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Independent Workers Union of Great Britain



Constitution and Rule Book

Table of Contents

Part 1 – IWGB Constitution and Policies 1

| | |
|--|----|
| 1. NAME | 3 |
| 2. REGISTERED OFFICE | 4 |
| 3. OBJECTS | 5 |
| 4. APPLICATION OF FUNDS | 6 |
| 5. MEMBERSHIP | 7 |
| 6. MEMBERSHIP FEES, CONTRIBUTIONS & SUBSCRIPTIONS | 8 |
| 7. LEVIES, LOCAL FUNDS | 9 |
| 8. ADMINISTRATION & ORGANISATION | 10 |
| 9. VOTING & BENEFIT RIGHTS | 11 |
| 10. BALLOTS | 12 |
| 11. DISCIPLINE OF MEMBERS | 13 |
| 13. FORMATION OF BRANCHES | 14 |
| 14. GOVERNMENT OF THE UNION | 15 |
| 15. APPOINTMENT / REMOVAL & RETIREMENT OF TRUSTEES | 18 |
| 16. TREASURER | 19 |
| 17. UNION STAFF & STAFF SALARIES | 20 |
| 18. ACCOUNTS & AUDITORS | 21 |
| 19. LEGAL ASSISTANCE | 22 |
| 20. DISPUTES STRIKES OR LOCK-OUTS | 23 |
| 21. HARDSHIP/DISPUTE GRANTS | 24 |
| 22. MEMBERS EXPENSES | 25 |
| 23. AFFILIATIONS | 26 |
| 24. INTERPRETATION | 27 |
| 25. ALTERATION OF RULES | 28 |
| 26. DISSOLUTION | 29 |
| 27. CODE OF CONDUCT | 30 |

Part 2 – Permanent Sub committees 31

| | |
|--|----|
| 1. Legal Department & HR Sub Committee | 32 |
| 2. AGM Sub-Committee | 32 |
| 3. Disciplinary Sub-Committee | 32 |

Part 3 – Public Policy Positions **33**

- 1. Potential Repeal of the Human Rights Act 34
- 2. European Union Referendum 34
- 3. Brexit 34

Part 4 – IWGB Legal Department Constitution and Policies **35**

- 1. NAME 36
- 2. ADDRESS 37
- 3. OBJECTS 38
- 4. APPLICATION OF FUNDS 39
- 5. ADMINISTRATION AND POLICY 40
- 6. FUNDS 42
- 7. AFFILIATIONS 43
- 8. ALTERATION OF CONSTITUTION 44

- APPENDIX A: Code of conduct for members and Legal Department Policy 45
- APPENDIX B: Contact Policy for Open Cases 47

ARTICLE 1: NAME

Extracts from the constitution:

The name of the Union shall be called the INDEPENDENT WORKERS' UNION OF GREAT BRITAIN—IWGB (herein after called the Union).

Rules passed by the Executive Committee:

ARTICLE 2: REGISTERED OFFICE

Extracts form the constitution:

The Registered Office of the Union shall be at:
12-20 Baron Street
London N1 9LL

or at such other place as the Union, may, from time to time, decide. The Certification Office Societies shall be notified of any change of address of the Registered Office of the Union.

Rules passed by the Executive Committee:

ARTICLE 3: OBJECTS

Extracts from the constitution:

The principal aims and objects of the Union shall be to:

- a) improve and protect the terms and conditions of the members;
- b) improve maintain and protect members' social standing;
- c) promote the primacy of members' own decision making in all matters covered by the Rules of the Union, and in the development of its policies;
- d) preserve, protect and promote the independence of the Union and its members; settle disputes between the members and their employers; regulate the relations between the members and their employers through collective bargaining, withdrawal of labour, or otherwise; conduct negotiations;
- e) initiate movements for increased rates of pay, or improved conditions of employment, on behalf of the members; promote opportunities for social association and recreation for the members;
- f) assist in and co-operate with the advancement of the independent representation of members generally;
- g) cooperate, directly or indirectly, with the work of any organisation, local, national or international, who hold objects or policies which are similar to those of the Union;
- h) engage in communications and publishing, for the purposes of furthering the policy of the Union or its members;
- i) work for the relief of poverty;
- j) provide advocacy and translation to all workers including migrants.

Rules passed by the Executive Committee:

ARTICLE 4: APPLICATION OF FUNDS

Extracts from the constitution:

All money received on account of membership subscriptions, contributions or interest in investments, shall be properly applied in carrying out the objects of the Union, and in meeting the costs and expenses of managing the Union according to these rules.

Rules passed by the Executive Committee:

1. Central Union Expenditures¹:
 - a) Expenditures from Central Union funds should be voted on at the IWGB Executive Committee (EC) meeting
 - b) Expenditures of £500 or less can be approved by the General Secretary.
 - c) Expenditures of £150 or less that need urgent approval between EC meetings can be approved by the President independently.

2. Reserve Fund²
 - a) The IWGB should hold a high-interest reserve account as a safeguard against financial distress

¹ Introduced: December 2014; amended 9 February, 2018

² Introduced October 2017

ARTICLE 5: MEMBERSHIP

Extracts from the constitution:

- a) The Union shall consist of, and membership of the Union shall be open to, all employees, workers and any other persons who accept the principles, objective and Rules of the Union. Applications for membership can be accepted by any Branch of the Union or by any officer authorised for the purpose by a Branch or Committees of the Union.
- b) Membership for people who receive support from the Legal Department's Extreme Exploitation Unit will not be members of a particular branch. Their membership will depend instead on the Central Union. Admission of these members will be determined by the Union's Legal Department Sub-Committee.
- c) Every application for membership of the Union shall be made in a form approved by the Union.
- d) An applicant for membership whose application has been rejected by a Branch may appeal to the Executive Committee which may grant admission to membership, or refuse the application, at its discretion.
- e) The Union conference may, at its discretion, admit any Person as an Honorary Member of the Union.

Rules passed by the Executive Committee:

1. Name, address and signature are the three necessary criteria for membership³

³ Passed November 2016

ARTICLE 6: MEMBERSHIP FEES, CONTRIBUTIONS & SUBSCRIPTIONS

Extracts from the constitution:

- a) The Executive Committee shall establish a General Account into which all membership fees, all contributions and/or subscriptions will be paid, administered and then directed, as appropriate.
- b) Subject to para (d), Membership fees shall be established by the branches but must be approved by the IWGB National Executive Committee.
- c) 50% of a branch's membership fees shall be returned to the branch each month.
- d) Membership fees for members receiving help from the Extreme Exploitation Unit shall be established by the Executive Committee.

Rules passed by the Executive Committee:

- 1. Branches to keep 50% of dues only after bank account is set up
- 2. If members leave and re-join because they have a case, they will have to pay a one-off fee of £30 plus any fees the member has accrued since they left (up to a year)⁴

⁴ Introduced July 2017

ARTICLE 7: LEVIES, LOCAL FUNDS

Extracts from the constitution:

- a) The Executive Committee may, should occasion arise, recommend a levy on the members.
- b) The Executive Committee shall consider applications from branches for the establishment and operation of 'local', special, issue or category specific levy funds, from time to time. The Executive Committee shall produce a 'Constitution & Standing Orders' for the operation of such funds. All such funds shall be operated within such regulations as the Executive Committee may set.

Rules passed by the Executive Committee:

ARTICLE 8: ADMINISTRATION & ORGANISATION

Extracts from the constitution:

- a) The Executive Committee, President and General Secretary, who shall be elected annually, shall be responsible for the organisation and administration of the Union.
- b) The Union shall be organised into branches. The appropriate number of Branches, whether by enterprise, trade, industry, locality, or otherwise shall be determined by the Executive Committee.
- .c) The formation of the new branches will require the Branch's constitution to be approved by the executive committee.

Rules passed by the Executive Committee:

ARTICLE 9: VOTING & BENEFIT RIGHTS

Extracts from the constitution:

a) Cognisant of the objects of the Union, and subject generally to the other provisions, any member shall be entitled to vote, in respect of Branch matters, and in respect of other Union matters.

b) A member shall not be entitled to vote in any of the affairs of the Union nor to avail of any benefits if the member's arrears exceed two months. Such person shall hereinafter be described as "out of benefit" and shall not be entitled to be nominated to hold union office, propose or be appointed to or elected to any office within the union.

Rules passed by the Executive Committee:

ARTICLE 10: BALLOTS

Extracts from the constitution:

a) Without derogating from the powers vested in the Annual Conference of the Union or those of the Executive Committee by virtue of these Rules, the Executive Committee shall have power, from time to time, to submit any matter, issue or question to the ballot vote of the members of the Union, as a whole, in a Branch or number of Branches, as the Executive Committee shall determine. The Executive Committee shall issue regulations, as agreed by the Union conferences.

b) The Regulations on Balloting, shall have regard to the members' right to have sufficient time to consider the proposition, the requirement to have clarity of the question being put, a ballot paper presented on which the question is clear and intelligible, adequate notice of the time(s) and place(s) of the conduct of the ballot, the absolute right to vote in secret free from any interference or pressure whatsoever, that the ballot be securely organised and conducted, the appointment by the members themselves of at least three scrutineers to properly count the ballot vote, and an appropriate declaration and publication of the result of the ballot.

c) Members shall have the right to attend the place in which a ballot is being counted if the ballot is being run by the IWGB directly.

Rules passed by the Executive Committee:

ARTICLE 11: DISCIPLINE OF MEMBERS⁵

Extracts from the constitution:

- a) The Union has the power to investigate the conduct of any member in order to determine if that member has been guilty of any breach of these rules or of conduct injurious to the interests of the Union or its members or of conduct unbecoming a member.
- b) Decisions on whether disciplinary procedures should be initiated in individual cases should be taken, without delay and no later than 5 working days after referral of the matter, by a permanent Disciplinary Sub-Committee of the General Secretary, President, and Vice-President;
- c) If a serious allegation against a union official, rep, or member arises, and it would be in the interests of the union for the person to be suspended from official duties and/or membership pending an investigation, and if a majority of the Sub-Committee agree that the situation merits suspension, then they shall have the power to suspend on behalf of the IWGB. It should be made clear that the suspension is not punishment, and the temporary suspension should only last until the Article 11 investigation and decision has been made.⁶
- d) If a disciplinary procedure is commenced, the Disciplinary Sub-Committee shall appoint a Qualified Investigator to run the proceedings. Qualified Investigators are those members of staff and the Executive Committee who have completed the training provided by the Legal Department on how to run these proceedings⁷. The Qualified Investigator shall write to the member initiating proceedings no later than 5 working days after being appointed, and shall aim to complete proceedings no later than 10 working days after proceedings commence.
- e) A member who is deemed guilty of the charges may be subject to one or more of the following penalties:
 - e.1. be cautioned as to future conduct;
 - e.2. be debarred from attending Union meetings for a period as decided;
 - e.3. be debarred from holding office or participating in any way in branch or Union administration for a period as decided;
 - e.4. be suspended from membership for a period as decided;
 - e.5. be expelled from membership.

Rules passed by the Executive Committee:

Complaints Procedure:

1. A complaint is submitted to the Central Union about the conduct of a union member or official;

⁵ Modifications introduced in July 2019

⁶ Introduced: November 2017

⁷ The Union's complaints and grievance procedures are also administered by Qualified Investigators who have completed the requisite training.

2. The complaint is allocated to one of the Union's qualified investigators⁸;
3. The investigator will investigate the complaint, speak to the relevant people, hold a hearing if need be, and then take a decision to either:
 - a. Uphold the complaint as well-founded;
 - b. Partially uphold the complaint; or
 - c. Reject the complaint.
4. If the complaint is upheld or partially upheld the investigator will also make a recommendation on how to proceed. If the recommendation is for the Executive Committee to commence Article 11 disciplinary procedures then the recommendation will be sent to the Executive Committee for its approval.
5. If the complainant is unhappy with the outcome they can appeal. The appeal will be heard by another qualified investigator who will follow the same process.

⁸ Qualified investigators are either members of staff or members of the Executive Committee who have completed the requisite training.

ARTICLE 12: APPEALS⁹

Extracts from the constitution:

- a) A member who has been the subject of an investigation under Article 11 and who is dissatisfied with the decision may appeal. If the member wishes to appeal the outcome of the proceedings, they should do so within 5 working days of receiving the outcome. The appeal shall be sent to the Disciplinary Sub-Committee.
- b) The Disciplinary Sub-Committee shall appoint an appeals panel of 3 Qualified Investigators to hear any appeal, and the same time limits as for the initial proceedings shall apply.
- c) The appeals panel may affirm or reverse the original decision and may substitute one or more of the penalties prescribed in Article 11 for all or any of the penalties imposed by the original decision.
- d) A decision of the appeals panel shall be final and conclusive.

Rules passed by the Executive Committee:

Cleaners and Facilities Branch¹⁰

The branch is currently under the administration of the Executive Committee.

The union will continue to take on board any member who wishes to remain a member of the union.

All accounts of officials from that branch which remain open are currently closed and no money is being transferred to the branch.

⁹ Modifications introduced in July 2019

¹⁰ Introduced May 2016

ARTICLE 13 - FORMATION OF BRANCHES

Extracts from the constitution:

- a) The Union shall be divided into Branches as authorised by the Executive Committee who shall determine the size, location and distribution of Branches, from time to time.
- b) In order for a new branch to be formed there must be a minimum of 10 members of the branch.
- c) A member may not belong to more than one Branch of the Union except, and on terms and conditions as expressly determined by the Executive Committee.
- d) The Executive Committee and/or the Annual conference may:
 - d.1. dissolve a Branch or transfer members to another Branch, or Branches;
 - d.2. amalgamate two or more Branches;
 - d.3. divide a Branch into two or more Branches;
 - d.4. establish a Branch for any particular trade, industry, location, occupation,
 - d.5. or otherwise; abolish a Branch.
- e) Each Branch shall be required to conduct an Annual General Meeting of the members of the Branch each year.
- f) In accordance with Branch Constitutions, each Branch shall make arrangements to elect/appoint Officers (including but not limited to: Chair, Vice Chair, Secretary, Treasurer and two Scrutineers and Trustees), and representatives to conduct the business of the Branch within the Rules of the Union.
- g) The branches must abide by the IWGB Constitution and by decisions of the IWGB Executive Committee.
- h) Branches are required to send in to the Central Union any constitution, rule, or policy changes within 30 days of them having been voted so the Rule Book can be updated.¹¹
- i) Branches are free to run their own social media and create their own logos however they must, in all formal communications, emails, and social media, clearly display the IWGB name and logo.
- j) Branches cannot sign up to or promote on social media any political positions which are not directly and specifically related to their members. Any political positions or engagement of a broader nature needs to be decided by the IWGB Executive Committee.
- k) The duties of Branch Officers shall be determined by the branches' constitutions.

Rules passed by the Executive Committee:

- a) By the time of the Central Union AGM in 2018 each branch needs to have compiled an up to date version of its constitution and its rules and policies. These should then be added to the IWGB Rule Book¹².
- b) All branches are required to provide access to their social media accounts to members of the Central Union Comms Department¹³.

¹¹ Added by Executive Committee in meeting of 12 January, 2018.

¹² Passed in Executive Committee meeting of 12 January, 2018.

¹³ Passed in Executive Committee meeting of 30 October, 2019.

ARTICLE 14: GOVERNMENT OF THE UNION

Extracts from the constitution:

ANNUAL CONFERENCE:

- a) The supreme government of the Union shall be vested in the Annual Conference, which is to be held in May or June each year. The Annual conference shall be open to all members of the Union to attend, however only conference delegates will have the right to vote.
- b) Conference delegates shall consist of:
 - a. All members of the Executive Committee;
 - b. In addition to Executive Committee members, each branch shall choose its delegates with the total number for each branch determined by membership levels, assessed on the last day of February of the AGM year, as follows¹⁴:

0-500 paying members: 5 delegates
501-1000 paying members: 10 delegates
1001-1500 paying members: 15 delegates
1501-2000 paying members: 20 delegates
2001-2500 paying members: 25 delegates
- c) The Union shall have the following officers; President, Vice-President, Treasurer, General Secretary, Women's Officer (elected only by the Union's membership which identifies as female and/or is not male¹⁵), Black, Asian, and Minority Ethnic (BAME) Officer (elected only by the Union's membership which identifies as BAME), Three Trustees and an Executive Committee.
- d) All the Officers, Executive Committee members shall be elected by membership ballot, for the ensuing year. No ballot is required if an election is uncontested because there is only one candidate or only enough candidates to fill the number of positions.
- e) In the event the President or General Secretary shall die, resign, be removed or become unfit or incapable to act, the Executive Committee shall arrange for an election to replace the person. The elected person shall serve until the expiry of the original term.
- f) In the event that any other Executive Committee member shall die, resign, be removed or become unfit or incapable to act, the Executive Committee and/or the relevant branch shall arrange for an election to replace the person. The elected person shall serve until the expiry of the original term.
- g) Executive Committee: The Executive Committee shall consist of the President, the Vice President, the General Secretary, Treasurer, Women's Officer, BAME Officer, Branch Chairs and Branch Secretaries. The Executive Committee shall have authority over the day to day running of the Union; its decisions must be respected by the branches and can only be overturned by the Annual Conference.
- h) Arrangements for and administration of the Annual Conference each year shall be the responsibility of the union's permanent AGM Sub-Committee, consisting of the General Secretary, the President, and the Vice-President.

¹⁴ Delegate system modified on 9 February, 2018.

¹⁵ Franchise modified in Executive Committee meeting of 12 January, 2018.

- i) The Sub-Committee will be responsible for inviting all IWGB members to the AGM, of their right to submit motions to the AGM in advance, their right to amend these motions, and the procedures for both; informing all members of their right to stand for election at the AGM, and the procedure to do so; informing Branches of the number of delegates they can send to the AGM; and sifting through motions, and discarding any that are inappropriate, or for which time will not allow.

Rules passed by the Executive Committee:

1. The IWGB Executive Committee will inform members of elections results and decisions taken within the Executive Committee. If minutes from Executive Committee Meetings include sensitive details about individuals, they will be disclosed when the Executive Committee decides to release them¹⁶
 - a. The agenda for each EC meeting shall be shared with all members via email at least 5 days in advance.
 - b. The Executive Committee shall communicate to all members, at least once per quarter (every 3 calendar months), all motions voted on by the EC (redacted as appropriate) relating to policy decisions and the constitution and the tally of these votes.
2. No IWGB Member may hold more than one of the Central Union's elected positions¹⁷
3. For Executive Committee Meetings¹⁸
 - The Chair of the Executive Committee will prepare the agendas for meetings
 - Agenda items must be submitted no later than 1 week before the meeting to the chair of the meetings
 - Once the items are received, the Chair will decide which items the items the Committee has time for and allocate a number of minutes to each item. EC meetings will have a duration of a maximum of 150 minutes with no less than 60 minutes reserved for union development business i.e. business other than branch, General Secretary, officer and subcommittee routine updates¹⁹. The Chair is responsible for strictly enforcing the time limits.
 - All routine branch oral reports to Executive Committee are limited to a maximum of two minutes²⁰
 - The General Secretary must also make an oral report not longer than two minutes and likewise for each Officer including the President, Vice-President, Treasurer, Women's Officer and BAME Officer²¹
 - Each sub-committee chair must also report on material developments and progress as well as net financial position if relevant²²
 - The Chair will send the agenda no less than 5 days before the Committee Meetings
 - Amendments to motions must be brought to the meeting in written form
 - The note-taker will aim to send draft minutes of the Executive Committee meetings within seven calendar days and not more than fourteen calendar days of the meeting date All future minutes must record names of the EC member with each vote unless the vote is unanimous.²³

¹⁶ Introduced: December 2015

¹⁷ Introduced: February 2017

¹⁸ Introduced: September 2015

¹⁹ Introduced in Executive Committee meeting of 25 November, 2019

²⁰ Introduced in Executive Committee meeting of 25 November, 2019

²¹ Introduced in Executive Committee meeting of 25 November, 2019

²² Introduced in Executive Committee meeting of 25 November, 2019

²³ Introduced in Executive Committee meeting of 25 November, 2019

- Committee to do one event together each month that is not a meeting. The event will be proposed by each branch on a rotational basis. The idea is for the Central Union to value things such as working together, building a community, making posters, going out to dinner together
- 4. Executive Committee members should to go to events outside of their branches to build solidarity within the union²⁴
- 5. Executive Committee rules on email voting²⁵:
 - a. Email votes must be jointly proposed by a minimum of three exec members.
 - b. Matters voted on by email should be limited only to:
 - i. “yes/no” decisions on whether to support a particular demo, cause, or sign a letter; or
 - ii. Decisions which need to be taken to resolve genuine emergencies.
 - c. Matters of general policy or statements which can be amended should not be voted on by email.
 - d. Exec members shall be given 72 hours to vote in any email vote.

²⁴ Introduced: September 2015

²⁵ Introduced July 2019

ARTICLE 15: APPOINTMENT / REMOVAL & RETIREMENT OF TRUSTEES

Extracts from the constitution:

- a) Three Trustees, and one substitute shall be elected annually at the Annual Conference. Following election they shall continue in office but may be removed from office by decision of an Annual or Special Conference on a decision of a two-thirds majority voting on a formal motion. If, for any cause, a Trustee is incapable or unwilling to act as such, or has resigned or retired, the Substitute elected at the previous Annual Conference shall be appointed by the Executive Committee to fill the vacant post. The Trustees shall be responsible for ensuring that a financial statement is formally presented to the Executive Committee bi-monthly.
- b) A member shall be disqualified from being or becoming a Trustee if she/he shall, become bankrupt or enter into any composition with her/his creditors; or become legally incapable of carrying out her/ his duties as Trustee; or cease to be an ordinary member of the Union.
- c) A Trustee who refuses or neglects to carry out any lawful direction of the Executive Committee in accordance with the provisions of the Union Rules within 14 days of being requested in writing to do so shall be disqualified from being a Trustee.
- d) First Trustees: So soon as may be possible on or after the Vesting Day the Executive Committee shall appoint persons to be the first Trustees of the Union ("the first Trustees") by an instrument in writing, and upon such appointment the relevant property of the union shall vest in the first Trustees. The first Trustees shall hold office until a new Trustee or Trustees shall be appointed in accordance with the provisions of this Rule.
- e) If a Trustee is to step down, or be removed from the position in between annual conferences, the Executive Committee shall appoint replacements, whose term shall last until the following Annual Conference.

Rules passed by the Executive Committee:

ARTICLE 16: TREASURER

Extracts from the constitution:

- a) The Treasurer shall receive all monies, and be responsible for the safe custody of them. Shall be responsible for all authorised disbursements from the funds of the Union.
- b) The Treasurer shall, at the Annual Conference of the Union, produce a balance sheet showing the income and expenditure of the Union during the previous twelve months, and give a correct financial statement of the affairs of the Union. The balance sheet shall be previously audited and vouched for by the Trustees of the Union.

Rules passed by the Executive Committee:

ARTICLE 17: UNION STAFF & STAFF SALARIES

Extracts from the constitution:

The Executive Committee shall be responsible for the appointment of staff and for the fixing of appropriate salaries for all staff employed by or on behalf of the Union, as appropriate from time to time.

Rules passed by the Executive Committee:

- a) The IWGB endeavours to pay all employees £1/hour above the London Living Wage as soon as reasonably practicable.²⁶

²⁶ Introduced: November 2017

ARTICLE 18: ACCOUNTS & AUDITORS

Extracts from the constitution:

Auditors shall be appointed and may be removed only by resolution passed at the Annual Conference or any other general meeting of members or delegates of members organised by the Executive Committee.

An auditor shall be re-appointed for the following accounting period unless-

- a) A resolution has been passed at the Annual Conference or other general meeting of members or delegates of members organised by the Executive Committee appointing somebody instead of him/her/them or providing expressly that he/she/they shall not be reappointed, or
- b) The auditor has given notice to the IWGB in writing of their unwillingness to be reappointed, or
- c) The auditor is ineligible for reappointment, or
- d) The auditor has ceased to act as auditor by reason of incapacity.

Where notice has been given of an intended resolution to appoint somebody in place of a retiring auditor but the resolution cannot be proceeded with at the meeting because of the death or incapacity of that person, or because he/she/they are ineligible for the appointment, the retiring auditor need not automatically be reappointed.

Rules passed by the Executive Committee:

1. In order to assist with the annual return, all branches should undertake to submit all receipts and expense forms on a monthly basis. The monthly transfer of funds from the central account will be dependant on having received the previous month's paperwork. In extreme circumstances, the EC may agree by majority vote to make a transfer or partial transfer to a branch if it considers that the reasons for failing to meet the requirements on time are sufficiently serious and justified²⁷

²⁷ December 2015

ARTICLE 19: LEGAL ASSISTANCE

Extracts from the constitution:

The Executive Committee may, at its discretion, institute or defend any legal proceedings and pay all or part of the costs thereof in any matter affecting the welfare of the Union or on behalf of any member in any matter arising out of that member's authorised activities on behalf of the Union.

Rules passed by the Executive Committee:

ARTICLE 20: DISPUTES STRIKES OR LOCK-OUTS

Extracts from the constitution:

Strikes, and other forms of industrial action taken during disputes will be controlled by the Branch concerned in co-operation with the Executive Committee.

Rules passed by the Executive Committee:

ARTICLE 21: HARDSHIP/DISPUTE GRANTS

Extracts from the constitution:

During the period of any industrial action, Branches or the Executive Committee may organise a hardship fund for members involved.

Rules passed by the Executive Committee:

ARTICLE 22: MEMBERS' EXPENSES

Extracts from the constitution:

Members who, as a result of their being engaged on the business of the Union lose their employment or otherwise, may make application to be paid such sum as the Executive Committee may decide, from time to time, for such purpose.

Rules passed by the Executive Committee:

ARTICLE 23: AFFILIATIONS

Extracts from the constitution:

The Union may only affiliate to such other bodies as may be decided by the annual conference of the Union or by the Executive Committee.

Rules passed by the Executive Committee:

1. The union vows to support CLAUUK (Coalition of Latin Americans in the UK)²⁸
2. The IWGB Resolves to
 - Endorse the Renters' Power Project and add our name to its list of supporters
 - To elect a representatives to join the advisory board of the Renters Power Project with a view to using IWGB experience to help the launch of the union. The elected representative will need to attend one meeting every months²⁹

²⁸ Passed: December 2015

²⁹ Passed: June 2017

ARTICLE 24: INTERPRETATION

Extracts from the constitution:

Should any question arise on which the rules are silent, the Executive Committee shall have power to decide thereon and their decision shall be binding and conclusive.

Rules passed by the Executive Committee:

ARTICLE 25: ALTERATION OF RULES

Extracts from the constitution:

These rules shall remain in force until such further notice, and no new rule shall be made, nor shall any of the rules herein contained or hereafter to be made, be amended, altered rescinded unless with the consent of a majority of two thirds of the delegates present at a Special or Annual Conference of the Union or by a two thirds majority of Executive Committee members.³⁰

Rules passed by the Executive Committee:

³⁰ The reference to rules in this extract is to the articles of the IWGB Constitution. "Rules passed by the Executive committee", on the other hand, simply require a majority or plurality in favour.

ARTICLE 26: DISSOLUTION

Extracts from the constitution:

The Union may at any time, be dissolved by the consent of two-thirds of the members votes cast at a Special General Meeting called for the purpose of considering the dissolution of the Union or by a ballot of all members of the Union resulting in a two-thirds majority of those voting, such majority to represent more than 50% of the membership. Notice of dissolution shall be given forthwith to the Certification Office on the prescribed form.

Rules passed by the Executive Committee:

ARTICLE 27: CODE OF CONDUCT

Extracts from the constitution:

Branch members will at all times seek to uphold the values and constitution of the union. As befits an organisation which seeks to promote and enhance the lives of its members and society in general, we expect the highest possible standards of ethical practice to be applied and demonstrated. The union neither tolerates nor condones discriminatory or abusive behaviour among its members or to and from its members to those who are not members. The union reserves the right to discipline under rule any member whose conduct falls below those standards in a way that brings the reputation of the union into disrepute. The union reserves the right to suspend or expel from or refuse admittance to membership any person whose conduct fails to uphold the aims and constitution of the union. Members are subject to the rules of the union as they are adopted from time to time by the National Executive Committee.

Rules passed by the Executive Committee:

Reps Conduct Policy:

IWGB Reps Conduct Policy

The IWGB is a rapidly expanding union and we are very fortunate to have many highly dedicated and enthusiastic reps representing our members in dozens of workplaces across the country.

However, we have never formalised a Rep's remit, and although duties are set out in Branch Constitutions, it's also important to give some extra guidance, especially as some of us have less experience than others.

This "code of conduct" is a way to centralise and generalise standards for our Reps, so that the Union may continue to maintain a good relationship with the public, may maintain its good reputation and effectively represent its members. Reps are on the front line and often go above and beyond their obligations out of the sheer goodness of their hearts. This guidance has been consolidated as a quick training tool, and provides standards we can all aim to follow, so that we may continue to act in the best interest of the Union and all of our members

All Reps represent the IWGB in a public capacity, some more so than others, but still, this means people look to us as the face of the IWGB. Our behaviour and conduct, for better or worse, reflects back on the IWGB as a whole, and the public will judge the whole Union accordingly. The reputation of the Union is of paramount importance because it is what maintains trust and confidence in us as an organisation, and if this is lost, then we will likely lose members, supporters, donors, funders and perhaps even cease to exist. Damage to the union does not benefit members in any way. It is therefore of utmost importance that Reps are aware that:

- They are part of a team
- They need to work together with other Reps and members to achieve change
- Their conduct online and in real life may be documented by members and non-members
- Their individual conduct should be professional and polite at all times
- Respect for all people at all times is essential
- They are responsible for what they say and do

It is therefore important that Reps exercise:

- Self-awareness
- Reasonableness
- Politeness
- Balance and
- Moderation

at all times, and towards all people, including members and non-members, Union Staff, employees, officials, volunteers and supporters. Being assertive and forthright in defence of members' rights and in support of union aims is welcome. But it is important to stay on the right side of that line.

Being a rep can be challenging because we can come "under fire" from all directions, and are often "on the front line", when it comes to anti-union sentiment, blame-games, and personal attacks. Despite this, we must maintain a calm and reasonable response, and not be tempted by Union-baiters, whose main objective is to rile Union representatives and undermine the power of the Union through malicious intervention. Often people who are seeking to undermine the Union are simply powerless themselves, may be a corporate puppet, may have a personal agenda, and may be attacking us to assert themselves.

In such situations, or if you feel out-of-your-depth, attacked, or tempted to respond and fight, it's always best to take a few breaths, disengage, and ask your colleagues for help.

General Behavioural Guidance:

- Do not get angry
- Do not expect thanks from many people - most will never acknowledge or appreciate how much work you do
- Keep your eyes on the prize, or the final goal
- Our first priority is to our members, so it is our duty to act in *their* best interests at all times
- You do not have the authority to discipline another Trade Union Member, so cannot impose any sanction on them of any kind. The IWGB Executive Committee is the only body that can discipline members, and must follow due process in order to do so.
- If you are having difficulty with the behaviour of another member(s), then raise it with the IWGB EC, who are there to assist you.
- We are a broad and diverse group of people, who may not agree on everything all the time, so decisions should be made democratically, via votes, whenever possible.
- Our mandate as reps is follow through on democratic decisions.
- Whilst it's OK to divulge total IWGB membership publicly, as a general rule of thumb it is better to not divulge branch or workplace-level membership numbers unless elected branch leaders are OK with this.

Do's and Don'ts for Social Media posting:

- There's no need to rush into arguments
- Do not engage with online trolls
- Remain polite at all times
- Maximise your security settings on your personal social media channels. If you're unsure how to do this, request help from the IWGB Executive Committee. Your private life is your own and IWGB has no intention of prying. If you are an elected rep, if you engage via your personal accounts in conduct unbecoming of a member, then this will be a breach of union rules. This includes, in particular, posting racist, discriminatory or offensive material. Particular regard should be had to Article 27 of the constitution (please see the article at the end). But take

steps to protect your own privacy from others and be aware that your actions and communications may be interpreted by others as being in IWGB's name

- Be aware of which account you are using: if you have access to union communications channels, act in accordance with union policies and do not engage in contentious issues that are not union-related. "these include but are not limited to: comments on political parties, journalists, public figures and policies that aren't directly related to worker rights. It also includes endorsing the opinions of others on non-union/non-worker rights matters through "shares", "retweets" and "likes".

- If you are in any doubt if your post complies with this policy, refer it to the Central Union Press Officer prior to posting

- Ask for help or advice whenever you need it, no question is too big or too small

Primary Obligations: Elected Reps' duties are set out in the constitution of each branch.

Appointed reps will be informed of their remit by whoever appointed them, generally speaking that will be the Chair of the Branch.

Work together with reps from your branch and cooperate with those from the wider union: together, we are stronger!

Make it clear that any branch official should not use union media to engage in any political issues unless the issue is directly and specifically related to their membership. Broader political issues will be the purview of the IWGB Executive Committee.

Article 27: Code of conduct

Branch members will at all times seek to uphold the values and constitution of the union. As befits an organisation which seeks to promote and enhance the lives of its members and society in general, we expect the highest possible standards of ethical practice to be applied and demonstrated. The union neither tolerates nor condones discriminatory or abusive behaviour among its members or to and from its members to those who are not members. The union reserves the right to discipline under rule any member whose conduct falls below those standards in a way that brings the reputation of the union into disrepute. The union reserves the right to suspend or expel from or refuse admittance to membership any person whose conduct fails to uphold the aims and constitution of the union. Members are subject to the rules of the union as they are adopted from time to time by the National Executive Committee.

Part 2 – Permanent Sub-Committees

1. The Legal and HR Department Sub Committee

Current Chair: Catherine Morrissey (Women's Officer)

Current Secretary/Treasurer: Max Dewhurst (Vice-President)

Other members: Jason Moyer-Lee (General Secretary),

Remit: the sub-committee is in charge of creating policies for the Legal Department and HR policies for the Union as well as approving expenditure for the Legal Department.

2. AGM Sub-committee³¹

Current Chairs: Henry Chango Lopez (President)

Other members: Jason Moyer-Lee (General Secretary), Max Dewhurst (Vice-President)

Remit: The administration of the AGM each year.

3. Disciplinary Sub-committee

Current Chair: Henry Chango Lopez (President)

Other members: Jason Moyer-Lee (General Secretary), Max Dewhurst (Vice-President)

RULES PASSED BY THE EXEC

- a) All sub-committee meeting minutes (redacted for confidentiality, where appropriate) shall be circulated to all Executive Committee members at each Executive Committee meeting³².

³¹ Introduced (as a permanent sub-committee) March 2018

³² Passed in Executive Committee meeting of 25 November, 2019.

Part 3 – Public Policy Positions

1. Potential repeal of the Human Rights Act³³

The IWGB resolves to form a sub-committee of interested members and volunteers, which will identify and work with other groups that are campaigning against the repeal of the Human Rights Act (1998) and which will inform and educate members and the general public about the consequence of the government's policy in this regard

2. European Union Referendum³⁴

- To publicly state opposition to the UK's exit from the European union
- To call for support from left leaning organisations that either support or are currently ambivalent about the UK's exit from the EU
- To publicly state its desire for reform as an alternative to exit from the EU
- To publicly state support to countries such as Greece, who have been negatively impacted by the EU's economic policies

3. Anti-union laws³⁵

We need the right to organise and strike – free our unions

We need abolition of the anti-trade union laws, which hamstring workers organising and taking action, and their replacement with strong legal workers' rights. We applaud the 2017 Labour Party conference's unanimous call for repeal of not just the 2016 Trade Union Act, but also the ***“anti-union laws introduced in the 1980s and 90s”*** by the Tories and maintained after 1997; and for a ***“strong legal charter of workers' rights”***. ***“For unions to be effective workers need an effective right to strike”***. This builds on the unanimous 2015 decision that the next Labour government should ***“legislate for strong rights to unionise, win recognition and collective bargaining, strike, picket and take solidarity action”***.

We will campaign for:

- Complete and speedy repeal of all anti-union laws.
- Strong legal rights for workers to join, recruit to and be represented by a union; strike/take industrial action by a process, at a time and for demands of their own choosing, including in solidarity with any other workers and for broader social and political goals; and picket freely.
- The right to reinstatement for workers found to have been sacked unfairly. A complete ban on dismissal for industrial action, however long it lasts. Full rights from day one of a job.
- Strong rights for unions to access workplaces, win recognition, and establish collective bargaining, including sector-wide bargaining.
- Unions' right to decide their own policies and activities, determine their own structures and rules, and spend their funds as they choose, free from state and employer interference, in line with ILO Conventions and the European Convention on Human Rights.

4. Brexit

1. The people should be given a vote on the final Brexit deal.
2. Failing the above, Brexit should take the softest possible form, in particular by remaining in the single market with the institution's protections for free movement and by incorporation of EU-derived employment law.

³³ Introduced: July 2015

³⁴ Introduced: August 2015

³⁵ Passed on 9 February, 2018

Part 4 – Legal Department Constitution and Policies

ARTICLE 1: NAME

Extracts from the Legal Department constitution:

The name of the department shall be called the LEGAL DEPARTMENT of THE INDEPENDENT WORKERS' UNION OF GREAT BRITAIN (IWGB) (herein after called the Union)

Rules passed by the Legal Department Sub-committee:

ARTICLE 2: ADDRESS

Extracts from the Legal Department constitution:

The Legal Department shall be at the registered offices of the Union:

12-20 Baron Street
London
N1 9LL

Rules passed by the Legal Department Sub-committee:

ARTICLE 3: OBJECTS

Extracts from the Legal Department constitution:

The principal aims and objects of the Legal Department shall be to:

- a) Protect the working rights of Union members;
- b) Take on casework on behalf of the various branches of the Union;
- c) Offer guidance to Union members in matters relating to their employment;
- d) Handle communications on behalf of Union members in disputes between them and their employers in regard to their employment;
- e) Arrange representation for Union members in the internal disciplinary and grievance procedures of their employers;
- f) Arrange representation for members whose cases progress to the courts or tribunals;
- g) Assist where required to do so in carrying out the objects and services of the Union, of which the Legal Department is a subsidiary.

Rules passed by the Legal Department Sub-committee:

ARTICLE 4: APPLICATION OF FUNDS

Extracts from the Legal Department constitution:

All money received on account of awards, contributions, funding from the Union and funding from any other sources shall be properly applied in carrying out the objects of the Legal Department.

Rules passed by the Executive Committee or Legal Department Sub-Committee:

1. IWGB Legal Department Client Money Policy³⁶

All client³⁷ monies³⁸ are transferred intact into a Client Account. Deductions are subsequently made according to IWGB Legal Department policy and client consent. Then the remainder will be transferred to the client's bank account as soon as reasonably practicable. The Client Account should be reconciled once per month.

Rules passed by the Legal Department Sub-committee:

³⁶ Date: Passed by the Legal Department Sub-Committee on 14 June, 2016 with immediate effect.

³⁷ Client in this context refers to members for whom the IWGB is conducting representation.

³⁸ Monies in this context refers to money won in court, tribunal or via out-of-court settlement. For the avoidance of doubt monies in this context does *not* refer to membership dues or other monies unrelated to legal representation.

ARTICLE 5: ADMINISTRATION AND POLICY

Extracts from the Legal Department constitution:

- a) The Legal Department Subcommittee (herein after called the LDSC) shall be responsible for the organization and administration of the Legal Department. All aspects of the Legal Department's operation shall be subject to the oversight of the LDSC.
- b) The LDSC shall consist of 3 members, appointed from among the members of the Union's Executive Committee, one of whom shall act as Chair, and one of whom shall act as Treasurer/Secretary. The LDSC members shall decide amongst themselves who shall fulfil which role.
- c) Subject to this Constitution, the LDSC shall regulate its own affairs and administration.
- d) The LDSC shall be responsible for hiring employees of the Legal Department and for determining their terms of employment, including relevant employment policies e.g. disciplinary, leave, etc.
- e) The LDSC shall be responsible for setting rules and policies that apply to the administration, organization, and operation of the Legal Department and its finances.
- f) Records shall be kept of the details, progress and outcomes of all casework managed by the Legal Department.
- g) All members who engage Legal Department services shall abide by the applicable code of conduct (See Appendix A).
- h) Should any question arise on which the rules or policies are silent, the LDSC shall have the power to decide thereon and its decision shall be binding and conclusive.
- i) With the exception of modifications to the Legal Department Constitution, all decisions of the LDSC shall be decided by majority vote.
- j) The LDSC shall seek non-binding advice, on a regular basis, from a Board of Advisors (BoA). The BoA shall consist of no more than 6 individuals, at the invitation of the LDSC, who have expertise relevant to the functioning of the Legal Department. The LDSC may request one member of the BoA to serve as Chair with responsibility for convening meetings and another as Secretary. All decision making power shall remain with the LDSC.
- k) The LDSC shall be responsible for ensuring that the Legal Department abides by all relevant regulations and legislation including but not limited to the Code of Practice for the provision of Regulated Claims Management Services by Trade Unions.

Rules Passed by the Executive Committee or Legal Department Sub-Committee:

1. Tribunal Cases Referred by Branches to the Legal Department³⁹

a) Some cases can be extremely complex so the Union needs to ensure that it has time to prepare them properly in the interests of the member. Also, some barristers like to review and amend documentation before it's submitted, so in order to enable the Legal Department to find pro-bono barristers to help with cases it needs to have a policy that allows for that.

³⁹ Passed August 2015

- b) With that in mind the policy will be that a case must be referred to the legal department no later than 6 weeks prior to the ET1 deadline.
- c) For a case to be referred by a branch, it must contain all of the relevant documentation, in chronological order, in one binder or document.
- d) This policy comes into effect on Friday, 7 August, 2015.

2. IWGB Legal Department Charges⁴⁰

- a) Any member of the union who has not been a member for 2 months or more should pay a one-off fee of £50 to use the Legal Department for any contentious matter. For (contentious) licensing cases the fee shall be £100, with £50 of it earmarked specifically for licensing-related Legal Department costs. For the avoidance of doubt, no charge will be applied in relation to the use of the Legal Department for non-contentious matters.
- b) This one-off fee can be waived in exceptional circumstances. If the member has been dismissed or is undergoing extreme financial hardship then the fee can be waived according to standards set by the Legal Department Sub-Committee. To have the fee waived the member must satisfy the following criteria:
 - a. The case they have brought to the union relates to a dismissal from their principal place of employment;⁴¹
 - b. The member must state that their dismissal has caused them financial hardship;
 - c. The member must sign a form stating they feel they cannot afford the £50 fee.
- c) Any member who wins a settlement or tribunal claim through the Legal Department should contribute 15% of the compensation to the Legal Department.

3. Entitlement to Legal Department Services⁴²

For any member who joins the union on or after 10 March, 2018, they will not be entitled to Legal Department services for matters which pre-date their joining the union.

4. Day to day management⁴³

IWGB General Secretary Jason Moyer-Lee shall be responsible for the day-to-day operations of the Legal Department and shall have authority to take decisions on behalf of the Legal Department regarding all cases.

⁴⁰ Introduced: July 2015. Updated on 26 February, 2018 with most recent changes to come into effect on 1 March, 2018.

⁴¹ If the member has two or more jobs, each generating the same income, they can all count as “principal place of employment”.

⁴² Passed on 9 March, 2018.

⁴³ Formally introduced on 19 March, 2018.

ARTICLE 6: FUNDS

Extracts from the Legal Department constitution:

- a) The Legal Department shall maintain its own bank account, as separate from accounts held by the Union for other purposes, to manage its own finances and pay expenses related to the carrying - out of its objects and services.
- b) The Legal Department shall maintain a separate bank account for money to be held in trust on behalf of members in relation to a case, to be used exclusively for this purpose.
- c) All funds shall be operated within such regulations as the LDSC may set.

Rules passed by the Executive Committee or Legal Department Sub-Committee:

1. The Legal Department Sub-Committee shall be in charge of approving expenditures of over £100. Jason Moyer-Lee can approve expenditures of less than £100⁴⁴

Rules passed by the Legal Department Sub-committee:

⁴⁴ Introduced: December 2015 by the Executive Committee

ARTICLE 7: AFFILIATIONS

Extracts from the Legal Department constitution:

The Legal Department may only affiliate to such other bodies as may be decided by the LDSC.

Rules passed by the Legal Department Sub-committee:

ARTICLE 8: ALTERATION OF CONSTITUTION

Extracts from the Legal Department constitution:

This Constitution shall remain in force until such further notice, and no amendments shall be made except by a unanimous vote of the members of the LDSC.

Rules passed by the Legal Department Sub-committee:

APPENDIX A: CODE OF CONDUCT FOR MEMBERS AND LEGAL DEPARTMENT POLICY⁴⁵

Extracts from the Legal Department Constitution:

IWGB believes that no one should have to endure abusive or unpleasant treatment in the workplace.

IWGB employees, officials and volunteers are no exception and we are committed to uphold best practice in how our staff, volunteers and lay officials (referred to in this policy as 'staff') are treated.

We understand that people can become angry in situations of stress or when they feel that matters about which they feel strongly are not being dealt with as they wish. Notwithstanding, members should treat staff with respect and behave appropriately in interactions with them. If anger escalates into aggression towards our staff, or if staff experience untoward and inappropriate behaviour of any other nature (such as unwanted sexual advances) we consider that unacceptable and reserve the right to withdraw casework or other practical support.

Aggressive or inappropriate behaviour includes language (whether verbal or written) that may cause staff to feel intimidated, afraid, threatened or abused and may include threats, verbal abuse, derogatory remarks and rudeness, as well as physical displays such as shouting and physically intimidating or insulting gestures.

We also consider inflammatory statements, remarks of a discriminatory nature and unsubstantiated allegations to be abusive behaviour. Aggression or abuse directed towards our staff will not be tolerated.

The following policy outlines steps that will be taken if Legal Department staff believe they have experienced incidences of behaviour that contravenes IWGB's standards.

1. Any incident of inappropriate or rude behaviour towards IWGB staff will be reported by the staff to one of the Legal Officers (or, in their absence, to the General Secretary or their nominee).
2. The Legal Officer will try to resolve the matter informally. If they agree the behaviour was unacceptable s/he will make this clear and warn the member that any repeat of inappropriate behaviour will result in support/representation being withdrawn for the current case.
3. If the member behaves rudely or inappropriately again, the Legal Officer shall have the authority to withdraw casework representation and close the member's case. This applies to the current case only and does not preclude the member from requesting assistance in future.
4. S/he will then report the matter to the Legal Department Sub-Committee (LDSC), which may or may not decide to take further action. The member will be informed.

⁴⁵ Introduced: 24.04.2017

Updated: 18.09.2017. Updated again on 30 January, 2018.

5. There is no right of appeal to this decision as members agree to abide by this policy in accessing IWGB's services. However, a member may make use of the Legal Department complaints procedure if they believe the policy has been misapplied.
6. If the behaviour in the first instance is so grievous as to warrant a special response, the Legal Officer may at their discretion withdraw casework/representation for the current case immediately. In these instances the matter must also be reported to the LDSC immediately and the LDSC will review it and make a decision regarding next steps.
7. The Legal Officer may request the LDSC to review any particular case, if the behaviour is particularly grievous.
8. For any cases in which the General Secretary or their nominee is acting as rep for a member, they shall fulfill the role of the Legal Officer.
9. For the avoidance of doubt, the power of the Legal Officer to act in these cases is restricted to withdrawing services for the particular case for which the member is currently being represented. Only the LDSC has the power to bar the member from making use of Legal Department services indefinitely. Only the IWGB Executive Committee has the power to expel a member from the union.
10. In accessing support from the Legal Department, members are deemed to have accepted this policy, which is made available on IWGB's public website and reproduced on side 1 of the Legal Department's Contribution Agreement.

Rules passed by the Legal Department Sub-committee:

APPENDIX B: CONTACT POLICY FOR OPEN CASES⁴⁶

Extracts from the Legal Department Constitution:

IWGB is a not-for-profit member organisation with limited resources. Through the Legal Department we strive to offer our members professional support with employment- or workplace-related cases. Each individual case is important to us and we put a great deal of our resources into each case.

Case work is a collaboration between the member and the Legal Department and communication is vital to running a case effectively.

Legal Department staff have to meet certain standards in terms of keeping members informed and making sure they understand what is being done on their behalf. Likewise, members have a responsibility to treat their own case seriously. Members using the Legal Department must make sure they keep the Legal Department informed of any changes in their situation and inform the Legal Department in advance if they will not be contactable for a period of time (for example due to holiday). Failure to maintain contact may result in the case being closed, in accordance with the steps outlined below.

We understand that there may be many reasons why a member may not wish to pursue a case, and no case will be taken forward without the member's approval. However, members must inform the Legal Department if they no longer wish to pursue their case so that the Legal Department is not wasting resources that could be used to support other members.

Procedures that will be followed in terms of contact are:

1. Members must inform the Legal Department in advance if they will be out of contact for longer than 48 hours.
2. Otherwise, members should attempt to respond to contact from the Legal Department within 48 hours.
3. If there is no response within that time frame, Legal Department staff will keep trying to contact the client for 7 calendar days.
4. Legal Department staff will make at least 3 attempts to contact the client during this time.
5. If there is no response to these 3 attempts within the 7-day period, the case will be closed. It will not be re-opened except in exceptional circumstances.
6. Members must also make a good faith effort to attend meetings and provide documents when required. If the Legal Department official dealing with a case feels the member is not making a good faith effort to cooperate with the handling of their case, the official in question may refer the matter to the Legal Department Sub-Committee which will take a decision on whether to withdraw services for that case.

⁴⁶ Introduced: 18.09.2017

Updated: 18.09.2017

Members who believe there are exceptional circumstances in their case should contact the Legal Department Subcommittee (LDSC) outlining the reasons why they were out of contact and may be asked to provide evidence to support their claim. The LDSC will have the final decision over whether or not to reinstate Legal Department support.

Rules passed by the Legal Department Sub-committee:

