

NATIONAL BRANCHES DISTRICT - BRANCH BYE-LAWS

1. Purpose

1.1. Branch Bye-Laws instruct the Branch members how their particular Branch is organised, structured and how it is to function.

2. Model Branch Bye-Laws

2.1. Branch model Bye-Laws are agreed by the Membership Council as a template upon which a Branch may base its Bye-Laws. All Branches are to draft Branch Bye-Laws. If a Branch has not drafted its own Bye-Laws, it is assumed that the model Bye-Laws apply to that Branch and that the Branch will comply fully with the direction within the model Bye-Laws. Should a Branch wish to operate in a manner different to that specified in the model Bye-Laws, it is required to express such intended changes in its own Bye-Laws – and submit them for approval by the National Branches District Committee. Most National Branches will seek to operate in a different manner to the local branches for which the model Bye-Laws were constructed; therefore, National Branches are encouraged to draft their own bespoke Bye-Laws.

3. Content

3.1. National District Branch Bye-Laws should contain the following information:

- Branch name and number.
- Branch meeting place, frequency of meetings, timings, etc.
- Branch structure.
- Branch Committee by function and appointments.
- Committee election process, length of tenure and procedure for replacement.
- Use of e-Voting.
- Branch sub-committees and their terms of reference.
- Explanation, if applicable, of how the Branch intends to utilise modern electronic communications to maximise its effectiveness, through use of websites, shared file systems, social networks, skype-type conference calls for meetings and video conferencing.

4. Authorisation

4.1. When model Bye-Laws are not adopted by a Branch and alternative Branch Bye-Laws are drafted to suit the management of a particular Branch they are to be approved by the District Committee before they can take effect.

4.2. If the National Branches District Committee refuses to approve Branch Bye-Laws, the Branch is entitled to appeal against the refusal to the Membership Council, whose decision will be final. Such Bye-Laws must be based on model Bye-Laws approved by the Membership Council.

**NATIONAL BRANCHES DISTRICT – Y SERVICES (GARATS HAY) BRANCH BYE-LAWS
– RECORD OF APPROVAL**

Y SERVICES (GARATS HAY) BR3502 BRANCH BYE-LAWS

As authorised by the Membership Council

APPROVED



National Branches District Chairman

**David Street
(Signature)**

Date:21/09/2015.....

1. The following Branch Bye-Laws are supplementary to the 2003 Royal Charter of Incorporation and Schedules of the Royal British Legion hereafter known as “the Royal Charter” and procedures as laid down in the Membership Handbook. They shall be binding on the Officers and Members of the Y Services (Garats Hay) Branch.

2. All proposed alterations and amendments to these Bye-Laws shall, after being passed by a two-thirds majority of those members participating, qualified to vote and voting on the appropriate motion at the Annual General Meeting of the Branch, whether by attending the AGM in person or voting on-line (when so authorised), be submitted to the National Branches District Committee for approval and shall not come into force until they have received the latter’s approval.

3. All matters not mentioned herein shall be settled by reference to the Royal Charter. In any question of interpretation, the matter should be referred to the Director General through the Secretary to the Membership Council, as should any question to which these Bye-Laws do not apply.

Bye-Laws of Y Services (Garats Hay) Branch of the National Branches District

Date of National Branches District Approval.....

1. Branch name and number

Y Services (Garats Hay) BR3502

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2. Branch meeting place, frequency and timings of meetings

2.1. As a National Branch it may not be practical, nor indeed affordable, to hold meetings of the frequency expected within a local Branch. Therefore, alternative methods of retaining Branch member interest and involvement in both the Branch and the Royal British Legion will be necessary. In some cases, Branches may find it necessary to resort to regular Newsletters and frequently updated websites in lieu of regular meetings. The essential meetings are those required to deliver Legion governance and may be constrained to a minimum of 4 Branch committee meetings and an Annual General Meeting (AGM). Nevertheless, Branches are encouraged to consider modern, internet-based alternative ways of achieving overall Legion governance requirements. Such intentions, and the means of implementation and management, should be explained in the individual Branch Bye-Laws.

3.1. Whenever possible dates and locations of Branch meetings should be promulgated alongside the minutes of the previous year's AGM.

4. Branch Committee by function and appointments

4.1. The Y Services (Garats Hay) Branch Committee should comprise:

- Chairman
- Vice Chairman
- Treasurer
- Secretary
- Membership Secretary
- Welfare Representative
- Royal Navy Representative
- Army Representative
- Royal Air Force Representative
- Up to two further Committee Members as required

4.2. The general roles and responsibilities of the above posts are described in the RBL Membership Handbook, which should always be referred to as the source document for any discussion on Branch Committee responsibilities. Elections to Branch Committee posts should be for a maximum of 3 years, or any lesser period specified by the Branch's AGM at the time of election. The election processes and voting are described later in these Bye-Laws. The key responsibilities of Y Services (Garats Hay) Branch Officers are:

5. Chairman

5.1. Key responsibilities of the Y Services (Garats Hay) Branch Chairman are:

5.1.1. To be fully conversant with and adhere to the contents of the Royal Charter as well as other Legion policies and procedures.

5.1.2. Where possible, to undergo appropriate induction and training courses in a period of time as determined by the Training Advisory Group and attend regular update training to ensure they remain conversant with changes in Legion policies and procedures.

5.1.3. To direct all Branch activities.

5.1.4. To chair and manage meetings effectively ensuring that they are planned accordingly to content and time, avoiding the imposition of personal ideas on the meeting but encouraging participation from members.

5.1.5. To delegate duties to the Committee members and to ensure that these duties are performed effectively and in accordance with Legion policies and procedures.

5.1.6. To ensure that proper handovers take place between newly elected Branch Officers, elected Committee Members and their predecessors. This includes ensuring that all minute books, correspondence, Legion publications, Branch papers and keys are handed over. Appropriate electronic copies of correspondence and associated emails should also be transferred to the new officers.

5.1.7. To ensure the Treasurer has a correct audit/examination undertaken and is agreed by both the outgoing and incoming Officers and that both are satisfied with the security of cash and cheque books.

5.1.8. To set an example as an active member of the Legion and to be available for advising both the Committee and Branch members when necessary.

5.1.9. To ensure that sub-Committees, individual Officers and members for specialist functions are appointed where necessary.

5.1.10. To ensure that all Branch Committee Members are aware of their duties and responsibilities and encourage them to undergo training.

5.1.11. To ensure all new Members receive an induction to the Legion.

5.1.12 To ensure that no merchandising is undertaken in the name of the Royal British Legion without prior approval of the Board of Trustees. To do otherwise may compromise the Legion's charitable status.

6. Vice Chairman

6.1. Key responsibilities of the Branch Vice-Chairman are:

6.1.1. To undergo initial appropriate training courses in a period of time as determined by the Training Advisory Group and attend regular update training to ensure they remain conversant with changes in Legion policies.

6.1.2. To deputise for the Branch Chairman in his absence.

6.1.3. To attend all Branch meetings so that he can be conversant with on-going issues, and changes taking place within the Legion, in particular at Branch level.

6.1.4. To deal with any specific tasks given to him by the Chairman, such as the organisation of a Branch event or chairing of a sub-Committee.

6.1.5. To ensure all new Members receive an induction to the Legion.

6.1.6. Following the release of Microsoft Office 365 software to Branch officers and Committee, the Branch Vice-Chairman should manage allocation of software and any associated password access. He should encourage effective use of the Branch electronic filing system to maintain an accurate record of Branch management and activity.

7. Treasurer

7.1. Key responsibilities of the Branch Treasurer are:

7.1.1. To attend the Legion Branch Treasurers' course prior to or within six months of taking post, or the earliest course thereafter.

7.1.2. To attend refresher training in accordance with Legion policy.

7.1.3. To be responsible to the Branch Committee for all the financial affairs of the Branch, including the annual accounts, the welfare account, Branch bank accounts, membership subscriptions, insurance premium payments etc.

7.1.4. To attend and produce a report for the General and Committee Meetings of the Branch at least quarterly in order to advise the Branch Committee and, when necessary, the Branch members on the financial affairs of the Branch.

7.1.5. To control all monetary transactions, ensuring that they meet with guidelines contained within the 'Use of Legion Funds Policy' and record these in the Branch receipt and payment ledger, retaining all receipts and supporting documents on behalf of the Branch Committee.

7.1.6. To receive from the Branch Secretary or Membership Secretary all membership subscriptions and to ensure that all monies received are banked at the earliest opportunity, entered in the ledger/cashbook and that supporting documents are filed and safeguarded.

7.1.7. To ensure that the Branch accounts are examined/audited as required by the Royal Charter and Rules, and to submit the Branch account return, with supporting documentation to the County/District Secretary or Membership Administrator.

7.1.8. To ensure that all cheques for payment are made out correctly and that they bear the registered Charity number and the statement that the Legion is a registered charity. Also to ensure that all cheques are signed by at least two (2) of the authorised

signatories, one of whom should be the Treasurer, and that they are clearly endorsed 'A/C Payee only'. No signatory is to sign a blank cheque.

7.1.9. To ensure that the Branch Committee authorise annually the limit the Treasurer may expend on a single item without reference to the Committee, and that this authority is minuted.

7.1.10. To ensure that all expenditure, other than petty cash, is by cheque or through the Legion Branch Funds Initiative (BFI) and that the details of all expenditure are reported to the Branch Committee at their regular meetings for their approval. All such reports are to be minuted. Also, to ensure that if a petty cash system is in use that it is authorised by the Branch Committee and that it operates as an imprest system. The petty cash book is to be checked monthly by the Treasurer and at least one other Branch Officer and should be countersigned by these individuals as being correct. The petty cash limit should be no more than £50.

7.1.11. The Branch Treasurer must be sufficiently computer literate to enable him/her to use the Legion On-line Membership Accounting System (LOMAS) to administer the Branch accounts.

8. Secretary

8.1. Key responsibilities of the Branch Secretary are:

8.1.1. To attend recommended training courses to familiarise themselves with and comply with the Royal Charter, Membership Handbook and Legion policies.

8.1.2. To act as point of contact for receipt of correspondence issued by the County/District Committee, staff, the Membership Council and Board of Trustees, and to ensure all correspondence received is communicated to the Branch Committee for appropriate action.

8.1.3. To liaise with the Branch Chairman in the preparation of the agendas for all Branch meetings, ensuring that all the Branch Committee members are provided with the relevant details.

8.1.4. To attend and record minutes of all General and Committee Meetings and safeguard all papers and documents of the Branch, especially legal documents such as title deeds and insurance policies.

8.1.5. In the absence of a Branch Membership Secretary, carry out the duties pertaining to this role as outlined in the job description of the Membership Secretary.

8.1.6. To maintain a complete and current set of Legion handbooks, publications and guides for reference.

8.1.7. To forward without delay any information required by or on behalf of the Board of Trustees, Membership Council or Executive Board.

8.1.8. To ensure all returns are fully completed, signed and dated and submitted within the Legion mandated timescale.

8.1.9. To enable e-Voting to take place within the Branch, provide appropriate Branch information (in pre-agreed format) to the National Branches District Secretary for publication on the e-Voting system. The timelines for provision of this information are in Paras 13 and 14 of these Bye-Laws.

Membership Secretary

9.1. Key responsibilities of the Membership Secretary are:

9.1.1. To receive all applications for membership; to monitor eligibility for membership by personally checking documents and to send to the County/District staff the appropriate forms for action.

9.1.2. To receive members' membership cards, if the cards do not go direct to individuals, and to issue a temporary receipt for the Membership Fees and Branch Subscription.

9.1.3. To hold an up-to-date copy of the computerised Branch membership data list, as issued by Head Office, and to advise County/District staff without delay of all changes thereto e.g. deaths, resignations, members' change of address and the transfer of members to/from another Branch.

9.1.4. To inform members through the Branch website and/or by email of any matters affecting the membership.

Branch Committee Members

10.1. Key responsibilities of the Branch Committee Members are:

10.1.1. To aid the Branch Committee, County/District Committee, Membership Council and Board of Trustees to carry out the work of the Legion and in particular promote the objects at local level.

10.1.2. To attend all Branch meetings.

10.1.3. To attend any training required, as directed by the Branch Chairman, or in accordance with Legion policies.

10.1.4. To assist with the Poppy Appeal and other benevolent fundraising activities within the Branch.

10.1.5. To provide the County/District Committee, the Membership Council or the Board of Trustees with any information they may require in the interest of the Legion.

10.1.6. To assist in approving Bye-Laws for the governance of the Branch in accordance with the terms of the Royal Charter and Membership Handbook.

10.1.7. To assist in appointing any necessary sub-Committees.

10.1.8 To assist in making individual appointments for any special duty or position.

11. Welfare Representative

11.1. Key responsibilities of the Branch Welfare Representative

11.1.1. To advise beneficiaries on Legion Welfare policy and to implement this policy where and when appropriate.

11.1.2. To act as the focal point for all Branch Welfare reporting.

12. Additional representatives.

The Branch Committee may appoint the following representatives from within or from outside the Committee. If the representatives are not elected to the Committee they shall have no voting rights in Committee. All representatives shall comply with published Legion Brand Guidelines and seek advice from the Branch Secretary where appropriate. Key responsibilities are listed for each appointment.

12.1. Webmaster

12.1.1. To manage and update the Branch Website as directed by the Branch Chairman and Branch Secretary on behalf of the Committee.

12.1.2. To comply with the Data Protection Act.

12.1.3. To advise the Branch Committee through the Branch Secretary on best practice on the use of the website as an information tool for Members and Site Visitors.

12.2. Standard Bearer

12.2.1. To represent the Branch when and where requested by the Branch Chairman in accordance with Legion regulations and advice obtainable through the Branch Secretary.

12.2.2. To retain and maintain the Branch Standard during the period of appointment.

12.3. Poppy Appeal Organiser (PAO code SBC10)

12.3.1. To advise and assist the Branch Committee on Branch Poppy Appeal fundraising initiatives and ensure timely banking of Poppy Appeal income and to comply with the Poppy Appeal Organiser's Handbook.

12.3.2. To manage the Branch Poppy Appeal Code SBC10 account and submit written reports to the Branch Secretary for all Branch General and Committee Meetings.

12.3.3. To advise the Branch on Direct Giving and Gift Aid.

12.4. Social Media Coordinator

12.4.1 To promote and publish Branch events, news, and fundraising activities to supporters and friends of the Branch through relevant social media groups.

Branch Committee Elections, Voting and Branch Appointments

13. Elections

13.1. Elections may be achieved by either a traditional ‘show of hands’, at a formal meeting, or through a National Branches District approved e-Voting process. A combination of e-Voting and formal meeting is also acceptable. Irrespective of how the election is undertaken, the principles outlined below should be met. While the paragraphs below specifically refer to AGM, they are equally applicable to other votes or elections the Branch may be required to undertake. Whenever e-Voting is utilised, the National Branches District Secretary should publish and moderate the vote on behalf of the Branch.

13.2. Branches intending to utilise e-Voting procedures should publish a blank nomination sheet on the Branch web site not less than 6 weeks prior to the AGM, or any other event that requires Branch participation in a vote; for example Board of Trustee elections. Should the Branch decide not to make use of its website or e-Voting, the blank nominations sheet should be circulated to members at least 21 days prior to the AGM.

13.3. The nomination sheet should list each Branch Office available and the proposed tenure of the post.

13.4. The nomination sheet should also list the position(s) sought for Committee and any other appointments sought by the Branch, and request the following information: name of nominee, member/life member, proposer and seconder. No canvassing is permitted. Any member completing the nomination sheet should return the sheet to the Branch Secretary, preferably by email, no later than 28 days prior to the AGM (10 days if e-Voting is not being utilised).

a. The individual being nominated must also submit, no later than 21 days prior to the AGM (10 days if e-Voting is not being utilised), a CV (up to two sides of ‘A4’ paper, using Arial 12pt typeface (or equivalent)). The Branch Secretary should make the CVs accessible to all Branch members, through the Branch website, and they will also be published on the e-Voting site.

b. If neither the website nor e-Voting are being used, the CVs should be made available at the formal meeting for attendees to consider before any vote is held.

13.5. 20 days before the AGM (10 days if e-Voting is not being utilised) the returns from members and the list of nominations should be checked by the Branch Committee. The candidates’ current membership status must be verified by the Branch Secretary and their consent to stand for office or position must be confirmed. The Branch Secretary should then create a master nominations list.

13.6. Immediately after the Branch Secretary’s confirmation, the master nominations list, including the CVs of those members applying for Branch vacancies should be published on the Branch Website, or be circulated to members as appropriate, along with the AGM Agenda.

13.7. When a combination of e-Voting and formal meeting is being utilised, the e-Vote should close at least 2 days before the date of the formal meeting. The National Branches District Secretary, who should moderate the e-Vote, will provide the results of the e-Vote to the Branch Chairman before the formal meeting. The election for Branch Officers will take place prior to the election of Committee Members. The Branch President (or Vice Chairman) will take the chair during the election of the Branch Chairman.

13.8. In the event of a vacancy arising amongst the elected officers or Committee members following the AGM, the vacancy should be filled for the remaining period of the Branch's electoral year until the end of the original term, by co-option of the Branch Committee, which will be subject to confirmation by election at the next Branch Annual General Meeting. Co-opted members may propose, second and vote. Alternatively, the Branch may consider holding an extra-ordinary general meeting (by e-Vote) to fill the vacant post. The procedures for such an extra-ordinary meeting will be the same as for the AGM.

13.9. Where a Branch Officer or Committee Member is co-opted during the Legion year the following agreement as under Section 6 of the Legion Form MS1 must be read, agreed and minuted at the first meeting of the new appointee:

“I acknowledge my responsibility as Branch Officer/Committee Member and agree to follow in every respect the duties and responsibilities as contained in the Royal Charter and the Membership Handbook and as required by the Board of Trustees, the Membership Council and the Charities Act. I also agree to my contact details being published in the County/District Directory or Handbook (hard copy and digitally). I will be vigilant to serve the interests of the Royal British Legion at all times.”

14. Voting

14.1. At any formal meeting, those standing for office or position will be asked to stand and identify themselves. Voting is to be by ballot unless the position is unopposed in which case the person is elected automatically. The ballot for all nominations should consist of the total votes cast, through both e-Voting and formal meeting. When e-Voting is used to supplement a formal meeting, the Branch is to ensure that members are not permitted to vote twice. The e-Vote moderator will be able to provide details of members who have already voted (but not how they voted).

15. Branch Appointments

15.1. Members can be appointed to fulfil particular duties as required by the Branch Committee. The Branch Committee, at their first meeting following the AGM, will make further specialist appointments to the Committee. These appointees are appointed by function (Standard Bearer, Welfare Representative, etc.) and have no voting rights on the Committee, unless they were also elected as Committee Members at the AGM.

15.2. No member of the Branch Committee should be elected or appointed to more than one (1) office or position on the Branch Committee, but this should not exclude an Officer or member from undertaking one (1) additional specialist function on behalf of the Branch Committee.

15.3. Close family members (i.e. spouses, partners, children, parents and siblings as well as spouses and partners of siblings) should not hold positions in which they approve each other's expenses or oversee and check on the work of another. This includes election/appointment of spouses in the Chairman's and Treasurer's position and the election/appointment of spouses in the Secretary's and Treasurer's positions. Close family members must not approve each other's expenses.

15.4. Close family members should not sign each other's nominations for Legion Awards.

General Provisions

16. All matters not mentioned herein should be settled by reference to the Royal Charter. In any question of interpretation, the matter should be referred to the Director General through the Secretary to the Membership Council, as should any question to which these Bye-Laws do not apply.