

# RULE BOOK



# NCOA

National Crime **Officers** Association  
The Trade Union of the NCA

PROTECTING THOSE WHO PROTECT THE PUBLIC

MARCH 2020

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**1.0 Name**

1.1 The name of the Union shall be 'National Crime Officers Association' (NCOA). The address shall be 1 Dundonald Avenue, Stockton Heath, Warrington, Cheshire, WA4 6NW.

**2.0 Aims**

2.1 To regulate relations between NCOA members in The National Crime Agency (NCA) and the employer, or the employer's representative.

2.2 To represent the interests of its membership and to promote and protect the welfare of its members.

2.3 To promote membership of NCOA amongst all staff employed by the NCA.

2.4 To do all such lawful things as are incidental or conducive to the attainment of the above objects as the National Executive Committee Council consider to be in the interests of the members or likely, directly or indirectly, to benefit the NCOA or any member of it.

2.5 The practice of these aims and objectives without discrimination on grounds of gender, age, race, religion, sexual orientation, or disability.

2.6 The aims and objectives shall be practised independently of any political affiliation.

**3.0 Membership**

3.1 Membership shall be restricted to employees of the National Crime Agency (NCA) or by associate membership. All applicants for membership of NCOA will apply in writing to join.

3.2 The NEC reserves the right to refuse membership to any person on the grounds that they have previously been expelled from the NCOA or any other trade union or because of conduct tending to show that the applicant has acted in a manner not in the best interests of the membership.

3.3 The NEC reserves the right to refuse membership to any person should the applicant have an active role or position within any other NCA recognised Trade Union, actively promoting recruitment to that other union or otherwise providing active and overt support to that other union against the best interests of the NCOA.

3.4 Whilst NCOA Members are permitted to be members of more than one Trade Union, they are ineligible from holding any NCOA Representative or NEC role whilst a member of another recognised Trade Union.

- 3.5 All members shall abide by the rules of the NCOA during membership and not conduct themselves in any way prejudicial to the interests or objects of the NCOA.
- 3.6 All members are required to pay all subscriptions as set by the NEC, at the appropriate rate by means of monthly transfer direct to the NCOA's bankers or by salary deduction arrangements approved by the NEC from time to time.
- 3.7 Members shall be listed regionally to London & South East, Midlands, Wales & West and North, Scotland & Northern Ireland.
- 3.8 All members shall use their best endeavours to recruit further members.
- 3.9 The membership of a member shall cease upon:
- i. the expiry of not less than one month's prior written notice given by the member to the General Secretary, or
  - ii. the member failing to pay any subscription within one month of notification in writing by the General Secretary that such subscription has become due, or
  - iii. the member no longer being eligible for membership under rule 2, or
  - iv. the member being expelled under rule 7.
- 3.10 In the event of resignation by a member, all rights, obligations, and duties remain until the expiry of the notice of resignation and subscriptions shall be paid up until the end of the month in which the notice to resign expires.

#### **4.0 NCOA Governance**

4.1 The NCOA National Executive Committee shall have the ultimate authority for decision making for the union. It shall be responsible for raising issues that are of concern to its members, to the NCA Board.

4.2 Membership of the NCOA shall be made of the following:

- The National Executive Committee
- NCOA Representatives
- NCOA Members

4.3 The principal functions of the NCOA Executive shall be to:

- Create the constitution and any amendments subject to the approval of the National Executive Committee;
- Hold accountable the National Executive Committee for their work/decisions;
- Raise concerns of its members up to and including the NCA Board;
- Approve reports and work carried out by representatives, sub committees or working parties of the National Executive Committee;
- Approve financial reports of the National Executive Committee;
- Approve contents of the NCOA Annual Report;

- Promote membership of NCOA within staff employed by the NCA.

4.4 An Annual Delegates Conference (ADC) shall be called annually at a time and place to be decided by the NEC. The Chair of the ADC shall be the NEC Chair or such deputy as appointed by the NEC.

4.5 The business of the ADC shall be to receive, and if approved, adopt the Annual Report and an audited statement of the latest NCOA accounts, and any other matters reserved for the ADC in these rules. The ADC will aim to deal with any matter which the NEC desires to bring before its delegates, and to receive and consider motions from representatives, the NEC or any other matter in respect of which the ADC is competent within the Rules.

4.6 All NCOA representatives shall be entitled to attend the ADC.

4.7 The ADC rules are detailed at Annex F.

## **5.0 National Executive Committee**

5.1 The National Executive Committee shall run the NCOA on a day to day basis in accordance with the terms of this Constitution, its Annexes and relevant legislation from time to time.

5.2 The National Executive Committee shall consist of the following officers elected by members of the NCOA to the NEC:

- Chair
- Deputy Secretary
- National Caseworker
- NEC member

5.3 Elections to the National Executive Committee shall be held every three years and will take place in July. Each elected Officer will be entitled to serve for a period of three years in accordance with the election rules at Annex B.

5.4 The National Executive Committee shall meet no less than four times a year; additional meetings may be called at the discretion of the Chair.

5.5 The Chair will preside over the meetings and may only vote in the event of a tie.

5.6 National Executive Committee meetings shall only proceed if at least fifty per cent of the Executive Committee members are present throughout. Attendance, which may include by 'dial in', is explained further at Annex A 2.2.

5.7 Any member of the National Executive Committee who fails to attend three meetings in a rolling 12-month period, without tendering apologies to the Chair, or fails to provide satisfactory reasons for their absence, shall be considered to have resigned.

## **6.0 Trustee Board**

6.1 The Trustees are responsible for the financial affairs of the NCOA and

shall ensure that any money spent is in accordance with the objectives of the NCOA.

- 6.2 The Trustee Board shall comprise members of the National Executive Committee.
- 6.3 The role of the Trustees shall be to:
- Ensure that the NCOA finances operate efficiently and effectively.
  - Prepare the NCOA Annual Report detailing activities, finances and other information which is required under current legislation.
- 6.4 Trustee meetings shall meet not less than four times a year. Additional meetings may be called at the discretion of the Chair.
- 6.5 Trustee meetings shall only proceed if a quorum of at least fifty percent of the Trustees is present throughout. (See A.2.2)
- 6.6 Minutes of all meetings shall be kept. Each meeting shall consider the minutes of the previous meeting which, if approved shall be recorded as such by the Chair. The minutes of the NEC shall be open to inspection by its members at a time and place which is reasonable.
- 6.7 The NEC shall have the power to co-opt any person to the committee, who they consider can contribute or advise the committee. Co-opted persons shall not be entitled to vote.
- 6.8 The NEC shall be expected to carry out work (actions) on behalf of the committee and report to the committee in respect of that work.
- 6.9 The NEC shall, from time to time, be privy to confidential and sensitive information. NEC officers or representatives may not disclose any information to the press or public without the permission of the National officers and the NEC Chair. NEC business shall not be discussed with any person who is not a member of the NEC without permission of the NEC.
- 6.10 Confidential papers must be stored securely and must not be permitted to be shown or read by any person without the permission of the NEC.
- 6.11 Any member of the Trustee Committee who fails to attend three meetings, in a rolling 12-month period, without tendering apologies to the Chair, or fails to provide satisfactory reasons for their absence, shall be considered to have resigned.
- 7.0 Complaints and Discipline Procedure**
- 7.1 Any complaint about a member of the NCOA shall be dealt with in accordance with the procedure in Annex D.
- 7.2 The NEC or a subcommittee of the NEC may discipline a member who is found to be in breach of these Rules or in breach of its equality opportunities statement or to have acted in a manner contrary to the interests or objects of the NCOA and/or its membership, by expulsion from membership, or suspension from office and/or the benefits of membership for a period of up to three years. In the event that the NEC

appoints a subcommittee for the purpose of this rule, they may co-opt members of the NCOA to be a member of such a subcommittee.

7.3 The NEC may issue guidance as to the process to be followed in disciplining a member.

## **8.0 NCOA Finance**

8.1 The NCOA, acting through the Trustee Board, shall be empowered, in pursuit of its Aims and Objectives, to open bank accounts, lend monies, invest monies, borrow monies and do all other things as are necessary for the prudent conduct of its financial affairs and in the interests of its members. The Trustee Board, in exercising these rights, shall be subject to no other restrictions except those contained within these rules.

8.2 A copy of the NCOA budget and audited accounts shall be produced annually for inspection. The financial year of the NCOA shall be from January to December.

8.3 The NEC shall appoint each year an appropriately qualified person or body to act as Auditor in accordance with statutory requirements. Any auditor so appointed by the NEC may not be removed from office except by resolution consistent with statutory requirements.

8.4 The NEC shall appoint each year an appropriately qualified person or body to act as assurer in accordance with statutory requirements. Any assurer so appointed by the NEC may not be removed from office except by resolution consistent with statutory requirements.

## **9.0 Amendments**

9.1 The National Executive Committee shall be the only body permitted to amend these rules and its Annexes. All amendments to these rules, or its Annexes, shall require the support of a minimum of two thirds of the members present and who are entitled to vote at the National Executive Committee.

9.2 However, at times of National emergency, pandemic, epidemic, war or at other times when the movement and activity of both members and NEC officers are severely restricted by the State, the General Secretary (or President in their absence) may make emergency decisions to ease the function of the NEC and the Trade Union as a whole. This may include (but should not be restricted to):

- Temporary postponement of scheduled elections.
- Temporary postponement of NEC meetings.
- Temporary suspension of ADC, or
- Suspension of any rule which hinders the NEC in acting effectively with limited resources or restrictions in place which limit physical attendance at meetings.

9.3 Decisions made in such circumstances must be legally compliant with TULRCA and any other law affecting NCOA activity, including legislation subsequently enacted in the future.

9.4 Such decisions may be overturned with the support of a minimum of two

thirds of those members entitled to vote at the National Executive Committee.

**10.0 Land and Buildings**

10.1 All property of the NCOA will be vested in the names of the Trustees in accordance with s12 of the Trade Union and Labour Relations (Consolidation) Act 1992. (TULRCA).

10.2 The NCOA may, in the name of the Trustees, purchase, take or lease or otherwise acquire any land and buildings on behalf of the NCOA.

10.3 The Trustees shall not in any way sell, transfer or otherwise deal with, property of the union or part with any document relating thereto except under the direction of the NEC, evidenced by a minute or clear written instruction to that effect, a copy of which, signed by the General Secretary shall be supplied to each of the Trustees.

10.4 The Trustees shall carry out all lawful directions of the NEC and shall sign all documents and do all acts and things which may be necessary to carry out those directions.

**11.0 Indemnity**

11.1 Every National Executive Committee member, or person(s) approved to make decisions on behalf of the NCOA, shall be entitled to be indemnified out of the assets of the NCOA against all losses or liability which they may incur in the execution of their office or otherwise in relation thereto. No National Executive Committee member or persons as above shall be liable for any loss, damage, or misfortune which may happen to, or be incurred by, the NCOA in the execution of their duties.

11.2 The indemnity in clause 11.1 shall not extend to liability for the consequences of any negligent or unlawful act.

**12.0 Service Commitments and Objectives**

12.1 The National Executive Committee shall draw up a list of Service Commitments and Objectives which shall be approved and amended from time to time by agreement of the National Executive Committee.

12.2 All members of the NCOA shall be required to adhere to the Service Commitments and Objectives. A list of the Service Commitments can be found at Annex E.

**13.0 Interpretation**

13.1 In the event of a challenge to the interpretation of any part of these rules, the ruling of the Chair shall be sought.

13.2 In the event of a challenge to the Chair's ruling, the decision shall be taken by the National Executive Committee.

13.3 If a member of the NCOA remains unsatisfied with the ruling of the Chair and/or National Executive Committee, they may appeal to the General Secretary. The ruling of the General Secretary shall be final.

**14.0 Dissolution**

14.1 If two thirds of members elect to dissolve the NCOA, then it shall be



dissolved.

14.2 If the NCOA ceases to function, and no arrangements are made for the continuation of the association, the Trustees shall cause the NCOA to be terminated from the date of the cessation of its functions.

14.3 In the event of the Trustees resolving to dissolve the Trust, the Trustees at the time of the dissolution, shall at their discretion liquidate the assets of the Trust for the benefit of its members.

**15.0 Industrial Action**

15.1 In the event that any issue between the NCOA and the NCA cannot be resolved through the use of the resolution procedures contained within the NCA Employee Relations Policy, authority to hold any consultative or industrial action ballot, or call for industrial action may be held by the NEC.

15.2 The meeting of the NEC to discuss escalation to industrial action balloting shall be recorded.

15.3 Any subsequent industrial action shall be carried out solely within the rules laid out in Part V of the Trade Union and Labour Relations (Consolidation) Act 1992.

# Annex A

## National Executive Meetings Rules

### **1.0 National Executive Meetings**

1.1 NCOA National Executive meetings will discuss all relevant issues of interest to members of the NCOA.

### **2.0 Attendees**

2.1 All members of the National Executive Committee will be expected to attend scheduled meetings. Any member of the NEC who fails to attend three meetings in a rolling 12-month period, without tendering apologies to the Chair, or fails to provide satisfactory reasons for their absence, shall be considered to have resigned and written confirmation of the same will be sent by the Chair of the National Executive Committee or his/her nominee.

2.2 Dial-in facilities are available to assist NEC members to attend meetings, but are only to be used in exceptional circumstances e.g. personal emergencies, and at the discretion of the Chair. Operational reasons relating to NCA work will not generally be accepted as a satisfactory reason to dial-in.

### **3.0 Voting**

3.1 Only elected members of the National Executive Committee who are present at the meeting may exercise their vote.

3.2 The Chair of the National Executive Committee may not vote unless the vote is tied, in which case the Chair shall have the casting vote.

### **4.0 Conduct of the Meeting**

4.1 The Chair shall be responsible for the agenda and publicising the meeting.

4.2 In the event of any situation arising which is not covered by the meeting regulations, the Chair shall rule on the procedure to be adopted. Such ruling shall be subject to National Executive Committee approval. In the event of the Chair being in conflict or alleged to be in conflict with the item under discussion, the Chair should be resigned for the duration of the item under discussion to the Deputy Secretary.

### **5.0 Declaration of Personal Interest**

5.1 In the event that any NEC member has a personal interest relating to any matter to be discussed at a meeting of the NCOA NEC, the member concerned must:

5.2 Declare their interest before the meeting or at the meeting before discussion of the matter begins.

- 5.3 Be absent from the meeting for that item unless expressly invited to remain in order to provide information.
- 5.4 Not be counted in the quorum during that part of the meeting; and
- 5.5 Be absent during the vote and have no vote on the matter; and
- 5.6 Cause a full minute to be taken of the personal interest and the procedure adopted in the minutes of the meeting.

**6.0 Rules of Debate**

- 6.1 Each debate shall have a proposer and a seconder who shall be an elected member of the NEC. Recommendations may only be withdrawn with the consent of the proposer.
- 6.2 All Recommendations shall require a simple majority in order to be decided.
- 6.3 The Chair shall attempt to balance the speeches for and against any Recommendation.
- 6.4 When a balance of speeches, for and against, has been taken the Recommendation shall be voted upon.
- 6.5 Emergency Recommendations may only be discussed if they deal with matters that have arisen since the date for submissions set by the Chair and this should be submitted in writing to the Chair before the start of the meeting.

# Annex B

## Election Rules

### **1.0 Procedures**

1.1 Annex B outlines the procedures for elections for a position to the NCOA Executive Committee (NEC). It also outlines the procedures to follow if a vacancy occurs.

### **2.0 Elections**

2.1 The Presiding officer (who shall be the NEC President, or in their absence the General Secretary), shall be responsible for the good conduct and administration of elections and have the sole interpretation of the election regulations. They shall not be a member of the NCOA. The Presiding Officer may appoint assistants to support them in their election duties.

2.2 The Presiding Officer shall ensure that elections to the National Executive Committee take place before the end of July in the year of the election.

2.3 Once elected the member(s) of the National Executive Committee shall take office from the date of the ADC of that year and shall serve for not more than 36 months before being subject to further election process.

2.4 The dates for elections of National Executive Committee members, a copy of the election timetable and election regulations shall be posted not less than 2 months before the date of the elections.

2.5 Election Ballots will run between the 1<sup>st</sup> and 31<sup>st</sup> July in the year of the election.

### **3.0 Standing for Election**

3.1 The NEC shall consist of ten members not including those co-opted. Any member of the NCOA may stand for election to one of the National Executive Committee positions.

3.2 Nomination forms will be available from the Presiding Officer (President). The nomination form shall contain a description of the type of work undertaken by NEC Officers.

3.3 Each nomination form shall contain information on facility time afforded to NEC officers under the NCA Employment Relations Policy.

3.4 NCA officers' grades 1 – 6 who are members of the NCOA may stand for election to a statutory NEC position so long as the NCOA union rules allow them to do so. Each candidate must complete the relevant nomination form which must be signed by the candidate and at least one proposer and one seconder who shall also be NCOA members.

3.5 Certain people are automatically excluded from standing as candidates

in trade union elections. You have the right not to be unreasonably excluded from standing as a candidate. If any candidate feels they have been unreasonably excluded, they may consider:

- Do they belong to a group of members, who are all excluded from standing as candidates by the NCOA rules?
- Does the NCOA have reasonable grounds for excluding them, as an individual, from standing as a candidate?

If any member feels that the above does not apply, then they may have grounds for a complaint.

3.6 Nomination forms must reach the Presiding Officer, or other nominated person, no later than 5.00pm, 14 days prior to commencement of the ballot.

#### **4.0 Voting Procedures**

4.1 The Presiding Officer shall produce a list of candidates.

4.2 The Presiding Officer shall ensure that all members of the NCOA have a reasonable opportunity to vote for any candidate.

4.3 Only subscribing members of the NCOA shall be eligible to vote.

4.4 Voting papers shall contain the name of each candidate together with any election address and the position being contested.

4.5 Voting shall be by secret postal/electronic ballot and shall be conducted in accordance with the rules for the operation of the single transferable voting system as set by the Electoral Reform Services Ltd. The Presiding Officer shall announce the arrangements for voting by the close of nominations.

#### **5.0 Counting and Declaring Votes**

5.1 The Presiding Officer will be responsible for the counting of the votes and shall be assisted by a scrutineer(s). The scrutineer(s) shall be an appointed individual(s) who is not a member of the NCOA NEC and not standing for election to the NEC.

5.2 The count shall be conducted in accordance with the rules for the operation of the single transferable voting system as set by the Electoral Reform Services Ltd. Once the votes have been counted the ballot papers should be retained for a period of twelve months in the event of an appeal.

5.3 The results will become official 48 hours after they have been posted provided that no complaint has been lodged with the Presiding Officer within the preceding 48 hours. In the event of a complaint being received the results shall be suspended until the complaint has been resolved.

#### **6.0 Complaints**

6.1 Any challenge or complaint concerning the good conduct or administration of an election will be heard and determined by the

Presiding Officer within 48 hours of the complaint being lodged. The complaint may only be lodged by the candidate, their nominee or any subscribing member of the NCOA.

6.2 In determining a resolution to the complaint, the Presiding Officer after hearing all the appropriate evidence may either;

- Not uphold the complaint
- Suspend the elections for specified posts
- Disqualify specified candidates
- Determine whether a breach in the election regulations has occurred

6.3 The ruling of the Presiding Officer shall be final.

## **7.0 Mid-Term Elections**

7.1 If any post on the National Executive Committee falls vacant mid-term (howsoever arising) an election may be arranged by the Presiding Officer in accordance with the preceding procedure in this Annex B and by agreement of the NEC.

7.2 Within the NEC, there shall be 'Officer Positions'. These positions may or may not attract fixed facility time in accordance with the Employee Relations Policy. The positions shall be NEC Chair, Deputy Secretary and NEC Case Coordinator.

7.3 The NEC may in addition to the above, identify any other officer positions from time to time as agreed by the NEC. These positions may or may not attract fixed facility time as determined by the NEC Chair. No position shall attract more than 50% facility time.

7.4 All 'Officer roles' shall come from within the NEC.

7.5 It shall be the decision of the NEC to determine which member performs an officer position. All candidates shall stand to be elected to one of the ten positions. No candidate shall be permitted to stand for a singleton position.

7.6 A description of the roles and responsibilities of NEC officer positions which may vary from time to time, in accordance with 7.3 of this Annex shall be agreed by the NEC and circulated.

# Annex C

## Guidance: Disciplinary Procedures

1. All members of the NCOA shall be expected to abide by the Rules and its Equal Opportunities Statement.
2. The scope of this Disciplinary Procedure may be reviewed/amended from time to time by the National Executive Committee.
3. This Disciplinary Procedure shall not be regarded as a contractual provision of membership of the NCOA.
4. The NEC may resolve, of their own volition or following receipt of a written complaint from a member, at any time to investigate the conduct of any member who appears to be in breach of these Rules or to have acted in a manner contrary to the interests or objects of the NCOA and/or its membership or in breach of its equality opportunities statement.
5. If the NEC so resolve, the conduct shall be considered by a Disciplinary Committee comprising three National Executive Committee members.
6. The member shall be given written notification of the matter(s) being considered by the Disciplinary Committee. In the case of an elected NCOA Representative, the Disciplinary Committee may consider suspension from their position until the conclusion of the process.
7. The Disciplinary Committee may action any enquiries deemed necessary to reasonably investigate any allegation prior to a decision as to whether or not the matter should proceed to a formal disciplinary meeting.
8. The member shall be given not less than 28 days' notice of a formal disciplinary meeting which will include the date, time, place of the meeting and full details of the allegation.
9. Both the member and any complainant may bring witnesses to the disciplinary meeting as is deemed appropriate and proportionate to the matter under consideration and shall be entitled to be accompanied by their NCOA representatives.
10. The Disciplinary Committee (which shall be a panel of three members of the National Executive Committee) shall deliberate on the matter and decide on the appropriate action to be taken. The Disciplinary Committee shall restrict its decision to evidence presented at the disciplinary meeting. Evidence of any previous misconduct shall not be presented or considered during the committee's deliberations, save to

the extent that evidence of previous relevant conduct may be considered when deciding on appropriate sanctions.

11. Disciplinary sanctions may include the following:
  - The member be disqualified from holding an elected position
  - The member be suspended from NCOA membership
  - The member is expelled from NCOA membership.
12. The Disciplinary Committee shall inform the member in writing, within seven days, of their decision. A record of the decision shall be kept for use in any subsequent appeal. The member shall be informed of their right of appeal against the decision.
13. The member must submit any appeal in writing within seven days of the date of the decision, giving full grounds for the appeal.
14. A Disciplinary Appeal Panel shall consist of the General Secretary and two other National Executive Officers not involved in the Disciplinary Committee which reached the decision under appeal.
15. As far as reasonably practicable, the Appeal shall be heard within 28 days of receipt of the appeal.
16. The Disciplinary Appeal Panel must inform the member in writing, within seven days, of their decision and a record of the decision will be kept. The Appeal decision is final.
17. All notices or other communications to be sent to the member under these procedures shall be sent to the member at the member's address entered for the time being in the register of members.
18. No member of the NEC may be a member of either the Disciplinary Committee or Disciplinary Appeal Panel if a witness in the case or having otherwise been previously involved in the disciplinary process. The NEC may co-opt other members of the NCOA to membership of as appropriate the Disciplinary Committee or Disciplinary Appeal Panel from outside of membership of the NEC.



# Annex D

## Complaints

1. Any complaint presented by a member of the NCOA against the NCOA or a member shall be addressed to the President or his/her nominated Deputy. In any circumstances where the complaint involves the President, it shall be addressed to the General Secretary.
2. The Chair shall give a written response within 14 days.
3. If the complainant is not satisfied with the response, they may appeal to the NCOA General Secretary or their nominated Deputy. The General Secretary shall respond in writing within 14 days.
4. A complainant shall also be referred to the mechanisms contained within Annex C of these Rules.

# Annex E

## Service Commitments

1. The NCOA will respond calls and e-mails in a prompt, efficient and courteous manner.
2. The NCOA will provide all of our members with a professional and courteous service at all times.
3. The NCOA will communicate regularly with all of our members.
4. The NCOA will endeavour to ensure all of our members are 100% satisfied with the advice and support received by the NCOA.
5. The NCOA will represent and negotiate for all our members in a robust, open, and honest manner to ensure that officers are treated fairly and considerately at all times by the National Crime Agency.
6. The NCOA will provide a professional and caring service to all our members with a view to fostering a relationship which is founded on trust, confidentiality and respect on both sides.
7. The NCOA will review our Service Commitments and Business Plan and amend them where necessary to reflect the ever-changing needs of our members and the National Crime Agency.
8. The NCOA are committed to providing equality of opportunity in terms of all of the NCOA membership.

# Annex F

## Annual Delegates Conference

An NCOA ADC shall be held once every year, no sooner than 1<sup>st</sup> September and no later than 31<sup>st</sup> October, at a time and place decided by the NEC.

The three NCOA regional officers and representatives will all be sent details of the ADC together with the NCOA Annual Reports, Financial Report and a list of motions. The ADC may be attended by any representative of the NCOA, as well as nominated observers/speakers.

The ADC shall have a record of decisions taken, and shall be circulated to representatives as soon as practicable after the ADC. The ADC shall be governed by the Standing Orders.

The NCOA Chair or, in their absence, their representative shall conduct the meeting.

Any voting shall be by show of hands.

### **MOTIONS**

Motions shall be received by the Standing Orders Committee (SOC) via membership, no later than 4 weeks before the ADC. Motions may only be submitted by Regional representatives or by the NEC. Motions shall have been agreed at a Regional meeting prior to being submitted to the SOC. NEC motions shall have been agreed by the NEC at least four weeks before the AGM.

Rules on motions are listed below.

### **STANDING ORDERS COMMITTEE**

There shall be a Standing Orders Committee of 3 NCOA members who are employees of the NCA and who are not NEC officers. The Chairperson shall be elected by the SOC from among its members.

The Standing Orders Committee is responsible for:

- Arrange motions into a convenient agenda, and construct 'composite motions', so as to provide for the efficient dispatch of business.
- Ensure that the Chair is supplied with copies of all motions as received and consult the Chair before rejecting any motion.
- Submit an agenda, timetable, and such other recommendations as it sees fit, to the ADC for consideration.
- Consult the Chair of Conference on all matters relating to the agenda, timetable and procedure (including the admission of emergency motions).
- Exclude any motion which the Standing Orders Committee considers (or after taking legal advice) may provide grounds for any legal proceedings against the NCOA or any of its officers. A copy of the written legal advice shall be provided to the person submitting the motion.

## **VISITORS AND OBSERVERS**

The NEC shall invite any person, group or representative of any Association or body who is not a member of the NCOA. The NEC may at their discretion, meet all expenses of visitors or observers on behalf of the NCOA. The ADC venue should be sufficient to seat all attendees.

The NEC shall invite Regions to apply to the NEC for any observers. The NEC will determine who the observers shall be and shall record their decision.

## **ORDER OF BUSINESS**

The order of ADC business shall be decided on the recommendation of the Standing Orders Committee. It may include:

- Report of the Standing Orders Committee and any references back.
- Minutes any previous ADC.
- NCOA Annual Report.
- Financial statements, including the audited accounts, report of the auditors, and estimates for the current year.
- Elections results.
- Other relevant NEC reports/papers.
- Motions.

## **RULES OF MOTIONS**

- All motions shall be written in the affirmative.
- Motions shall be moved when called and seconded immediately after the mover's speech, otherwise they shall fall.
- A motion may be withdrawn only by the mover and with the consent of the Chair and the Standing Orders Committee.
- Motions other than those appearing in the booklet of motions shall not be accepted except emergency motions which must be submitted by close of play the day before the ADC and, which is accepted by the Standing Orders Committee.
- A motion to amend shall not directly negative the substantive motion, and if carried shall become part of it.
- A motion once lost may not be moved again at the same ADC.

## **MOTIONS OF ORDER**

At the Chair's decision and discretion, the following motions of order shall have priority and be taken without discussion:

- That the debate be adjourned.
- That the vote be now taken.
- That ADC moves to next item of business.
- That the ADC adjourns.

Motions that 'the vote be now taken', or that 'ADC moves to next business', shall only be moved by delegates who have not previously spoken in the debate.

If the ADC agrees 'That the vote is now taken', the motion under debate shall be put to the vote after its mover has been offered the right of reply.

If the ADC agrees that . . . 'the ADC can move to next business' . . . the Chair shall proceed to the next item on the agenda without any vote being taken on the motion under debate.

### **POINTS OF ORDER**

Attendees raising a point of order shall seek to show that either the speaker is using sexist, racist or abusive language or that one of the NCOA Rules is being broken.

### **REFERENCE BACK OF SOC REPORTS**

Regions must give the SOC notice of their intention to move reference back of the SOC Report (excluding any supplementary report), with details of proposed alterations and with reasons for it, by 5pm on the eve of the ADC. The region seeking to reference back a motion shall meet the SOC at a time determined by the SOC to discuss the issue.

The Standing Orders Committee shall inform the Chair of any changes and be responsible for amending the motions agenda accordingly.

Only where the above has been complied with, will permit the Standing Orders Committee to move reference back of an SOC report. There is no absolute right to move reference back: whether a reference back is heard shall depend on the time allocation acceptable to ADC. The SOC shall be responsible for confirming that the rules have been applied correctly.

### **SUSPENSION OF STANDING ORDERS**

These Standing Orders shall not be suspended except with the support of not less than two thirds of the votes of the ADC attendees. No suspension shall be accepted from any representative after the adoption of the SOC report relating to the order of business, unless prompted by later external events.

Anyone wishing to suspend the ADC order of business shall apply in writing to the Chair who shall decide whether the suspension is admissible under NCOA Rules.

The ADC Chair may propose a suspension of Standing Orders at any time, to amend the order of business or to introduce new business.

### **RIGHTS AND DUTIES OF DELEGATES**

When a motion is called by the Chair, the speaker introducing the motion (the mover) shall take a position at the rostrum (or the appointed place to speak). Speakers shall use the rostrum (or appointed place), announce their name and workplace/NEC officer and address themselves to the Chair. After speaking, all movers of motions

shall remain in the vicinity until the conclusion of that debate.

If two or more attendees seek to speak at the same time, the Chair shall decide which shall speak first.

Speakers shall confine their remarks to the motion or point of order under discussion, except for questions on the adoption of the Annual Reports and accounts and on NEC statements where Conference has agreed to provide for such questions.

Speeches by movers of motions shall be limited to five minutes.

Speeches by persons in support or opposition may speak for three minutes.

A 'right of reply' may last no longer than three minutes.

No one may speak more than once on any motion other than where the mover of a motion may reply to the debate before it is put to the vote if there has been opposition or where a remission of a motion is sought, the mover shall have the right to comment before the vote for remission is put. The mover of a motion, in exercising a right of reply, shall deal solely with points of opposition raised in the debate.

The Chair shall ensure that where opposition to a motion exists, opportunity shall be given for this opposition to be expressed in debate.

Where a representative refuses to obey the Chair's instruction, they may be expelled from the ADC. The Chair shall decide if and when they may return.

During a speech other persons present may rise only to address the Chair only on a point of order.

### **ADC CHAIR**

The Chair's ruling on any question arising under these Standing Orders shall be final Unless, challenged by at least 50% of the ADC. The Chair's ruling shall only be reversed with the support of not less than two-thirds of the votes entitled to be cast by persons present.

The ruling of the Chair on a 'point of order' shall be final and not open to discussion.

The Chair may operate the 'guillotine' at their discretion when the time allotted on any Agenda section expires.

### **SOC PROCEDURES RULES**

The SOC shall separate motions into the following categories:

- Category A Motions for debate, grouped as far as practicable under the main subject headings appearing in the Annual Reports.
- Category B Motions which confirm existing policy/position.

- Category C Motions which seeking to reverse existing NCOA policy/position as determined within the last two years, and so which cannot be debated.
- Category D Motions capable of being dealt with by correspondence to the NEC Chair or, in the case of an issue concerning the Chair, to National Officers.
- Category E Motions covered by composite motions in category A.
- Category X Motions which are out of order.

All motions designed to amend the NCOA Rules shall be so printed as to leave 'no doubt' as to the objective they are designed to achieve.