

**GMB**  
**Election of General Secretary and Treasurer 2021**  
**By-laws**

In exercise of its powers under Rule, the Central Executive Council adopts and issues the following By-laws.

1.Notification that an election for General Secretary & Treasurer is due will be issued by Wednesday 3 February 2021 by emailed letters to branches, posting on the GMB website, text messages to members and an email to all staff.

2.The Central Executive Council set out the conditions in these by-laws which members must satisfy in order to be eligible to be a potential nominee, nominee or candidate in the election.

3.Potential nominees, must declare their intention to seek nominations. In the case of Regional Secretaries or National Officials by contacting the President or the National Returning Officer, and in the case of any other member by contacting their Regional Secretary, in each case by Friday 12 February 2021. All potential nominees will be referred to the National Returning Officer who will supply each person, by email, with a pack containing a personal details form, the election by-laws and instructions on providing a current head and shoulders photo, a personal statement of up to 1,000 words, and contact details.

4.The National Returning Officer shall issue to each potential nominee, by email, a form requesting the following personal details:

- (i) Name
- (ii) Branch
- (iii) Section
- (iv) Current Employer
- (v) Current Occupation
- (vi) GMB Rule Book Offices held on Sunday 31 January 2021.

5.The potential nominee shall accurately supply all the personal details requested. The completed form must reach the National Returning Officer by Friday 19 February 2021, failing which the potential nominee shall be disqualified from standing in the election. The form should be returned by email.

6.By Friday 19 February 2021, the potential nominee shall also provide the National Returning Officer with a head and shoulders photo, personal statement and contact details for Branches to contact potential nominees direct to seek further information and for receipt of invitations to hustings under by-law 22.

In the event of failure to provide any information in accordance with this by-law 6 within the time specified, though this shall not disqualify a potential nominee, all subsequent communications from the National Returning Officer to the potential nominee shall be deemed to have been received within one day of being sent. If the potential nominee fails to provide contact details for receipt of invitations to hustings within the time specified, that shall relieve the duty imposed by by-law 22 to invite the potential nominee (if confirmed as a candidate) to any hustings.

7.The Finance & General Purposes Committee of the Central Executive Council shall satisfy itself that potential nominees are eligible to stand under rule, have complied with by-laws 3 and 5, and are able to fulfil the range of duties set out in the General Secretary & Treasurer list of competencies appended to these by-laws. Exercising its power under rule 10.4, the Central Executive Council delegates its functions under rule 15.3 to its Finance & General Purposes Committee, the decisions of which will not be subject to approval by the Central Executive Council. Upon the Finance & General Purposes Committee accepting a potential nominee the National

Returning Officer shall send their personal details, photo, personal statement and contact details by email to all Branches along with a nomination form. The meeting of the Finance & General Purposes Committee that considers the potential nominees shall be attended by lay members only, except the National Returning Officer, the Finance Director, and an independent observer if required by the Central Executive Council.

8. The Finance & General Purposes Committee shall have the power to remove any wording from a potential nominee's personal statement that it deems to be untrue, obscene, discriminatory, defamatory, or otherwise unlawful. The Finance & General Purposes Committee decision is final and not subject to appeal.

## **Nominations**

9. Nominations shall be sent by Branches, using the form provided, to the National Returning Officer to arrive not later than Wednesday 7 April 2021. Each Branch may only submit one nomination. The form should be submitted by email.

10. A nominee who receives fewer than 30 valid nominations, and does not receive a nomination from at least two different Regions, shall not qualify for candidature.

11. The Finance & General Purposes Committee shall determine which nominees are eligible under rule and have complied with the by-laws and confirm the list of candidates

## **Election addresses etc**

12. The National Returning Officer shall invite each candidate to supply an election address of up to 1,000 words using the form provided to be published with the ballot papers. A candidate may supply an election address in electronic form, in which event the format shall be Microsoft Word.

13. An election address shall not be obligatory but, if supplied, must reach the National Returning Officer by Monday 26 April 2021, otherwise it shall not be accepted. An election address should be sent to the National Returning Officer by email.

14. Election addresses should not contain anything that is obscene, discriminatory, defamatory or otherwise unlawful. An election address will not be modified without the consent of the candidate, however any liability for publishing the contents of the election address, with the ballot papers, falls on the candidate (and not the GMB).

15. The National Returning Officer shall delete all words which follow the first 1,000 words of the election address and so are in excess of the maximum number of words permitted under by-law 12 above.

16. Numbers expressed as figures will count as words e.g. "2021", "2020/21" count as one word; "2020/2021", "2020-2021" count as two words; "two thousand and twenty one" counts as five words. "GMB" counts as one word, as do acronyms and abbreviations such as "CEC", "TUC", "UK".

The method to be adopted for producing copies of potential nominees personal statements for distributing to Branches or candidates' election addresses for distribution to voters with the ballot paper shall be as follows:

- (a) plain typeface in monochrome Arial font, single line spacing, double line spacing between paragraphs;
- (b) standard use of lower and upper case i.e. lower case save for capitals at start of sentences, names and acronyms (e.g. "Sir Keir Starmer", "GMB" "TUC")
- (c) graphic and other special or non-verbal effects, text or content will not be reproduced e.g. inappropriate capitalisation, bold, italics, underlining, bullet points, colours, boxes around text, graphs, tables, sketches, symbols, cartoons, photographic images (other than a photograph supplied under by-laws 3 and 6).

## **Canvassing, hustings and pre-election period**

17.Face to face canvassing shall be permitted. No other canvassing, including by telephone (mobile or landline), shall be permitted. No text, circular or other material (whether written, typed or printed and whether communicated electronically or otherwise) shall be issued on behalf of any candidate in the election other than an election address published with the ballot papers that accords with by-laws 12 to 16 inclusive.

18.No potential nominee, nominee or candidate shall invite or accept any donation or contribution in money or kind from any other person and in particular from any provider of goods or services to the Union or any employer. Candidates may recover standard expenses and subsistence for attending hustings arranged under by-law 22 and may incur additional expenditure not exceeding £5,000 in the election. Each candidate shall, not later than one week after the close of voting, submit a financial return on the form provided to the National Director of Finance, showing all expenses and subsistence claimed in connection with hustings and accounting for any additional expenditure incurred by him/her in connection with the election.

19.No officer, official or employee of the Union shall request, instruct or pressure any person over whom he/she has authority to take any step to support a potential nominee, nominee or candidate. Save where he/she takes leave to which he/she is entitled, no officer, official or employee of the Union shall be released from their duties as such for the purpose of assisting a potential nominee, nominee or candidate, whether by canvassing or otherwise.

20.No potential nominee, nominee or candidate and no officer, official or employee of the Union shall for the purposes of supporting a potential nominee, nominee or candidate access or use any information contained in or derived from the union's membership database or held in any other database, records or lists maintained by any GMB lay officer or employee or any external person or body, including the names and/or addresses or other contact details of members or officials of the union. For the avoidance of doubt, these databases include information held by branches, and information held within Nationbuilder, Facebook or any other platform whatsoever.

21.In the event that a potential nominee, nominee or candidate becomes aware of any breach or apparent breach of by-law 17, 18, 19 or 20 by another person acting or purporting to act on his/her behalf, he/she shall as soon as reasonably practicable dissociate himself/herself from any breach, take all reasonable steps to prevent a recurrence of any breach, withdraw any material that has been issued in support of him/her and notify the National Returning Officer that he/she has done so.

22. Up to two nationally organised electronic hustings will be held. Recordings of electronic hustings, together with a video statement from each candidate, will be posted on the GMB website and sent to all Regional Secretaries and to all Branch Secretaries for onward transmission to members. The message accompanying this transmission to members should include an encouragement to vote, and the wording should be strictly as agreed by the Finance & General Purposes Committee.

23.Save for hustings arranged in accordance with by-law 22, no potential nominee, nominee or candidate may address any meeting of any Branch (including a meeting of his/her own Branch) or Region or Section of the Union or any meeting of any kind whether held in a workplace or elsewhere, on the subject of the election.

24.A breach of any of the following by-laws may lead to disqualification of a nominee or candidate from standing in the election:

- (a) breach by the potential nominee, nominee or candidate of by-law 17, 18, 19, 20 or 23
- (b) failure by a potential nominee, nominee or candidate to take all steps required by by-law 21.

25.A pre-election period will commence on Wednesday 3 February 2021 during which all employees (save when on leave as described in by-law 19) should refrain from active campaigning in line with these by-laws and all employees, Central Executive Council members, Regional Committee

members and Regional Council members must refrain from any online activity or social media activity in respect of, related to, or referencing the General Secretary & Treasurer election. Save for any centrally issued tweets, texts or emails giving only factual information on locations or dates of hustings meetings, any breach of the pre-election period shall be treated as a conduct contrary to the rules of the Union for the purposes of rule 5. The pre-election period will end on Wednesday 2 June 2021.

### **Other matters**

26.The Central Executive Council hereby specifies Wednesday 31 March 2021 as the date at which membership and arrears of contributions are to be assessed for the purposes of eligibility to vote.

27.Any member in arrears of contributions, or who has failed to repay, or is in default on any loans or cost awards shall not be eligible as a potential nominee, nominee or candidate.

28.In the event that the Finance & General Purposes Committee determines that there is no more than one validly-nominated candidate for the Office, that candidate shall be deemed to be elected.

29.No potential nominee, nominee or candidate in this election shall serve on the Finance & General Purposes Committee or on the Appeals Committee of the Central Executive Council in respect of any matter arising in connection with the election.

30.The National Returning Officer shall arrange for the names of the Branches that have validly nominated a candidate to be listed with the candidate's election address.

31.Ballot papers must be returned to reach the Independent Scrutineer by Wednesday 2 June 2021.

32.The Independent Scrutineer shall arrange for the counting of votes in the election.

33.These by-laws will subsist until the next election is called by the Central Executive Council, and there will be no active campaigning permitted between elections. Any breach of this by-law may lead to disqualification.

## **APPENDIX**

### **GENERAL SECRETARY AND TREASURER OF GMB - JOB COMPETENCIES**

#### **PREAMBLE**

The job competencies required to hold the office of GMB General Secretary and Treasurer are pivotal in ensuring that both performance and accountability drive the Unions Policy objectives. Notwithstanding the specific duties contained within the GMB rule book the following competencies are essential in order to discharge the requirements of the office.

#### **OVERALL ACCOUNTABILITY**

The General Secretary is accountable to and under the direction of the Central Executive Council and ultimately the Congress of the Union.

The post holder must ensure all matters relating to the operating and organising of the Unions functions are reported to the CEC or its designated sub Committees.

The post holder will ensure all Financial and Operating documentation is laid before the Congress of the Union or any CEC meeting or sub Committee as requested or required.

#### **ESSENTIAL REQUIREMENTS**

All potential nominees must satisfy the CEC's Finance & General Purposes Committee, in accordance with by-law 7 of the General Secretary & Treasurer Election 2021, that they have the ability to:-

- Build and grow the membership of the Union by developing the union's strategic approach to delivering for our members, working closely with both the Senior Management Team and National Management Team to ensure the formulation of campaigns and plans of action are delivering for the membership and the union's objectives.
- Enhance the reputation of the GMB as an effective Trade Union and drive our continued growth as a 21st century organisation, encompassing the One Union strategy.
- Be responsible for the good governance of the Union including the maintenance of the highest standards of probity, administrative efficiency and financial management in line with the non-deficit policy, including full oversight and ultimate responsibility for the day-to-day administration and operational functions of the union, ensuring compliance with GMB rulebook and CEC policy and leading in the development and management of robust internal structures and frameworks of operation that enable GMB to deliver on its strategic and operational objectives.
- Develop a strong culture of Equality and Inclusion in the union, and ensure that it is embedded, promoted and upheld throughout the union and is rooted within the industrial work of the union. Ensure that the development and implementation of all GMB's employment practices includes GMB's ethos, values and commitment to equality, and that this remains central to all internal frameworks and practices.
- Ensure and develop effective Training for GMB staff and branch post holders in order to deliver growth in membership and stronger workplace and branch organisation. Develop senior people to meet the strategic goals of GMB, through devising and implementing National strategies and leading people development strategies through the Senior Management Team.
- Recommend to the CEC and GMB Congress such reports, policy documents, rule amendments or guidelines that may assist such bodies in achieving the core objectives of the Union.
- Direct and deliver the political objectives of the Union including overall strategic oversight for GMB's political activities, including funding decisions, lobbying activities and party-political dealings.

- Ensure the Union is represented on all appropriate external bodies such as the TUC, Labour Party or organisations approved by the CEC as being in the interests of the Union and its members, as well as building and maintaining relationships that will help to advance the influence of the union.
- Ensure that there are effective communications channels at all levels in the Union – robust internal structures and frameworks.
- Competently handle and deal with the media. The Union has a high media profile and the post of General Secretary carries with it a high degree of responsibility to ensure the Union's reputation is not brought into disrepute. The post holder must be an effective public speaker with media skills and have experience of dealing with any potential media requirements.
- Ensure effective management of the Union at all levels, including direct line management for Regional Secretaries and other management positions.
- Develop and Implement Congress policy including regularly reporting to CEC, Congress, and any other relevant committees on the work of the union and progress towards delivering on the policies decided by Congress.
- Produce an effective annual Budget for consideration and agreement by the CEC and to monitor all Budgets within the Union to ensure compliance with GMB fiscal policy.
- Fully understand and adhere to the GMB@WORK strategy for growth.
- Monitor and be responsible for the performance of all Union departments and for the performance reviews of all senior management team members, including undertaking all direct line management responsibilities including (but not limited to) appraisal reviews, professional development planning, setting and monitoring of work standards and objectives, including addressing issues or areas of concern.
- Take overall responsibility for all aspects of the Union's Work including conduct and performance of all employees, by remaining informed of all employee relations issues facing the union, with ultimate responsibility to protect the union from reputational damage or harm whilst ensuring fairness of process is maintained for all, in accordance with established policies and procedures.
- Develop or improve services for members through development of robust recruitment and retention plans and targeted campaigning activity; development and implementation of GMB's national organising agenda, to ensure regional and national organising, negotiating and bargaining plans align with both the union's objectives and Congress and CEC policy. Solve complex and difficult problems around policy and people.