North Western Local Authorities' Employers Organisation

Constitution/Rules of the Organisation

Rules of The Organisation

1. Title

The Organisation shall be known as the North Western Local Authorities' Employers' Organisation (hereinafter referred to as the "Organisation"). The Organisation shall be a constituent member of the National and Regional Employers Organisations of Employers together with LGA and other Local Government Employers Organisations (thereinafter referred to as the "NARE").

2. Address

The address for the time being of the Organisation shall be Suite 2.3, 2nd Floor, ICE Building 3, Exchange Quay, Salford Quays, Manchester, M5 3ED.

3. Objectives

The objectives of the Organisation are:

a) To provide information, advice and direct assistance to constituents on the human resource and general management issues they face;
b) To promote best practice in workforce and organisational development.
c) To capitalise on our regional position by co-ordinating and managing networks which reflect key areas of interest for member organisations in the North West and identifying opportunities for joint working with partner organisations.
d) To liaise with and undertake consultation on behalf of the national local government employers (LGA)

4. Membership

Each Local Authority within the geographical areas of Cheshire, Cumbria, Lancashire, Greater Manchester and Liverpool City Region shall be eligible for membership of the Organisation. Joint Police, Fire and Civil Defence, Waste Disposal and Passenger Transport authorities, established under the Local Government Act 1985, and Combined/Strategic Authorities including North West local authorities shall also be eligible for membership.

Organisations wishing to terminate their membership must give 12 months' notice, starting on 1 April of a particular year and terminating on 31 March of the following year.

5. Representation

I. Member authorities shall elect one representative to the Organisation.

II. Failure by any Local or Joint Authority or admitted body to elect the representatives provided for in (a) above, shall not invalidate the decisions of the Organisation. Any member may be represented at meetings of the Organisation by a substitute with full powers, provided that such substitute has been duly elected and notification given to the Organisation. Substitutes cannot, however, be appointed to committees, however official substitutes from the same authority can attend committee meetings on behalf of a member appointed to a committee.

III. An employee of: (i) an Organisation represented on the Trade Unions' Side of the Joint Council, or (ii) a Local or Joint Authority or admitted body, and whose conditions of employment are within the scope of the Joint Council shall not be appointed as an Employers' representative (or substitute representative) on the Organisation.

6. Retirement of Members

Each representative elected shall retire on the day immediately before the date of the annual meeting in each year and subject to compliance with these Rules shall be eligible for re- appointment.

Representatives ceasing to be a member of the constituent body which elected them shall not continue as a representative on the Organisation.

7. Casual Vacancies

On the occurrence of a casual vacancy, a new representative shall be elected by the member Authority concerned.

8. Meetings of the Organisation

I. All notices of meetings of the Organisation and of any Committee shall be sent by the Chief Executive to the representatives at least one week before the date of the meeting.

II. Annual meetings of the Organisation shall be held in the month of June or July each year at which the Chief Executive shall submit a statement of representatives elected to serve on the Organisation and the Chair, Deputy Chair and two Vice-Chairs will be appointed.

III. Meetings of the Organisation shall be held as often as necessary.

IV. The Chair shall call a special meeting of the Organisation if so, requested by a requisition signed by one-third of the representatives. The requisition and notice convening the meeting shall state the nature of the business proposed to be transacted, and no other matter shall be discussed. The meeting shall take place within fourteen days after the receipt of the requisition by the Chair.

V. The conduct of all meetings for transacting any business of the Organisation shall be regulated by the Standing Orders appended to these Rules.

9. Executive Board

At each annual meeting of the Organisation a governing body known as the Executive Board shall be elected. The representatives shall elect to the Executive Board from nominations received at that meeting:-

a) the Chair, Deputy Chair and two Vice-Chairs.

b) representatives from each of the five geographical regions which should include at least one representative from a Unitary Authority on the following basis:

- Greater Manchester 3 representatives
- Lancashire 3 representatives
- Cheshire & Warrington 2 representatives
- Cumbria 2 representatives
- Merseyside 2 representatives

c) a representative from Lancashire County Council provided that the Council is not already represented under Rule 9(a) above.

d) if not already represented by at least one member under Rules 9(a), (b) or (c) above one representative from each of the minority political groups as defined by the Executive Board.

The representatives elected to the Executive Board shall retire on the day immediately before the date of the annual meeting each year and shall be eligible for re-election, subject to compliance with Rules 4, 5 and 6 above.

The Chair, Deputy Chair and two Vice-Chairs of the Organisation will automatically be appointed Chair, Deputy Chair and two Vice-Chairs of the Executive Board.

Members of the Executive Board may be removed from office during the period for which they have been appointed on a resolution approved by a majority of the representatives present and voting at the meeting of the Organisation at which the resolution is moved. The Organisation on behalf of the Executive Board shall have the power to carry out the following functions:-

a) To provide information, advice and direct assistance to constituents on the human resource and key issues they face individually and collectively.
b) To ascertain, collate and disseminate information with regard to conditions of employment, both in general and in the Local Government service and to enter into agreements, if appropriate, with the representative employee organisations in pursuance of the objects of the Organisation as set out in Rule 3 on all matters that may affect relations or negotiations with employees in purview of the NJC for Local Government Services within the area of the Organisation.
c) To be responsible for developing strategies and sharing best practice on key workforce issues. The Executive Board will also act as the Employers' Side of the Regional Council as part of the joint arrangements with the North West Trades Unions. Members of the Board will also represent the Employers on any joint forums with Trade Unions.
d) To be responsible for learning and organisational development. It will be responsible for the councillor development strategy.
e) It will also be responsible for identifying appropriate responses to key skills and development issues.
f) In an advisory capacity to co-ordinate the activities and functions of the constituents' bodies of the Organisation in the matter of pay and conditions of employment of employees within purview.

g) To take executive action in connection with decisions arrived at by the National Employers Organisations and matters delegated by the National Employers Organisations and to make

h) recommendations to the National Organisations in furtherance of the objects set out in Rule.

i) The Executive Board may authorise or approve entering into contracts to lease or purchase property on behalf of the Organisation; the Executive Board may also authorise or approve borrowing of monies in such manner as they shall determine.

10. Committees

a) Regional Executive Joint Trade Union Forum
b) The Regional Executive Trade Union Forum is a Joint Committee of the Joint
c) Council comprising ten trade union and ten employer representatives. The Employers' Side will comprise 10 members from the Executive Board.
d) Other Committees & Advisory Groups
e) The representatives of the Organisation shall have power, subject to the subsequent provisions in this rule, to appoint whatever standing or special committees/advisory groups may be considered necessary for the efficient conduct of the business and to prescribe the constituent of such committees and to make any rules which may be deemed desirable for the transaction of business of such committees. Examples can include; Councillor Development, New Governance arrangements, to respond to emerging needs and requirements.
f) Subject to the approval of the members of committees the Board may appoint up to four co-opted members to act in a consultative capacity. Coopted members must be able to demonstrate an expertise in the business of the committee and will not have any power to vote on any decisions.

11. Officials

At the annual meeting of representatives, a Chair, Deputy Chair and two Vice-Chairs shall be elected who at the end of their year of office may offer themselves for re-election, subject to compliance

a) with the provision of Rules 4, 5 and 6 above. The powers and duties of the
b) Chair, Deputy Chair and two Vice-Chairs shall be as laid down in the Standing
c) Orders of the Organisation attached to these Rules. Except as provided in Rules 5 and 6 above, the Chair, Deputy Chair and two Vice-Chairs may only be removed from office during the period for which they have been elected by a resolution which is approved by a majority of the members' representatives present and voting at the meeting at which the resolution is moved.

d)

e) The Executive Board shall appoint a Chief Executive under such terms and conditions of service (which shall include provision for termination on employment) as they deem appropriate. The Chief Executive shall be responsible for conducting the business of the Organisation in accordance with these Rules and the decisions of the Executive Board.

f) The Chief Executive may authorise appointment of other staff as may be necessary for the effective performance of its functions, on such items and conditions of employment as they deem appropriate.

g) At the first meeting of the Executive Board each year following the annual meetings referred to in Rule 8(b), the Committee shall appoint:-

   I. A Treasurer who shall keep proper accounting records of the Organisation's transactions, assets and liabilities to give a true and fair view of the state of the Organisation's affairs and shall maintain a satisfactory system of control of its accounting records, cash holdings and receipts and remittances who shall be responsible for the preparation of accounts and audit.

   II. A qualified auditor to audit the accounts of the Organisation. either of whom shall be eligible for re-appointment.

h) The officials appointed under (d) of this Rule may only be removed from office during the period for which they have been appointed by the representatives on a resolution approved by the majority of the representatives present and voting at the meeting at which the resolution is moved.

12. Finance

a) Subscriptions towards the expenses of the Organisation shall be levied on member authorities, the amount of the subscription to be determined each year by the Executive Board.

b) The Executive Board may direct monies to be invested in such manner as they may determine.

No expenditure, other than of a routine or recurrent nature, shall be incurred except on the authority of the Chair or Deputy Chair or in pursuance of a resolution. The chief Executive is delegated to approve expenditure up to £30,000 where the expenditure will facilitate the implementation of a resolution of the Executive Board. The Chair or Deputy will approve any expenditure above £30,000.

c) A member authority shall have the right to inspect the accounting records and register of members of the Organisation provided at least twenty-one days' notice of this intention is given to the Chief Executive following the adoption of a resolution to that affect by the member authority.

13. Annual Accounts

Audited statements of accounts shall be presented at the first meeting of the Executive Board each year following the annual meetings referred to in Rule 8(b) or the next convenient meeting, and copies shall be available for each Local Authority in membership of the Organisation to inspect.

14. Dissolution

In the event of circumstances arising which might necessitate the dissolution of the Organisation a special meeting of the Organisation shall be held for such purpose in accordance with the provisions of Rule 8(d). Such special meeting shall determine the manner of disposal of surplus funds, after the satisfaction of all its debts and liabilities, and after due provision has been made for the continuance or payment of any superannuation, pensions, redundancy payments and allowances to retire the employees of the Organisation or to dependants of deceased employees in accordance with any superannuation pension

and redundancy payments scheme for the time being in force at the date of dissolution and after assets have been realised.

15.Observance of Rules

In the event of a member authority not being satisfied that these rules are observed, the matter shall be referred to, and dealt with by, the Executive Board.

16. Amendments to Rules

Any amendment of these rules shall be made only by the Executive Board. No amendment shall be made except after 14 days' notice and the proposed amendment circulated on the agenda of the meeting at which it is to be considered.

These rules were updated by the Executive Board on 12 February 2003 and amended 8 April 2003, 10 October 2007, 27 April 2009, June 2015, 28 June 2017 and 26 June 2018, 28 January 2020, 15 March 2023 (To reflect new Unitary arrangements in Cumbria). Also at the AGM on the 14 July to note the formation of the Combined Authority and the change in office location.

Appendix

Standing Orders

1. The quorum for meetings of the Annual General Meeting of the Employers Organisation shall be eight members entitled to attend and vote at the meeting. The quorum of the Executive Board shall be four members, and will be considered and determined at the start of each Executive Board meeting. A meeting shall be dissolved if a quorum is not present within half an hour from the time appointed for the commencement of the meeting but proceedings shall not be invalidated for want of a quorum arising after business has commenced.
2. The Chair or if absent, the Deputy Chair, shall preside at meetings. In the absence of both the Chair and Deputy Chair at any meeting, one of the Vice-Chairs shall preside at such meeting. The Chair shall conduct the meeting in accordance with the standing orders and subject thereto, their ruling on any matter of procedure shall be final.
3. The Agenda, if not circulated before the meeting, shall be made available to every member present at the meeting. Except as otherwise provided in the
4. Rules, each member present and entitled to vote at the meeting representing a District Council or Joint Board and Combined Authorities shall have one vote on any question, representatives from Metropolitan Districts, Shire Counties and Unitary authorities shall have two votes. No vote by or on behalf of a member who is not present shall be accepted. In the event of an equality of votes the Chair of the meeting shall have an additional casting vote.
5. Except at that point at the annual meetings when the officials referred to in Rule 12(a) are elected by ballot, voting on any question shall be by a card vote, unless a ballot is demanded by two-thirds of the members present and entitled to vote; any other matter shall be decided by a simple majority of the votes cast. In the event of a ballot being demanded, two scrutineers shall be appointed by the meeting, who shall be responsible for the issue and collection of ballot papers and shall scrutinise and count the votes.
6. The ballot shall be held at such time during the course of the meeting as the Chair shall direct. The Chair shall ensure that all who vote are entitled to do so and shall count or supervise the counting of the votes. The results of all voting, whether on a card vote or a ballot, shall be declared to the meeting by the Chair.

7. A meeting may be adjourned by resolution carried by two-thirds of the votes cast by the members present and entitled to vote. At an adjourned meeting no business shall be transacted that could not have been transacted at the original meeting.