

The Standing Orders Committee consists of 15 elected lay members of the union as specified by the rule book.

Each region elects one member annually and the National Executive Council elects three.

The contact details for the SOC are listed below:

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2021 Special Delegate Conference Standing Orders Committee

Guidance on submitting motions

Motions to the Special Delegate Conference must be submitted in accordance with the guidance issued on virtual branch meetings.

The following guidance is detailed and branches or other bodies planning on submitting motions should read it carefully.

The National Executive Council has called a Special Delegate Conference under Rule D 1.2.

This will take the form of a virtual conference and details about the themes for the conference can be found in the NEC document - **UNISON SPECIAL CONFERENCE, JUNE 2021: Submitting motions for themed debates.**

Subject matter

The National Executive Council has decided that the themes for the Conference should be:

The Impact of Covid 19 on UNISON members, public services and working life;

Securing an equal and sustainable post pandemic settlement;

The Branch Resources Review.

Citizenship

Motions to the Special Delegate Conference must deal with citizenship (union-wide) issues.

However, due to devolution, proposals in some motions may not apply across the UK, because of devolved governmental structures.

The Government

Motions can be submitted on the policy or actions of the government. When using the phrase 'Labour', motions must be clear if they are

Affiliated Political Fund/Labour Link

Issues that are internal to the functioning of matters affecting the Labour party, both in relation to internal issues and in respect of matters to be pursued at Labour party conference are dealt with by the Labour Link, not this Special Delegate Conference.

Motions which seek to give instruction or direction in relation to Labour party matters are ruled out of order, while motions which ask, urge or call on are not.

The term 'UNISON sponsored MP' is inaccurate as it is illegal to 'sponsor' MPs to undertake advocacy. A motion

or amendment which uses this term will be ruled out of order.

Submitters of motions and amendments may refer to UNISON's parliamentary group of MPs or the relevant group in the devolved institutions.

KEY DATES FOR SUBMITTING BODIES

Deadline for Motions
12.00 noon
Thursday 8 April 2021

Publication of Preliminary Agenda
Tuesday 20 April 2021

Deadline for Amendments
12.00 noon
Monday 10 May 2021

Deadline for Priorities from NEC, regions, self-organised groups, young members, retired members and the private contractors national forum. (Branches should contact their region about this process).
12.00 noon
Monday 10 May 2021

Publication of Final Agenda
Tuesday 18 May 2021

Priorities published
Tuesday 18 May 2021

Draft Composites circulated to relevant branches
Friday 28 May 2021

Deadline for agreement on Composites
Friday 4 June 2021

Composites published
Wednesday 9 June 2021

Order of Business published
Wednesday 9 June 2021

Special Delegate Conference
Tuesday 15 June - Thursday 17 June

How the SOC works

The SOC takes legal advice on the content of motions, particularly where there appears to be libel or the content is or would lead to breaches of the law and/or rules. Motions are considered on a case by case basis.

Industrial action/ unlawful action

The National Executive Council has exclusive power to authorise industrial action (Rule O).

To be lawful, industrial action must relate to a trade dispute as defined by s.218 of the Trade Union and Labour Relations (Consolidation) Act 1992. **Motions calling for industrial action over privatisation or over 'the cuts' do not fall within the legal definition of a trade dispute and so must not be debated as this would put the union in legal jeopardy.**

Any motions relating to industrial action must not contravene Rule O which relates to industrial action or Rule B 4.5 which requires the union to act lawfully.

Motions or amendments must not describe previous or current disputes as being 'against privatisation' or similar such words, as this could leave the union open to legal challenge.

Legal Proceedings

The principle applied by the SOC is that this Special Delegate Conference cannot compromise existing or potential legal

proceedings for either party in a case. Proceedings include potential, past or current disciplinary issues.

If there is a possibility that a motion may prejudice proceedings, the SOC will seek legal advice. If the advice is that a motion either directly or indirectly refers or could lead to reference to a particular case either expressly or by implication, or if a decision at Conference could be used in a case by any party, the SOC will rule the motion out of order.

On some very limited occasions it may be necessary to rule a motion out of order, not because of its content, but because it would be impossible to debate the motion without the details of a particular legal case arising.

Motions that call on the union to break the law are not competent.

Lawful undertakings

Submitters are reminded that motions can only call for actions or activities that the union can lawfully undertake.

Calls vs. Instructs

Branches should be aware that the SOC does see a distinction between motions that call on another body or part of the union to do something and one which instructs them.

When using 'instruct' submitters of motions should be clear that Special Delegate Conference does indeed have the power to instruct this body and in

addition that the body being instructed has the power to undertake or ensure the action. Even when using 'call' or 'seek to ensure' submitters should still check Conference has the power to call on this body and the body has the power to undertake or ensure the action.

Pension Schemes

Individual occupational pension schemes are normally debated as bargaining issues at service group conferences but there are circumstances where this Special Delegate Conference could debate general public sector pension policy and the finance and administration of the schemes without straying into individual bargaining issues. Submitters are reminded, if doing so, that the Local Government Pension Scheme has membership across more than one UNISON service group.

Trade Union Act

The Trade Union Act has been passed.

Please take the matters raised in the Act into consideration when considering submissions to Conference. It is quite possible that depending on the regulations that further guidance on submissions of motions and amendments will need to be issued by the SOC to ensure that the union meets its obligations. This will be kept under review by the SOC between now and Conference.

Amendments

Amendments to the rules

Amendments to Rules or Schedules do not fall within the scope of this Special Delegate Conference and cannot be submitted.

Any amendments to Rules or Schedules that are received will be ruled out of order automatically.

Amendments to branch funding

Amendments to the branch funding formula need to be internally consistent.

They need to be clear if they are changing the proportion of UNISON's income allocated to Branches or not.

Amendments to motions

These should not be used to promote essentially alternative motions, or as a substitute for voting against the motion.

Amendments are likely to be ruled out of order if they:

- introduce a direct negative;
- reduce the motion to a mere restatement of existing policy;
- seek to change fundamentally the purposes of the motion.

Staffing

Motions which deal directly or indirectly with staffing matters will need to bear in mind that the National Executive Council and the General Secretary have responsibility for the employment and terms and conditions of UNISON staff, including legal obligations under employment law (Rules D 2.12.1 and D 2.12.2).

Online Conference System

Branches, regions and national bodies will submit their motions and amendments electronically using the Online Conference system (OCS). This allows greater transparency and accuracy in all submissions.

Using the OCS, motions can only be authorised at branch level by either the branch secretary or chair. The other will receive email copies of the item as soon as it is submitted. At regional level, the regional secretary will be authorised to submit the item, with the regional convenor receiving an e-mail copy. The process is replicated at national level for national bodies and their relevant secretaries and chairs.

Submissions will not be able to take place without supplying key data and all items will be time and date stamped.

All correspondence between the Standing Orders Committee and submitting bodies will be via OCS and you will be advised of procedures at the appropriate time.

Submitting bodies will receive a confirmation email via the OCS. **The SOC encourage all submitting bodies to check they have received this and if not to raise it prior to the deadline with their regional Conference Administration contacts.**

Best practice on writing motions

Submitters are encouraged to write clear, succinct motions that include specific proposals for action.

Any quotations from other source documents must be identified with quotation marks.

Links to websites are not appropriate in motion text.

General advice is available from SOC members on:

- * drafting motions and amendments, prior to deadlines;
- * guidance and assistance on procedures and standing orders.

However, receiving advice from individual committee members does not guarantee acceptance on to the agenda.

Wording should avoid language which may cause offence.

Each motion and amendment to motions is considered by the whole committee and decisions are made collectively.

Emergency motions

Emergency motions will not be considered for this Special Delegate Conference. Any Emergency motions that are received will be ruled out of order automatically.

Annual Report and Finance Report

The National Executive Council's Annual Report and Finance Report are the business of National Delegate Conference and will not be part of the Special Delegate Conference.

Challenges to SOC decisions

If the SOC rules your motion or amendment out of order, a letter will be sent by the SOC with the reasons why, via the Online Conference System (OCS).

If you are not happy with the decision and want the SOC to reconsider, **you must contact us in writing via the OCS.**

For the purpose of this Special Delegate Conference a **written appeal must be made in advance of the Conference by the following deadlines:**

To appeal against motions ruled out of order the deadline is: **12.00 noon Monday, 10 May 2021.**

To appeal against amendments ruled out of order the deadline is: **12.00 noon Monday, 24 May 2021.**

Please note, for this Special Delegate Conference, the decision of the Standing Orders Committee will be final on any appeal received.

No further appeals will be possible.

This Guidance was written for the Special Delegate Conference 2021 and does not set any precedents for future conferences.