# UNISON Welfare

**Constitution and Rules**

**Charity registered in**

**England & Wales 1023552 and**

**Scotland 308305**

As approved by the Charity Commission July 1993 and as amended

1995, 1998, 2001, 2003, 2004, 2011 and 2019

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Title

1. The organisation shall be called “UNISON Welfare”. The working name of the organisation shall be “There for You”.

Definitions

1. (a) In these Rules, unless the context otherwise requires:

 “Annual General Meeting” means the Annual General Meeting of UNISON

Welfare held in accordance with Rule 12 below;

 “the Beneficiaries” means the following classes of persons:-

 (i) members (including those persons referred to in Rule 5 below)

 (ii) bona fide dependants or partners of members

 (iii) any person who was a bona fide dependant or partner of a

 deceased member at the date of such member’s death

“branch” means a branch of UNISON;

 "Branch Welfare Officer" shall mean an officer elected or appointed
 to carry out welfare functions in a Region of UNISON

“Conference” means the Annual Conference of UNISON and any special Conference that may be held;

 “Council” means the National Executive Council of UNISON;

 “dependant” means a person to whom a member makes a substantial

 financial contribution towards the support of such person or for whom the

 member is providing significant and necessary physical care;

 “Board of Trustees” means the trustees of UNISON Welfare;

 “member” means a member of UNISON Welfare as defined in Rule 5;

“partner” means a person co-habiting with a member irrespective of the gender of either or both parties, where the home of the partnership comprises a single family unit;

 “Regional Council” means a Regional Council of UNISON;

“Regional Welfare Committee” means any committee which might be appointed by and contain members of one of UNISON’s Regional Councils with orders of reference similar to the provisions of these Rules;

“UNISON” means UNISON – The Public Service Union;

“year” means the period commencing on the first day of January in any year and ending on the thirty-first day of December in that year.

Words importing the masculine gender include the feminine, the singular includes the plural and the plural includes the singular.

(b) In these Rules where the context so admits expressions defined in the

 Rules of UNISON shall have the meanings thereby conferred upon them.

Objects

3. (a) The object of UNISON Welfare shall be to afford in cases of poverty or

 distressed circumstances, assistance to the Beneficiaries;

(b) In furtherance of the foregoing object the Board of Trustees may:-

1. make grants of money or goods or make interest free or reduced

interest loans or give other direct financial assistance to Beneficiaries

1. lease acquire endow maintain or pay for

 (A) convalescent accommodation

 (B) residential care accommodation

 for the benefit of:-

 (1) in the case of convalescent accommodation:-

1. Beneficiaries who are recuperating from an illness
2. Beneficiaries who are in need of a temporary rest and change of air for the benefit of their health
3. Beneficiaries who by reason of age or other special needs require a holiday but who owing to lack of means would not otherwise be able to afford such a holiday

 (2) in the case of residential care accommodation:-

1. Beneficiaries who have retired and who by reason of

incapacity or disability require personal care and attention

1. the dependents or partners of the Beneficiaries referred to in (I) above.

 (c) The Board of Trustees may at its discretion refuse to award assistance in any case or may refuse to admit any person or pay for any person’s admission to convalescent accommodation or residential care accommodation and shall not be bound to assign any reason for so doing.

 (d) The Board of Trustees shall decide in its absolute discretion whether any person is or was a dependant or partner of a member.

4. (a) The Board of Trustees may, out of the property held by it and the income thereof make such provision for the attainment of the objects set out in Rule 3 as it may from time to time determine.

 (b) The Board of Trustees may do all acts or things which they may deem necessary or desirable for attaining the objects of UNISON Welfare.

Membership and Contributions

5.The following persons shall be members of UNISON Welfare:-

 (a) Any member of UNISON

 (b) An employee or a retired employee of UNISON or of a branch contributing to UNISON Welfare a subscription of such sum as may be prescribed by the Board of Trustees which shall be payable in advance.

 (c) Any person who has been awarded honorary life membership of UNISON

Administration

6. (a) UNISON Welfare shall be administered by the Board of Trustees.

 (b) The Board of Trustees shall consist of six members of the Council, elected by that body in such manner as it sees fit; and six members who are either members of the Regional Welfare Committees, or are Branch Welfare Officers, elected by the Annual General Meeting by a simple majority.

 (c) A member of the Board of Trustees who has been elected by the Council or by the Annual General Meeting shall hold office for two years and may be re-elected. Any vacancy in the Board of Trustees may be filled by the Council. The elections carried out by the Council shall occur in odd numbered years and those carried out by the AGM shall occur in even numbered years.

 (d) The quorum for meetings of the Board of Trustees shall be four members and decisions of the Board of Trustees shall be made by a majority of the members present at such meetings.

 (e) The Board of Trustees may arrange for staff to be appointed to assist in the undertaking of its responsibilities under this Rule and may delegate any of its powers to such staff and may assign to such staff such duties as it considers appropriate provided that the Board of Trustees shall keep under regular review the exercise by the staff of any powers delegated to them.

 (f) The Board of Trustees shall have power (notwithstanding any rule of law to the contrary) to delegate any of its powers or functions in relation to UNISON Welfare to Regional Councils who may further delegate such powers and functions as have been delegated to them to any Regional Welfare Committees which they might appoint.

 (g) The Board of Trustees shall implement the principles of proportionality and fair representation in relation to UNISON Welfare.

Directions of the Board of Trustees

7. The branches and the Regional Councils shall conform to any directions and criteria which may from time to time be given or made by the Board of Trustees for dealing with applications for assistance, and for the purpose of securing uniformity of treatment of applications.

Regulations

8. Subject to these Rules the Board of Trustees shall have power to make Regulations (including Standing Orders) to regulate all matters not provided for by these Rules. In particular, such Regulations:-

 (a) May prescribe the activities and functions which may be undertaken on behalf of UNISON Welfare by Regional Councils, Regional Welfare Committees and branches; and

 (b) May establish procedural rules and deal with other matters relating to the Annual General Meeting.

Security for Loans, etc

9. The Board of Trustees may accept as consideration for any loan, allowance or annuity to be paid, granted or made by the Board of Trustees such security as the Board of Trustees may in their discretion decide.

Secretary

10. The Secretary of UNISON Welfare shall be the head of the charity or such other person as the Board of Trustees may determine.

Annual General Meeting

11. (a) An Annual General Meeting shall be held annually so that delegates

 to the Annual General Meeting shall be:-

 (i) the members of the Board of Trustees

 (ii) the members of the Council

 (iii) the members of the Regional Welfare Committees

 (iv) Branch Welfare Officers

And so that any Regional Welfare Committee member or Branch Welfare Officer may appoint in writing a substitute to attend the Annual General meeting on her/his behalf.

 (b) The Board of Trustees shall present a report to the Annual General Meeting and the Annual General Meeting may pass such motions as it thinks fit concerning the Report and the administration of UNISON Welfare.

 (c) Conference may pass such motions as it thinks fit concerning UNISON Welfare.

Appointment of nominees

12. (a) All property and assets of whatever nature of UNISON Welfare shall be vested in the names of the Board of Trustees or in the names of such nominee or custodian as the Board of Trustees may determine. The Board may give the custodian or nominee custody of the said property and assets and of any documents concerning the assets and may make such arrangements as to remuneration of the custodian or nominee as the Board shall determine.

(b) Any nominee or custodian appointed hereunder shall not in any way sell transfer or otherwise deal with the property and assets of UNISON Welfare or part with any document relating thereto except under the direction of the Board of Trustees evidenced by a minute to that effect a copy of which, signed by the Secretary, shall be supplied to the nominee or custodian.

(c) The nominee or custodian shall obey all lawful directions of the Board of Trustees so evidenced and shall sign all documents and do all acts and things which may be necessary to carry out those directions.

Powers and duties of the Board of Trustees in respect of investments

13. (a) Any funds of UNISON Welfare for the time being available for investment shall be invested in such shares stocks funds securities land (whether freehold or leasehold) buildings chattels or other investments or property of whatever nature and wherever situated whether movable or immovable and whether producing income or not as the Board of Trustees may think fit and as if the Board of Trustees were an absolute beneficial owner of the property and the Board of Trustees may vary any such investments for others authorised by this rule provided that the Board of Trustees shall take ethical considerations into account in deciding which of any two or more equally appropriate investments to buy hold or sell.

(b) The Board of Trustees may issue directions to its nominee or custodian in connection with the investment of the funds of UNISON Welfare and the nominee or custodian shall obey any such directions.

(c) The Board of Trustees may at any time delegate to any persons or companies for any period and on such terms including terms as to remuneration as it shall think fit the powers given to it by this Rule in connection with the investment of the funds of UNISON Welfare.

Powers in relation to property

14. The Board of Trustees shall (subject to these rules and subject to such consents as may be required at law) have the following additional powers:-

 (a) Power to effect any transaction concerning or affecting any part of the property held by UNISON Welfare if the Board of Trustees thinks the transaction is for the benefit of UNISON Welfare or the Beneficiaries as if the Board of Trustees were a sole absolute beneficial owner of the property held by UNISON Welfare and for the purposes of this paragraph “transaction” includes any sale, exchange assurance grant lease surrender reconveyance release reservation mortgage charge pledge or other disposition and any purchase or other acquisition and any covenant contract licence option or right of pre-emption and any compromise partition insurance or other dealing or arrangement and “effect” has the meaning appropriate to the particular transaction and references to property include references to restrictions and burdens affecting property (but only in accordance with the restrictions imposed by the Charities Act).

 (b) Power to apply the property held by UNISON Welfare or the income thereof in maintaining repairing cleaning decorating making structural alterations to or improvements in any land buildings or chattels which (or the future proceeds of sale of which) are held by UNISON Welfare and in paying taxes rates insurance premiums expenses employees’ wages and all other payments and outgoings whatsoever due and payable or to become due and payable for or on account of such land buildings or chattels But So That the Board of Trustees shall not be bound to see or be liable or accountable for omitting or neglecting to see to the maintenance cleaning decorating repair or insurance of such property.

 (c) Power to purchase take on lease or otherwise acquire any land or buildings for purposes other than investment.

15. Any banking account of UNISON Welfare shall be operated in accordance with the instructions of the Board of Trustees by an officer designated by the Secretary.

16. Subject to the provisions of Rule 12(a) all books papers and documents belonging to UNISON Welfare shall be kept in the custody of the Secretary.

Power to deal with UNISON

17. The Board of Trustees shall have power to enter into any agreement or transaction with any official or organ of UNISON (being an agreement or transaction which apart from this Rule the Board of Trustees could properly have entered into if they or any member of them had not also been an official of or a member of such organ of UNISON) notwithstanding that the Board of Trustees or any member of them may also be an official of or a member of such organ of UNISON and in like manner in all respects as if the Board of Trustees or any member of them were not an official of or a member of such organ of UNISON.

Benefits to Trustee Board Members

18. No decision of the Board of Trustees or any authorised delegate or such

 delegate shall be invalidated or questioned on the grounds that any

 member of the Board of Trustees or such delegate or sub-delegate has or

 had a direct or indirect benefit from or interest in such decision provided

 that full disclosure is previously made to the Board of Trustees or such

 delegate or sub-delegate by or on behalf of the member concerned of any

 such benefit or interest and so that such member shall not be liable to

 account for any such benefit received.

Power to Pay Parents of Minor

19. In any case where the Board of Trustees shall determine to pay or apply any income or capital to or for the benefit of any minor there shall be power to pay or transfer the same to and accept the receipt of any parent or guardian of such minor without being liable to see the application thereof by such parent or guardian.

UNISON Welfare’s Auditors

20. (a) UNISON Welfare’s accounts shall be audited each year by a professional auditor appointed in the first instance by the Board of Trustees and who thereafter shall continue to hold office until replaced by the Annual General Meeting which shall have power to appoint replacement auditors.

(b) The audited accounts and balance sheet for the previous financial year shall be presented to the Annual General Meeting for approval and adoption.

Indemnity

21. The Board of Trustees may out of the funds and property of UNISON Welfare indemnify:-

 (a) Any member of the Board of Trustees

 (b) Any member of a Regional Welfare Committee

 (c) Any regional welfare official

 (d) Any branch welfare official

 (e) Any member of staff

including any former holder of any of the positions specified in (a)-(e) above from and against all costs and charges damages and expenses whatsoever which she/he shall sustain or be put to by reason of her/his accepting office or acting in execution or intended execution of her/his functions under these rules unless the same shall happen through that person’s lack of good faith or wilful neglect or default.

Amendment of Rules

22. These rules shall not be altered or rescinded except by a resolution passed by the Annual General Meeting and provided that:

 (a) Notice of the proposed alteration or rescission has been set forth on the agenda; and

 (b) At least two thirds of the delegates present and voting shall vote for the resolution But so that this shall not apply to amendments to motions seeking to change the rules and such amendments shall be decided by a simple majority.

Charitable Purposes only

23. Nothing in these Rules or the Rules of UNISON shall cause or permit any part of the property of UNISON Welfare or the income thereof to be held or applied otherwise than for exclusively charitable purposes.

For further information about UNISON Welfare, call 020 7121 5620 or email thereforyou@UNISON.co.uk