such a fund following a ballot of the membership on the issue. No ballot shall be authorised on the political fund issue without the prior endorsement of both Executive Committee and Conference.

#### **19.1 Rules for the Political Fund**

The objects of the Association of Teachers and Lecturers shall include the furtherance of the political objects to which section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (the Act) applies, that is to say the expenditure of money –

- a. on any contribution to the funds of, or on the payment of expenses incurred directly or indirectly by, a political party;
- b. on the provision of any service or property for use by or on behalf of any political party;
- c. in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
- d. on the maintenance of any holder of a political office;
- e. on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
- f. on the production, publication or distribution of any literature, document film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate.

Where a person attends a conference or meeting as a delegate or otherwise as a participator in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of paragraph (e) above, be taken to be expenditure incurred on the holding of the conference or meeting.

In determining, for the purposes of paragraphs (a) to (f) above, whether the Association has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the Association.

In these objects –

“candidate” means a candidate for election to a political office and includes a prospective candidate;

“contribution”, on relation to the funds of a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

“electors” means electors at any election to a political office;

“local authority” means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act of 1973; and

“political office” means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

19.2 Any payments in the furtherance of such political objects shall be made out of a separate fund of the Association (hereinafter called the political fund).

- 19.3 As soon as is practicable after the passing of a resolution approving the furtherance of such political objects as an object of the Association the executive committee shall ensure that a notice in the following form is given to all members of the Association in accordance with this rule: -

**Trade Union and Labour Relations (Consolidation) Act 1992**  
**A resolution approving the furtherance of political objects within the meaning of the above Act as an object of the union has been adopted by a ballot under the Act. Any payments in the furtherance of any of those objects will be made out of a separate fund, the political fund of the union but every member of the union has a right to be exempt from contributing to that fund. A form of exemption notice can be obtained by or on behalf of any member either by application at, or by post from, the head office or any branch office of the union or from the Certification Office for Trade Unions and Employers' Associations, 22<sup>nd</sup> Floor, Euston Tower, 286 Euston Road, London NW1 3JJ.**

**This form, when filled in, or a written request in a form to the like effect, should be handed or sent to the secretary of the branch to which the member belongs.**

The notice shall be published to members by such methods as are customarily used by the Association to publish notices of importance to members and shall, include the following minimum requirements. The notice shall be published in the Association's main journal which is circulated to members. A copy of the notice shall be posted up and kept posted up for at least 12 months in a conspicuous place, accessible to members, at the office or meeting place of each branch of the Association. The Secretary of each branch shall also take steps to secure that every member of the branch, so far as is reasonably practicable, receives a copy of the notice, and shall supply a copy to any member on request. The executive committee shall provide the secretary of each branch with a number of copies of the notice sufficient for these purposes.

- 19.4 Any member of the Association may at any time give notice on the form of exemption notice specified in Rule 17.5, or by a written request in a form to the like effect, that he objects to contribute to the political fund. A form of exemption notice may be obtained by, or on behalf of, any member, either by application at, or by post from, the general office or any branch office of the Association, or from the Certification Office for Trade Unions and Employers' Associations, 22<sup>nd</sup> Floor, Euston Tower, 286 Euston Road, London NW1 3JJ.
- 19.5 The form of exemption notice shall be as follows: -

**Name of the Trade Union                      Association of Teachers & Lecturers**  
**POLITICAL FUND EXEMPTION NOTICE**

**I hereby give notice that I object to contributing to the political fund of the Association and am in consequence exempt, in the manner provided by Chapter VI of the Trade Union and Labour Relations (Consolidation) Act 1992, from contributing to that fund.**

**Name (please print).....**

**Signature: .....**

**Address:.....**

.....

**Date: .....**

- 19.6 Any member may obtain exemption by sending such notice to the secretary of the branch to which the member belongs and, on receiving it, the secretary shall send an acknowledgement of its receipt to the member at the address in the notice, and shall inform the general secretary of the name and address of that member.
- 19.7 On giving such notice, a member shall be exempt, so long as his notice is not withdrawn, from contributing to the political fund of the Association as from either: (a) the first day of January next after notice by the member is given or, (b) in the case of a notice given within one month after the notice given to members under Rule 3 or after the date on which a new member admitted to the Association is supplied with a copy of these rules under Rule 13, as from the date on which the member's notice is given.
- 19.8 The executive committee shall give effect to the exemption of members to contribute to the political fund of the Association by relieving any members who are exempt from the payment of part of any periodical contributions required from the members of the Association towards the expenses of the Association as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment.  
For the purpose of enabling each member of the Association to know as respects any such periodical contribution what portion, if any, of the sum payable by him is a contribution to the political fund of the Association, it is hereby provided that ...p. of each (quarterly/monthly/weekly) contribution is a contribution to the political fund, and that any member who is exempt shall be relieved from the payment of the sum of ...p., and shall repay the remainder of such contribution only.

## Alternative Clause 8

The executive committee shall give effect to the exemption of members to contribute to the political fund of the Association by making a separate levy of contributions to that fund from the members of the Association who are not exempt, namely, the sum ...p. payable (quarterly/monthly/weekly on ..... No monies of the Association other than the amount raised by such separate levy shall be carried to the political fund.

The first levy shall not come into force until the expiration of one month from the publication of the notice to members under Rule 3, nor shall any levy come into force as respects a new member until the expiration of one month from his being supplied with a copy of these rules under Rule 13 following admission to the Association.

- 19.9 A member who is exempt from the obligation to contribute to the political fund of the Association shall not be excluded from any benefits of the Association, or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Association (except in relation to the control or management of the political fund) by reason of his being so exempt.
- 19.10 Contribution to the political fund or the Association shall not be made a condition for admission to the Association.
- 19.11 If any member alleges that he is aggrieved by a breach of any of these rules for the political fund, being a rule or rules made pursuant to section 82 of the Act, he may complain to the Certification Officer, and the Certification Officer, after making such enquiries as he thinks fit and after giving the complainant and any representative of the Association an opportunity of being heard, may, if he considers that such a breach has been committed, make such order for remedying the breach as he thinks just in the circumstances. Any such order of the Certification Officer may, subject to the right of appeal provided by section 95 of the Act, be enforced in the manner provided for in section 82(4) of the Act.
- 19.12 Any member may withdraw his notice of exemption on notifying his desire to that effect to the secretary of his branch, who shall on receiving it send the member an acknowledgement of receipt of the notification and inform the general secretary of the name and address of that member.
- 19.13 The executive shall ensure that a copy of these rules is available, free of charge, to any member of the Association who requests a copy.
- 19.14 The executive shall also send to the Secretary of each branch sufficient copies of these rules for distribution to each member.
- 19.15 The secretary of each branch shall, so far as possible secure that each member of that branch receives a copy of the rules.
- 19.16 The secretary of each branch shall supply a copy of these rules free of charge to each member who requests a copy.
- 19.17 A copy of the rules shall also be supplied by the secretary of each branch to every new member of his/her admission to the Association.

### **Rule 20 Political Fund (Northern Ireland)**

20. Under article 59 of the Trade Union and Labour Relations (Northern Ireland) order 1995, no Northern Ireland member of the Association shall be required to make

any contribution to the Political Fund of the Association as defined in Rule 19.1 and 19.2 of these rules unless he/she has delivered to a branch or head office of the Association a notice in the form set out below in clause 20.2 of these rules, setting out their willingness to contribute to that fund, and has also not withdrawn such a notice in the manner described in Rule 18.3 of these rules.

20.1 Consequently, every member of the Association in Northern Ireland who has not delivered a notice outlined in Rule 18 above or who has withdrawn such a notice as outlined in Rule 18.3 below, shall be deemed for the purposes of these rules to be a member who is exempt from the obligation to contribute to the Political Fund of the union.

20.2 The form of willingness to contribute to the Political Fund of the Association of Teachers and Lecturers is as follows:

“Form of Political Fund Contribution for Northern Ireland members.

<b>Association of Teachers and Lecturers</b>
<b>Name of member’s branch</b>
<b>Political Fund (contribution notice)</b>
<b>I HEREBY give notice that I am willing and agree to contribute to the political fund of the Association of Teachers and Lecturers, and I understand that I shall, in consequence, be liable to contribute to that fund and shall continue to be so liable unless I deliver at the Association’s headquarters, or to any Branch Secretary of the Association a written notice of withdrawal; I also understand that after delivering such a notice of withdrawal I shall continue to be liable to contribute to the political fund until the next following first day of January.</b>
<b>Signature:</b> .....
<b>Number of Branch:</b> .....
<b>Address:</b> .....
<b>Date:</b> ..... <b>Membership No:</b> .....

20.3 If any time a member of Association who has delivered such a notice as provided in Rule 20 above gives notice of withdrawal thereof delivered as provided in Rule 20.4 below to the Association’s Head Office or any Branch Secretary of the Association, that member shall be deemed to have withdrawn the notice from the next following first day of January.

20.4 The notice outlined above in rule 20 to 20.3  
May be delivered personally by the member or by any authorised agent of the member and any notice shall be deemed to have been delivered at the Association’s headquarters, or to any Branch Secretary or the Association, if it has been sent by post properly addressed to that office.

20.5 The Executive Committee shall give effect to the exemption of Northern Ireland members to contribute to the political fund of the Association by relieving those members who are legally exempt from the payment of part of any periodical



contributions required from the members of the Association towards the expenses of the Association as provided and such relief shall be given as far as possible to all members who are exempt on the occasion of the same periodical payment. For the purpose of enabling each Northern Ireland member, who has opted to pay to the political fund, to know as respects any such periodical contribution what portion of the sum payable by him/her is a contribution to the political fund of the Association it is hereby provided that a sum of ..... is a contribution to the political fund and any members who is exempt shall be relieved from the payment of the said sum and shall pay the remainder of such contribution only.

- 20.6 Northern Ireland members who are statutorily exempt from the obligation to contribute to the political fund of the Association shall not be excluded from any benefits of the Association or placed in any respect either directly or indirectly under any disability or disadvantage as compared with other members of the Association (except in relation to the control or management of the political fund) by reason of their being exempt.
- 20.7 Contribution to the political fund of the Association shall not be made a condition for admission to the Association.
- 20.8 If any Northern Ireland member alleges that he/she is aggrieved by a breach of any of the rules made pursuant to Article 59 of the Trade Union and Labour Relations (Northern Ireland) Order 1995 he/she may complain to the Northern Ireland Certification Officer, 2-8 Gordon Street, Belfast, BT1 2LG, under Article 57 (2) to (4) of that Order.

If after giving the complainant and a representative of the Union an opportunity to be heard, the Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Under Article 69 of the 1995 Order an appeal against any decision of the Certification Officer may be made to the Court of appeal on a question of law.

Additionally, if any Northern Ireland member alleges that he/she is aggrieved by a breach of the political fund rules made pursuant to section 82 of the Trade Union and Labour Relations (Consolidation) Act 1992 he/she may complain to the GB Certification Officer 22<sup>nd</sup> Floor, Euston Tower, 286 Euston Road, London NW1 3JJ. If, after giving the complainant and representative of the Association an opportunity of being heard, the GB Certification Officer considers that a breach has been committed, he/she may make an order for remedying it as he/she thinks just in the circumstances. Any such order of the GB Certification Officer is subject to the right of appeal provided for by section 82 (4) of the 1992 Act.

## **Rule 21 Balloting to Establish a Political Fund**

### **PARTIAL ALTERATION OF RULES**

#### **Rules for a ballot under section 74 of the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended)**

##### **General**

- 21.1 The Executive Council shall be responsible to the Association for securing that the ballot which is held to establish a political fund is conducted in accordance with these rules. This overall responsibility cannot be delegated, even where the responsibility for carrying out a particular duty falls upon a person not subject to the rules of the Association administrative tasks for the conduct of such a ballot may be delegated in accordance with the rules or practice of the Association.

##### **Interpretation**

- 21.2 In these ballot rules, unless the context otherwise requires:

“the Act” means the Trade Union and Labour Relations (Consolidation) Act 1992 (as amended);

“the Certification Officer” means the Certification Officer for Trade Unions and Employers Associations whose address is 22<sup>nd</sup> Floor, Euston Tower, 286 Euston Road, London NW1 3JJ.

“dispatch envelope” means the envelope (in the form required by these rules) in which the voting paper and return envelope are dispatched to the member.

“executive” means the person or persons appointed to act as the independent person or persons in respect of the ballot under the provisions of section 77A of the Act and these rules;

“person” in relation to the position of an independent person or a scrutineer, includes an unincorporated or incorporated body of persons;

“proper address” in relation to any member means his/her home address or other address which he/she has requested the union in writing to treat as his/her postal address under section 24(5) of the Act;

“return envelope” means an envelope in the form required by these rules;

“scrutineer” means the independent person appointed by the union to that position in relation to the ballot under section 75 of the Act and these rules;

“the period specified before disposal” means the end of the period of one year beginning with the day of the announcement by the union of the result of the ballot or, if within that period an application is made under section 80 or 81 (complaint of failure to comply with the ballot rules) of the Act, until the Certification Officer of the court authorises him/her to dispose of the papers or, as the case may be, records;

“voting paper” or “ballot paper” means a voting paper in the form required by these rules.

### **Purpose of these Rules**

21.3 These rules are adopted for the purposes of a ballot under section 73 of the Act and apply only to such a ballot.

### **Copies of these Rules to be available to Members**

21.4 A copy of these rules shall be supplied either free of charge or on payment of a reasonable charge to any member of the union who requests a copy.

### **Appointment of a Scrutineer**

21.5 Before the review ballot is held, a scrutineer shall be appointed to carry out the functions in relation to the ballot as are required under the Act and such additional functions as are specified in the appointment.

21.6 A person is eligible for appointment as scrutineer if:

- a. the person satisfies the conditions which are for the time being specified by the Secretary of State pursuant to section 75(2) of the Act or is a person specified in an order made under that section (the conditions and the persons specified by the Secretary of State were, at the time of the adoption of these rules, contained The Trade Union Ballots and Elections (Independent Scrutineer Qualifications) Order 2002 (SI 2002/2267) – available at [www.ospi.gov.uk](http://www.ospi.gov.uk)); and
- b. there are no grounds for believing that the person in question will carry out any function conferred on him/her in relation to the ballot otherwise than competently; or that his/her independence in relation to the union or in relation to the ballot might reasonably be called into question.

### **Terms of the Scrutineer's Appointment**

- 21.7 The terms of the scrutineer's appointment shall require the scrutineer:
- a. to supervise the production of the voting papers and (unless appointed to undertake the distribution of voting papers) their distribution;
  - b. to be the person to whom the voting papers are returned by those voting;
  - c. to inspect the register of names and addresses of members of the Association examine the copy of the register as at the relevant date which is supplied to him/her in accordance with section 75(5A) (a) of the Act whenever it appears to him/her appropriate to do so and in particular where the conditions specified in section 75(3A) of the Act are satisfied;
  - d. take such steps as appear to be appropriate to the scrutineer for the purpose of enabling him/her to make a report under these rules;
  - e. to make that report to the Association as soon as is reasonably practicable after the last date for the return of voting papers;
  - f. to retain custody of, and keep secure in a safe place, all voting papers returned for the purposes of the ballot together with the relevant copy of the register of names and addresses of members entitled to vote and supplied to him/her by the Association for the period specified before disposal, as defined in rule 2;
  - g. to carry out such other functions in relation to the ballot as are required of him/her under these rules or otherwise, as the executive considers appropriate;
  - h. to store in a secure place any unused voting papers or voting papers which are returned undelivered until disposal; and
  - i. to respect the duty of confidentiality in respect of the register

### **Notice of Appointment of Scrutineer**

- 21.8 Before the scrutineer begins to carry out any of these functions either:
- a. a notice stating the name of the scrutineer shall be sent by the Association to every member of the Association to whom it is reasonably practicable to send such a notice; or
  - b. all such other steps shall be taken for notifying members of the Association of the name of the scrutineer as it is the practice of the Association to take when matters of general interest to all its members need to be brought to their attention. Such notice of notification may invite members to inform the Association of any change of address and advise members of the dates between which the ballot will be held.

### **The Association's duty towards the scrutineer**

- 21.9 Nothing in the terms of the scrutineer's appointment (including any additional functions specified in the appointment) shall be such as to make it reasonable for any person to call into question the scrutineer's independence in relation to the Association.
- 21.10 The Association shall ensure that there is no interference with the scrutineer in carrying out the functions imposed on him/her by the terms of the appointment which would make it reasonable for any person to call into question the scrutineer's independence in relation to the Association.
- 21.11 All reasonable requests made to the Association by the scrutineer for the purpose of or in connection with the carrying out of the functions of the scrutineer shall be complied with.

### **Appointment of independent person to distribute voting papers and count the votes cast**

- 21.12 The union shall appoint an independent person to undertake the storage and distribution of the voting papers and the counting of votes cast. This person can be either:
- a. the scrutineer; or
  - b. another person who is not the scrutineer. As with the scrutineer the Association must have no grounds for believing either that:
    - i. he or she will carry out any functions conferred on him/her in relation to the ballot otherwise than competently; or
    - ii. that his/her independence in relation to the Association or in relation to the ballot might reasonably be called into question.
- 21.13 The terms of appointment of an independent person to carry out his/her functions shall:
- a. require him/her to carry out the functions of the independent person so as to minimise the risk of any contravention of requirements imposed by or under any enactment or these rules or the occurrence of any unfairness or malpractice; and
  - b. impose the duty of confidentiality in respect of the register into the terms of appointment.
- 21.14 Where the person appointed to undertake the counting of the votes is not the scrutineer, his/her appointment shall require him/her to send the voting papers back to the scrutineer as soon as is reasonably practicable once the counting has been completed.
- 21.15 The independent person shall be responsible for the safe custody of:
- a. voting papers and envelopes prior to their sending out to members and for any voting papers and envelopes until their handing over to the scrutineer (if appropriate); and
  - b. voting papers at all other times when in his/her possession, and shall ensure that voting papers and return envelopes in his/her possession are kept in a secure place.

### **The Association's duty towards the independent person**

- 21.16 Nothing in the terms of the appointment of the independent person shall be such as to make it reasonable for any person to call into question the independence of the person appointed in relation to the Association.
- 21.17 The Association shall ensure that the independent person carries out his/her functions and that there is no interference with his/her carrying out of those functions which would make it reasonable for any person to call into question the independence of the person appointed in relation to the Association.
- 21.18 The Association shall comply with all reasonable requests made by the independent person for the purposes of, or in connection with, the carrying out of his/her functions.

### **Dispatch envelopes**

- 21.19 The dispatch envelope:
- a. shall be addressed to the member entitled to vote;
  - b. shall state that if the envelope is undelivered to the member it should be returned to the scrutineer and give his/her name and address;
  - c. shall bear a postage stamp or other stamp or mark allowing it to be delivered at no cost to the member; and
  - d. in the event of the envelope containing other than the material relating to the ballot, the envelope shall have printed on it prominently the words "ballot paper" or "voting paper"

## **Voting Papers**

21.20 Every voting paper shall be in or substantially in accordance with the form set out in appendix 1 to this rules and:

- a. shall clearly specify the name of the scrutineer, the address to which, and the date by which, it is to be returned;
- b. shall be marked with one of a series of consecutive whole numbers, everyone of which is used in giving a different number (in that series) to each voting paper printed or otherwise produced for the purposes of the ballot;
- c. may have printed on it the logo of emblem of the Association;
- d. may have printed on it or attached to it an explanatory statement.

## **Return Envelopes**

21.21 Every return envelope:

- a. shall be capable of being sealed;
- b. shall be address to the scrutineer
- c. shall bear a postage stamp or other stamp or mark showing that the envelope may be returned to the scrutineer by post without cost to the voter; and
- d. may have printed on it;
  - i. the name of the Association
  - ii. the logo or emblem of the Association
  - iii. the words "voting paper" or "ballot Paper".

## **Date of ballot**

21.22 The executive shall determine the date:

- a. by which the voting papers shall be sent to members, which shall be a date not less than three weeks before the last date on which voting papers may be returned to the scrutineer;
- b. of the last day for receipt of completed voting papers by the scrutineer; and
- c. on which the counting of votes is to commence.

## **Conduct of the ballot**

21.23 Entitlement of the Association to vote in the ballot shall be accorded equally to all members

21.24 The ballot shall be conducted so as to secure that, so far as is reasonably practicable, those voting do so in secret.

21.25 So far as is reasonably practicable, every member who is entitled to vote in the ballot shall, in accordance with these rules:

- a. be sent a voting paper by post in such time as to be received on or before the opening day of the ballot; and
- b. be given a convenient opportunity to vote by post.

21.26 Every member who is entitled to vote in the ballot shall:

- a. be allowed to vote without interference from, or constraint imposed by, the Association or any of its member, officials or employees; and
- b. so far as is reasonably practicable be able to do so without incurring any direct cost to the member.

21.27 Every member who is entitled to vote in the ballot shall have sent to him/her in a sealed dispatch envelope, at his/her proper address by post:

- a. a voting paper; and
- b. a return envelope addressed to the scrutineer.

- 21.28 When it is not practicable for a particular member to be sent a voting paper and return envelope by the date determined in accordance with these rules, a voting paper and return envelope may be sent to that member as soon as is reasonably practicable after that date, so as to give that member a convenient opportunity to vote by post.
- 21.29 The name of each member to whom a voting paper is sent shall be recorded in some form or record of members but not so as to make it reasonable for any person to call into question the secrecy of the ballot. If the independent person is not the scrutineer this record shall be sent to the scrutineer as soon as is reasonably practicable after the ballot, and shall be kept by the scrutineer for the period specified before disposal, as defined in rule 19.2.

#### **Manner of voting**

- 21.30 Every member who wishes to vote must return his/her voting paper to arrive at the address of the scrutineer on or before the date determined in accordance with these rules.
- 21.31 The scrutineer shall store in a secure place any voting papers returned to him/her undelivered and shall keep a record of any voting paper so returned.
- 21.32 The scrutineer shall be responsible for the safe custody and security of all returned envelopes and voting papers during the period of the ballot and for the period specified before disposal, as defined in rule 19.2. The scrutineer shall at all times take all reasonable steps to secure the safe custody of the returned envelopes and voting papers so as to minimise the risk of any contravention of the requirements imposed by or under any enactment or these rules or the occurrence of any unfairness or malpractice.

#### **Counting of the ballot**

- 21.33 The ballot shall be conducted so as to secure that the votes are fairly and accurately counted by the independent person. Any inaccuracy in counting is to be disregarded for the purpose of this rule if it is accidental or on a scale which could not affect the results of the ballot.
- 21.34 On the date appointed for the commencement of the counting of votes and before the counting begins the independent person shall hand over to the scrutineer any remaining stock of voting papers not distributed to members. The scrutineer shall before counting begins:
- a. place the unused voting papers in a secure place; and
  - b. keep a record of the number of voting papers so stored and a record of any voting papers issued under rule 19.28.
- 21.35 On the date appointed for the commencement of the count the scrutineer shall hand over to the independent person the unopened return of envelopes received in respect of the ballot. The independent person shall undertake the opening of the return envelopes and the counting of the votes.
- 21.36 No person may be present at the count other than:
- a. the scrutineer;
  - b. the independent person;
  - c. those acting under the supervision of the independent person, and
  - d. those present with the consent of the scrutineer.
- 21.37 The independent person or if more than one of them the majority of them shall decide whether any voting paper shall be rejected as being invalid and shall mark each such voting paper "rejected".
- 21.38 Those voting papers which are not rejected shall be counted.
- 21.39 After the count the scrutineer shall take and retain custody of all of the voting papers returned for the purpose of the ballot for the period specified before disposal, as defined in rule 19.2.

### **Scrutineer's report**

- 21.40 As soon as is reasonably practicable after the last date for the return of voting papers the scrutineer shall make a report ("the scrutineer's report") to the Association in accordance with these rules. The scrutineer's report shall state:
- a. the number of voting papers distributed for the purposes of the ballot;
  - b. the number of voting papers returned to the scrutineer by the members;
  - c. the number of valid votes cast in the ballot for and the number of valid votes cast against the resolution;
  - d. the number of spoiled or otherwise invalid voting papers returned;
  - e. the name of the person (or each of the persons) appointed as the independent person or persons;
  - f. whether the scrutineer:
    - i. is satisfied that there are no reasonable ground for believing that there was any contravention of a requirement imposed by or under any enactment of these rules in relation to the ballot;
    - ii. is satisfied that the arrangements made (whether by him/her or another person with respect to the production, storage, distribution, return or other handling of the voting papers used in the ballot, and the arrangements for counting the votes, included all such security arrangements as were reasonably practicable for the purpose of minimising the risk that any interference or malpractice might occur;
    - iii. is satisfied he/she has been able to carry out his/her functions without such interference as would make it reasonable for any person to call his independence in relation to the Association into question;
    - iv. has inspected the register of names and addresses of members of the union or has examined a copy of the register supplied to him/her under these rules.
- 21.41 If the scrutineer has inspected the register in accordance with these rules or has been requested to do so by a member, the report shall state:
- a. whether the register has been inspected; in the case of each inspection whether it was at the request of a member of the Association or at his/her own instance, and say, if appropriate, whether he/she declined to act on such a request; and
  - b. whether any inspection of the register or any examination or copy of the register reveals any matters which he/she considers should be drawn to the attention of the Association in order to assist in securing that the register is accurate and up-to-date, but shall not state the name of any member who has requested this inspection or examination.
- 21.42 The scrutineer's report shall also state:
- a. whether he/she is satisfied with the performance of the independent person or persons; and
  - b. if he/she was not satisfied with the performance of the person or persons or any of them, particulars of his/her reasons for not being satisfied.

### **Copy of the scrutineer's report to be sent to the Certification Officer**

- 21.43 A copy of the scrutineer's report shall be sent to the Certification Officer by the Association as soon as is reasonably practicable.

### **Publicising the result of the ballot**

- 21.44 The result of the ballot shall not be published until the union has received the scrutineer's report.
- 21.45 Within three months from the date on which the Association receives the scrutineer's report the union shall:
- a. send a copy of the report to every member to whom it is reasonably practicable to send such a copy; or

- b. take all such other steps for notifying the contents of the report to the members whether by publishing the report or other wise as it is the practice of the Association to take when matters of general interest to all its members need to be brought to their attention.

21.46 The Association shall ensure that any notification given in accordance with rule 45(b) is accompanied by a statement that the Association will on request supply the member with a copy of the report either:

- a. free of charge; or
- b. on payment of such reasonable fee as may be specified in the notification, and ensure that a member who makes such a request to the Association is supplied with a copy on payment of such a fee (if any) as has been notified to him/her.

**VOTING PAPER ON ESTABLISHMENT OF A POLITICAL FUND  
Appendix 1**

Ballot paper number: [    ]

..... [name of union]

**THE RESOLUTION is that the political objects set out in section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992 (reproduced overleaf) be approved as an object of the Union**

Do you vote in favour of the Resolution?

YES

--

NO

--

**You must place a cross on one, and only one, of the boxes provided. Place the voting paper in the addressed envelope (no stamp required) and return it to the Scrutineer to arrive before the ..... A voting paper received after this date will not be counted.**

**Please do not sign or make any other mark on the paper [or include anything else with your voting paper]**

Name of Scrutineer.....

Address to which voting paper is to be sent.....

**Appendix 1  
(Reverse of the voting paper)**

Section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992.

This section applies to the following political objects:

The expenditure of money –

- a. on any contribution to the funds or, or on the payment of expenses incurred directly or indirectly by, a political party;
- b. on the provision of any service or property for use by or on behalf of any political party;



- c. in connection with the registration of electors, the candidature of any person, the selection of any candidate or the holding of any ballot by the union in connection with any election to a political office;
- d. on the maintenance of any holder of a political office;
- e. on the holding of any conference or meeting by or on behalf of a political party or of any other meeting the main purpose of which is the transaction of business in connection with a political party;
- f. on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate. Where a person attends a conference or meeting as a delegate or otherwise as a particular in the proceedings, any expenditure incurred in connection with his attendance as such shall, for the purposes of paragraph (e) above, be taken to be expenditure incurred on the holding of the conference or meeting. In determining, for the purposes of paragraphs (a) to (f) above, whether the trade union has incurred expenditure of a kind mentioned in those paragraphs no account shall be taken of the ordinary administrative expenses of the union.

In this section –

“candidate” means a candidate for election to a political office and includes a prospective candidate;

“contribution”, in relation to a political party, includes any fee payable for affiliation to, or membership of, the party and any loan made to the party;

“electors” means electors at any election to a political office;

“film” includes any record, however made, of a sequence of visual images, which is capable of being used as a means of showing that sequence as a moving picture;

“local authority” means a local authority within the meaning of section 270 of the Local Government Act 1972 or section 235 of the Local Government (Scotland) Act 1973; and

“political office” means the office of member of Parliament, member of the European Parliament or member of a local authority or any position within a political party.

## **Appendix 2**

### **Explanatory Statement (to accompany the Establishment of a Political fund Ballot Paper)**

This ballot gives you the opportunity to vote on whether the Association of Teachers and Lecturers should be able to spend money on political purposes. The law says it must have a political fund to do this.

To set this up, the Association must ballot all of its members.

The Association wishes to set up a political fund and seeks your approval.

The political purposes on which money in a political fund may be spent are governed by Section 72 of the trade Union and Labour Relations (Consolidation) Act 1992. This is printed on the back of the voting paper.

This ballot is about setting up the Association's political fund. It is not about whether you contribute to the fund. All members have the right to vote and the right not to contribute to the fund.

If you agree that the union should have a political fund vote 'yes' on the resolution. If you disagree vote 'no'.

## **Appendices**

- Appendix A Extended Objects & Vision of the Association**
- Appendix B Subscriptions to the Association**
- Appendix C Discipline & Appeals Procedures of the Association**
- Appendix D Current Branch Structure & Electoral Divisions of the Association**
- Appendix E Branch Model Rules**
- Appendix F National Officers of the Association**
- Appendix G Elections Protocol of the Association**
- Appendix H Financial Regulations of the Association**

## Appendix A

### Extended Objects & Vision of the Association

*In addition to the fundamental objects of the Association expressed in rule 2 on page 2 of these rules, the Association also pledges itself to promote the cause of education generally in the United Kingdom of Great Britain and Northern Ireland and elsewhere, by, in particular: -*

1.

- a. Working with bodies representing people in education in any capacity in the United Kingdom and internationally.
- b. Being an affiliate of any trade union grouping or bodies in the United Kingdom or overseas as the Executive Committee shall determine.
- c. Promoting evidence bases, research led education policies which promote the enhancement of members' working lives, the learning of students and pupils and the quality of education in the United Kingdom and elsewhere.
- d. Supporting educational events, publications and working with organisations that advance these objects in ways that promote the cause of education generally and champion the spread of good education across the whole education sector.

2.

Protecting and improving the status and furthering the legitimate professional interests of members involved in the delivery of education, in particular by:

- a. Protecting and improving the professional status and professional development of its members.
- b. Protecting and improving the living standards of its members
- c. Recruiting new members and organising and representing all those employed in the provision of education services throughout the United Kingdom and other locations where education services are provided.
- d. Regulating relationships with the members' employers, and other key stakeholders in the education sector.
- e. Providing professional advice and educational opportunities for the continuing professional development of members.
- f. Providing members with such services, benefits and legal assistance as shall be determined by the Executive Committee.

3.

Promoting equality of opportunity and treatment at work for all its members, irrespective of age, gender, sexual orientation, ethnicity, disability, faith or belief.

## Appendix B

The 2015 proposed subscription rates and categories are set out below.

Category	DD Single payment	DD amount	Estimated Instalments schedule	Cheque/Credit card single payment
<b>Standard Rate working 3 to 5 days a week average (0.6 of a timetable or more OR two term contract)</b>	£195.84		12 x £16.76 = £201.12	£195.84
<b>Standard Support Staff (21hrs or more)</b>	£114.00		12 x £9.50 = £114.00	£114.00
<b>Standard Rate working less than 3 but more than 1.5 days a week average (less than 0.6 more than 0.3 of timetable -includes short term contract – one term full time or two terms part-time)</b>	£100.98		12 x £8.60 = £103.20	£100.98
<b>Standard Support (less than 21hrs but 10.5hrs or more)</b>	£80.16		12 x £6.68 = £80.16	£80.16
<b>Standard Rate working less than 1.5 days a week (less than 0.3 of a timetable)</b>	£55.08		12 x £4.65 = £55.80	£55.08
<b>Standard Support (less than 10.5hrs)</b>	£55.20		12 x £4.60 = £55.20	£55.20
<b>Associate Members (career break / non teaching)</b>	£36.00	N/A	N/A	£36.00
<b>Retired Members (TO) (non teaching and in receipt of pension)</b>	£36.00	N/A	N/A	£36.00
<b>Newly Qualified 2<sup>nd</sup> Year</b>	£85.85		12 x £7.58 = £90.96	£85.85
<b>Standard AMiE - working 3 to 5 days a week average</b>	£220.32		12 x £19.80 = £237.60	£220.32
<b>Standard AMiE -</b>				

<b>working less than 3 but more than 1.5 days a week average</b>	£128.52		12 X £11.42 = £137.04	£128.52
<b>Standard AMiE - working less than 1.5 days a week</b>	£79.56		12 X £7.17 = £86.04	£79.56

**The new joiners subscription rates and categories are set out below valid from January 2015**

**New joiners only – Membership lasts 12months from day of joining** (or date of qualifying for Newly Qualified Members) All rates last until 31/12/2015

<b>Category</b>	<b>DD Single payment</b>	<b>DD amount</b>	<b>Estimated Instalments schedule</b>	<b>Cheque/Credit card single payment</b>
<b>Standard Rate working 3 to 5 days a week average (0.6 of a timetable or more OR two term contract)</b>	£97.92		12 x £8.38 = £100.56	£97.92
<b>Standard Support Staff (21hrs or more)</b>	£57.00		12 x £4.75 = £57.00	£57.00
<b>Standard Rate working less than 3 but more than 1.5 days a week average (less than 0.6 more than 0.3 of timetable (includes short term contract – one term full time or two terms part-time)</b>	£50.49		12 x £4.30 = £51.60	£50.49
<b>Standard Support (less than 21hrs but 10.5hrs or more)</b>	£40.08		12 x £3.34 = £40.08	£40.08
<b>Standard Rate working less than 1.5 days a week (less than 0.3 of a timetable)</b>	£50.49		12 x £4.30 = £51.60	£50.49
<b>Standard Support (less than 10.5hrs)</b>	£27.60		12 x £2.30 = £27.60	£27.60
<b>Associate Members (career break / non teaching)</b>	£36.00	N/A	N/A	£36.00
<b>Newly Qualified First Year* (for those qualifying in 2014)</b>	FREE	FREE		£85.85
<b>Newly Qualified 2nd Year* (for those qualifying in 2013)</b>	£85.85		12 x £7.58 = £90.96	£85.85

<b>Standard AMiE - working 3 to 5 days a week average</b>	£110.16		12 x £9.90 = £118.80	£110.16
<b>Standard AMiE - working less than 3 but more than 1.5 days a week average</b>	£64.26		12 X £5.71 = £68.52	£64.26
<b>Standard AMiE - working less than 1.5 days a week</b>	£64.26		12 x £5.71 = £68.52	£64.26
<b>Student Membership</b>	FREE	FREE		

## Appendix C

### ATL Complaints Procedure

#### Procedure for the consideration of the position of members under the provisions of ATL's Constitution and Rules.

1. Consideration of the position of a member ('the respondent') under Rule 6 of the Constitution and Rules may arise from a complaint made by an individual member, by a group of members of the Association, by a member of staff of the Association or by a third party ('the complainant'). Rule 6 is set out in Appendix I of this Procedure. This Procedure shall also apply when the respondent holds the position of Executive Committee member, Branch Officer or National Officer, School or College representative, Health and Safety Representative, Learning Representative, any other representative accredited by the Association, or undertakes any other role in the Association.
2. This Procedure, if completed, comprises three stages: (i) a referral to the Preliminary Review Panel; (ii) a hearing before the Hearings Committee; and (iii) an appeal before the Conference Appeals Committee ('the Appeals Committee').
3. An adviser will normally assist the Preliminary Review Panel, the Hearings Committee and the Appeals Committee. The adviser will not be entitled to vote at any stage of the Procedure. At the Hearings Committee stage, the complainant and the respondent shall be entitled to be advised and represented, by a person of their choice who may, for example, be a member of the Executive Committee, a Branch Secretary or other Branch Officer, or a legally qualified external person. At the Appeals Committee stage, the appellant and the defendant (as set out in paragraphs 31 and 35 below) shall be entitled to be advised and represented by a person of their choice who may, for example, be a member of the Executive Committee, a Branch Secretary or other Branch Officer, or a legally qualified external person. However the representative shall not be an Officer of the Association and, save in the circumstances where the complaint is made by a member of staff, the representative shall not be a member of staff of the Association.
4. All proceedings shall be confidential save that (i) if the matter proceeds to the Hearings or Appeals Committee, the outcome will be communicated to the Executive Committee and to the complainant(s) and may be published in such manner as the Executive Committee may decide and (ii) the Association reserves the right to inform any relevant party of the referral to, and any decisions of, the Preliminary Review Panel, the Hearings Committee and the Appeals Committee where this is considered appropriate or necessary.
5. Rule 17.2 of the Association's Constitution and Rules concerning notices shall apply to the service of any notice on or the provision of other papers to the parties under this Procedure and any notice sent to them by post shall be deemed to have been received on the second working day after posting. The parties may confirm that they are willing to accept service by email and any notice sent to them by email shall be deemed to have been received on the date on which the email is sent. In this Procedure, 'days' shall mean calendar days.



6. Rule 17.3 of the Association's Constitution and Rules concerning interpretation shall apply to this Procedure and in the event of any dispute concerning issues upon which this Procedure appears silent or unclear, the Executive Committee shall interpret this Procedure and its ruling shall be conclusive and binding on all members of the Association.
7. At any stage of this Procedure, mediation may be initiated between the complainant and the respondent towards a resolution of the complaint, with or without the involvement of a facilitator. By agreement between the complainant and respondent, this Procedure may be stayed, or its time limits may be adjusted, while the mediation process is continuing.

### **Preliminary Review Panel**

8. At the first meeting of the Defence Committee in every two year cycle, there shall be appointed a panel ("the Preliminary Review Panel") comprising an Officer of the Defence Committee, a National Officer of the Association and one other member who shall be neither an Officer of the Defence Committee nor a National Officer. The Defence Committee shall also at that meeting elect the chair of the Preliminary Review Panel. The quorum for the Preliminary Review Panel shall be two members.
9. Any complaint for consideration under this Procedure shall be submitted in writing to the President (or, if the complaint is against the President, to one of the Honorary Secretaries). If the complainant is the President, the complaint shall be submitted to another National Officer who is not involved in the complaint - normally the Senior or Junior Vice-President. Any complaint must be submitted within six months of the last action(s) or incident(s) forming the substance of the complaint.
10. Any complaint which has been submitted and considered under this Procedure cannot be resubmitted as a further complaint.
11. The complainant shall set out the substance of the complaint and must include any/all supporting written evidence for consideration by the Preliminary Review Panel and, if the complaint proceeds, for consideration by the Hearings Committee. The complaint may be made by an officer of the Defence Committee of the Association on behalf of the Defence Committee. The complaint shall be referred by the President (or one of the Honorary Secretaries) to the Preliminary Review Panel as soon as reasonably practicable but no later than 14 days after receipt. The President (or one of the Honorary Secretaries) may seek clarification from the complainant if in her/his opinion, the complaint is unclear.
12. Where a complaint is made, any complainant who is a member or a member of staff of the Association shall play no part in the decision making process, save as provided in this Procedure.
13. The Chair of the Preliminary Review Panel shall provide the respondent with a copy of the complaint, any supporting written evidence submitted, and a copy of this Procedure and shall give him/her 28 days to provide their response to the complaint. This must include any/all written evidence for consideration by the Preliminary Review Panel and, if the complaint proceeds, for consideration by the Hearings Committee.

14. Where applicable and relevant, the Chair of the Preliminary Review Panel shall inform the respondent in writing that a possible outcome of the Preliminary Review Panel's consideration of the complaint is that the respondent might be suspended from office (including from elected office, from acting as a representative accredited by the Association or from undertaking any role in the Association) pending the outcome of the process under this Procedure. The Chair of the Preliminary Review Panel shall also inform him/her that such suspension is a neutral act and without prejudice to their position, to the operation of this Procedure or to any rights that they may have under this Procedure. The Preliminary Review Panel shall give the respondent 28 days to provide written comments and/or written evidence for consideration by the Preliminary Review Panel on this issue.
15. The Preliminary Review Panel shall consider the complaint, any supporting written evidence submitted by the complainant, any written response submitted by the respondent and any written evidence submitted by him/her, and will then decide whether there is sufficient evidence that there is a case to answer. The Preliminary Review Panel may consider, where relevant, whether the respondent should, pending the outcome of the process, be suspended as under paragraph 14 above. Where the Defence Committee comprises the group of members making the complaint, a member of the Defence Committee who is also a member of the Preliminary Review Panel shall not be debarred from acting as a member of the Preliminary Review Panel, provided that s/he has not participated in any decision of the Defence Committee to submit the complaint.
16. In making its decision as to whether there is a case to answer or, where relevant, when considering whether the respondent should be suspended from elected office, or from acting as a representative, the Preliminary Review Panel shall refer only to the documents referred to in paragraphs 11 and 13 of this Procedure. The complainant and the respondent shall not be entitled to make oral representations to the Preliminary Review Panel.
17. If the Preliminary Review Panel decides that there is a case to answer, the matter shall be referred to the Hearings Committee of the Executive Committee. The complainant(s) and the respondent shall be informed in writing by the Chair of the Preliminary Review Panel of its decision and the grounds upon which it is made as soon as reasonably practicable, but no later than 14 days after the decision. At the same time the Chair of the Preliminary Review Panel shall, where relevant, inform the President in writing of any recommendation on suspension. The President shall decide who, if anybody, should be informed under paragraph 4(ii) above and, where relevant, shall write to the respondent to inform them that they have been suspended from office. If the President is suspended, a treasurer and member governance officer shall take this action.

### **Hearings Committee**

18. The Hearings Committee of the Association shall consider any cases arising under Rule 6, but no member who has been involved in the case or who has considered the matter at a meeting of the Defence Committee or in the Preliminary Review Panel shall sit on the Hearings Committee for this purpose. In the event that any member of the Hearings Committee is unable or unwilling to attend the hearing or is obliged or decides to retire, the matter shall be heard or continue to be heard

by the remaining members of the Committee, subject to a quorum of 3 members. A record or note of the hearing will normally be taken.

19. The hearing shall be convened by the Association's treasurer and member governance officer. The treasurer and member governance officer shall be responsible for all administrative matters relating to the hearing before the Hearings Committee. The Hearings Committee shall be chaired by a National Officer.
20. A bundle of documents containing the papers submitted by the complainant and the respondent in accordance with paragraphs 11 and 13 above shall be prepared by the treasurer and member governance officer.
21. No fewer than 28 days' written notice shall be given by the treasurer and member governance officer to the complainant and the respondent of the date, time and place of the hearing and of their right to be present and/or to be represented at the hearing, together with details of the conduct complained of, the bundle of documents prepared under paragraph 20 and a copy of this Procedure. The complainant and the respondent will be consulted by the treasurer and member governance officer about the date and timing of the hearing with a view to reaching agreement. If agreement cannot be reached, the treasurer and member governance officer will inform the parties of the date and time of the hearing. A hearing may take place in the absence of the complainant or the respondent. Their representative shall be entitled to represent them if they are unable to attend the hearing.
22. Decisions as to the conduct of the business of the Hearings Committee and of the hearing itself will be made by its Chair. Subject to adherence to this Procedure, these decisions may include the admission or refusal of late papers, the granting or refusal of postponements and the setting of rules as to time constraints and limitations on the length of the hearing.
23. A postponement of the hearing will only be granted in exceptional circumstances.
24. Late papers submitted by the complainant after the submission of the complaint or by the respondent after the deadline set out in paragraph 13 above will only be considered by the Hearings Committee in exceptional circumstances.
25. The complainant will provide the treasurer and member governance officer with written witness statements for his/her witnesses within 14 days of the date on which the notice of hearing was sent to the parties under paragraph 21 above. As soon as reasonably practicable thereafter, the treasurer and member governance officer will send copies of these to the respondent.
26. The respondent will provide the treasurer and member governance officer with written witness statements for his/her witnesses within 21 days of the date on which the notice of hearing was sent to the parties under paragraph 21 above. As soon as reasonably practicable thereafter, the treasurer and member governance officer will send copies of these to the complainant.
27. If the complaint has been referred by the Defence Committee, the case against the respondent will normally be presented by an Officer of the Defence Committee, who will act as complainant. In other cases the complainant or their representative may present the complaint against the respondent. The presenter

may call witnesses and may refer to documents, provided that such documents have been provided in accordance with this Procedure.

28. The complainant or his/her representative and any witnesses may be questioned by the respondent or their representative and then by members of the Committee.
29. The respondent or their representative will then have an opportunity to present their response and may call witnesses and may refer to documents, provided that such documents have been provided in accordance with this Procedure.
30. The respondent, their representative and any witnesses may be questioned by the presenter and then by members of the Committee.
31. The complainant or their representative and then the respondent or their representative may sum up to the Committee. No new evidence may be introduced in the summing up. The complainant and their representative and the respondent and their representative will then retire. The Committee will deliberate in private, assisted if it so wishes by its adviser.
32. In the event of a disagreement between members of the Committee, the case under consideration shall be decided by a simple majority of the votes cast and, in the case of an equality of votes, the Chair of the Committee shall have a second or casting vote.
33. The decision of the Committee and the grounds upon which it is made shall be notified by the Chair in writing to the person or persons making the complaint, the presenter of the case and the respondent as soon as practicable but no later than 14 days after the decision following the conclusion of the hearing and, where appropriate, shall inform the respondent of the provisions for making an appeal. The decision shall take effect when communicated to the parties in accordance with paragraph 5.

### **Appeal**

34. The respondent shall be entitled to appeal against the decision of the Hearings Committee. Any appeal submitted by the respondent (now called 'the appellant') must be in writing, setting out the grounds of the appeal and including copies of any documents. It must be lodged with the General Secretary of the Association within 21 days of the date of the notice to the respondent giving the written decision of the Committee as referred to in paragraph 33 above.
35. Any appeal will be heard by the Appeals Committee of the Association. In the event that any member of the Appeals Committee is unable or unwilling to attend the meeting or is obliged or decides to retire, the matter shall be heard or continue to be heard by the remaining members of the Appeals Committee, subject to a quorum of 3 members. A record or note of the appeal hearing will normally be taken.
36. The appeal hearing shall be convened by the Association's treasurer and member governance officer. The treasurer and member governance officer shall be responsible for all administrative matters relating to the appeal hearing before the Appeals Committee. The Appeals Committee shall appoint a Chair for the purposes of the appeal.

37. Decisions as to the conduct of the business of the Appeals Committee and of the hearing itself will be made by its Chair. Subject to adherence to this Procedure, these decisions may include the admission or rejection of late papers, the granting or refusal of postponements and the setting of rules as to time constraints and limitations on the length of the hearing.
38. The treasurer and member governance officer shall provide a copy of the grounds for the appeal and any documents submitted by the appellant to the person making the case to uphold the decision which is the subject of the appeal ('the defendant'). The defendant will in most cases be the Chair of the Hearings Committee.
39. No fewer than 28 days' written notice shall be given by the treasurer and member governance officer to the appellant and the defendant of the date, time and place of the appeal hearing and their right to be present and/or to be represented at the hearing. A postponement of the hearing will only be granted in exceptional circumstances. The appellant and the defendant will be consulted by the treasurer and member governance officer about the date and timing of the appeal hearing with a view to reaching agreement. If agreement cannot be reached, the treasurer and member governance officer will inform the parties of the date of the hearing. An appeal hearing may take place in the absence of the appellant or the defendant. Their representative shall be entitled to represent them if they are unable to attend the hearing.
40. The defendant must provide any documents for the appeal to the treasurer and member governance officer who is responsible for convening the Appeals Committee at least 14 days before the appeal hearing.
41. The appellant will provide the treasurer and member governance officer with written witness statements for his/her witnesses within 14 days of the date on which the notice of hearing was sent to the parties under paragraph 39 above. As soon as reasonably practicable thereafter, the treasurer and member governance officer will send copies of these to the defendant.
42. The defendant will provide the treasurer and member governance officer with written witness statements for his/her witnesses within 21 days of the date on which the notice of hearing was sent to the parties under paragraph 39 above. As soon as reasonably practicable thereafter, the treasurer and member governance officer will send copies of these to the appellant.
43. A bundle of documents containing the documents submitted by the appellant and the defendant shall be prepared by the treasurer and member governance officer and sent to the parties and the members of the Appeals Committee at least 7 days before the hearing.
44. The appellant or his/her representative will have an opportunity to present the grounds for the appeal and may call witnesses and may refer to documents, provided that such documents have been provided in accordance with this Procedure.
45. The appellant, their representative and any witnesses may be questioned by the defendant and then by members of the Appeals Committee.

46. The defendant or their representative will then have the opportunity to present the case for upholding the decision and may call witnesses and may refer to documents provided that such documents have been provided in accordance with this Procedure.
47. The defendant and any witnesses may be questioned by the appellant or his/her representative and then by members of the Appeals Committee.
48. The appellant or his/her representative and then the defendant or their representative may sum up to the Appeals Committee. No new evidence may be introduced in the summing up. The appellant and his/her representative and the defendant and his/her representative will then retire. The Appeals Committee will deliberate in private, assisted if it so wishes by its adviser.
49. In the event of a disagreement between members of the Appeals Committee, the appeal under consideration shall be decided by a simple majority of the votes cast and, in the case of an equality of votes, the Chair of the Appeals Committee shall have a second or casting vote.
50. The decision of the Appeals Committee and the grounds upon which it is made shall be notified by the Chair in writing to the parties as soon as practicable, but no later than 14 days after the decision following the conclusion of the appeal meeting. The decision of the Appeals Committee shall be final.

## Appendix D

### Electoral Divisions of the Association

Region	Electoral Constituency Districts	No. of Executive Members
National Officers	National Officers	6
South West	Avon and Gloucestershire	2
	Dorset and Somerset	2
	Hampshire, Isle of Wight, Swindon and Wiltshire	2
	Cornwall and Devon	1
Eastern	Bedfordshire, Buckinghamshire, Hertfordshire, Northamptonshire and Oxfordshire	3
	Cambridgeshire & Peterborough, Essex, Southend & Thurrock, Germany, Norfolk and Suffolk	3
	Lincolnshire	1
South East	Inner London, Barking & Dagenham, Barnet, Bexley, Brent, Bromley, Croydon, Ealing, Enfield, Haringey, Harrow, Havering, Hillingdon, Hounslow, Kingston, Merton, Newham, Redbridge, Richmond, Sutton & Waltham Forest	3
	Kent, East Sussex & Brighton and West Sussex	2
	Berkshire, Surrey, Jersey and Guernsey	2
North West	Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford and Wigan	2
	Cumbria, Isle of Man and Lancashire	2
	Cheshire, Knowsley, Liverpool, Sefton, St. Helens and Wirral	2
North East	Barnsley, Doncaster, Humberside, Rotherham, Sheffield and Wakefield	2
	Bradford, Calderdale, Kirklees, Leeds and North Yorkshire & York	2
	Durham, Gateshead, Newcastle, North Tyneside, Northumberland, South Tyneside, Sunderland and Teesside & District	2
Midlands	Birmingham, Dudley, Herefordshire, Sandwell, Shropshire, Telford & Wrekin, Staffordshire, Stoke, Walsall, Wolverhampton and Worcestershire	3
	Coventry, Derby & Derbyshire, Leicestershire, Nottinghamshire, Solihull and Warwickshire	3
Northern Ireland	Northern Ireland	2
Scotland	Scotland	1
Wales	Wales	2
AMiE	AMiE	3
	<b>TOTAL:</b>	<b>53</b>

## Appendix E

### MODEL DISTRICT AND BRANCH RULES (2014-2015)

#### 1. SCOPE AND PURPOSE

- a) The district shall be called the ..... District. It shall represent members employed in any educational establishment within the same geographical area as the ..... unitary education authority(ies) and/or ..... other bargaining units for which the Association is recognised [referred to hereafter as Branches].
- b) Within the geographical area described in 1a, the objects of the District are:
  - i) to promote the cause of education generally;
  - ii) to protect and improve the status and to further the legitimate professional interests of members employed in any educational establishment; and
  - iii) to promote equality of opportunity and treatment for its members
  - iv) to encourage members to get involved in the life of the union, within the district and beyond
- c) Within the unitary education authorities and or other bargaining units listed in 1a), the objects of the Branch(es) are as per b)i)-b)iv), plus:
  - a. to conduct industrial relations on behalf of Branch members, both individually and collectively
  - b. to provide regular reports on the conduct of industrial relations to their District Officers and Committee

#### 2. POWERS AND DUTIES

- a) The powers of the District and Branch(es) shall be as laid down in this document and in the Constitution and Rules, the By-laws and Standing Orders of the Association, and any other protocols and regulations approved by the Executive Committee.
- b) The written consent of the Executive Committee shall be required:
  - i) Before the District or Branch or anyone purporting to act on behalf of the District or Branch either enters into any contract or incurs any financial commitment intended to be binding on the District or



Branch or the Association or their respective Officers, Committees or members, or terminates any contract before its normal expiry date.

- ii) Before any changes are made to the Rules of the District and Branch.
- c) The District and Branch, its Officers, its Committee and persons representing the District or Branch shall act in accordance with the aims of the Association, the policy decisions of the Conference and decisions of the Executive Committee and shall take all due care to avoid any action or omission that may expose the District, Branch or the Association or their respective Officers, Committees or members to liability for any legal, financial or reputational detriment.
- d) The Officers and Committee Members shall be individually and collectively accountable to Executive Committee in respect of their power and duties.
- e) The District Officers and Committee shall have the power to act on behalf of the District. The Branch Secretary shall have the power to act on behalf of the Branch.

### **3. MEMBERSHIP**

- a) All members of the District and Branch shall be members of the Association. Any members suspended or removed from membership of the Association shall *ipso facto* be suspended or removed from membership of the District and Branch.
- b) Any member of the Executive Committee who is suspended or removed from membership of that Committee shall *ipso facto* cease to hold any post within the District or Branch or on its Committee, which is *ex-officio* as a result of membership of the Executive Committee.
- c) Membership of the District and Branch shall be in accordance with the Constitution and Rules of the Association vis-à-vis district and branch areas and electoral districts.
- d) Upon request, the Executive Committee may allocate a member to a district or branch other than that as per 3c. The member shall be notified within 10 working days of the decision being made.
- e) Upon request to the Executive Committee any District may request to merge with an adjacent District.

### **4. DISTRICT OFFICERS**

- a) The elected Officers of the District shall be District Secretary, District President, District Treasurer and the Branch Secretaries

(Negotiating/Casework)for all UAs and other bargaining units listed in 1a). Any of these officer roles may be undertaken jointly by up to 2 members. The District Secretary, President or Treasurer may also undertake the role of Branch Secretary, so long as they meet the criteria set out in 4d).

- b) The duties of the District Officers, supported by the District Committee, are to organise District and Branch activities in order to discharge the objects of the Association as effectively as possible, acting at all times within the powers and duties set out in Rules 2a)-e) above.
- c) Upon taking up office by election or re-election any District Officer (except Branch Secretaries and any other District Officer undertaking formal industrial relations, see 4d) below) must be a member of the District and must hold standard, associate or retired membership throughout the period of office. The District Secretary must also have held standard membership within the previous six years at the time of taking up office by election or by re-election.
- d) Upon taking up office by election or re-election a Branch Secretary and any other District Officer undertaking formal industrial relations (such as UA negotiations or formal casework) must be a member of the District and must demonstrate to the Executive Committee that they meet the employment criteria of standard membership of the District.
- e) Upon request, the Executive Committee may waive the membership criteria set out in 4c) and/or 4d), save that the Branch Secretary must have been in standard membership of the Branch within the previous two years at the time of taking up office by election or by re-election.
- f) District Officers (including Branch Secretaries) shall be elected in accordance with Rules 7a)-g) below.

## **5. BRANCH SECRETARIES (NEGOTIATING/CASEWORK) & BRANCHES**

- a. Members in each Branch listed in Rule 1a – unitary education authorities and/or other bargaining units - shall be entitled to elect one of their number to act as Branch Secretary (Negotiating/Casework) and serve on the District Committee, so long as they meet the criteria set out in 4c).
- b. Branch Secretaries (Negotiating/Casework) may be elected at a branch meeting held in accordance with Rules 7c), 9b) and 9f) below.

- c. The duties of the Branch Secretary (Negotiating/Casework) shall be to work with the District Officers and District Committee, to organise Branch activities in order to discharge the objects of the Association as effectively as possible, acting at all times within the powers and duties set out in Rules 2a)-e) above.
- d. Members in each Branch may also elect or appoint a Branch Committee to assist the Branch Secretary (Negotiating/Casework) to discharge the duties set out in Rule 5c above, so long as such a decision-making Branch meeting meets the quorum requirement set out in Rule 9f) below, and further that anyone so elected responsible for undertaking formal industrial relations (such as UA negotiations or formal casework) meets the criteria set out in 4c).
- e. Branches shall not operate independent bank accounts, though they may be allocated a proportion of the District Grants.
- f. Branches shall not elect Conference Representatives.
- g. Upon request to the Executive Committee, branches may apply to become independent Districts, with the full powers and duties laid down in this document and in the Constitution and Rules, the By-laws and Standing Orders of the Association, and any other protocols and regulations approved by the Executive Committee.

## 6. DISTRICT COMMITTEE

- a) The District Committee shall consist of the Officers of the District, including Branch Negotiating/Casework Secretaries, plus X at-large Committee members elected by and from the members of the District, plus any extra reserved voting places not filled by District Officers or at-large Committee members (as per 6c) below).

N.B. The number X at-large Committee members should be between 3 and 12.

- b) The Executive Committee member(s) elected to represent the electoral district within which the District is placed shall be *ex-officio* members of the District Committee with all the rights of membership of the branch, notwithstanding that they may not be members of the District.
- c) There are reserved voting places on the District Committee for the following:
  - i) 3 workplace reps with 20 or more standard members
  - ii) an AMiE member
  - iii) a post-16 member

- iv) an independent school member
- v) an ATL Future member
- vi) a support staff member

Any District Officer (including Branch Secretaries) or at-large District Committee member may be deemed to fill any reserved seat for which they qualify. Any reserved place that is not filled shall not count towards the quorum requirement set out in 8d) below.

- d) The District Committee should allocate to any duly accredited and trained member of the Committee, Lead Member responsibilities to undertake any of the following roles:
    - i) Casework\*
    - ii) Health and Safety\*
    - iii) Union Learning
    - iv) Equalities
    - v) Recruitment
    - vi) Media and Press
    - vii) Welfare
    - viii) Assistant District Officer
    - ix) Branch Representatives on other bodies (e.g SACRE\*, Teachers Panel\*)
  - x) any other roles they deem to be important
- e) Any number of Lead Member roles may be allocated to any District Officer or Committee member so long as for any role involving formal industrial relations (marked \* above) they meet the criteria set out in 4d) above.
  - f) The District Committee shall have the power to co-opt additional, non-voting members to undertake any of the Lead Member roles identified in Rule 6d) above.
  - g) At least 2/3 of the members of the District Committee shall be in standard membership of the Association and subject to any restrictions set out above. Upon request, the Executive Committee may waive this requirement.

## **7. ELECTIONS**

- a) Elections to the District Committee and of the District representatives to the Conference shall take place at the Annual General Meeting of the District, which shall be held before 1 June each year. The Committee shall take office on 1 September of that year and hold office until 31 August following.
- b) Notice of the election shall form part of the notice of the meeting required under Rule 9 below, but may be issued subsequently provided that 28 days notice is given.
- c) All nominations for the District Officers including Branch Secretaries shall be submitted in writing or by email to the District Secretary 14 days before

the date of the meeting at which the election is to be held. Each nomination for District Officer must be signed by 2 members of the District and the nominee.<sup>1</sup> Nominations for Branch Secretaries (Negotiating/Casework) must be signed by 2 members of their Branch and where Branch Secretaries (Negotiating/Casework) have been elected at a Branch meeting their nomination must be accompanied by the relevant Branch meeting attendance record that demonstrates that the meeting was held in accordance with the quorum set out in Rule 9f). Remaining Committee members shall be nominated by a minimum of 2 members of the District at the Annual General Meeting itself.

- d) A nomination will only be valid if it complies with any requirements on eligibility in the Constitution and Rules of the Association, any decisions of the Executive Committee and the requirements of Rule 4c) above. Subject to this provision any member may seek re-election.
- e) If more than one valid nomination is received a secret ballot shall be held at the meeting. Where a Branch Secretary (Negotiating/Casework) has been elected at a Branch meeting in line with Rule 5b) above, subject to them being nominated in line with Rule 7c) above, then no further nominations shall be valid and they shall be declared elected to the District Committee. Only members present at the meeting and with voting rights shall be eligible to vote. Where an election for Branch Secretary (Negotiating/Casework) takes place at the District Annual General Meeting (rather than a Branch meeting), and the number of branch members present at the AGM is greater than or equal to six, only such branch members shall be eligible to vote in the secret ballot for that Branch Secretary (Negotiating/Casework).
- f) The election of Executive members and of Branch members of the Conference shall be carried out in accordance with the Constitution and Rules and By-Laws of the Association.
- g) The District Committee may appoint a member to fill a casual vacancy which occurs, including that of Branch Secretary (Negotiating/Casework). The member filling the vacancy shall be eligible for election at the end of the term of office.
- h) In the absence of an elected committee for any reason (e.g. an inquorate meeting), the Executive Committee shall take such steps as it deems necessary to appoint District Officers who shall act until such time as elections can be held.

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<sup>1</sup> Any notice or nomination, if sent by post, shall be deemed to have been sent at the time when the envelope containing the notices would have been delivered in the ordinary course of the postal service. It will be deemed sufficient to prove this if the envelope containing the notice or nomination was properly addressed and put into the post as a pre-paid letter and a proof of postage obtained. Alternatively, nominations should be delivered by hand. Similarly if such communications are distributed or nominations submitted electronically by email, they shall be deemed to have been sent according to the dates recorded thereon.

- i) Any vacancies for the following academic year not filled at the AGM may be filled at a subsequent District meeting, as long as it is held before 15 July and follows all other AGM procedures set by these rules regarding notice of meeting, nominations and quorum.

## **8. COMMITTEE MEETINGS OF THE DISTRICT**

- a) District Committee meetings shall be held at least three times per year on such dates as the Committee shall decide, and may run concurrently with District Meetings. Seven days' notice of meetings, in writing or by email, must be given to every member of the Committee. Minutes of all Committee meetings shall be held by the Secretary.
- b) The District Balance Sheet and Statement of Accounts for each financial year shall be presented for adoption to a District Committee Meeting held between 1 January and 31 March. The balance sheet and accounts shall be audited by 2 persons not on the District Committee.
- c) Questions arising at the Committee meetings shall be decided by a majority of votes, the member chairing any meeting having an additional casting vote.
- d) The quorum for all Committee meetings shall be 40% of Committee members from no fewer than three education establishments.
- e) District Committee meetings shall be chaired by the President, and in their absence the meeting shall elect a member to chair the meeting

## **9. DISTRICT AND BRANCH MEETINGS**

- a) The District shall meet on such dates as the Committee shall decide, provided that no less than one meeting be held before 1 June each year. At least fourteen days notice, in writing or by email shall be given to ATL Representatives, Contacts and unattached members, except that at least 28 days notice shall be given for the Annual General Meeting.
- b) Branch meetings shall be convened by the Branch Secretary, having advised the District Secretary in advance. Where the position of Branch Secretary (Negotiating/Casework) is vacant, the District Secretary may convene a branch meeting on such dates as the Committee shall decide. At least 14 days notice shall be given to ATL Representatives and unattached members.
- c) In the absence of a District meeting the Committee shall adopt the accounts and present them to the next available district meeting.
- d) A list of members attending District and Branch Meetings and minutes of all meetings shall be held by the District Secretary and Branch Secretary (Negotiating/Casework), respectively.
- e) Questions arising at the meetings shall be decided by a majority of votes, the member chairing any meeting having an additional casting vote.
- f) At all District meetings formal decision-making shall require a quorum that shall be at least ten members from no fewer than five education

establishments. At all Branch meetings a quorum shall be at least 6 members. Upon request, the Executive Committee may amend these quora.

- g) District meetings shall be chaired by the President; Branch meetings shall be chaired by the Branch Secretary (Negotiating/Casework). In their absence the meeting shall elect a member to chair the meeting.

## **10. ALTERATIONS TO THE DISTRICT AND BRANCH RULES**

Alterations shall be made **at any** meeting of the District, **provided that** 28 days' notice of **the meeting and the proposed rule changes** shall be given and it must be passed by at least two-thirds of the members present and voting at the meeting. Proposed alterations must subsequently be approved by the Executive Committee before final adoption.

## **11. ELECTING, APPOINTING OR CONFIRMING WORKPLACE REPRESENTATIVES**

- i. Rule 8 of the ATL Constitution & Rules (see Annex) stipulates that members employed in every workplace where the ATL provides accredited representation, shall appoint, elect or confirm annually from amongst themselves, in accordance with the model branch rules as set out in 11b-h below, one or more of the following representatives:
  - i) School, college or other educational establishment representative
  - ii) Health and safety representative
  - iii) Learning representative
  - iv) Other representative types approved by the Executive Committee
- ii. Where there is an existing workplace representative, they shall annually and no later than 31 May, inform all members employed at their workplace, via workplace notice board or email or internal mail, whether or not they wish to continue the role for the next academic year and provide the members with at least 7 days notice to submit to them alternative nominations for the role. Members may self-nominate.
- iii. Where there is no existing workplace representative, any member in the workplace may, at any time, inform all members<sup>2</sup> employed at their workplace, via workplace notice board and/or email, of their wish to take on the role for the next academic year and provide the members with at least 7 days notice to submit to them alternative nominations for the role. Members may self-nominate.

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<sup>2</sup> List of members can be requested from District or Branch Negotiating/Casework Secretary, or else from [membership@atl.org.uk](mailto:membership@atl.org.uk)



- iv. If only one member is nominated for any or all of the roles set out in 11a) i-iv, then they are thereby confirmed or appointed, and should inform ATL Membership<sup>3</sup> (who will advise branches of their accreditation via the My Branch Membership Database) and the members employed at their workplace. All health & safety reps and learning reps must also complete ATL training before being accredited.
- v. If more than one member is nominated then they should first consider the possibility of undertaking the role jointly, or of sharing the respective roles set out in 11a) i-iv between them. If that is possible then they are thereby confirmed or appointed, and should inform ATL Membership (who will advise branches of their accreditation via the My Branch Membership Database) and the members employed at their workplace. All health & safety reps and learning reps must also complete ATL training before being accredited.
- vi. If more than one member is nominated, and jointly undertaking the role(s) is not appropriate or feasible, then the nominated reps should contact their District Secretary who will proceed to convene a properly constituted meeting of members to elect the rep by majority secret ballot. The District Secretary (or their nominated representative)<sup>4</sup> should attend to chair such a meeting, act as scrutineer<sup>5</sup> for the ballot<sup>6</sup>, declare the result, inform ATL Membership and the members employed at the workplace of the outcome.
- vii. All such rep elections shall be conducted in accordance with the Elections protocol set out in Appendix G of the ATL Constitution & Rules.

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<sup>3</sup> The ATL Membership Department: [membership@atl.org.uk](mailto:membership@atl.org.uk) or 020 7782 1450

<sup>4</sup> Such a nominated representative would typically be the Branch Negotiating/Casework Secretary or District Officer, or any member of the District Committee, including ex-officio members such as Executive Committee Members. In exceptional circumstances, such a nominated representative may be a member of professional staff.

<sup>5</sup> Scrutineer responsibilities shall include:

- Providing an attendance sheet
- Chairing the meeting
- Assisting the meeting to decide what form of candidate statement is appropriate, if any
- Declaring the ballot result to the meeting and informing ATL Membership

<sup>6</sup> Such a secret ballot should take place at the meeting, with those in attendance indicating their vote via a name on a folded piece of blank paper, counted by the scrutineer. The scrutineer should make a note of the votes cast for each candidate, spoilt votes and abstentions and immediately declare the result to the member meeting.

- viii. All members should receive at least 7 days notice of any properly constituted meeting via workplace notice board or email or internal mail. Where the meeting is to elect a rep or to remove a rep from office, then such notice must include notice of that business. Such meetings shall be convened by the existing school, college or other educational representative as defined by 11a)i above, except where the business includes election of rep or removal of rep from office, in which case such meetings shall be convened by the District Secretary (or their nominated representative).

Last Amended: Executive Committee, July 2014

Took effect: 1 September 2014

- v) to protect and improve the status and to further the legitimate professional interests of members employed in any educational establishment; and
  - vi) to promote equality of opportunity and treatment for its members
  - vii) to encourage members to get involved in the life of the union, within the district and beyond
- d) Within the unitary education authorities and or other bargaining units listed in 1a), the objects of the Branch(es) are as per b)i)-b)iv), plus:
- a. to conduct industrial relations on behalf of Branch members, both individually and collectively
  - b. to provide regular reports on the conduct of industrial relations to their District Officers and Committee

## **2. POWERS AND DUTIES**

- a) The powers of the District and Branch(es) shall be as laid down in this document and in the Constitution and Rules, the By-laws and Standing Orders of the Association, and any other protocols and regulations approved by the Executive Committee.
- b) The written consent of the Executive Committee shall be required:
  - i) Before the District or Branch or anyone purporting to act on behalf of the District or Branch either enters into any contract or incurs any financial commitment intended to be binding on the District or Branch or the Association or their respective Officers, Committees or members, or terminates any contract before its normal expiry date.
  - ii) Before any changes are made to the Rules of the District and Branch.
- f) The District and Branch, its Officers, its Committee and persons representing the District or Branch shall act in accordance with the aims of the Association, the policy decisions of the Conference and decisions of the Executive Committee and shall take all due care to avoid any action or omission that may expose the District, Branch or the Association or their respective Officers, Committees or members to liability for any legal, financial or reputational detriment.
- d) The Officers and Committee Members shall be individually and collectively accountable to Executive Committee in respect of their power and duties.

- e) The District Officers and Committee shall have the power to act on behalf of the District. The Branch Secretary shall have the power to act on behalf of the Branch.

### **3. MEMBERSHIP**

- a) All members of the District and Branch shall be members of the Association. Any members suspended or removed from membership of the Association shall *ipso facto* be suspended or removed from membership of the District and Branch.
- b) Any member of the Executive Committee who is suspended or removed from membership of that Committee shall *ipso facto* cease to hold any post within the District or Branch or on its Committee, which is *ex-officio* as a result of membership of the Executive Committee.
- c) Membership of the District and Branch shall be in accordance with the Constitution and Rules of the Association vis-à-vis district and branch areas and electoral districts.
- g) Upon request, the Executive Committee may allocate a member to a district or branch other than that as per 3c. The member shall be notified within 10 working days of the decision being made.
- h) Upon request to the Executive Committee any District may request to merge with an adjacent District.

### **4. DISTRICT OFFICERS**

- a) The elected Officers of the District shall be District Secretary, District President, District Treasurer and the Branch Secretaries (Negotiating/Casework) for all UAs and other bargaining units listed in 1a). Any of these officer roles may be undertaken jointly by up to 2 members. The District Secretary, President or Treasurer may also undertake the role of Branch Secretary, so long as they meet the criteria set out in 4d).
- b) The duties of the District Officers, supported by the District Committee, are to organise District and Branch activities in order to discharge the objects of the Association as effectively as possible, acting at all times within the powers and duties set out in Rules 2a)-e) above.
- g) Upon taking up office by election or re-election any District Officer (except Branch Secretaries and any other District Officer undertaking formal industrial relations, see 4d) below) must be a member of the District and must hold standard, associate or retired membership throughout the period of office. The District Secretary must also have held standard membership within the previous six years at the time of taking up office by election or by re-election.

- h) Upon taking up office by election or re-election a Branch Secretary and any other District Officer undertaking formal industrial relations (such as UA negotiations or formal casework) must be a member of the District and must demonstrate to the Executive Committee that they meet the employment criteria of standard membership of the District.
- i) Upon request, the Executive Committee may waive the membership criteria set out in 4c) and/or 4d), save that the Branch Secretary must have been in standard membership of the Branch within the previous two years at the time of taking up office by election or by re-election.
- j) District Officers (including Branch Secretaries) shall be elected in accordance with Rules 7a)-g) below.

## **6. BRANCH SECRETARIES (NEGOTIATING/CASEWORK) & BRANCHES**

- a. Members in each Branch listed in Rule 1a – unitary education authorities and/or other bargaining units - shall be entitled to elect one of their number to act as Branch Secretary (Negotiating/Casework) and serve on the District Committee, so long as they meet the criteria set out in 4c).
- b. Branch Secretaries (Negotiating/Casework) may be elected at a branch meeting held in accordance with Rules 7c), 9b) and 9f) below.
- c. The duties of the Branch Secretary (Negotiating/Casework) shall be to work with the District Officers and District Committee, to organise Branch activities in order to discharge the objects of the Association as effectively as possible, acting at all times within the powers and duties set out in Rules 2a)-e) above.
- d. Members in each Branch may also elect or appoint a Branch Committee to assist the Branch Secretary (Negotiating/Casework) to discharge the duties set out in Rule 5c) above, so long as such a decision-making Branch meeting meets the quorum requirement set out in Rule 9f) below, and further that anyone so elected responsible for undertaking formal industrial relations (such as UA negotiations or formal casework) meets the criteria set out in 4c).
- e. Branches shall not operate independent bank accounts, though they may be allocated a proportion of the District Grants.

- f. Branches shall not elect Conference Representatives.
- g. Upon request to the Executive Committee, branches may apply to become independent Districts, with the full powers and duties laid down in this document and in the Constitution and Rules, the By-laws and Standing Orders of the Association, and any other protocols and regulations approved by the Executive Committee.

## 6. DISTRICT COMMITTEE

- a) The District Committee shall consist of the Officers of the District, including Branch Negotiating/Casework Secretaries, plus X at-large Committee members elected by and from the members of the District, plus any extra reserved voting places not filled by District Officers or at-large Committee members (as per 6c) below).

N.B. The number X at-large Committee members should be between 3 and 12.

- d) The Executive Committee member(s) elected to represent the electoral district within which the District is placed shall be *ex-officio* members of the District Committee with all the rights of membership of the branch, notwithstanding that they may not be members of the District.
- e) There are reserved voting places on the District Committee for the following:
  - i) 3 workplace reps with 20 or more standard members
  - ii) an AMiE member
  - iii) a post-16 member
  - iv) an independent school member
  - v) an ATL Future member
  - vi) a support staff member

Any District Officer (including Branch Secretaries) or at-large District Committee member may be deemed to fill any reserved seat for which they qualify. Any reserved place that is not filled shall not count towards the quorum requirement set out in 8d) below.

- d) The District Committee should allocate to any duly accredited and trained member of the Committee, Lead Member responsibilities to undertake any of the following roles:
  - i) Casework\*
  - ii) Health and Safety\*
  - iii) Union Learning
  - iv) Equalities
  - v) Recruitment
  - vi) Media and Press
  - vii) Welfare
  - viii) Assistant District Officer

- x) Branch Representatives on other bodies (e.g SACRE\*, Teachers Panel\*)
  - x) any other roles they deem to be important
- f) Any number of Lead Member roles may be allocated to any District Officer or Committee member so long as for any role involving formal industrial relations (marked \* above) they meet the criteria set out in 4d) above.
- f) The District Committee shall have the power to co-opt additional, non-voting members to undertake any of the Lead Member roles identified in Rule 6d) above.
- g) At least 2/3 of the members of the District Committee shall be in standard membership of the Association and subject to any restrictions set out above. Upon request, the Executive Committee may waive this requirement.

## 7. ELECTIONS

- a) Elections to the District Committee and of the District representatives to the Conference shall take place at the Annual General Meeting of the District, which shall be held before 1 June each year. The Committee shall take office on 1 September of that year and hold office until 31 August following.
- b) Notice of the election shall form part of the notice of the meeting required under Rule 9 below, but may be issued subsequently provided that 28 days notice is given.
- c) All nominations for the District Officers including Branch Secretaries shall be submitted in writing or by email to the District Secretary 14 days before the date of the meeting at which the election is to be held. Each nomination for District Officer must be signed by 2 members of the District and the nominee.<sup>7</sup> Nominations for Branch Secretaries (Negotiating/Casework) must be signed by 2 members of their Branch and where Branch Secretaries (Negotiating/Casework) have been elected at a Branch meeting their nomination must be accompanied by the relevant Branch meeting attendance record that demonstrates that the meeting was held in accordance with the quorum set out in Rule 9f). Remaining Committee members shall be nominated by a minimum of 2 members of the District at the Annual General Meeting itself.

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<sup>7</sup> Any notice or nomination, if sent by post, shall be deemed to have been sent at the time when the envelope containing the notices would have been delivered in the ordinary course of the postal service. It will be deemed sufficient to prove this if the envelope containing the notice or nomination was properly addressed and put into the post as a pre-paid letter and a proof of postage obtained. Alternatively, nominations should be delivered by hand. Similarly if such communications are distributed or nominations submitted electronically by email, they shall be deemed to have been sent according to the dates recorded thereon.

- d) A nomination will only be valid if it complies with any requirements on eligibility in the Constitution and Rules of the Association, any decisions of the Executive Committee and the requirements of Rule 4c) above. Subject to this provision any member may seek re-election.
- e) If more than one valid nomination is received a secret ballot shall be held at the meeting. Where a Branch Secretary (Negotiating/Casework) has been elected at a Branch meeting in line with Rule 5b) above, subject to them being nominated in line with Rule 7c) above, then no further nominations shall be valid and they shall be declared elected to the District Committee. Only members present at the meeting and with voting rights shall be eligible to vote. Where an election for Branch Secretary (Negotiating/Casework) takes place at the District Annual General Meeting (rather than a Branch meeting), and the number of branch members present at the AGM is greater than or equal to six, only such branch members shall be eligible to vote in the secret ballot for that Branch Secretary (Negotiating/Casework).
- f) The election of Executive members and of Branch members of the Conference shall be carried out in accordance with the Constitution and Rules and By-Laws of the Association.
- g) The District Committee may appoint a member to fill a casual vacancy which occurs, including that of Branch Secretary (Negotiating/Casework). The member filling the vacancy shall be eligible for election at the end of the term of office.
- i) In the absence of an elected committee for any reason (e.g. an inquorate meeting), the Executive Committee shall take such steps as it deems necessary to appoint District Officers who shall act until such time as elections can be held.
- i) Any vacancies for the following academic year not filled at the AGM may be filled at a subsequent District meeting, as long as it is held before 15 July and follows all other AGM procedures set by these rules regarding notice of meeting, nominations and quorum.

## **8. COMMITTEE MEETINGS OF THE DISTRICT**

- a) District Committee meetings shall be held at least three times per year on such dates as the Committee shall decide, and may run concurrently with District Meetings. Seven days' notice of meetings, in writing or by email, must be given to every member of the Committee. Minutes of all Committee meetings shall be held by the Secretary.
- b) The District Balance Sheet and Statement of Accounts for each financial year shall be presented for adoption to a District Committee Meeting held



between 1 January and 31 March. The balance sheet and accounts shall be audited by 2 persons not on the District Committee.

- c) Questions arising at the Committee meetings shall be decided by a majority of votes, the member chairing any meeting having an additional casting vote.
- f) The quorum for all Committee meetings shall be 40% of Committee members from no fewer than three education establishments.
- g) District Committee meetings shall be chaired by the President, and in their absence the meeting shall elect a member to chair the meeting

## **9. DISTRICT AND BRANCH MEETINGS**

- a) The District shall meet on such dates as the Committee shall decide, provided that no less than one meeting be held before 1 June each year. At least fourteen days notice, in writing or by email shall be given to ATL Representatives, Contacts and unattached members, except that at least 28 days notice shall be given for the Annual General Meeting.
- b) Branch meetings shall be convened by the Branch Secretary, having advised the District Secretary in advance. Where the position of Branch Secretary (Negotiating/Casework) is vacant, the District Secretary may convene a branch meeting on such dates as the Committee shall decide. At least 14 days notice shall be given to ATL Representatives and unattached members.
- c) In the absence of a District meeting the Committee shall adopt the accounts and present them to the next available district meeting.
- d) A list of members attending District and Branch Meetings and minutes of all meetings shall be held by the District Secretary and Branch Secretary (Negotiating/Casework), respectively.
- e) Questions arising at the meetings shall be decided by a majority of votes, the member chairing any meeting having an additional casting vote.
- f) At all District meetings formal decision-making shall require a quorum that shall be at least ten members from no fewer than five education establishments. At all Branch meetings a quorum shall be at least 6 members. Upon request, the Executive Committee may amend these quora.
- g) District meetings shall be chaired by the President; Branch meetings shall be chaired by the Branch Secretary (Negotiating/Casework). In their absence the meeting shall elect a member to chair the meeting.

## **10. ALTERATIONS TO THE DISTRICT AND BRANCH RULES**

Alterations shall be made **at any** meeting of the District, **provided that** 28 days' notice of **the meeting and the proposed rule changes** shall be given and it must be passed by at least two-thirds of the members present and voting at the meeting. Proposed alterations must subsequently be approved by the Executive Committee before final adoption.

## **12. ELECTING, APPOINTING OR CONFIRMING WORKPLACE REPRESENTATIVES**

- i. Rule 8 of the ATL Constitution & Rules (see Annex) stipulates that members employed in every workplace where the ATL provides accredited representation, shall appoint, elect or confirm annually from amongst themselves, in accordance with the model branch rules as set out in 11b-h below, one or more of the following representatives:
  - i) School, college or other educational establishment representative
  - ii) Health and safety representative
  - iii) Learning representative
  - iv) Other representative types approved by the Executive Committee
- ii. Where there is an existing workplace representative, they shall annually and no later than 31 May, inform all members employed at their workplace, via workplace notice board or email or internal mail, whether or not they wish to continue the role for the next academic year and provide the members with at least 7 days notice to submit to them alternative nominations for the role. Members may self-nominate.
- iii. Where there is no existing workplace representative, any member in the workplace may, at any time, inform all members<sup>8</sup> employed at their workplace, via workplace notice board and/or email, of their wish to take on the role for the next academic year and provide the members with at least 7 days notice to submit to them alternative nominations for the role. Members may self-nominate.
- iv. If only one member is nominated for any or all of the roles set out in 11a) i-iv, then they are thereby confirmed or appointed, and should inform ATL Membership<sup>9</sup> (who will advise branches of their accreditation via the My Branch Membership Database) and the members employed at their workplace. All health & safety reps and learning reps must also complete ATL training before being accredited.

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<sup>8</sup> List of members can be requested from District or Branch Negotiating/Casework Secretary, or else from [membership@atl.org.uk](mailto:membership@atl.org.uk)

<sup>9</sup> The ATL Membership Department: [membership@atl.org.uk](mailto:membership@atl.org.uk) or 020 7782 1450

- v. If more than one member is nominated then they should first consider the possibility of undertaking the role jointly, or of sharing the respective roles set out in 11a) i-iv between them. If that is possible then they are thereby confirmed or appointed, and should inform ATL Membership (who will advise branches of their accreditation via the My Branch Membership Database) and the members employed at their workplace. All health & safety reps and learning reps must also complete ATL training before being accredited.
  
- vi. If more than one member is nominated, and jointly undertaking the role(s) is not appropriate or feasible, then the nominated reps should contact their District Secretary who will proceed to convene a properly constituted meeting of members to elect the rep by majority secret ballot. The District Secretary (or their nominated representative)<sup>10</sup> should attend to chair such a meeting, act as scrutineer<sup>11</sup> for the ballot<sup>12</sup>, declare the result, inform ATL Membership and the members employed at the workplace of the outcome.
  
- vii. All such rep elections shall be conducted in accordance with the Elections protocol set out in Appendix G of the ATL Constitution & Rules.
  
- viii. All members should receive at least 7 days notice of any properly constituted meeting via workplace notice board or email or internal mail. Where the meeting is to elect a rep or to remove a rep from office, then such notice must include notice of that business. Such meetings shall be convened by the existing school, college or other educational representative as defined by 11a)i above, except where the business includes election of rep or removal of rep from office, in which case such meetings shall be convened by the District Secretary (or their nominated representative).

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<sup>10</sup> Such a nominated representative would typically be the Branch Negotiating/Casework Secretary or District Officer, or any member of the District Committee, including ex-officio members such as Executive Committee Members. In exceptional circumstances, such a nominated representative may be a member of professional staff.

<sup>11</sup> Scrutineer responsibilities shall include:

- Providing an attendance sheet
- Chairing the meeting
- Assisting the meeting to decide what form of candidate statement is appropriate, if any
- Declaring the ballot result to the meeting and informing ATL Membership

<sup>12</sup> Such a secret ballot should take place at the meeting, with those in attendance indicating their vote via a name on a folded piece of blank paper, counted by the scrutineer. The scrutineer should make a note of the votes cast for each candidate, spoilt votes and abstentions and immediately declare the result to the member meeting.

## Appendix F

### National Officers

President	Elected to serve: 1 year as Vice President 1 year as President 1 year as Immediate Past President
Treasurer and member governance officer	1 elected for a period of 2 years
AMiE president	1 elected for a period of 2 years (elected by the AMiE membership)
Policy officer	1 elected for a period of 2 years

The remit of the National Officers should primarily be:

- (i) Vision, values and strategic planning. Working together, as an officer team, with the General Secretariat (GS) and Senior Management Team (SMT) to ensure that these are in place, implemented, updated and monitored.
- (ii) Challenge and support for GS and SMT. To ensure that the leadership and senior management team are given appropriate support and are challenged to develop ATL in members' interests.
- (iii) Leadership. Working in partnership with the General Secretariat to provide strong leadership for the Association.
- (iv) Representation. Acting as a conduit for the representation of members' interests and representing the Association both internally and externally.
- (v) Internal Liaison. Each officer to have a relationship with one or more ATL department depending on expertise or officer role.

## **Appendix G**

### **Elections Protocol of the Association**

Any questions relating to the interpretation of this protocol must be referred to the President. However if the President is a candidate or has another conflict of interest, then reference should be made to the Immediate Past President. The decision of the President or Past President as the case may be will be final.

The Association has a long tradition of tolerance and respect for differing opinions and of members showing courtesy and consideration in their dealings with each other and with the Association's professional staff.

Those who seek or accept nomination in any election covered by this protocol will be deemed to accept its terms and to agree to comply with them. For the avoidance of doubt individual members are accountable for their own actions.

## Appendix H

### Financial Regulations of the Association of Teachers & Lecturers

#### 1. Introduction

- 1.1. These regulations, (known as the Financial Regulations) set out the provisions for the financial management of the Association. They were approved and adopted by the Executive Committee on 10 December 2010. Compliance with the regulations is compulsory for all employees and members of Executive and its sub committees.
- 1.2. The Association's detailed financial procedures set out precisely how the regulations will be implemented, and are contained in a separate manual which is available in the Finance Department.

#### 2. Executive, General Purposes Committee and Budget Group

- 2.1. The Executive Committee has overall responsibility for the Association's financial management. The treasurer and member governance officer, who is elected by the membership, is responsible for advising the Executive on matters of financial policy and working with staff to ensure the financial probity and efficiency of the Association.
- 2.2. The remit of the General Purposes Committee is to consider and advise the Executive Committee on, and where appropriate to direct and administer on behalf of the Executive Committee, all aspects of the Association's financial affairs and policy.
- 2.3. The remit of the Budget Group, which is a sub-group of General Purposes Committee, is to advise the General Purposes Committee on the Association's draft budget, and to propose to the General Purposes Committee the appropriate rates of subscription for the coming year, taking into account the expected levels of expenditure.
- 2.4. The treasurer and member governance officer and the General Secretary are ex-officio Trustees of the Association. Property belonging to the Association shall be vested in the Trustees in trust for it, under Section 12 of the Trade Union and Labour Relations (Consolidation) Act 1992.

#### 3. Staff

- 3.1. The General Secretary is the administrative head of the Association, and is responsible as such to the President.
- 3.2. The Head of Finance is responsible to the General Secretary for advising on financial policy and the Association's financial administration.

3.3. The Deputy General Secretary is the Line Manager of the Head of Finance and may be required to carry out the duties of the General Secretary as detailed in these regulations.

#### 4. Budget Holders

4.1. Employees responsible for specific functions (budget holders) are allocated budgets, which are approved as part of the annual budget setting process by the Budget Group, General Purposes Committee and Executive Committee.

4.2. Budget holders are responsible through their line manager to the General Secretary for the control of their budgets, and for the financial administration of their areas of responsibility. Budget holders receive annual notification of their budgets from the Head of Finance, following the approval of the budget by the Executive.

#### 5. Annual Financial Statements, Annual Return and Accounting Records

5.1. The financial year runs from 1 January to 31 December. The Head of Finance shall provide instructions to budget holders on end-of-year procedures and shall prepare annual financial statements as soon as practicable after the end of each year.

5.2. The Head of Finance shall send an Annual Return to the Certification Officer in the prescribed format, as set down in the Trade Union and Labour Relations (Consolidation) Act 1992.

5.3. The Head of Finance shall maintain the financial records and accounts of the Association, as required by statute, together with such analysis of income and expenditure as is appropriate for the management and financial control of current and planned activities.

5.4. The treasurer and member governance officer, the General Secretary and the Head of Finance shall have access to all information relating to the financial management of the Association.

5.5. Members shall have access to accounting records on request, as specified in the Trade Union and Labour Relations (Consolidation) Act 1992.

#### 6. Budgets

6.1. Budget holders shall prepare annual plans and estimates for the activities in their areas, in accordance with the timetable drawn up by the Head of Finance, and shall submit them to the Head of Finance for review and inclusion in the draft budget.

6.2. The Head of Finance shall keep under review all forecasts, budgets, income and expenditure, and shall provide budget holders with information on income and expenditure against budget in their area on a monthly basis.

- 6.3. The Head of Finance shall prepare monthly management accounts, showing expenditure against budget for each budget head, and circulate these accounts to the treasurer and member governance officer and the General Secretary.
- 6.4. Summaries of the most up-to-date management accounts shall be presented to each meeting of General Purposes Committee.
- 6.5. Budget holders shall manage their annual budgets to their best advantage in the implementation of approved plans. They shall not make commitments, which would lead to a budget being exceeded, without the prior approval of the General Secretary, in consultation with the Head of Finance, who will refer any exceptional cases to the General Purposes Committee.
- 6.6. Budget holders shall inform the Head of Finance of any matters involving a potential resource commitment not specifically included in the budget, particularly where this may affect the ability to keep within the approved budget. Budget holders must ensure that the Head of Finance has the opportunity to comment at an early stage on the financial implications of projects or schemes which involve significant resource commitments.
- 6.7. Budget holders shall ensure that expenditure and income transactions are allocated to the appropriate activity and accounts.
- 6.8. Performance against budget for the 6 months from January to June each year will be reviewed in detail in July. Where circumstances require that changes be made, the budget will be reforecast and presented to the General Purposes Committee for approval at its next meeting.
- 6.9. Virement between budget heads held within the same broad category of expenditure (e.g. staffing, or membership activity) may be made outside the 6-monthly review, if agreed by the General Secretary following consultation with the Head of Finance.

## 7. Banking income and expenditure arrangements

- 7.1. The collection of all income due to the Association shall be the responsibility of the General Secretary and every effort will be made to ensure that outstanding income is recovered.
- 7.2. The Association's banking arrangements shall be determined from time to time by the Executive Committee, on the advice of General Purposes Committee. All arrangements with the Association's bankers concerning the Association's bank accounts shall be made by the Head of Finance with the authority of the Executive Committee.
- 7.3. Arrangements for branch banking shall be determined by the treasurer and member governance officer, in consultation with the Head of Finance, and will be set down in the Notes of Guidance for Branch Treasurers.
- 7.4. Departments or individuals may not operate separate bank accounts for funds for which the Association is accountable.



- 7.5. All staff in receipt of monies belonging to the Association shall ensure that they are passed to the Finance Office at the Association's Headquarters without delay. All monies received on behalf of the Association shall without delay be paid to the appropriate Association account in their entirety.
- 7.6. All cheques should be made payable to The Association of Teachers and Lecturers (or AMiE where appropriate). All monies, including cash, must be deposited with the Finance Office, and personal cheques may not be substituted for cash which has been collected on the Association's behalf.
- 7.7. Cash received in the Scottish, Market Harborough, Cardiff and Belfast offices should be banked locally, and all details forwarded to the Finance Office at Headquarters.
- 7.8. The Head of Finance shall be responsible for the security and banking of all funds received by the Finance Office.
- 7.9. A collection and deposit record should be maintained detailing amounts collected, date of receipt and receipt number together with the banking details.
- 7.10. Income should be receipted either manually or electronically and must comply with current Accounts and Audit Regulations.
- 7.11. The General Secretary shall be responsible for the raising of invoices and ensuring the corresponding income is received and recorded in the Association's accounts.
- 7.12. Authorisation levels for the write-off of debts and associated losses shall be in accordance with those prescribed by the Executive.
- 7.13. Major expenditure greater than £50,000 of a non-recurrent nature on the construction, adaptation or purchase of property may be incurred only with the prior approval of the Executive Committee.

## 8. Investments

- 8.1. The General Purposes Committee shall make recommendations to the Executive Committee from time to time concerning the investment of the Association's funds.
- 8.2. The Executive Committee delegates to the General Secretary, in conjunction with the treasurer and member governance officer, authority to invest reserves and surpluses held by the Association and to manage such investments.
- 8.3. The General Secretary, in conjunction with the treasurer and member governance officer, is responsible to the General Purposes Committee for monitoring the Association's investments.
- 8.4. The Head of Finance is responsible for maintaining records of investments, for ensuring safe custody of all relevant documents, and for reporting investment performance regularly to the Trustees and General Purposes Committee.

- 8.5. The Head of Finance is responsible for preparing regular cash-flow forecasts and for the short-term investment of surplus cash funds.
- 8.6. The management of the Association's investments of its reserves and surpluses will be such as to ensure the availability of funds for both planned and unforeseen expenditure. The aim will be to achieve a balanced portfolio ranging from less liquid to more liquid forms of investment.
- 8.7. The following limits on types of investment refer to initial and subsequent investment levels but do not include any subsequent interest accrued or capital appreciation:
- I. The current accounts will contain £250,000 over and above the expected cash requirement for any given month.
  - II. Investments of up to five years:
    - a. minimum amount of cash to be retained £1,000,000
    - b. remainder of available cash, less amounts detailed under i) and ii a) above, may be invested in equities using the Association's appointed authorised investment broker
  - III. Investments over periods greater than five years are limited to a maximum of £1,000,000 unless iv) applies.
  - IV. The maximum amount of investment into property, both in terms of funding from reserves and from a loan, will require the approval of Executive before any investment may be entered into. In the event of investment into property taking place Executive must ensure that i) and ii) above continue to be adhered to.
- 8.8. The Association will require the approval of Executive before it may enter into any borrowing arrangements where the sum exceeds either 5% of the Association's annual turnover in the preceding financial year or 5% of the Association's net assets.

## 9. Audit

- 9.1. External auditors are appointed annually by the Executive Committee on the recommendation of the General Purposes Committee. They audit the annual financial statements prepared by the Head of Finance and provide an audit certificate.
- 9.2. The Executive Committee shall put the external audit out to tender every five years as a minimum, and more frequently if appropriate.
- 9.3. The General Purposes Committee may from time to time determine the scope of an internal audit, and may, with the approval of the Executive Committee, appoint a properly qualified person to carry out such an audit. The findings shall be reported to the Executive Committee.
- 9.4. The external and internal auditors shall have right of access to all of the books, records, accounts and vouchers of the Association, and are entitled to such

information and explanation as may be necessary for the performance of their duties.

- 9.5. The external auditors' comments on the accounts will be submitted annually to the General Purposes Committee, who will ensure that recommendations are reviewed and taken forward where appropriate.

## 10. Security of Assets, Property and Computer Records

10.1. The Head of Finance shall keep a register of:

- all rights and titles to real property
- all financial investments

and shall ensure the safe custody of title deeds, certificates and similar documents.

10.2. The Facilities Manager at Headquarters, the Directors of Wales and N Ireland in Cardiff and Belfast and the Head of Corporate Services at Market Harborough are responsible for maintaining proper security at all times for the buildings, stock, stores, furniture etc under their control. They shall consult the Assistant General Secretary in any case where security is thought to be defective, or where it is considered that special security arrangements may be needed.

10.3. The Head of IT shall be responsible for maintaining a list of IT equipment owned by the Association, with a record of the serial number and location of each item.

10.4. Keys to the safe are to be kept away from the premises when the building is closed. The loss of safe keys must be reported to the Head of Finance immediately the loss is noticed. Should the Head of Finance lose their key, they should notify the Deputy General Secretary.

10.5. The Association's Computer Security Policy shall be adhered to for the control of all computer equipment, systems and data of the Association.

10.6. All Officers and Staff of the Association must be aware of the implications of the Computer Misuse Act and the Data Protection Act 1998 when handling personal computerised data of Association Members and Staff.

## 11. Borrowing and Lending

11.1. The Executive Committee shall approve all borrowing and lending, on advice from the General Purposes Committee, in accordance with regulation X above

11.2. Budget holders shall not borrow or lend money on behalf of the Association.

11.3. Loans for the purpose of purchasing an annual season ticket will be made available to staff following completion of the relevant probationary period, on completion of an application form available from the Finance Office. This may include season tickets for any aspect of the employee's travel to work, for

example, train, bus, or other public transport, car parking or toll roads. Applicants will be required to sign the following statement:

"I agree that the cost of this ticket will be recovered from my pay in, as far as possible, equal amounts and commencing on the pay day immediately following receipt of the cheque and clearance of any previous loan until the loan is fully repaid.

I understand that, in the event I cease to be an employee of ATL, the amount of any outstanding balance will be repayable immediately and may be deducted from any amount due to me. If the outstanding balance is greater than the amount due to me, I will repay the excess to ATL in full prior to the termination of my employment."

11.4. Loans to staff for other purposes will not normally be permitted. In exceptional circumstances, however, where, in the judgement of the Head of HR, a member of staff faces serious hardship, a loan of up to £1,000 may be granted. Any such loan shall be repayable by deduction from salary in 5 equal instalments over a period of 5 months. In the event that the member of staff leaves the Association before the loan is repaid, the amount of any outstanding balance will immediately become repayable in full, and will be deducted from any amount due to the employee from the Association. If the outstanding balance is greater than the amount due, the excess will be repaid in full prior to the termination of employment.

11.5. Budget holders may lease office equipment, in consultation with the Facilities Manager and Head of Finance.

## 12. Contracts/Tendering

12.1. The term 'contract' includes all forms of contractual undertakings entered into by the Association, e.g. works contracts, purchase of goods and supplies, hiring, letting and leasing agreements.

12.2. Officers, Staff or Members of Executive of the Association must inform the General Secretary of any interest that they or their families have in any contracts that are to be let by the Association. The General Secretary will maintain a written record of any such interest which shall be open to inspection by any Member of the Association. Should the General Secretary or their families have any interests in any contract, then they should inform the President of the Association.

12.3. Canvassing of Officers, Staff or Members of the Association or any of the Association's committees directly or indirectly in connection with the award of any contract by the Association shall disqualify the tenderer from that contract.

12.4. A tenderer for any contract with the Association who knows that he or she is related to any Officer, Staff or Member of the Association shall in their application disclose the relationship; failure to do so will invalidate the contract.

12.5. All contracts entered into by the Association shall be subject to the conditions set out below. The Executive of the Association shall have the authority to relax

these conditions in extenuating circumstances, such circumstances requiring minute authorisation.

- 12.6. For contracts of less than £10,000 in value, the Association, or the persons delegated by it, should seek to ensure the best value for the Association and should be able to demonstrate that the best value has been obtained and to justify the expenditure if challenged.
- 12.7. For contracts of more than £10,000 in value, the Association, or the persons delegated by it, should seek at least two written competitive quotations unless the exceptions detailed below apply.
- 12.8. For contracts of more than £50,000 in value, the approval of the treasurer and member governance officer to spend must be sought before the order is placed.
- 12.9. Records of written quotations as set out above should be passed to the Administration Office with the requisitions and be retained by the General Secretary for inspection if required.

*(Exceptions: It shall not be a requirement for the Association to seek quotations for a contract or to give public notice of the intention to enter into a contract in the following circumstances: -*

- *for the supply of goods or materials where effective competition is prevented by Governmental control or by the goods and materials being proprietary and/or sold only at a fixed price;*
- *for the execution of work and for the supply of goods or materials solely in connection with repairs to or parts for existing vehicles, machinery or plant;*
- *where the additional work, goods or materials are an extension of an existing contract with the Association;*
- *for the undertaking of emergency items of repair and maintenance.)*

- 12.10. Any contract in excess of £50,000 is to be subject to sealed tendering arrangements and the Association should seek to obtain tenders from a minimum of three contractors where tendering arrangements apply.
- 12.11. Every invitation to tender should stipulate that no tender will be received unless it is enclosed in a plain sealed envelope addressed to the General Secretary or his/her nominee and should include the word 'tender' followed by the subject to which it relates but with no other mark or name indicating the sender.
- 12.12. All tenders are to be kept securely by the General Secretary or his/her nominee and no tender received after the time and date specified in the invitation shall be accepted.
- 12.13. Tenders received in accordance with the above procedures shall be opened at one time in the presence of a minimum of two persons nominated by the Association, one of which must be the General Secretary or Deputy General Secretary. All tenders received should be recorded in a tender register by the General Secretary who shall record the amount, sign date and initial each tender opened therein. A report of the tenders received will be made to the General Purposes Committee.

12.14. A tender other than the lowest tender if payment is to be made by the Association or the highest tender if the payment is to be received by the Association may be accepted provided that a written explanation of the reasons for acceptance are made to the next meeting of Executive.

12.15. Only those persons approved by the Executive as certifying officers in accordance with Financial Regulation X are authorised to sign contract documentation.

12.16. On occasions, the Association may need to undertake works of a specialist nature. On these occasions, the Association may engage the services of consultants who may recommend contractors and/or undertake the tender process. These will need to be agreed with the General Secretariat and reported to the General Purposes Committee.

### 13. Requisitions/Orders for Goods and Services

13.1. Purchases of works, goods, services and equipment are to be initiated by the completion of an official Association purchase order/requisition form which is passed to the Administration Office for processing.

13.2. The Administration Office will ensure that official purchase orders/requisitions are not issued unless covered by the relevant financial provision.

13.3. Official Association purchase orders/requisitions are to be issued for all work, goods, services and equipment and must be manually signed by an authorised certifying officer as defined in Financial Regulation 15.1.

### 14. Payments

14.1. The certification of an account for payment shall be the responsibility of the authorised certifying officer as defined in Financial Regulation Appendix A. The Head of Finance or Finance Officer will carry out expenditure coding of an account for payment.

14.2. The person certifying an account for payment shall be different from the person who signed the order authorising the expenditure.

14.3. No person authorised to sign documents may certify for payment their own expenditure. Reimbursement of expenses due to the Head of Finance and Finance Officer must be made by cheque and not via the Internet banking service.

14.4. The certification shall mean that:-

- the goods supplied, work done or services rendered have been satisfactorily carried out and that the Orders have been complied with;
- the charges are correct and in accordance with quotations or contracts;
- all discounts have been claimed;
- the amount has not been previously certified for payment;
- the payment being made is within the financial estimates.

14.5. Expense claims for the General Secretary must be authorised by the President.

14.6. Cheques raised in respect of payments due must be personally signed by the Association's cheque signatories as detailed below: -

- Payments up to the value of £6,000 - one signature;
- Payments above the value of £6,000 - two signatures;
- Payments above the value of £50,000 – two signatures, one of which must be the treasurer and member governance officer.

14.7. At least one of the cheque signatories should be independent of the personnel who authorise orders or certify accounts for payment.

14.8. Any account paid by the Association must be retained by the Association for a period of six years following the financial year in which it was paid and must be available for inspection at any reasonable time by any member of the Executive, the Association's internal and external auditors and officers of HM Revenue and Customs.

14.9. All internet banking transactions are subject to the same terms and conditions as set out in Financial Regulation Appendix A.

#### 15. Authorised / Certifying Officers

15.1. Appendix A is a list of authorised signatories

15.2. Official orders, accounts, contracts, cheques, internet banking transactions and other documents shall be signed or certified for payment only by those persons approved by the Executive for that purpose.

#### 16. Imprest Account / Petty Cash

16.1. Petty cash disbursements are generally restricted to a maximum of £100.

16.2. Where it is necessary to exceed £100, authorisation from the General Secretary must be obtained.

16.3. The Petty Cash account should be operated through a separate account within the accounting system.

16.4. Each item of expenditure should be accompanied by a petty cash voucher which should be approved by a certifying officer as detailed in Financial Regulation 15.1.

16.5. Claims for reimbursement of expenditure should be made monthly detailing all payments from the account.

16.6. Monies received on behalf of the Association must not be paid into the account but should be processed in accordance with the procedures laid down in Financial Regulation 7.

16.7. Salaries, wages, fees or taxable expenses are not permitted through the account nor is the cashing of personal cheques.

16.8. The imprest account should not be overdrawn.

## 17. Salaries

17.1. The General Purposes Committee shall be responsible for advising the Executive on all staffing policy matters, including superannuation.

17.2. All members of staff shall be paid in accordance with salary bands and ranges approved by the General Purposes Committee.

17.3. For all new appointments, or changes to existing post the appropriate salary range will be determined by the General Purposes Committee, with due regard to the job description and job evaluation provided by the Head of HR. On making an appointment, the Head of HR will have authority to negotiate salary within the agreed range.

17.4. All letters of appointment and terms and conditions of appointment shall be issued by the Head of HR.

17.5. The eligibility of staff for membership of pension schemes as approved by the Executive Committee shall be stated in individual contracts of employment. The General Purposes Committee shall be responsible to the Executive for advising on superannuation matters.

17.6. The Head of HR will be responsible for keeping the Head of Finance informed on all matters relating to HR for payroll purposes.

17.7. The Head of Finance will be responsible for keeping all records relating to payroll, including those of a statutory nature.

17.8. All payments shall be made in accordance with the Association's detailed payroll procedures and comply with HM Revenue & Customs regulations.

## 18. Travel and Subsistence Allowances

18.1. Travel and subsistence expenses will be paid to elected members and staff in accordance with the detailed procedures outlined on claim forms and in expenses guidelines issued by the Head of Finance.

18.2. Both elected members and staff should be mindful of the need to secure best value for the Association, by booking in advance where appropriate, travelling by standard class and investigating alternative means of transport or accommodation where it is possible to do so. At the same time, neither members nor staff should be out of pocket when acting on the Association's business, provided they comply with these regulations.

18.3. Payments will be made in accordance with HM Revenue & Customs regulations, to minimise any taxable benefit to the payee. **Evidence of expenditure incurred must always be provided in support of a claim.**

18.4. Claims for expenses from members should in the first instance be submitted to the Head of Finance who will check that evidence of expenditure has been provided and for allocation of the correct budget code. Once this has been done



the claims will be passed to the treasurer and member governance officer for approval.

#### 19. Association Credit Cards

- 19.1. Credit cards may be provided on request for Officers of the Association and for staff whose duties require frequent expenditure while travelling on the Association's business.
- 19.2. On no account must the Association's credit cards be used for personal expenditure.
- 19.3. All credit card holders must provide the Finance Office with a monthly account of expenditure, supported in all cases by invoices and receipts. Where a credit card holder fails to provide a full account of expenditure over a period exceeding three months, the treasurer and member governance officer (in the case of Officers), and the General Secretary (in the case of staff) reserve the right to cancel the relevant credit card.

#### 20. Entertaining Expenditure

- 20.1. Members or staff who, in the course of carrying out the Association's business, are required to entertain members, outside contacts, or other members of staff, will ensure that the level of expenditure is reasonable in the light of the circumstances concerned. This will equally apply when Officers engaged on the Association's business are entertaining outside contacts or staff.
- 20.2. In order to ensure that the expenditure is correctly treated for tax purposes, the person making the claim shall record brief details of the nature of the business and the names of individuals entertained, on the expenditure claim form. Receipts must be attached to the claim in the normal way.

#### 21. Gifts and Entertainment provided by Outside Bodies

- 21.1. Neither elected members nor staff may receive gifts, hospitality or benefits of any kind from a third party which might be seen to compromise their personal judgement or integrity. Where such gifts or hospitality are deemed to be of a routine nature (such as the occasional meeting over lunch), they should nevertheless be reported to the individual's Line Manager for staff and the General Secretary for elected members, and logged in the Register of Gifts and Hospitality that will be held in the General Secretary's office. Gifts and hospitality with a value of less than £5 may be disregarded in this context.

#### 22. Conflicts of Interest

- 22.1. Both committee members and staff should seek to avoid putting themselves in a position where there is conflict (actual or potential) between their personal interests and their duties to the Association. They should not allow any conflict of interest to arise, which might interfere with the exercise of their personal judgement.

22.2. Committee members and staff should disclose to the General Secretary any financial interest, which they have or may have in:

- the supply of work or goods to or for the purposes of the Association
- any contract or proposed contract concerning the Association
- any other matter relating to the Association (including any paid consultancy).

22.3. The Office of the General Secretary will maintain a register of interests, which will be open to inspection by committee members and staff. The interests to be declared by committee members and staff are:

- headships of companies
- membership of partnerships
- consultancies (paid or unpaid)
- membership of governing bodies
- membership of employment tribunals
- trusteeships
- shareholdings of more than 5% of issued share capital
- other paid or unpaid public appointments or honorary positions that might give rise to a conflict of interest.

22.4. Where, during a meeting, it becomes clear to a committee member or member of staff that a topic under discussion may give rise to a conflict of interests on their part; he/she should declare that interest and take no further part in the process.

### 23. Insurance

23.1. The appropriately-designated post holder shall arrange insurance cover in accordance with the policy laid down by the General Purposes Committee, and shall keep a register of insurances.

23.2. Heads of Department shall notify the designated post holder immediately of any circumstances occurring in their departments which could give rise to an insurance claim.

### 24. Fees Received for Work for Outside Bodies

24.1. Where staff wish to perform work for outside bodies during normal office hours, using the Association's resources, then they must obtain the agreement of their line manager.

24.2. Where work is carried out under the circumstances outlined at 24.1 above, any fees which become due will be the property of the Association. Details of the work carried out, the customer's name and address, and the fee payable must be passed to the Finance Office so that an invoice may be raised and VAT may be properly accounted for.

24.3. Where such fees are paid directly to the member of staff and the outside body is unwilling to make payment to the Association, then the member of staff should pay the Association the appropriate sum after the deduction of income tax, for which he/she will be personally liable to HM Revenue & Customs.

24.4. Where a member of staff carries out work for an outside body during his/her own time (i.e. during a period of annual leave, or outside office hours) and makes no use of the Association's resources, then any fee earned for that work will normally remain the property of the individual concerned.

## 25. Sponsorship and Other Income Generating Activities

25.1. Details of all sponsorship and other income generating activities must be communicated to the Head of Finance at an early stage, to ensure, where appropriate, that costings are accurate, taxation issues are investigated, and the income is collected promptly. Draft contracts must be reviewed by the Head of Finance before being signed.

## 26. Companies and Commercial Activities

26.1. No company or commercial enterprise of any kind intended to exploit any activity carried on by the Association or on the Association's premises, or to exploit any rights belonging to the Association may be established by any member of staff or member of the Association without the prior approval of the Executive Committee.

## 27. Taxation

27.1. The Head of Finance is responsible for:

- advising Heads of Department in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues, to the Association
- maintaining the Association's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

## 28. Fraud and Irregularity

28.1. By 'irregularity' is meant a departure from the principles and procedures laid down in the Financial Regulations (or procedures referred to in the Financial Regulations) which might result in an improper payment or claim for payments being made (whether in favour of or against the Association) or a wrongful statutory return being made by the Association.

28.2. Such an irregularity may have arisen by accident, lack of knowledge, lack of due diligence, by intent or gross negligence.

28.3. Where such irregularity arises by intent or gross negligence but is not of direct or indirect financial benefit to the individual responsible this constitutes serious misconduct.

28.4. Where such irregularity arises by intent or gross negligence and is of direct or indirect financial benefit to the individual responsible this constitutes a suspicion of fraud.

28.5. All irregularities should be reported to the Head of Department responsible for the area of work where the irregularity has occurred, to the General Secretary,

the Head of Finance, the Head of HR and to the treasurer and member governance officer.

28.6. All irregularities should be investigated by the Head of Department who with the General Secretary and the treasurer and member governance officer will take action to prevent reoccurrence. If the investigation reveals suspicion of misconduct, normal disciplinary procedures will be invoked.

28.7. A written report will be made to the General Purposes Committee, who may at their complete discretion commission a further investigation, from internal or external auditors as seems appropriate, and may require the General Secretary or treasurer and member governance officer to take action if necessary to suspend any member of staff whilst the investigation is taking place. The outcomes of the investigation shall be reported to the treasurer and member governance officer and to the General Secretary for them to determine what further action is required.

## 29. Extent of Regulations

29.1. These Financial Regulations apply to the Association of Teachers and Lecturers, its employees and elected members. They do not apply to the ATL Trust Fund, or the ATL Norwich Union Pension and Life Assurance Scheme.

29.2. If these Financial Regulations do not cover a particular situation, or there is uncertainty as to their application, the advice of the Head of Finance (for matters relating to staff) or the treasurer and member governance officer (for matters relating to members) should be sought.

## 30. Amendment

30.1. These Financial Regulations may be amended from time to time by the Executive Committee.

Authorised / Certifying Officers

Appendix A

Budget Holders

Budget	Authorised Signatory for Expenditure/Orders
Gen Secretary	Mary Bousted
Deputy General Secretary	Peter Pendle
Finance	Dodge Nandhra
Human Resources	Nicki Landau
Recruitment & Organisation	Mark Holding
Legal	Andy Peart
Legal & Member Services	Andy Peart
Communications	Victoria Barlow & Victoria Poskitt
Information & Technology	Sonja Hines
Facilities	David Kimber
Conferences	David Kimber
Membership	Victoria Barlow
Wales	Philip Dixon
Ireland	Mark Langhammer
EPR	Nansi Ellis
Nat Officer	Collette Bradford
Member Training	Kate Quigley
Treasurer and member governance officer	Stephen Buck Debbie Polwarth
AMIE	Peter Pendle & Julia Pearson

Cheque Signatories

Group A Staff	Peter Pendle Andy Peart Nansi Ellis Dodge Nandhra Nicki Landau Mark Holding Victoria Barlow
Group B All serving Officers	President Vice-President Immediate Past President Policy Officer Treasurer & Member Governance Officer AMiE President

- Payments up to the value of £6,000 - one signature from A or B
- Payments above the value of £6,000 - two signatures from A or B
- Payments above the value of £50,000 – two signatures, one from each A and B