NASUWT
The Teachers' Union

RULES OF THE UNION

The largest teachers' union in the UK

RULES OF NASUWT

(Adopted Conference 2013)

1. Name

The name of the Union shall be National Association of Schoolmasters Union of Women Teachers (NASUWT), and all references to the "Union" in these Rules shall be construed accordingly.

2. Registered Office

The Registered Office of the Union shall be Hillscourt Education Centre, Rose Hill, Rednal, Birmingham B45 8RS, or at such other place as the National Executive may from time to time determine.

3. Objects

The Objects of the Union shall be:

(a) to represent the interests of its members collectively and individually in negotiations with and submissions to employers, local and central government, and other relevant bodies;

(b) to regulate relations between members, and to facilitate good professional relations between members and other teachers and other employees in the education service;

(c) to oppose actively all forms of harassment, prejudice and unfair discrimination whether on the grounds of sex, race, ethnic or national origin, religion, class, colour, caring responsibilities, marital status, sexuality, disability, age, or other status or personal characteristic;

(d) to protect and promote the interests of its members generally and in particular to ensure that the salary scales encourage the recruitment to and retention in the teaching profession of men and women career teachers;

(e) to promote equal opportunities including through collective bargaining, publicity material and campaigning, representation, union organisation and structures, education and training, organising and recruitment, the provision of all other services and benefits, and all other activities;

(f) to protect and promote the interests of the education service;

(g) to secure the representation of the Union on public and private bodies concerned with matters of interest to the Union;

(h) to afford the Government, Local Authorities and other bodies with an interest in the education service, the advice and experience of the Union and its members;

(i) to render legal advice and assistance in accordance with Rule 24;

(j) to provide educational and recreational facilities for members;

(k) to render financial and other assistance whether through the NASUWT Benevolent Funds or otherwise;

(l) to provide directly or indirectly financial services to members including but not limited to financial advice, insurance, and loan arrangements;

(m) to participate in such commercial activity whether through the holding of shares in limited liability companies (including but not limited to majority shareholdings) or otherwise as the National Executive may consider appropriate and for the benefit of the Union or its membership;

(n) to hold, purchase, lease, mortgage, sell or otherwise deal with land or other property;

(o) to raise funds by borrowing money on any real or personal property of the Union;

(p) the furtherance of the political objects to which Section 72 of the Trade Union and Labour Relations (Consolidation) Act 1992, applies;

(q) in furtherance of the foregoing objects, to originate direct debits, and execute any indemnity that may be required by the banks receiving such debits.

4. Membership

(1) Full Membership

(a) All persons who are employed as qualified teachers and such other persons whose contract of employment requires them to teach, lecture or instruct whether on a full or part-time basis are eligible for Full Membership of the Union provided they support the Objects of the Union.

(b) The right to admit a candidate to membership of the Union shall be vested in the National Executive of the Union whose decision shall be final.

(c) Throughout his/her teaching career a member shall be allocated to membership of the Local Association within whose area the member's workplace is situated. If a member has more than one workplace and such workplaces are situated in areas covered by more than one Local Association the member shall elect to join the Local Association which he/she considers he/she can serve most effectively. A member shall be eligible to be in membership only of a Local Association in the area in which he/she is employed as a qualified teacher or is employed to teach, lecture or instruct in accordance with Rule 4(1)(a). Where no Local Association exists the member shall be allocated to the list of centrally attached members.

(d) Unless the context otherwise so requires, in these Rules the word "Member" shall mean "Full Member".

(2) Retired Membership

(a) A Full Member who retires on pension may continue in membership as a Retired Member.

(b) A Retired Member may opt to hold membership with the same benefits, obligations and rights to vote and hold office as a Full Member on payment of the same subscriptions as a Full Member save for ineligibility to stand as a candidate in elections for those offices listed in Rule 4(2)(c).

(c) Only those Retired Members who are paying the same subscription as a Full Member and who are in compliance with Rule 4(1)(a) shall be eligible to stand for election as a National Officer, National Executive Member or Secretary, President or Vice-President of a Local Association or Federation.

(d) A Retired Member paying a Full Member subscription shall join the Local Association covering the area in which he/she lives or the Local Association with which he/she served when a Full Member, according to his/her wishes.

(e) Upon the Retired Member's election to pay the prescribed reduced subscription a Retired Member shall be entitled to receive:

  (i) benefits pursuant to Rule 25 at the discretion of the Central Benevolent Fund Committee;

  (ii) at the discretion of the National Executive legal assistance in relation to any matter arising out of his/her former employment in the teaching profession at a time when the Retired Member held Full Membership;

  (iii) and shall be subject to the provisions of Rule 27 but shall have no other rights under these Rules, and in particular shall have no voting rights nor shall he/she be eligible to hold office.

(f) Upon election to pay the prescribed reduced subscription a Retired Member shall join the Retired Members' Association covering the area in which he/she lives or the area in which he/she served when a Full Member, according to his/her wishes.

(3) Honorary Life Membership

(a) The National Executive may recognise service rendered to the Union by a Full Member at national or local level by awarding Honorary Life Membership.

(b) An Honorary Life Member who has retired from teaching shall have the same rights and obligations under these Rules as a reduced subscription Retired Member, save that an Honorary Life Member shall not be required to pay the prescribed reduced subscription to the Union.

(c) An Honorary Life Member (unless s/he is also a Full Member of the Union) shall have no voting rights nor shall s/he be eligible to hold office other than as provided for in the constitution of a Retired Members' Association.

(4) Career Break Membership

(a) Any Full Member who leaves the profession with the intention of subsequently returning shall be entitled to become a Career Break Member and may attend meetings of the Local Association of which s/he was a Full Member when teaching, or of the Local Association covering the area in which s/he resides, and may speak at the discretion of the Local Association President but shall have no other rights under this Rule, and, in particular, shall have no voting rights nor shall s/he be eligible to hold office.

(b) A Career Break Member shall pay the reduced subscription prescribed and shall be entitled to receive:

(i) benefits pursuant to Rule 25 at the discretion of the Central Benevolent Fund Committee;

(ii) at the discretion of the National Executive, legal assistance in relation to any matter arising out of his/her former employment in the teaching profession at a time when the Career Break Member held full membership and shall be subject to the provisions of Rule 24.

(5) Student Membership

(a) A student preparing to enter the teaching service may join the Union as a Student Member.

(b) A Student Member shall pay the reduced subscription prescribed and shall be entitled to receive legal assistance in accordance with Rule 24 in relation to any matter arising out of his/her proposed employment in the teaching profession at the discretion of National Executive but shall have no other rights under these Rules and, in particular, shall have no voting rights nor shall s/he be eligible to hold office in the Union.

(6) Associate Membership

(a) A member of the Union who secures employment outside teaching without the intention of returning to teaching may continue as an Associate Member and may attend meetings of the Local Association of which s/he was a member when s/he was in teaching employment, or of the Local Association covering the area in which s/he resides, and may speak at the discretion of the Local Association President but shall have no other rights under these Rules, and in particular shall have no voting rights nor shall s/he be eligible to hold office.

(b) An Associate Member shall pay the reduced subscription prescribed and shall be entitled to receive:

(i) benefits pursuant to Rule 25 at the discretion of the Central Benevolent Fund Committee;

(ii) at the discretion of the National Executive, legal assistance in relation to any matter arising out of his/her former employment in the teaching profession at a time when the Associate Member held full membership and shall be subject to the provisions of Rule 24.

(7) Former Membership

A person who previously held full membership who has resigned from such membership and who has not become a member of another teacher trades union since his/her resignation and who no longer holds membership in accordance with any of the membership categories set out in this Rule shall be entitled to receive:

(i) benefits pursuant to Rule 25 at the discretion of the Central Benevolent Fund Committee;

(ii) at the discretion of the National Executive legal assistance in relation to any matter arising out of his/her former employment in the teaching profession at a time when the Former Member held full membership.

(8) Data Protection

A person holding any category of membership of the Union agrees to any processing of such personal data maintained and collected by the Union concerning the member (including the fact of membership) by the Union, its employees and officers and any agents, contractors and other service providers for the purpose of directly or indirectly furthering any of the Union's objects under these Rules.

5. Subscriptions

(a) The subscription rates for all classes of membership shall be determined by Conference and shall be payable in advance either:

(i) by direct debit payment, annually, quarterly, or monthly; or

(ii) by lump sum payment annually in advance; or

(iii) in such other manner as the National Executive shall provide.

(b) (i) The Full Member subscription rate may include provision for a reduced rate of subscription for such Full Members as are employed part time.

(ii) "Part time" for the purposes of this Rule shall apply to any person entitled to full membership whose contract of employment requires him/her to work for not more than that percentage of the school year or pro rata equivalent thereof from time to time determined by National Executive.

(c) The Honorary Treasurer shall allocate to a member's Local Association the local apportionment agreed by Conference which shall be paid in such manner and at such intervals as the National Executive shall from time to time direct.

(d) (i) Any member who allows his/her subscription to fall more than three calendar months in arrears shall forfeit all rights and title to the funds and properties of the Union, shall be ineligible for assistance and benefits under Rules 23, 24, 25 and 26, shall forfeit the right to vote in any election or ballot and shall not be eligible to hold office in the Union.

(ii) Any such member shall be notified by the Union that unless his/her arrears are cleared his/her name will be erased from the list of members of the Union.

(iii) Any member in arrears of subscriptions who has not cleared his/her arrears within nine calendar months of the issue of notification of arrears under (ii) above shall be erased from the list of members of the Union and shall cease to have any rights whatsoever under these Rules or otherwise arising out of his/her membership of the Union so terminated.

(e) A member wishing to resign from membership of the Union may do so only by giving notice in writing to the General Secretary.

(f) The Honorary Treasurer shall be empowered to take any proceedings open to the Union in the name of the Union to recover the subscription due from any member who fails to pay the same in accordance with the Rules of the Union and to this end the Union shall indemnify the Honorary Treasurer against all legal or other costs and expenses reasonably incurred.

6. Conference

(a) The annual meeting of the Union shall be Conference.

(b) The supreme government of the Union shall be vested in Conference and the decisions of Conference and of any Special Conference held in accordance with Rule 6(o) shall be binding on all members irrespective of class of membership.

(c) Conference shall be held on such date or dates and at such place as appointed by the National Executive which date and place shall be published to the membership by the National Executive in such manner and at such time as the National Executive considers necessary for the efficient organisation of Conference.

(d) Subject to the Standing Orders of Conference, Conference shall comprise the following representatives who shall have speaking and voting rights:

- (i) the National Officers and National Officers elect of the Union;
- (ii) National Executive Members;
- (iii) Past Presidents of the Union and Past Presidents of the National Association of Schoolmasters and of the Union of Women Teachers;
- (iv) two representatives of each Federation constituted under Rule 10 and two representatives of each of the Northern Ireland, Scotland and Wales/Cymru Executive Councils as constituted under Rule 11;
- (v) two representatives elected by each Local Association constituted under Rule 8;
- (vi) one additional representative elected by each Local Association constituted under Rule 8 for every hundred members over and above the first hundred members of that Local Association;
- (vii) two representatives elected by the Federation of Retired Members' Associations constituted under Rule 9 whose speaking and voting rights shall be restricted to matters of direct concern to Retired Members.

(e) The full names and addresses of the representatives elected by Local Associations and Federations under (d) (iv), (v), (vi) and (vii) above shall be submitted to the General Secretary by the Federation, Executive Council, Local Association or Federation of Retired Members' Associations concerned to be received by the General Secretary not less than six weeks before the first day of Conference.

(f) Any representative elected under (d) (iv), (v), (vi) or (vii) above shall be a member of or delegate to the Local Association, Executive Council or Federation electing him/her as the case may be.

(g) Save for Past Presidents and Retired Members attending Conference in accordance with (d)(iii) and (vii) above, all representatives attending Conference shall be Full Members of the Union.

(h) The General Secretary and such staff as s/he may authorise may attend Conference but shall have no vote or speaking rights at Conference save that the General Secretary shall have the right to speak if so invited by the President.

(i) The National Executive and the President may invite guests of the Union to attend Conference, but such guests shall have no vote at Conference and shall only have the right to speak if so invited by the President.

(j) Conduct of business at Conference shall be in accordance with such Standing Orders as are approved by Conference from time to time. An amendment to the Standing Orders of Conference may be proposed by:

- (i) the National Executive by giving notice to the Local Associations in writing of the proposed amendment to the Standing Orders of Conference not less than three months prior to the date of Conference;

(ii) twenty-five Local Associations giving notice to the General Secretary in writing of the proposed amendment to the Standing Orders of Conference not less than two months prior to the date of Conference.

(k) Any amendments to the Standing Orders of Conference proposed in accordance with (j)(ii) above shall be circulated to the Local Associations by the National Executive not less than twenty-one days before the date of the Conference.

(l) An amendment to Standing Orders shall require a two thirds majority of the votes cast at Conference.

(m) A Standing Orders Committee consisting of two members elected by the National Executive and three members elected by Conference shall be elected annually.

(n) Members of the Standing Orders Committee shall serve from the conclusion of the Conference at which they are elected until the conclusion of the succeeding Conference.

(o) A Special Conference shall be held:

(i) if the National Executive so considers necessary; or

(ii) on the request to the General Secretary of at least ten Local Associations together representing not less than one third of the membership of the Union; for the purposes of conducting such business as shall be specified by the National Executive or by the Local Associations concerned in their request for the Special Conference.

(p) Twenty-one days' notice of a Special Conference shall be given.

(q) A Special Conference shall comprise the same representatives as under (d) above.

(r) Notice of the full names and addresses of Local Association, Executive Council, Federation and Retired Members' Federation Representatives shall be submitted to the General Secretary by the Federation, Executive Council, Local Association or Retired Members' Federation concerned to be received by the General Secretary not less than seven days before the first day of the Special Conference.

7. The National Executive

(a) (i) The National Executive shall comprise the members of the National Officers' Committee and not more than forty-three members elected to represent Districts of the Union.

(ii) The General Secretary shall attend the National Executive to report on the business of the Union and shall have speaking rights at meetings of the National Executive but shall neither be a member of the National Executive nor have a vote.

(iii) No paid official or employee of the Union shall be eligible for election as a District member of the National Executive.

(b) The Districts of the Union for the purposes of membership of the National Executive shall be:

England:

District 1	County Durham, Darlington, Gateshead, Newcastle, North Tyneside, Northumberland, South Tyneside, and Sunderland
District 2	Middlesbrough, Hartlepool, Stockton-on-Tees, and Redcar & Cleveland
District 3	Cumbria
District 4	Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford, and Wigan
District 5	Blackburn, Blackpool, and Lancashire
District 6	Cheshire, Halton, Isle of Man, Knowsley, Liverpool, Sefton, St. Helens, Warrington, and Wirral

District 7	Bradford, Calderdale, Kirklees, Leeds, North Yorkshire, Wakefield, and York
District 8	Barnsley, Doncaster, Rotherham, and Sheffield
District 9	East Riding of Yorkshire, Kingston upon Hull, North East Lincolnshire, and North Lincolnshire
District 10	Derby, and Derbyshire
District 11	Leicester, Leicestershire, Northamptonshire, and Rutland
District 12	Nottingham, Nottinghamshire, and Lincolnshire
District 13	Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall, and Wolverhampton
District 14	Staffordshire, and Stoke-on-Trent
District 15	Herefordshire, Shropshire, Telford & Wrekin, Warwickshire, and Worcestershire
District 16	Cambridgeshire, Norfolk, and Peterborough
District 17	Essex, Southend, Suffolk, and Thurrock
District 18	Bedfordshire, Hertfordshire, and Luton
District 19	Bath & N.E. Somerset, Bristol, Gloucestershire, North Somerset, Somerset, and South Gloucestershire
District 20	Bournemouth, Dorset, Poole, Swindon, and Wiltshire
District 21	Cornwall, Devon, Isles of Scilly, Plymouth, and Torbay
District 22	Barnet, Brent, Ealing, Enfield, Haringey, Harrow, Hillingdon, and Hounslow
District 23	Camden, Corporation of London, Greenwich, Hackney, Hammersmith & Fulham, Islington, Kensington & Chelsea, Lambeth, Lewisham, Southwark, Tower Hamlets, Wandsworth, and Westminster
District 24	Bexley, Bromley, Croydon, Kingston, Merton, Richmond, and Sutton
District 25	Barking, Havering, Newham, Redbridge, and Waltham Forest
District 26	Brighton & Hove, East Sussex, Surrey, and West Sussex
District 27	Kent, and Medway Towns
District 28	Buckinghamshire, Milton Keynes, and Oxfordshire
District 29	Bracknell Forest, Guernsey, Hampshire, Isle of Wight, Jersey, Portsmouth, Reading, Slough, Southampton, West Berkshire, Windsor & Maidenhead, and Wokingham

Wales/Cymru:

District 30	Conwy, Ynys Mon, Gwynedd, Denbighshire, Flintshire, and Wrexham
District 31	Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr Tydfil, Monmouthshire, Newport, Rhondda Cynon Taff, Torfaen, and Vale of Glamorgan
District 32	Ceredigion, Carmarthenshire, Neath & Port Talbot, Powys, Pembrokeshire, and Swansea

Scotland:

District 33	Aberdeen, Aberdeenshire, Angus, Argyll & Bute, Borders, Clackmannanshire, Dumfries & Galloway, Dundee, East Ayrshire, East Dunbartonshire, East Lothian, East Renfrewshire, Edinburgh, Falkirk, Fife, Glasgow, Highland, Inverclyde, Midlothian, Moray, North Ayrshire, North Lanarkshire, Orkney Islands, Perthshire & Kinross, Renfrewshire, Shetland Islands, South Ayrshire, South Lanarkshire, Stirling, West Dunbartonshire, Western Isles, and West Lothian

Northern Ireland:

District 34	Belfast, North Eastern, South Eastern, Southern, and Western

(c) Each District shall be represented by one member of the National Executive save that Districts 1, 4, 6, 7, 13, 23, 31, 33 and 34 shall be represented by two members.

(d) The National Executive may between Conferences create a new District or Districts from existing Districts and may increase or reduce the number of members elected by each District so as to provide fair representation according to the number of members in each District subject to the overall limitation on the size of the National Executive referred to in Rule 7(a)(i).

(e) In the event of the creation of a new District or any increase in the number of members of the National Executive for an existing District an election shall be held forthwith for the vacancy so created.

(f) Any change in Districts or in representation of Districts shall be presented by the National Executive to the Conference immediately following the National Executive's decision to make such change as a proposed amendment to these Rules for approval by that Conference.

(g) The period of office of a District member of the National Executive shall be one year commencing from the conclusion of Conference in the year the member was elected until the conclusion of Conference of the following year.

(h) Any member of the National Executive who fails to attend three consecutive meetings of the National Executive without good cause acceptable to the National Executive shall be deemed to have resigned. For the avoidance of doubt the National Executive member so deemed to have resigned shall be eligible to stand for re-election to the vacancy.

(i) In the event of a member of the National Executive ceasing to be a member of the Union or of a vacancy for any other reason a by-election shall be held forthwith to fill such vacancy which by-election shall be held in accordance with such arrangements as the National Executive shall prescribe.

(j) The National Executive shall, subject to these Rules and to the decisions of Conference, have full power and authority to take such action as it deems necessary for the conduct of the Union's affairs and the realisation of the objects set out in Rule 3.

(k) Without prejudice to the generality of the power set out in Rule 7(j) the National Executive shall:

  (i) subject to ratification at the Conference immediately following such decision, make such bye-laws and regulations as to the management of the Union not inconsistent with these Rules as the National Executive may consider desirable and to rule upon any question as to the construction of any Rule, bye-law or regulation;

  (ii) determine the remuneration and duties of the General Secretary;

  (iii) appoint such officials, other than the General Secretary, as the National Executive considers necessary for the good conduct of the affairs of the Union;

  (iv) determine the remuneration and duties of such officials as are appointed under (k)(iii) above;

  (v) enter into deeds, guarantees and agreements in accordance with these Rules as agents of the Union;

  (vi) appoint such Committees with such powers and duties as the National Executive shall from time to time consider necessary;

  (vii) whether by itself or on the advice or with the assistance of agents invest or cause to be invested such of the assets of the Union and the income arising therefrom as shall not be required for the administration or other purposes of

the Union in accordance with these Rules provided that the National Executive shall not be liable for the defaults of agents whom it may employ for this purpose;

(viii) make such arrangements as the National Executive deems to be necessary and appropriate to fill any vacancy to any elected office in the Union arising from suspension or removal from office.

(l) National Officers and members of the National Executive shall be indemnified by the Union:

(i) in respect of expenses properly incurred by them in the performance of their duties as such National Officers or members of the National Executive as the case may be; and

(ii) in respect of all demands, claims, actions, proceedings and damages (and the costs and expenses thereof) made, brought or obtained against them arising out of the performance of their duties as such National Officers or members of the National Executive.

8. Local Associations

(a) The National Executive shall have power to form, dissolve or amalgamate such Local Associations as it sees fit subject to such criteria as are approved by Conference from time to time. Any decision taken by the National Executive in accordance with this paragraph shall be reported for ratification to the Conference immediately following that decision.

(b) The National Executive shall publish model rules for the conduct of Local Association business which rules shall be adopted by each Local Association save that the National Executive may approve any such local variations requested by a Local Association as it sees fit.

(c) Only persons who are in Full Membership of the Union in compliance with Rule 4(1)(a) shall be eligible for election as Local Association Secretary, President or Vice-President.

(d) The funds of a Local Association shall be kept in an account opened in the name of that Local Association at a Bank, Post Office or Building Society. Withdrawals from the account shall be under the signature of at least two duly appointed Local Association officers.

(e) All Local Associations shall supply a statement of balances and an income and expenditure account to the Honorary Treasurer at the end of the financial year. The financial year is the calendar year.

9. Retired Members' Associations and Federation

(a) The National Executive shall have power to form, dissolve or amalgamate such Retired Members' Associations as it sees fit subject to such criteria as are approved by Conference from time to time. Any decision taken by the National Executive in accordance with this paragraph shall be ratified by the Conference immediately following that decision.

(b) The National Executive shall publish model rules for the conduct of Retired Members' Association business which rules shall be adopted by each Retired Members' Association save that the National Executive may approve any such local variations requested by a Retired Members' Association as it sees fit.

(c) The funds of a Retired Members' Association shall be kept in an account opened in the name of that Retired Members' Association at a Bank, Post Office or Building Society. Withdrawals from the account shall be under the signature of at least two duly appointed Retired Members' Association officers.

(d) All Retired Members' Associations shall supply a statement of balances and an income and expenditure account to the Honorary Treasurer at the end of the financial year. The financial year is the calendar year.

(e) All Retired Members' Associations shall combine to form the Retired Members' Federation which shall be consulted by the National Executive on such matters affecting retired members as the National Executive considers appropriate.

(f) The National Executive shall publish model rules for the conduct of Retired Members' Federation business which rules shall be adopted by the Federation save that the National Executive may approve such variations requested by the Federation as it sees fit.

(g) A Retired Members' Association shall contribute to the Retired Members' Federation such proportion of its subscription apportionment and other income at such times and in such manner as shall be directed by resolution of the Federation from time to time.

(h) The funds of the Retired Members' Federation shall be kept in an account opened in the name of the Retired Members' Federation at a Bank, Post Office or Building Society. Withdrawals from the account shall be under the signature of at least two duly appointed Retired Members' Federation officers.

(i) The Retired Members' Federation shall supply a statement of balances and an income and expenditure account to the Honorary Treasurer at the end of the financial year. The financial year is the calendar year.

10. Federations

(a) Where there is more than one Local Association within the area of a Local Education Authority the National Executive shall combine those Local Associations to form a Federation which shall be solely responsible for all negotiations with that Local Education Authority and such other employers as may be located within the area of that Local Education Authority.

(b) The National Executive shall publish model rules for the conduct of Federation business which rules shall be adopted by each Federation save that the National Executive may approve such local variations requested by a Federation as it sees fit.

(c) Only persons who are in Full Membership of the Union in compliance with Rule 4(1)(a) shall be eligible for election as Federation Secretary, President or Vice-President.

(d) The funds of a Federation shall be kept in an account opened in the name of the Federation at a Bank, Post Office or Building Society. Withdrawals from the account shall be under the signature of at least two duly appointed Federation officers.

(e) All Federations shall supply a statement of balances and an income and expenditure account to the Honorary Treasurer at the end of the financial year. The financial year is the calendar year.

(f) A Local Association shall contribute to the Federation of which it is a member such proportion of its subscription apportionment and other income at such times and in such manner as shall be directed by resolution of the Federation from time to time.

11. Executive Councils in Northern Ireland, Scotland and Wales/Cymru

(a) In Northern Ireland, Scotland and Wales/Cymru, National Executive shall combine Local Associations to form Executive Councils. These Executive Councils to be known as NASUWT Northern Ireland, NASUWT Scotland and NASUWT Cymru.

(b) The National Executive shall publish model rules for the conduct of the business of those Executive Councils known as NASUWT Northern Ireland, NASUWT Scotland

and NASUWT Cymru which rules shall be adopted by the said Executive Councils save that National Executive may approve such variations requested by NASUWT Northern Ireland, NASUWT Scotland and NASUWT Cymru as it sees fit.

(c) The funds of the Executive Councils known as NASUWT Northern Ireland, NASUWT Scotland and NASUWT Cymru shall be kept in an account opened in the name of the relevant Executive Council at a bank, post office or building society. Withdrawals from the account should be under the signature of at least two duly appointed Executive Council officers.

(d) All Executive Councils shall supply a statement of balances and an income and expenditure account to the Honorary Treasurer at the end of the financial year. The financial year is the calendar year.

(e) Local Associations in Northern Ireland, Scotland and Wales/Cymru shall contribute to the appropriate Executive Council such proportion of Local Association subscription apportionment and other income at such times and in such manner as shall be directed by resolution of the appropriate Executive Council from time to time.

12. Regional Committees in England

(a) National Executive shall make such arrangement as National Executive deems necessary and appropriate for the formation of Regional Committees in England.

(b) The purpose of Regional Committees in England shall be to facilitate regional activity in accordance with model rules for the conduct of the business of Regional Committees as published by National Executive and which shall be adopted by each Regional Committee save that National Executive may approve such variations requested by a Regional Committee as National Executive sees fit.

13. National Officers' Committee

(a) Membership of the National Officers' Committee shall be:

(i) the Junior Vice-President;
(ii) the Senior Vice-President;
(iii) the President;
(iv) the Ex-President;
(v) the Honorary Treasurer;

which Officers shall be known as the National Officers of the Union.

(b) No paid official or employee of the Union shall be eligible for election to membership of the National Officers' Committee.

(c) Any National Officer who fails to attend three consecutive meetings of the National Officers' Committee without good cause acceptable to the Committee shall be reported by the President to the National Executive who may in their absolute discretion declare that the National Officer concerned shall be deemed to have resigned whereupon the casual vacancy procedure shall be commenced. For the avoidance of doubt the National Officer so deemed to have resigned shall be eligible to stand for election to National Office as and when an election is called.

(d) Between meetings of the National Executive the National Officers' Committee shall conduct the business of the Union.

(e) The National Officers' Committee may authorise a ballot for Industrial Action in accordance with Rule 22(c).

(f) The National Officers' Committee shall be bound by decisions of the National Executive.

(g) The National Officers' Committee may make such recommendations to the National Executive for the conduct of the business of the Union as the National Officers' Committee sees fit.

(h) The National Officers' Committee shall report to the National Executive such decisions as it makes for the conduct of the business of the Union between meetings of the National Executive.

14. The Presidency

(a) There shall be an annual election for the four-year term of office of the Presidency.
(b) In the first year of office the member elected to the Presidency shall be known as the Junior Vice-President.
(c) In the second year of office the member elected to the Presidency shall be known as the Senior Vice-President.
(d) In the third year of office the member elected to the Presidency shall be known as the President.
(e) In the fourth year of office the member elected to the Presidency shall be known as the Ex-President.
(f) Each year of office for the purposes of this Rule shall commence on the first day of Conference in the relevant year and end on the first day of Conference in the following year.

15. Honorary Treasurer

(a) The Honorary Treasurer shall be responsible for the financial affairs of the Union.
(b) The Honorary Treasurer shall be elected annually and shall hold office from the conclusion of Conference of the year of his/her election until the conclusion of Conference in the following year.
(c) The Honorary Treasurer shall cause proper accounts to be kept.
(d) The Honorary Treasurer shall publish the audited accounts of the Union annually in sufficient time for consideration at Conference.
(e) The Honorary Treasurer shall present a report to each meeting of the National Executive.
(f) Whenever required by the National Executive the Honorary Treasurer shall provide to the National Executive a statement of the Union's accounts.
(g) The Honorary Treasurer shall make such regulations and give such directions as may seem proper to him or her for:
    (i) the day-to-day management of the financial affairs of the Union;
    (ii) the collection of subscriptions;
    (iii) the proper administration of a national imprest accounting system;
    (iv) the holding of Local Association, Federation, Executive Council, Regional Committee and Retired Members' Association and Federation financial reserves centrally by the Union in the names of the Local Associations and Federations.

16. Auditors

Chartered accountants shall be appointed annually by Conference to examine and audit the accounts of the Union.

17. Investment and Financial Affairs

(a) Funds, assets and other property belonging to or held upon trust for the Union may with the consent of the National Executive be invested in or upon such shares, stocks, funds, securities or other investments in any part of the world and whether involving liability or not either in the names of the Trustees or in the name of a nominee on behalf of the Trustees as the National Executive shall in its absolute

discretion think fit so that the National Executive shall be empowered to invest and transpose the investment of the said funds and other property of the Union in the same unrestricted manner as if they were the beneficial owners thereof.

(b) All land, buildings, other property and assets of the Union shall be placed in the names of the Trustees or in the name(s) of a nominee or nominees on behalf of the Trustees approved by the National Executive or in the name of the Custodian Trustee or Public Trustee as the National Executive shall in its absolute discretion think fit to be held for and on behalf of the Union.

(c) All monies held by or on behalf of the Union shall be paid into the bank accounts of the Union.

(d) Local Association and Federation reserves shall be held centrally in the name of the Local Association or Federation concerned and shall be subject to the right of withdrawal on demand by the Local Association or Federation provided that any such withdrawal is for a specified amount authorised by Minute of a meeting of the Officers or Executive of the Local Association or Federation.

(e) Local Association and Federation Officers, accredited school representatives, Health & Safety Representatives, and such other Officers and representatives as may be approved by the National Executive from time to time shall be indemnified by the Union in respect of all demands, claims, actions, proceedings and damages and the costs and expenses thereof, made, brought or obtained against them arising out of the performance of their duties as such Officers or representatives.

18. Trustees

(a) The President, Senior Vice-President, Junior Vice-President and Ex-President for the time being of the Union shall be trustees thereof.

(b) The National Executive may appoint a Trust Corporation to be Custodian Trustee in accordance with Section 4 of the Public Trustee Act 1966.

(c) The National Executive may transfer to the Public Trustee such funds or property of the Union and such stocks, shares or securities held by or on behalf of the Union as it sees fit.

19. General Secretary

(a) The General Secretary shall conduct the business of the Union in accordance with these Rules and act under the instructions of Conference, the National Executive and the National Officers' Committee.

(b) In the event of failure by the General Secretary to fulfil the terms of his/her contract of employment the National Executive may dismiss the General Secretary from office by resolution passed by a two thirds majority of the members of National Executive.

(c) The General Secretary shall:

- (i) have the conduct of the day-to-day administration of the Union;
- (ii) manage the staff of the Union and shall give such directions as to their work as s/he considers necessary;
- (iii) convene meetings of the National Executive and its Committees and Sub-Committees as and when the National Executive or the National Officers shall require and as s/he deems necessary;
- (iv) put before the National Executive such reports and recommendations as to Union policy, organisation and administration as s/he may deem necessary or as the National Executive may require.

(d) Throughout these Rules wherever there is reference to the General Secretary (with the exception of Rule 20(4)) the General Secretary may nominate the Deputy General Secretary or any other member of staff to act in his/her place.

20. Elections

(1) Eligibility

(a) No member shall be eligible to stand in an election for any elected office at local or national level within the Union if s/he is a member of the principal governing body of, or an elected officer of, another trade union representing persons who are eligible for membership of the Union. On becoming a member of the principal governing body of, or an elected officer of, another trade union representing persons who are eligible for membership of the Union, a member of the Union shall immediately vacate any elected office at local or national level within the Union.

(2) National Officers

(a) Each Local Association shall be entitled to nominate at a general meeting one member as candidate for the Presidency and one member as candidate for Honorary Treasurer.

(b) Any such nomination shall be made by resolution of the Local Association passed at a General Meeting. The agenda and calling notice for the meeting must include as a separate item of business the consideration and making of nominations for the Presidency and Honorary Treasurer.

(c) Only persons who are in Full Membership of the Union in compliance with Rule 4(1)(a) shall be eligible for election as National Treasurer or to the National Presidency.

(d) Any such nomination shall be on the prescribed form which shall be countersigned by the nominee as notice of acceptance of nomination and thereafter submitted to the General Secretary.

(e) Any completed nomination form not received by the General Secretary on or before the 1st November in the year of the election concerned shall not be a valid nomination.

(3) National Executive

(a) Each Local Association within a District shall be entitled to nominate one member of a Local Association within that District as a candidate for each vacancy for the National Executive for that District.

(b) Any such nomination shall be made by resolution of the Local Association passed at a General Meeting. The agenda and calling notice for the meeting must include as a separate item of business the consideration and making of nominations for District members of the National Executive.

(c) Only persons who are in Full Membership of the Union in compliance with Rule 4(1)(a) shall be eligible for election to membership of the National Executive.

(d) Any such nomination shall be on the prescribed form which shall be countersigned by the nominee as notice of acceptance of nomination and thereafter submitted to the General Secretary.

(e) Any nomination form not received by the General Secretary on or before the 31st January in the year of the election concerned shall not be a valid nomination.

(4) General Secretary

(a) Any election for the position of General Secretary shall be called by the National Executive who shall cause to be published a timetable for the election.

(b) The National Executive and each Local Association shall be entitled to nominate at a general meeting one candidate for General Secretary.

(c) Any such nomination shall be made by resolution of the Local Association passed at a General Meeting. The agenda and calling notice for the meeting must include as a separate item of business the consideration and making of nominations for the General Secretary.

(d) Any such nomination shall be on the prescribed form which shall be countersigned by the nominee as notice of acceptance of nomination and thereafter submitted to the President.

(e) Any nomination form not received by the President on or before the closing date for nominations as prescribed by the National Executive shall not be a valid nomination.

(f) For acceptance as a candidate for the post of General Secretary a prospective candidate shall be nominated either by the National Executive or by a minimum of twenty five Local Associations or by both in accordance with the procedure set out in this Rule.

(g) No member shall be eligible to stand in an election for the position of General Secretary if s/he is a member of the principal governing body of, or an officer of, another trade union representing persons who are eligible for membership of the Union.

(5) Canvassing

(a) No member holding any category of membership shall distribute, or cause to be distributed, any material seeking support for the nomination of any prospective candidate earlier than one calendar month prior to the closing date for nominations.

(b) Upon request to the General Secretary (or in the event of an election for General Secretary, the President) a prospective candidate shall be provided with one set of labels setting out the addresses for correspondence of Local Associations relevant to the election concerned, not earlier than five weeks prior to the closing date for nominations for the sole purpose of corresponding with Local Associations to seek nomination.

(c) Material seeking support for the nomination of any prospective candidate in any election may not be distributed by e-mail and e-mail addresses will not be provided to (and may not be used by or on behalf of) prospective candidates for this purpose.

(d) After close of nominations no material other than the election address referred to in this Rule shall be distributed on behalf of any candidate.

(6) Ballots

(a) In the event of there being more than one candidate for the position of the Presidency, Honorary Treasurer, or General Secretary, a ballot shall be held amongst the members of the Union. Each member of the Union shall be entitled to one vote in each contested election and the candidate with the greatest number of votes cast shall be declared elected.

(b) In the event of there being more candidates for nomination to the National Executive than the number of members of the National Executive prescribed for a District there shall be a ballot held of the members of the Local Associations in the District concerned. Each member of a Local Association in a District where a contested National Executive election is held shall be entitled to one vote for each vacancy and the candidate (or if more than one vacancy, candidates) with the greatest number of votes cast shall be declared elected.

(7) Election address

(a) Validly nominated candidates shall be entitled to submit to the General Secretary (or the President in the event of an election for the General Secretary) an election address not exceeding three hundred words on one side of A4 paper which may set out biographical details of the candidate and the work s/he has performed or proposes to perform on behalf of the Union only. The election address may include a photograph and a list of nominating Local Associations (and in the event of election for the General Secretary, any nomination of the National Executive) which list of nominations shall not be taken into account for the purposes of the three hundred words limit set by this Rule.

(b) Election addresses shall be produced in accordance with a protocol agreed and published by National Executive.

(c) The election address shall be distributed at no cost to the candidate to those members who are entitled to vote in the election concerned at the same time as the ballot paper is despatched to those members.

(8) Balloting procedures

(a) Ballot papers accompanied by election addresses shall be distributed by post to members eligible to vote within one calendar month after the closing date for nominations.

(b) The ballot paper shall include on it the date by which the ballot paper to be valid shall be received by the Union's returning officer which date shall be twenty one days after the date of distribution of the ballot papers referred to above.

(c) The National Executive shall appoint an independent scrutineer for each election whose duties shall be those set out in the Trade Union and Labour Relations (Consolidation) Act 1992 and as amended by any subsequent legislation.

(9) Election misconduct

(a) Any complaint of election misconduct shall be made by a member in writing to the General Secretary (or to the President in the case of an election for General Secretary) to be received within twenty eight days of the act or omission, the subject of the complaint.

(b) The General Secretary (or the President in the case of an election for General Secretary) shall have power to dismiss a complaint s/he considers to be frivolous. The General Secretary (or the President as the case may be) shall report the dismissal of such a complaint to the National Officers' Committee Meeting immediately following his/her decision.

(c) The National Officers' Committee (with the exclusion of an individual whose election is the subject of complaint) shall consider any complaint of misconduct not ruled frivolous.

(d) The National Officers' Committee in investigating a complaint of misconduct may set up a Tribunal of Inquiry to investigate the complaint which Tribunal shall comprise either three members of the National Executive or three past Presidents or a combination thereof (save that any individual whose election is the subject of complaint shall not be eligible to serve on such a Tribunal).

(e) A Tribunal of Inquiry constituted under this Rule shall have power to investigate such matters as it believes relevant, and to question such witnesses and to call for such documents as it considers necessary.

(f) A Tribunal of Inquiry shall report to the National Officers' Committee in writing. The National Officers' Committee shall provide a copy of such report to the Complainant(s) and to any individual(s) who are the subject of the complaint.

(g) Upon receipt of a report of a Tribunal of Inquiry the National Officers' Committee shall consider the report and thereafter either uphold the election or declare the election invalid and set a date for a new election, subject to confirmation by the National Executive.

(h) The National Officers' Committee shall have power to suspend an election if it so considers necessary for the good management of the Union.

(i) The National Officers' Committee, subject to confirmation by the National Executive shall make such arrangements as it considers necessary to ensure the good management of the Union should an election be suspended, which power includes the nomination of a member to perform the duties of the post, the subject of the contested election until the conclusion of that election.

(j) In the absence of the suspension of an election by the National Officers' Committee, the election, the subject of complaint, shall proceed and the candidate(s) receiving the highest number of votes shall be declared elected and shall hold office unless and until the election is declared invalid on the grounds of electoral misconduct by the National Officers' Committee.

(k) Nothing in this Rule shall be seen as a bar to internal Union discipline pursuant to Rule 27.

21. Casual Vacancies

(a) In the event of the President ceasing to be a member of the Union or the office of President falling vacant for any other reason the Senior Vice-President shall vacate the office of Senior Vice-President and shall progress to the office of President and shall hold that office for the remainder of the unexpired year of office in addition to his/her year in office as President.

(b) In the event of the Senior Vice-President ceasing to be a member of the Union or the office of Senior Vice-President falling vacant for any other reason the Junior Vice-President shall vacate the office of Junior Vice-President and shall progress to the office of Senior Vice-President and shall hold that office for the remainder of the unexpired year of office in addition to his/her year in office as Senior Vice-President.

(c) In the event of the Ex-President ceasing to be a member of the Union or the office of Ex-President becoming vacant for any other reason, the National Executive shall appoint from amongst its number a member of the National Executive to carry out the duties of Ex-President.

(d) In the event of the Honorary Treasurer ceasing to be a member of the Union or the office of Honorary Treasurer becoming vacant for any other reason, the National Executive shall appoint from amongst its number a member of the National Executive to carry out the duties of Treasurer for the remainder of the unexpired year of office.

(e) In the event of the Junior Vice-President ceasing to be a member of the Union or the office of Junior Vice-President becoming vacant for any other reason, the National Executive shall as soon as reasonable call an election to fill the vacancy for the remainder of the unexpired year of office which election shall be held in accordance with Rule 20 save that the National Executive may appoint such dates for the conduct of the election as it sees fit.

22. Industrial Action

(a) The following and only the following are authorised to call upon members to participate in industrial action:
   (i) the General Secretary and,
   (ii) in his/her absence, the Deputy General Secretary.

(b) The National Executive may authorise a ballot for industrial action of the whole membership or such section of the membership as it considers necessary.

(c) The National Officers' Committee may authorise a ballot for industrial action of the whole membership or such section of the membership as it considers necessary.

(d) On receipt of a request for a ballot for industrial action from a National Executive Member, Federation Secretary or Local Association Secretary, the General Secretary shall:
   (i) authorise a ballot and thereafter report such authorisation to the National Officers' Committee; or
   (ii) reject the request for a ballot and thereafter report such rejection to the National Officers' Committee; or
   (iii) report such request to the National Officers' Committee for decision.

23. Casework Assistance

(a) Casework assistance shall be granted in accordance with the Union's Casework Code of Practice agreed and published by National Executive and at the discretion of the General Secretary to any Full Member and, to the extent permitted by Rule 4, Retired, Honorary Life, Career Break, Student, Associate and Former Members.

(b) Casework assistance may be granted in relation to:
   - (i) any matter arising out of or occurring in the course of the member's employment;
   - (ii) any matter affecting the professional or other rights, welfare or interests of members or the teaching profession in general.

(c) Casework assistance may be withdrawn by the General Secretary if an assisted person whose case has been supported by the NASUWT:
   - (i) fails to act on or accept the advice of the General Secretary or his/her NASUWT caseworker; or
   - (ii) fails to co-operate in the provision or collection of information relevant to the case; or
   - (iii) has wilfully provided false or misleading information; or
   - (iv) is three months or more in arrears with membership contributions; or
   - (v) in any other circumstances where withdrawal is deemed to be necessary by the National Executive.

(d) "Casework assistance" for the purpose of this Rule means assistance provided by an officer, official or employee of the Union to a person in a matter concerning that person.

24. Legal Assistance

(a) Legal assistance shall be granted at the complete discretion of the National Executive.

(b) The following shall be eligible for legal assistance:
   - (i) Full Members working in the British Isles.
   - (ii) Full Members working overseas employed by or under the auspices of the Overseas Development Administration, the Ministry of Defence, or such other Government Department as the National Executive shall from time to time approve.
   - (iii) Full Members working overseas pursuant to any other appointment approved by the National Executive.
   - (iv) Retired, Honorary Life, Career Break, Student, Associate and Former Members to the extent permitted by Rule 4.

(c) Subject to Rule 4, legal assistance may be granted in relation to:
   - (i) any matter arising out of or occurring in the course of a member's employment;
   - (ii) any matter affecting the professional or other rights, welfare, or interests of members or the teaching profession in general.

(d) Legal assistance may be withdrawn by the National Executive if an assisted person whose case has been supported by the Union:
   - (i) fails to act on or accept the advice of the General Secretary or the Union's legal advisers; or
   - (ii) fails to co-operate in the provision or collection of information relevant to the case; or
   - (iii) has wilfully provided false or misleading information; or
   - (iv) is three months or more in arrears of membership contributions; or

(v) in any other circumstances where withdrawal is deemed to be necessary by the National Executive.

(e) If legal assistance is withdrawn pursuant to this Rule the assisted person shall be fully responsible for all legal costs incurred by the Union or by any other party to litigation in which the Union has supported the assisted person.

25. Benevolent Fund

There shall be a separate charitable fund known as the "NASUWT Benevolent Fund" which shall have such separate Rules as are approved by Conference from time to time with the consent of the Charity Commissioners which Rules shall provide for but shall not be limited to the objects, benefits, constitution, and administration of the fund.

26. Insurance and Other Member Benefits

(a) The National Executive shall at its discretion make arrangements to indemnify members against such accidental or criminal injury, loss or damage by way of contract of insurance or otherwise as it sees fit.

(b) The extent of cover under (a) above shall be determined by the National Executive at its discretion but shall include provision for:

(i) accidental death;

(ii) accidental loss of sight of one or both eyes;

(iii) accidental loss of one or more limbs;

(iv) accidental permanent total disablement from engaging in being occupied with or giving attention to employment or occupation within the teaching profession;

(v) damage by fire to or loss by theft of members' personal property pertaining to the teaching profession on school premises under such conditions as shall be determined by the National Executive from time to time.

(c) The levels of benefit under this Rule shall be determined by the National Executive in its discretion which levels of benefit may vary according to:

(i) class of membership;

(ii) the circumstances giving rise to the claim;

subject to such maximum limit as is provided for by Section 467 of the Income and Corporation Taxes Act 1988 and any amendment or re-enactment thereof.

27. Internal Union Discipline

(1) Offences

A member of the Union commits a disciplinary offence if that member:

(a) wrongly or fraudulently receives or misapplies funds of the Union;

(b) fails to participate in official industrial action;

(c) acts contrary to or fails to carry out lawful instructions of the National Executive;

(d) harasses another member or discriminates against another member on the grounds of gender, ethnic origin, disability, sexuality, religion or age;

(e) fails to pay any fine imposed under this Rule within two months of the conclusion of proceedings, without good and sufficient reason;

(f) acts contrary to or fails to carry out the policies of the Union;

(g) acts in any way prejudicial to the interests of the Union.

(2) Complaints

Complaints relevant to Internal Union Discipline may be made against any member of the Union by:

(a) any member of the Union;

(b) resolution of the National Officers (excluding the Ex-President).

(3) Secretariat

(a) The General Secretary shall nominate a member of staff to act as secretary in all aspects of the administration of Rule 27. In the absence of the member of staff so nominated by the General Secretary, another member of staff nominated by the General Secretary may act in his/her place. The General Secretary's Nominee undertaking the role of secretary during Rule 27 proceedings will be known as the "Complaint Secretary".

(b) If a member or the National Officers (excluding the Ex-President) believes that a member of the Union (known in this Rule as the "Respondent") has committed a disciplinary offence then they shall submit their complaint in writing setting out the details of the Respondent's conduct to the Complaint Secretary.

(c) The Complaint Secretary shall seek to ensure that all proceedings under Rule 27 are progressed in accordance with Rule 27 and any protocol relevant to Rule 27 which has been approved by National Executive.

(4) Disciplinary Complaint

(a) Upon receipt of a complaint the Complaint Secretary shall send a copy of the complaint to the Respondent who shall within ten days of the date it was sent to him/her notify the Complaint Secretary in writing whether the complaint is admitted or denied.

(b) (i) Upon receipt of a denial under (a) above, or upon the expiry of ten days if no response to the complaint from the Respondent is received, the Complaint Secretary shall refer the complaint to the Ex-President who will carry out a preliminary investigation.

(ii) If the Ex-President is of the opinion that the complaint is suitable for conciliation then s/he may offer conciliation between the parties to the complaint in accordance with such protocol as may be determined by the National Executive.

(iii) If the Ex-President is of the opinion that conciliation is not appropriate then s/he shall instruct the Complaint Secretary to convene a Disciplinary Committee Meeting for the purpose of the hearing to consider the complaint, save that if the Ex-President is of the view that the complaint is frivolous or vexatious s/he shall instruct the Complaint Secretary to notify the member who submitted the complaint and the Respondent that no further action will be taken.

(c) Upon the conclusion of the preliminary investigation under (b)(i) above, or of conciliation under (b)(ii), the Ex-President shall report in writing to the Complaint Secretary that in the opinion of the Ex-President, either:

(i) there are insufficient grounds to proceed with the complaint further (or in the case of a matter which has been the subject of conciliation, that the complaint has been resolved) whereupon the Complaint Secretary shall notify the member who submitted the complaint and the Respondent that no further action will be taken; or

(ii) the complaint should proceed further whereupon the Complaint Secretary shall convene a Disciplinary Committee Meeting for the purpose of hearing to consider the complaint.

(d) Upon receipt of an admission under (a) above, the Complaint Secretary shall convene a Disciplinary Committee Meeting for the purpose of a hearing to consider the complaint.

(5) Discipline at Disciplinary Committee Level

(a) The Disciplinary Committee shall be a Committee of the National Executive and shall comprise three members of the National Executive excluding the National Officers as nominated by the National Executive. The members of the Disciplinary Committee shall elect a Chair from among their number.

(b) The Disciplinary Committee may resolve to:
   (i) dismiss the complaint; or
   (ii) find the complaint justified.

(c) If the Disciplinary Committee passes a resolution in accordance with (5)(b)(ii) above, or the Respondent has admitted the complaint under (2)(b) above, the Disciplinary Committee shall resolve:
   (i) to impose no penalty; or
   (ii) to penalise the Respondent.

(d) The penalties available to the Disciplinary Committee shall be:
   (i) a reprimand;
   (ii) a fine not exceeding five times the full annual subscription of a Full Member of the Union;
   (iii) to suspend the Respondent from membership of the Union for a specified period not exceeding one year;
   (iv) to debar the Respondent from holding office in the Union either permanently or for a specified period;
   (v) to expel the Respondent from membership of the Union.

(e) As soon as is practicable, the Complaint Secretary shall notify the Respondent in writing of the resolution(s) of the Disciplinary Committee and of any right of appeal.

(6) Appeals

(a) There shall be a right of appeal from the Disciplinary Committee to the Appeals Committee when the Disciplinary Committee has imposed any of the penalties in Rule 27(5)(d).

(b) Appeals Committee
   (i) The Appeals Committee shall be a Committee of the National Executive and shall comprise three members of the National Executive excluding National Officers as nominated by the National Executive. The Appeal Committee shall elect a Chair from amongst their number.
   (ii) No member of the National Executive who was a member of the Disciplinary Committee against whose resolution(s) the appeal has been made shall be a member of the Appeals Committee considering that appeal.

(c) The Appeal
   (i) The Respondent shall submit the appeal in writing (Notice of Appeal) specifying the grounds of the appeal to the Complaint Secretary.
   (ii) The time limit for an appeal shall be ten days from the date the written notice of the resolution(s) against which the appeal lies was sent to the Respondent.
   (iii) It is the Respondent's responsibility to ensure that the Notice of Appeal complies with this Rule and is received by the General Secretary within the time limit.
   (iv) Upon receipt of a Notice of Appeal the General Secretary shall convene a meeting of the Appeals Committee for the purpose of a hearing to consider the appeal.

(v) The Appeals Committee may resolve to dismiss, uphold or reduce the penalty imposed by the Disciplinary Committee.
(vi) Any decision of the Appeals Committee shall be final.
(vii) As soon as is practicable, the Complaint Secretary shall notify the Respondent in writing of the resolutions of the Appeals Committee.
(viii) All appeal hearings shall be by way of full rehearing and new evidence shall be admissible at the discretion of the Chairperson.

(7) Convening of Meetings

(a) Whenever the convening of a meeting is required by this Rule, the procedure set out below shall be followed.

(b) The Complaint Secretary shall send to the Respondent at his/her last known address written notice of the meeting by ordinary first-class post not less than fifteen days before the date of the meeting.

(c) The notice of the meeting sent to the Respondent shall be dated and shall specify:
(i) the date, time and place of the meeting;
(ii) the purpose of the hearing;
(iii) details of the complaint sufficient to enable the Respondent to appreciate the nature of the case against him/her;
(iv) his/her right to attend, make verbal submissions, call witnesses and submit documentary evidence;
(v) his/her right to make written submissions;
(vi) that his/her reasonable travelling expenses will be met;
(vii) that the proceedings may ultimately lead to his/her expulsion from membership of the Union, and that if the Respondent is an Officer of the Union that the proceedings may lead to him/her being permanently debarred from office;
(viii) that the meeting may proceed in his/her absence unless s/he submits written reasons showing good cause why s/he cannot attend;
(ix) that s/he is required to acknowledge receipt and state within ten days of the date of the notice whether s/he intends to attend at the meeting;
(x) that s/he is requested to forward copies of any documents to which s/he will refer to the Complaint Secretary;
(xi) that a copy of any report submitted by the Ex-President under 27(4)(c) is enclosed.

(d) If, in the opinion of the Complaint Secretary, the Respondent or the Complainant submits written good cause no less than twenty-four hours before the time of the hearing why s/he cannot attend, the hearing shall be adjourned to a future date. If the Respondent or the Complainant does not attend the hearing, then it shall be for the Chair of the Disciplinary Committee or, as appropriate, the Appeals Committee to determine whether or not the hearing should proceed in the absence of the Respondent and/or the Complainant.

(e) Copies of the complaint, relevant minutes of any previous hearing, and any documentary evidence in his/her possession shall be sent to the Respondent by the Complaint Secretary as soon as is practicable and in any event at least seven days before the meeting.

(f) The Complaint Secretary shall send written notice of the meeting at least seven days before the meeting to the Complainant and to those who are members of the Committee holding the meeting. This notice shall include copies of the notice sent to the Respondent, any Notice of Appeal, the complaint, relevant minutes of any previous hearing and any documentary evidence in the Complaint Secretary's possession.

(8) Hearings

(a) For the purpose of all hearings under this Rule the provisions set out below shall apply.

(b) The Complaint Secretary shall attend all hearings under this Rule to advise on procedure and to keep a record of the proceedings.

(c) Where the Complainant is the National Officers' Committee (excluding the Ex-President) the complaint shall be presented by a National Officer (the Complaint Presenter) appointed by the National Officers' Committee.

(d) (i) The Complainant (if the Complainant is a member of the Union) and the Respondent may be represented at any hearing under this Rule by another member of the Union (the Complainant's representative or the Respondent's representative as appropriate) if that member is willing to act as his/her representative.

(ii) The Complainant and the Respondent shall notify the Complaint Secretary of the name and address of their representatives as soon as is practicable, and in any event at least fifteen days before the hearing.

(e) The Complainant, Respondent, Complainant's and/or Respondent's Representatives, the Complaint Presenter and witnesses shall withdraw from the hearing upon the conclusion of the presentation of evidence and submissions on behalf of both sides and shall not play any part in the discussion or debate upon the resolution(s) before the Committee holding the hearing.

(9) Implementation of Decisions

(a) Where a disciplinary resolution passed under this Rule may be the subject of an appeal, it shall not take effect until either the time limit for appeal has expired and no appeal has been entered or an appeal has been dismissed. In all other cases the decision shall have immediate effect.

(b) Any decision made by the Appeal Committee shall have immediate effect.

(10) The Role of the Ex-President

If the Ex-President cannot participate in Rule 27 proceedings as required by this Rule by reason of personal involvement in the matters referred to in the complaint or for any other good reason, the National Officers shall nominate a Past President to replace him/her for the purpose of performing the responsibilities allocated to the Ex-President in this Rule.

(11) Time Limits

Wherever "days" are referred to in this Rule the number of days allowed are to be working days not including public holidays, weekends or days when the Respondent is on annual leave in accordance with his/her terms of employment.

(12) Protocol

The National Executive shall adopt and publish a protocol for the progression of Rule 27 proceedings which shall be adhered to by all parties.

(13) Chair's Authority

The ruling of the Disciplinary Committee Chair, or of the Appeal Committee Chair as appropriate, shall be binding on all parties to Rule 27 proceedings in respect of any issue on which Rule 27 and/or the protocol adopted by National Executive are silent.

28. Amendment to Rules

(a) An amendment to these Rules may be proposed by:

(i) The National Executive by giving notice to the Local Associations in writing of the proposed amendment to these Rules not less than three months prior to the date of Conference or any Special Conference called to consider amendments to these Rules.

(ii) By twenty five Local Associations giving notice to the General Secretary in writing of the proposed amendment to these Rules not less than two months prior to the date of Conference or any Special Conference called to consider amendments to these Rules.

(b) Any amendments to these Rules proposed in accordance with (a)(ii) above shall be circulated to the Local Associations by the National Executive not less than twenty one days before the date of the Conference or Special Conference.

(c) An amendment to these Rules shall be made only by Conference or a Special Conference and shall require a two-thirds majority of the votes cast at that Conference.

29. Dissolution of the Union

(a) A proposal to dissolve the Union may be made by:

(i) a resolution of the National Executive passed by a two-thirds majority of the members of the National Executive;

(ii) Local Associations representing not less than half the Full Membership of the Union.

(b) Any proposal made in accordance with (a) above shall be put to a postal ballot of Full Members and Retired Members paying the Full Member subscription.

(c) The Union shall be dissolved if not less than two-thirds of the members referred to in (b) above vote in favour of such dissolution.

(d) Upon a successful ballot to dissolve the Union, notice of dissolution shall be served in the manner prescribed by statute to the Certification Officer for Trade Unions and Employers' Associations and the funds and property of the Union shall (after discharge of all its liabilities) be divisible equally among the members of the Union referred to in (b) above or in such other manner as Conference may determine and as permitted by law.

NASUWT has a Political Fund.
The Rules of the Political Fund are available separately.
Please contact NASUWT Headquarters on 0121 453 6150.

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