

App Drivers & Couriers Union

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ADCU Rule Book

Rule 1 – Identity

- 1.1 The name of the trade union under these rules shall be the App Drivers and Couriers Union, or the name in its abbreviated version 'ADCU', maybe used (hereinafter called the Union).
- 1.2 This Rule Book applies to all members of the Union.
- 1.3 The union shall have a main office which shall be in a location as determined by the NEC

Rule 2 – Objectives

- 2.1 To recruit, organise and represent all transport workers whose work is predominantly digitally mediated.
- 2.2 To regulate relations between employees, workers and employers and to settle and negotiate differences and disputes between members of ADCU and their employers.
- 2.3 To regulate relations between employees or workers themselves by the promotion of unity at all times.
- 2.4 To improve pay and conditions for members and all workers.
- 2.5 To improve occupational safety for members and all workers.
- 2.6 To assist all members to gain control of their personal data at work. The union will facilitate and encourage the aggregation of worker data in the interests of building collective bargaining power and in the interests of workplace transparency.
- 2.7 To promote, secure or assist in obtaining regulation and legislation to protect the interests of our members and all workers during their employment or their general welfare.
- 2.8 To end discrimination on grounds of gender, race, nationality, religious beliefs, disability, age or sexuality. We seek equality for all in the workplace, within our union and within society.
- 2.9 To promote greater international cooperation and solidarity with fellow app transport workers and other workers recognising the global reach of common platforms of app employers.
- 2.10 To provide legal assistance to our members as may be covered by these rules or which may be

provided by the National Executive Committee.

2.11 To provide support and education to our members subject to our rules.

2.12 To promote training and development so that members can play as full a role as possible in the running of our union.

2.13 To support and pursue international solidarity with workers, the poor and dispossessed globally.

Rule 3 – Rules and Revision

3.1 Except where provided for below, no revisions in, or addition to, the rules of the Union may be made except at the Annual General Meeting by a motion under these rules, or at an Extraordinary General Meeting called for this purpose. Any alteration or addition to the rules shall require a 2/3rds majority.

3.2 The National Executive Committee shall have the power to make amendments to the Rules of the Union to the extent necessary (but no further) to ensure that the Rules are correct in their references to matters of fact (e.g. in references to other organisations the names of which have been changed or to statutory provisions which have been amended or updated). Any such amendment must be reported to the following Annual General Meeting for ratification.

3.3 Revisions and additions to the Rules may be proposed by the National Executive Committee or by any branch. Any such proposals from Branches must reach the ADCU main office in writing on or before the first Monday of September signed by the Branch Chair and Secretary and will be circulated to all other branches before the Annual General Meeting

Rule 4 -Dissolving the union

4.1 The union can only be dissolved by a five sixths majority vote of all members.

4.2 Upon dissolution, the assets of the union are distributed evenly amongst members based on their length of membership with each full year of membership representing one share.

Rule 5 -Membership

5.1 Membership is open to any Active licenced private Hire Driver and Couriers sector worker where work in that sector is mediated by digital means with the exception of Hackney Carriage taxi drivers' licenced via Transport for London who can ply for hire independently.

Membership will be deemed invalid if Rule 5.1 is not met. Members who do not comply with rule 5.1 will not qualify for casework support, legal funding and will be unable to attend any union meetings. Additionally, they will not have the ability to vote, participate in ADCU elections, or hold any office within the union.

5.2 Membership dues are set by the National Executive Committee and are non- refundable.

5.3 Membership will cease if a person cancels their membership with ADCU.

5.4 Members whose subscription is one month or more in arrears shall be suspended from membership and the associated rights of membership. After three months in arrears, membership will cease. Any exception to this rule, other than the result of an administrative error, must be authorised by the General Secretary or the National Executive Committee.

5.5 Membership Auto Renewal

a) By signing up with ADCU you have agreed upon the terms of the subscription duration of service to be automatically renewed at the end of an agreed upon period of time, such as monthly subscription or yearly subscription. Each Term shall automatically renew for subsequent period of the same length as the initial Term.

b) If you do not wish for your membership subscription to continue at the end of your current term, you must contact admin department team in writing by following with the Rule 5.6 a - Membership cancellation.

5.6 Membership Cancellation

a) Any individual who wishes to cancel their membership subscription must notify the admin department in writing at admin@adcu.org.uk

The Notice of cancellation request must be sent to admin@adcu.org.uk and prior to the renewal date. The cancellation request will be processed by the admin department accordingly and within 3 working days of the date of the email receipt.

b) Email confirmation of membership cancellation will be sent by the admin department to the individual once the request has been successfully processed.

c) Once the membership cancellation request has been successfully processed in accordance with the rule 5.7 a, the Membership will end with immediate effect and any remaining paid period of the membership will not be reimbursed. The member will lose access to all membership benefits and all active cases will be closed.

d) ADCU membership cancellation request cannot be processed over the phone. Any membership cancellation request received over the phone will not be processed. Members will be advised over the phone to follow the process in accordance to Rule 5.6 a -

5.7 Refunds

ADCU does not offer refunds of the past subscription payments or remaining paid period, unless exceptional circumstances apply as mentioned below:

A refund of a monthly or annual membership subscription will therefore usually only be made in circumstances where the subscription payment continued to be collected despite having been contacted by the member in accordance with the Rule 5.6 a - Membership cancellation. A full refund of the collected payment/s will then be processed accordingly by the

admin department and to the original payment method registered under the individual's membership subscription.

5.8 Cooling Off Period

- a) Members wishing to cancel their subscription within the 7 day 'cooling-off' period should email admin@adcu.org.uk.
- b) If an individual wishes to cancel their newly paid subscription, they will have a 7 day cooling-off period during which they have the right to cancel their subscription in accordance with the Rule 5.8 a.
- c) A full refund of the collected payment will be then be processed accordingly by the admin department and to the original payment method registered under the individual's membership subscription.
- d) Memberships that are past due of 7 day 'cooling-off' period will not qualify for a refund

5.9 Payment Disputes and Chargebacks

- a) If a member initiates a payment dispute, chargeback, or reversal through their bank, card provider, or payment processor (including Stripe), this will be treated as a formal dispute of the membership subscription.
- b) Upon notification of a payment dispute or chargeback, the member's ADCU membership will be cancelled with immediate effect, and access to all membership benefits, services, and support will cease. Any active casework or legal support will be closed.
- c) Membership subscriptions are paid in advance and are non-refundable, in accordance with Rule 5.2, unless a refund is due under Rule 5.7 or required by applicable law.
- d) Raising a payment dispute does not change or cancel the ADCU Membership Rules that the member agreed to at the time of registration, including rules on auto-renewal, cancellation, and refunds.
- e) If a payment dispute is resolved in favour of ADCU, the membership will not be automatically reinstated. Any individual wishing to rejoin ADCU must complete the full membership registration process again via the ADCU website and will be treated as a new member for all purposes.

5.10 Solidarity membership

Solidarity membership allows you to support the union and its campaigns for fair pay, better working conditions and the digital rights of workers. This membership is for anyone who is not in the industry but fully supports the ADCU and stands with every driver and courier. Members with solidarity membership will not qualify for casework support or legal funding and can only attend union meetings by invitation of Majority of NEC. Additionally, they will not have the

ability to vote, participate in ADCU elections, or hold any office within the union

Rule 6 -Obligations of members

6.1 Members and officials of the union are obliged to comply with union rules.

6.2 When acting as a representative of the union members, officials and employees at all times will speak and act in accordance with union policy regardless of the platform including social media.

6.3 It is the obligation of all members to actively help recruit and organise workers in their workplace and to promote the objects of the union to fellow workers so that we together build greater collective strength and bargaining power.

6.4 All members are expected to observe and support Industrial Action in accordance with Rule 10.11 xiii.

6.5 No person shall be admitted into membership of the Union if by choice they are members of, supporters of, or sympathisers with, organisations which are diametrically opposed to the objects of the union, such as a fascist organisation.

Rule 7 Annual and Special General Meetings

7.1 The supreme governing body of the Union shall be the Annual General Meeting.

7.2 The Annual General Meeting will take place in February each year in normal circumstances.

7.3 The Annual General Meeting shall consist of elected delegates; the President and the General Secretary. The National Executive in conjunction with the General Secretary may invite guests and observers who may address the Annual General Meeting in any specified capacity but shall not be entitled to vote.

7.4 The National Executive Committee, in conjunction with the General Secretary, will determine the date and venue of Annual General Meetings (in normal circumstances, February). Meetings will commence with the Arrangements Committee's First Report, the President's Speech and ceremonial matters.

7.5 The purpose of the Annual General Meeting is as follows:

- i) To debate and vote upon any changes to the rule book
- ii) To debate and vote upon any policy changes or developments
- iii) To review and approve union financial accounts as presented
- iv) Appoint Trustees

7.6 Delegates to the Annual General Meeting will be elected in accordance with Rule 19.

7.7 Each Branch as defined in Rule 9.8 can elect delegates to the Annual General Meeting one delegate per 100 members per Branch and a maximum of 50 per Branch. All branch delegates shall be endorsed by the National Executive Committee. The NEC can invite delegates from other branches with less than 100 members.

The Couriers Branch is currently can have a maximum of two delegates at the AGM. The rule of one delegate per 100 members does not apply to the Couriers Branch.

The NEC can invite delegates with solidarity membership to attend the AGM but they will not have the right to vote on AGM motions and rule changes.

7.8 The matters for inclusion in the Preliminary Agenda for the Annual General Meeting, excluding appeals against decisions of the National Executive Committee, must reach the ADCU main Office on or before the first Monday of September.

7.9 The Preliminary Agenda shall be issued not later than September.

7.10 Thereafter the final Agenda, excluding appeal on items which do not raise issues of general policy or do not relate to disciplinary action, shall be issued as soon as convenient.

7.11 Appeals against all National Executive Committee decisions will be placed in front of the Annual General Meeting for consideration. The Annual General Meeting by a simple majority vote will decide whether or not the resolution constitutes a bona fide appeal.

7.12 Emergency resolutions may be forwarded up to the beginning of the Annual General Meeting. The Annual General Meeting by majority vote will determine whether or not the resolution constitutes a bona fide emergency.

7.13 The General Secretary, on behalf of the National Executive Committee shall provide elected delegates of the Annual General Meeting with an Annual Report summarising the principal activities of the National Executive Committee during the previous year and outlining the Union's principal future policy objectives.

7.14 The Annual General Meeting shall be presided over by the President of the Union. In the event of the President's absence, the delegates present at the meeting shall elect a Chairperson from among their number who shall retain the right to a vote but shall not have a casting vote.

7.15 The Annual General Meeting will have the power to:

i) initiate any movement as may be necessary or desirable in the interests of the Union or to instruct the Executive Committee to inaugurate industrial action;

ii) amend, alter, rescind, or make new Rules and to agree for the members' benefit, the allocation of the funds of the Union in accordance with these Rules;

iii) govern the National Executive Committee; to exercise any or all powers and authorities vested in the National Executive Committee under these Rules, or to direct the National Executive Committee to put these power and authorities, or any part of them, into operation;

iv) decide all appeals against decisions of the National Executive Committee which

involve issues of general policy or related to disciplinary action taken by that body; to remit for further consideration of the National Executive Committee any decision of that body, and to give such directions in relation thereto as may be deemed to be expedient; to remove any officer from office, to expel any member from the Union.

7.16 The Annual General Meeting shall elect an Arrangements Committee of three delegates to the meeting. The Arrangements Committee shall consider the agenda prior to the meeting and their report and recommendations shall be the first Agenda item to be discussed following the opening of the meeting.

7.17 A Special General Meeting may be convened by the National Executive Committee should this be considered necessary, or if the same should be desired by one third of the Branches of the Union. Such meeting shall be held within 30 days from the date of application and at a time and place as may be determined by the National Executive Committee. An appeal for a Special General Meeting from a branch or branches shall be circulated to all branches.

7.18 Special General Meetings shall consist of the delegates to the preceding Annual General Meeting; the President and the General Secretary. Such meetings shall be presided over by the President of the Union.

7.19 A Special General Meeting shall only exercise those powers of an Annual General Meeting which are specified in the notice by which the Special General Meeting is convened.

7.20 Resolutions at the Annual and Special General Meetings shall be carried by a simple majority of those present and entitled to vote. The President and the General Secretary shall have the right to speak on any matter before the meeting, but shall not be entitled to vote, except that the President shall have a casting vote, should one be necessary.

7.21 Two-thirds of the number of delegates shall constitute a quorum at Annual and Special General Meetings.

7.22 Every decision of the Annual or Special General Meeting shall be final, conclusive, and binding on all members and Branches of the Union, and shall be accepted as the voice of all the Union's members, unless or until varied or rescinded by a subsequent General Meeting.

7.23 All votes will be recorded in favour with a simple majority.

Rule 8 – Integrity

8.1 The National Executive Committee have the authority to:

- i) suspend or terminate the membership of any member
- ii) suspend or terminate any member from holding union office
- iii) suspend a member from benefit
- iv) suspend or ban a member from attending meetings or participating in union activities

8.2 The National Executive Committee can exercise these disciplinary powers if based on

evidence they are satisfied a member:

- i) is acting contrary to union rules
- ii) is seeking to harm the interests of the union
- iii) is promoting ideals that contravene any element as defined in Rule 18.5.

8.3 Members who have had disciplinary action taken against them by the union may appeal any such decision to the National Executive Committee by making the appeal in writing to the General Secretary within 30 days.

8.4 The National Executive Committee members and all elected officials must serve to the highest level of integrity and accountability to member interests. Union officials and the National Executive Committee must not overstep their powers and use disciplinary measures to victimise any union member. Such victimisation or vexatious action is grounds for appeal and all members will be advised of their further right to take any such complaint forward to the Annual General Meeting or the Certification Officer.

Rule 9 –Governance and accountability

9.1 There shall be a **General Secretary** and a **President** of the union.

9.2 The Office Manager / General Manager who shall be responsible for all operational management and oversight of union staff. All employees of the union shall report directly to the Office Manager or a senior staff member designated by them. The General Secretary shall not hold any line management responsibility over employees and shall not be involved in employment matters. Changes to employment terms and superannuation arrangements shall require NEC approval.

9.3 The General Secretary is a full time paid salaried position responsible for the strategic direction, growth, external representation and organisational effectiveness of the ADCU. The General Secretary shall focus on implementing the union's political, industrial and organising strategies under the direction of the NEC. Staff related matters remain solely the responsibility of the Office Manager / General Manager.

9.4 The General Secretary shall not be a voting member of the NEC but have the right to speak on any business at General Meetings and National Executive Committee meetings. The General Secretary may not Chair the meetings.

The duties of the General Secretary shall be: The specific duties of the General Secretary will be set out in the Job Description agreed and amended from time to time by National Executive Committee

9.5 The President shall be the custodian of the Rules and whose duties include:

i) attending and presiding over Annual and Special General Meetings as well as the National Executive Committee and any Sub-Committees. The General Secretary will ensure that the President is released to conduct his/her duties.

ii) shall have power to summon and convene a special meeting of the National Executive Committee or any of its Sub-Committees should this be considered necessary and have

the power to instruct the administration accordingly.

9.6 The National Executive Committee as defined in Rule 10.1 shall be comprised of the following:

a) President

b) Treasurer

d) Women's Officer

e) BAME Officer

f) Regional representatives comprised: Any region must have at least 1,000 members to qualify for a representative on the NEC and maximum of 5 from each branch. Rule 9.6 will not apply to the Couriers Branch.

The Couriers Branch can have one representative on the NEC, once elected in accordance with Rule 19 Elections

9.7 The posts of General Secretary, President and National Executive Committee hold a Three-year term of office.

Any member who has maintained a continuous union full membership not solidarity membership for 12 months, is in good standing, not in arrears and actively engages in union activities—such as regularly attending local branch meetings, participating in demonstrations and volunteering for the union with a good conduct locally and in both in mainstream media and social media — shall be eligible to stand for election for General Secretary, President or the National Executive Committees in accordance with Rule 19 Elections

9.8 Within any relevant Authority or Sector where there are 20 ADCU members desirous of having a Branch, they shall convey their wishes to the General Secretary. The formation, recognition and dissolution of a branch will be decided by the National Executive Committee.

9.9 The Branches form the foundation of the Union.

9.10 The ordinary meetings of Branches shall be held as the majority of members shall decide except an agreed month in advance which shall be the Annual General Meeting when all branch officers for the ensuing year shall be elected.

9.11 The Branch Committee shall comprise of: Branch Chair, Branch Vice-Chair, Branch Secretary, Assistant Branch Secretary, Branch Equality Representative, And whomever the Committee agrees to co-opt to provide specialist information

9.12 Each Branch must have standing orders for meetings of the Branch Committee and Ordinary and Special Branch meetings which have been adopted at a meeting of the branch and will be read out on request at any branch meeting. No standing orders may undermine or be contrary to any part of the ADCU rule book.

9.13 Each Branch Committee should produce and circulate an Agenda in advance of the meeting.

9.14 All motions at any meeting shall be decided by a simple majority of votes of members present at the meeting and if the votes are equal, the Chair shall have a casting vote.

9.15 The Branch Secretary will share all motions for the consideration and decision of the National Executive Committee with the General Secretary in line with Rule 10.11vii.

9.16 It shall be the duty of the Branch Secretary to ensure the smooth organisation and running of the branch.

9.17 The Branch Secretary shall attend to all communications and correspondence from ADCU, keep correct minutes of the resolutions and proceedings of the Branch and of the Committee.

9.18 It shall be the duty of the Assistant Branch Secretary to act in accordance with instructions received from the Branch Secretary and, in the absence of the Branch Secretary, to act in accordance with the Rules and instructions received from the Branch.

9.19 The Branch Chair will:

- i) preside at all meetings of the branch and branch committee
- ii) ensure that branch business is properly conducted
- iii) advise in respect of matters relating to procedures or interpretation of the union's rules.
- iv) Where required to authenticate with the branch secretary all branch all branch nomination or ballot papers

9.20 The Vice Chair will chair all meetings of the branch or branch committee and perform all duties required in the absence of the Branch Chair.

9.21 Any member who has maintained a continuous union full membership (not solidarity membership) for 12 months, is in good standing, not in arrears, and actively engages in union activities—such as regularly attending local branch meetings, participating in demonstrations, and volunteering for the union shall be eligible to stand for local Branch Committee posts in accordance to Rule 19.

Local Branch Committee posts hold 5-year term of office

9.22 Branches may adopt Standing Orders to suit local arrangements based on the principles in Appendix A.

Rule 10 – Role of the National Executive Committee

10.1 The National Executive Committee runs and manages the general administration of the Union's business during the intervals between Annual General Meetings. The National Executive Committee is also responsible for setting strategy and policy (internal and external) for the union.

10.2 The National Executive Committee is responsible for stewardship of funds and approval of expenditure in line with aims and rules of the union.

10.3 The National Executive Committee shall meet monthly. Minutes will be prepared for each meeting and will be made available to members via the Branch Secretary with Rule 9.17.

Quorum for each meeting will be judged to be two thirds of all National Executive Committee members. The calculation of quoracy will be rounded down, if necessary, in order to assist the union to conduct its business. In the event that any meeting is inquorate in part, no decisions can be taken until a quorum has been achieved.

All NEC meetings will be conducted in accordance with the Standing orders of the ADCU National Executive Committee

10.4 The President or General Secretary may summons a special meeting of the National Executive Committee should this be considered necessary. A special meeting of the National Executive Committee may also be convened at the request of at least two-thirds of the members of the National Executive Committee

10.5 National Executive Committee motions will be presented in the form of a written motion proposed by a National Executive Committee Member. Members may propose an amendment to the motion or simply vote for or against the motion. Decisions can be made based on a simple majority as follows:

- i) vote in favour of the motion as presented;
- ii) vote in favour of amended motion;
- iii) Vote against motion;
- v) Abstain;
- v) vote to defer decision pending additional information or debate needed;

vi) communicate decisions with reasons to Branches All motions must be either voted upon or withdrawn within 90 days of proposal. Approval requires a simple majority of all National Executive Committee members currently in office. All motions should be presented for vote at a biweekly meeting. Emergency motions may be presented virtually on an exceptional basis by email or other electronic means.

10.6 The Treasurer, President, Bame officer and women officer will serve as Administrative Officers to oversee functions such as banking, payments, recruitment, insurance and annual returns, together with and in support of the Office Manager / General Manager and General Secretary.

10.7 All decisions made by the National Executive Committee will bind all members.

10.8 The National Executive Committee may decide its own standing orders and procedures for all matters not expressly provided for in the rules and to ensure full legal compliance.

10.9 The National Executive Committee will regularly review and shall have final say on the granting of legal assistance for any member.

10.10 National Executive Committee members are expected to work together in a collegiate manner and are encouraged to exchange ideas and debate motions thoroughly and in good will.

Voting on motions should be the conclusion of the decision-making process not the sum total of the process itself.

10.11 The National Executive Committee shall:

- i) in the intervals between Annual General Meetings decide on all Union matters, and shall have complete policy and decision-making powers;
- ii) interpret the Rules and determine all questions on which these Rules are silent;
- iii) comply with the decisions and instructions of the Annual General Meeting and strive to secure the attainment of the Union's objectives;
- iv) administer the business and affairs of the Union; oversee the work of the General Secretary and the work of other employees of the Union through the General Secretary;
- v) protect the Union's funds, and direct the actions of the Trustees, and have power to appoint special auditors to examine the books and accounts of the Union's funds;
- vi) deal with all trade disputes and institute legal proceedings on behalf of members, or direct the Trustees to proceed against any officer or member acting out with these Rules;
- vii) cause the General Secretary to place before it for consideration and decision, resolutions from Branches;
- viii) appoint sub-committees to deal with special classes of business and to define the duties of sub-committees and to invest in them such powers as deemed necessary;
- ix) make arrangements for the holding of Annual General Meetings to which they shall submit a report and Special General Meetings. Have power to appoint delegates to attend Conferences and other meetings called to deal with matters of interest to or affecting the interests of the Union;
- x) suspend any member obtaining or receiving a Union benefit by misrepresentation and to suspend, fine or to recommend the dismissal of any incompetent Branch Officers or to expel, fine or suspend members acting contrary to Rule;
- xi) suspend or dismiss any full-time official or employee of the Union for the misuse or misappropriation of Union funds, absence from duty or gross neglect of duty, or for gross incompetence. Any act of dismissal or suspension performed in accordance with this Rule shall be reported to the Annual General Meeting;
- xii) The National Executive Committee shall have the power to appoint a qualified independent person to be an assurer in order to supply a Membership Audit Certificate to the Certification Officer each year in compliance with legislation;
- xiii) Every decision and instruction issued by or on behalf of the National Executive Committee shall be binding on all members. National Executive Committee decisions or instructions shall be amended, rescinded or suspended only by way of appeal to an Annual General Meeting.

10.12 The National Executive Committee shall make arrangements for any elections as required for ballot in accordance with Rule 19.

10.13 No member of the National Executive Committee may be an employee of the union. Any National Executive Member being appointed as an employee will immediately no longer be eligible to be a member of the National Executive Committee apart from General Secretary.

An employee who is a member of the ADCU may stand for election to the National Executive Committee but will not be able to take up the role until they have resigned and served their notice period as an employee.

Members of the National Executive Committee are primarily responsible for leadership, governance and the strategic direction of the ADCU and should not become involved in its day-to-day operation management.

Rule 11 -Financial Control

11.1 All expenditure will be carried out in strict accordance with union rules and towards furthering union objectives.

11.2 All expenditure will be approved by the National Executive Committee or by delegated authority to the General Secretary, President and Treasurer.

11.3 Union accounts will be prepared on a bi-monthly basis by the Office / General Manager and presented to the National Executive Committee who must vote to adopt the accounts after inspection. The accounts will detail the following:

- a. Membership numbers
- b. Income (cash and accrual)
- c. Expenditure (cash and accrual)

11.4 Any member upon request is entitled to inspect the accounts as presented to the National Executive Committee.

11.5 The Treasurer will ensure that professionally audited accounts are presented at the annual conference and all statutory reporting requirements such as to the Certification Officer are met.

Rule 12 – Role of the auditor

12.1 The Union shall appoint each year an appropriately qualified person or body to act as Independent Auditor in accordance with statutory requirements. Any auditor so appointed by the National Executive Committee may not be removed from office except by resolution consistent with statutory requirements.

Rule 13 – Trustees

13.1 The National Executive Committee will appoint, for a period of three years, Trustees over all properties and funds of ADCU, in accordance with the provisions of the Trustee Act (2000) and the Trade Union and Labour Relations (Consolidation) Act (1992). The powers conferred and the duties imposed upon Trustees shall be as determined under these Acts, subject to the following provisions, in so far as the same are not contradictory to the Trustee Act (2000).

13.2 There shall be no less than two and no more than four Trustees, who must be ADCU members of more than one year and in good standing.

13.3 The National Executive Committee shall appoint Trustees at the Annual General Meeting (see Rule 7.5iv)

13.4 The National Executive Committee shall have the power to terminate Trusteeship by a majority vote of those present at the NEC Meeting. Such a motion must be circulated to all members of the National Executive Committee and to all Trustees at least 7 days prior to the meeting.

13.5 A Trustee may be removed in accordance with the provisions of the Trustee Act (2000) or in the event that their ADCU membership lapses.

Rule 14 –Employment

14.1 Any decision to employ staff will be taken by the National Executive Committee.

14.2 The union will demonstrate the highest level of employer integrity by:

- i) Ensuring full compliance with employment law
- ii) Respecting the collective rights of employees and volunteer representatives
- iii) Application of a progressive internal employment policy

14.3 The union will offer a discretionary “stand down” payment to activists volunteering to assist the union, at a rate set from time to time by the NEC, as an expenses payment to offset in part a members loss of earnings and incidental expenses while on union business.

This "stand down" payment must be specifically authorised in advance by the General Secretary or NEC and will be paid on receipt of a properly constituted ADCU expenses claim form. Stand down payments do not constitute or imply an employment contract with ADCU and those recipients of stand down money are responsible for any personal tax liability

Rule 15 - Respect for members, volunteers and officials: putting members first

15.1 Our union is driven by the collective power and good will of union volunteers acting in good faith. The union bureaucracy must never usurp the rights and interests of members. Volunteers are workers and will be respected as such at all times.

Rule 16 -Industrial action

16.1 If a workplace dispute arises involving more than one worker at a given employer or workplace the matter should be reported to the local branch to the regional representative of the National Executive Committee and the General Secretary in the first instance.

16.2 The National Executive Committee has the power to declare an industrial dispute and/or arrange for strike action.

Rule 17 - Legal assistance

17.1 The ADCU is an independent trade union 100% dedicated to members through effective representation and action and will treat all members with respect, without fear or favour.

17.2 The provision of legal assistance by external legal practitioners, as well as assistance by our Union caseworkers to individual members will be at the discretion of the National Executive Committee. The National Executive Committee will consider the merits of each appeal for assistance taking into account the needs for social justice, costs, reasonable prospects and alternative means. External legal assistance shall be approved by the National Executive Committee. Internal legal assistance shall be approved by the General Secretary under rule or other staff as may be designated from time to time.

17.3 The National Executive Committee will ensure that the provision of assistance services from the Union is carried out in a consistent and fair manner. However, for the provision of legal assistance by external legal practitioners, this is subject to the client care policy of the external legal practitioners and the National Executive Committee can only commit to exercise reasonable care and skill to follow a proper procedure when referring individual members to external legal practitioners.

17.4 Members may seek external legal assistance through the Union, where this can be provided, as well as assistance from the Union for the following matters:

- i) a dispute with their employer
- ii) a public licensing appeal including matters of application denial, revocation or threat of revocation

17.5 All members are eligible to seek legal assistance in accordance with the rules.

The union WILL NOT provide legal funding or assistance for the following matters:

- i) Penalty Charge Notices
- ii) Criminal cases
- iii) DVLA related cases
- iv) Disputes with vehicle rental companies or third parties.
- v) Anything not covered in Clause 17.4
- vi) To take a legal case against the union itself or as part of an internal union procedure

17.6 For the sole purpose of clause 17.4i, where a membership is less than 60 days in duration or where the matter on which a member seeks assistance predates the membership, the union will not provide representation in normal circumstances but may use its discretion should the handling of the complaint be in the interests of all members and unless it was concluded by the Union or its caseworkers, based on the merits of each individual case, that such representation should be provided.

17.7 For the sole purposes of clause 17.4, if a member's fitness to be licensed is under review and their membership is less than 60 days old, or if the matter for which they seek assistance falls under this clause, the member will be required to pay a non-refundable fee of £200 for all case assessment and any assistance provided. In all such cases, the union will not commit to funding external legal costs, such as court fees or solicitor/barrister fees.

17.8 The union will not commit to pay for the expenses that other involved parties will incur in the course of any proceedings, including legal proceedings, provided that we have reasonable cause to believe that such costs should not be paid by the union.

i) It is at the discretion of the union to decide what constitutes reasonable cause. However, the union commits to act honestly and in good faith when taking all the relevant matters in consideration in order to conclude what constitutes reasonable cause.

ii) The reasonableness of a case can be assessed by either the office manager or senior caseworker but the funding will need to be approved by the National executive committee.

iii) In determining reasonableness, the union will also not commit to funding appeals of license suspensions under 6 months. The union may consult with legal advisors on the prospects of success for a case but is not bound by that advice.

iv) In the event that a case is unsuccessful, and a member is ordered to pay the legal costs of the opposing party, the member will be liable to pay these costs.

v) Funding decisions of the union are final and not open for appeal

17.9 All members must fully co-operate with the reasonable requests of our Union caseworkers or legal representative who have been appointed to assist our members and this includes but is not limited to responding to requests for information or any other reasonable requests within a reasonable period

17.10 Where there is a conflict of interest or a significant risk of such a conflict involving other ADCU members, the Union cannot provide assistance to any of the parties involved unless we receive their written informed consent and it appears to us to be proper to do so.

17.11 The Union is hereby advising its members that caseworkers and elected representatives cannot give legal advice.

17.12 Individual members are entitled to seek independent legal advice from a qualified lawyer.

Rule 18 – Discrimination, harassment and bullying

18.1 In line with our aims and objectives as a trade union, discrimination, harassment and bullying, of any kind will not be tolerated via any means including any social media platform.

18.2 Elected officials and employees in particular will be held to the highest standard of accountability. We will not tolerate officials or employees using the authority vested in them to victimise rank and file members and to usurp the democratic will of worker members.

18.3 Any member who is either a victim or witnesses any form of bullying or harassment is encouraged to report the matter immediately to their local elected representative to the National Executive Committee or to the President or General Secretary.

18.4 In the event that an official complaint regarding allegations of discrimination, bullying or harassment, the complaint will be investigated without delay by the National Executive Committee without exception. Where such complaints are made about any elected representative that representative will be recused from the process.

18.5 For the purposes of clarity, the Union in accordance with Rule 18.1 will not tolerate any discrimination, harassment or bullying as defined below via any means including any social media platform.

- i) Discrimination is defined as unwanted behaviour on the grounds of an individual's actual or perceived race, nationality, ethnicity, sex, disability, age, sexual orientation, gender reassignment and/or religion or belief, or their association to an individual with such a characteristic;
- ii) Harassment is defined as conduct of a physical, verbal or non-verbal nature that is unwanted by the recipient and has the purpose or effect of violating another person's dignity or creating an offensive, intimidating, hostile, degrading or humiliating environment;
- iii) Bullying is defined as offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power or authority through means intended to undermine, humiliate or denigrate the recipient or which could be reasonably perceived by the recipient to be so intended.

Rule 19 Elections

19.1 Any member who has maintained a continuous union full membership (not solidarity membership) for 12 months, is in good standing, not in arrears and actively engages in union activities—such as regularly attending local branch meetings, participating in demonstrations and volunteering for the union with a good conduct locally and in both in mainstream media and social media — shall be eligible to stand for election

19.3 In Branch elections, members can either self-nominate or accept a nomination from another verified member of their Branch. The vote will take place by a show of hands at the Branch.

19.4 In elections for the National Executive Committee or for the posts of General Secretary and President, members must secure the nomination of their Branch as a minimum. Further Branch nominations can be sought.

19.5 In the circumstances of the Union receiving just one nomination, the member nominated will have secured by default.

19.6 In the circumstances of the Union receiving two or more nominations for the same post, a vote will be cast and the candidate receiving the highest number of votes shall be the elected candidate provided an absolute majority over the other candidates is achieved. Failing this a second ballot will be taken between the two candidates receiving the highest number of votes.

19.7 The Executive Committee will set a deadline for receipt of nominations. Nominations will open 90 days before the election date and remain open for 30 days. Nominations will close 60 days before the election date. The National Executive Committee will announce the opening of nominations and announce the candidates for election at the closing of nominations.

19.8 The union will arrange for distribution of at least one address to members from any election candidate. A fixed date and time by which such content must be submitted for distribution will be set by the National Executive Committee. The content maybe submitted and distributed in written and/or audio and/or video format. The written format must not exceed 800 words and video or

audio must not exceed 10 minutes in duration.

19.9 Ballots will be mailed to members qualified to vote no later than 30 days before election date and must be returned before election date to be counted. The ballots will be paper ballots and voting will be recorded by a marking of the ballot card. The ballot will be mailed back to the scrutineer who will ensure that the ballot remains secret.

19.10 All members are entitled to vote for the positions of President, General Secretary & Treasurer. Only those who identify as a woman can vote for the woman's officer. Only those who identify as BAME may vote for the BAME officer. Area representatives to the National Executive Committee can only be elected by members from their respective area.

19.11 All contested elections for the posts of General Secretary and President must go to a ballot of the whole membership.

19.12 All contested elections for the National Executive Committee must go to a ballot of all members within the relevant Region.

19.13 Vacancy: Should the post of General Secretary, President or a position on the National Executive Committee become vacant before the expiration of the office holder's term, the National Executive Committee in conjunction with the General Secretary, shall arrange for an Election for a new three-year term. National Executive Committee positions can be vacated by terms of disciplinary action under Rule, by resignation or by abandonment. Abandonment will be judged at discretion of the National Executive Committee where a member has failed to attend at least two thirds of all scheduled meetings over a twelve-month period or where a member has been non communicative in post for a 90-day period.

19.14 Any such by-election shall be conducted by a ballot of the members in accordance to Rule 19.

Rule 20 Complaints

20.1 A member who wishes to complain to the Union in the event they have a complaint against a fellow Union member shall follow the Complaints Procedure.

20.2 Members when joining the ADCU are required to confirm that they will abide by the rules and policies of the Union (Rule 6.1). Those rules and policy in the main govern how the Union works, is run and operates. The Union requires that members, will as members of the Union oppose all forms of discrimination, harassment and bullying as defined in Rule 18.5.

20.3 If members do make a complaint, they have responsibility to comply with all reasonable requests to allow the complaint to be resolved as expediently as possible. To help deal with a complaint the member shall be clear that the Union will investigate complaints according to the rules and they should provide all the necessary information and evidence required. They must be clear about the nature of the complaint and the rule or policy that it is alleged has been broken.

20.4 Step 1: A member making a complaint shall write to the General Secretary giving details and information required including which rule has been breached. The General Secretary shall respond within 7 days of receipt of the complaint.

20.5 In the first instance the General Secretary shall seek to resolve the complaint informally which can include mediation.

20.6 If the informal route or mediation is rejected by both or either individual then the General Secretary shall place the complaint before the National Executive Committee to investigate the complaint and report the findings to the General Secretary.

20.7 Step 2 – First Stage Appeal: The member has the right to Appeal the outcome of the decision, specifying the grounds of appeal in writing to the National Executive Committee.

20.8 Step 3 – Final Stage Appeal: The member has the right to Appeal the outcome of the National Executive Committee decision, specifying the grounds of Appeal in writing to the Annual General Meeting.

20.9 The person investigated as a result of a complaint will be given a copy of the complaint and any investigation report unless this will cause harm to the health of the complainant or any witness or the allegations are of harassment and the complainant and witnesses have asked for the complaint to be kept confidential. Information about complaints and investigations will be given to the National Executive Committee and, in the case of a Final Stage Appeal, to the Annual General Meeting. Minutes are kept of meetings and are confidential sessions and therefore the papers kept are confidential and only available to those that attend.

Appendix A

Principles of Branch Standing Orders

- i) The branch shall meet monthly or as required on a set date agreed by the Branch Annual General Meeting. Special meetings shall be called by agreement of the Chair and Secretary or by a decision of the branch committee.
- ii) Meetings shall commence at the time agreed by the Branch Annual General Meeting;
- iii) The first ordinary meeting in the month of {...} shall be the Annual General Meeting at which all branch officials for the ensuing year shall be elected;
- iv) The quorum shall be determined by the Branch Annual General Meeting;
- v) An agenda will be prepared by the Secretary for each meeting;
- vi) Notices of motions should be submitted in writing. The Chair in consultation with members present may relax this Standing Order;
- vi) The Secretary shall read the agenda and any Minutes from previous meetings and place any correspondence before the meeting at the opening of the meeting and any query should be dealt with at this time;
- vii) No member shall speak more than once on each motion, except for the mover of the motion who shall have the right of reply. When an amendment is being discussed a member may speak on the amendment even though they have spoken on the original motion;
- viii) The mover of the original motion shall have the right of reply to following amendments and

the vote on the amendment is then taken. This right of reply does not operate where an amendment subsequently becomes the proposition being amended;

ix) Normally voting will be by a majority vote on a show of hands and the Chair will declare the result in the appropriate terms i.e. unanimous; carried; or falls;

x) Where the voting is equal the result to be determined by the casting vote of the Chair;

xii) Standing Orders can only be suspended when the motion to do so is supported by two thirds of the members present at the meeting;

xiii) Honorary members, retired members and guests may participate fully in debates but are not entitled to vote.

Adopted ADCU AGM 28th January 2026