

RULES OF THE FEDERATION OF CLINICAL SCIENTISTS

Definition of Terms

Words used in these rules, constitution and Bye-laws have the following meanings unless the context makes it clear that an alternative meaning is intended:

“the Association”	means the Association for Laboratory Medicine
“the Bye-laws”	means the Bye-laws of the Federation
“the Committee”	means the National Committee of the Federation
“Council”	means the Council of Management of the Association
“the Federation”	means the Federation of Clinical Scientists
“Members”	means members of the Association who are eligible for Trade Union support (defined in FCS Bye-Law 1).

Terms of Reference

- 1 The Federation shall engage in the regulation of relations between the Members of the Federation and employers and employers' associations. The Committee shall act as the Principal Executive Committee for trade union affairs for the Federation.
- 2 Industrial action: Neither the Committee, nor any Officer or official of the Federation, nor any grouping of Members of the Federation shall be empowered to initiate or be party to the withdrawal of labour of Members of the Federation in furtherance of an industrial dispute.
- 3 Council shall ensure that the Committee act according to the rules of the Federation.
- 4 The Committee shall make and may vary Bye-laws which will not conflict with the Rules of the Federation. Changes will be submitted to the next AGM of the Federation at which they may be approved, amended or rejected by a simple majority of the votes cast.

Organisation

- 5 Region: The Federation shall recognise geographical Regions, determined by Council according to Article 6.1.
- 6 Groups: The Federation may recognise Groups covering distinct professional disciplines or other interests as defined in the Bye-laws, provided that each Group shall comprise at least 40 Members. Representation of Regions and Groups on the Committee are defined in Rules 16 and 17 related to the Committee.
- 7 Branches: The Federation shall recognise Local Branches consisting of Federation Members in one or more disciplines or professions. The geographical area covered by a Local Branch shall be defined by the Members concerned.

Membership of the Federation

- 8 Eligibility for membership: Eligibility shall be defined in the Bye-laws. All applications for membership shall be subject to the approval of Council.
- 9 Termination of membership: A member may resign membership by giving notification in writing to the Secretary of the Federation. Membership of the Federation will cease if the member's subscription remains unpaid for three months after the due date. Membership may be terminated after being subjected to the complaints procedure of the Association.

The Committee

- 10 The Committee shall comprise a Chair, Secretary, Assistant Secretary, Treasurer, National Officers and representatives from each Region and from each Group. All Members of the Committee must be current Members.
- 11 Nominations for the offices of Chair, Secretary and Assistant Secretary shall be made by three Members of the Federation. In the event that more than one nomination is made for any office, a secret ballot of all Members shall be held, following the procedure set out in the Bye-laws of the Association. The Chair shall be the Director of Regulatory Affairs of the Association.
- 12 The Chair, Secretary and Assistant Secretary shall be elected for a maximum period of five years and will be eligible for re-election at the end of that period.
- 13 The appointment of non-elected National Officers shall be made or rescinded by the Committee and shall be reviewed annually. National Officers shall be non-voting officers unless they are already serving as an elected member of the Committee. The roles of the National Officers will be defined in the Bye-laws.
- 14 The Director of Finance of the Association will serve as the Treasurer of the Federation and shall conduct and report the accounts of the Federation.
- 15 All other Members of the Committee shall be elected annually by their constituent Region or Group. In the event of more than one nomination being made for any post a secret ballot of the Members of that constituency will be held.
- 16 Each Region will elect at least one and not more than three representatives to the Committee depending on the number of Members in the Region.
- 17 Each additional Group recognised under FCS Bye-laws 6.2 and 6.3 may elect one representative for each forty members up to a maximum of three representatives.
- 18 The President and Company Secretary of the Association will be invited to attend all meetings of the Committee.
- 19 The Committee may at any time invite Members for the purposes of addressing particular problems. Invited membership will be for a limited period only. Invited Members shall be present in a non-voting capacity.

**RULES
OF
THE FEDERATION OF CLINICAL SCIENTISTS**

- 20 In the event of a Committee member resigning, the Committee shall invite a member to fill the vacancy until the appropriate Region or Group shall elect a new representative. Such invited Members shall be present in a non-voting capacity. Members of the Region or Group will be informed of the invitation.
- 21 The Committee shall have an FCS Executive comprised of the Chair, Secretary, Assistant Secretary and National Officers. The Executive may invite Members for specific purposes. Invited Members shall be present in a non-voting capacity.
- 22 The Executive shall be responsible for conducting specific areas of the business of the Committee, for overseeing Members' problems, for preparing pay claims and other items related to national and local negotiations and for handling other tasks designated by the Committee. The Executive shall be accountable to the Committee and full minutes of its meetings shall be sent to all Members of the Committee. The Executive may be designated tasks involving the formulation of Federation policy and may take the initiative of proposing policies, but all major policy decisions will be the responsibility of the Committee.
- 23 The Committee shall meet three times a year or more often if necessary.
- 24 Each branch shall elect work place representatives who will be accredited by the Federation, represent the Federation in industrial relations with the relevant employer, act as a point of communication between Members and the Committee and provide membership details when required.

General Meetings

- 25 The provisions contained in Table A, Regulations 37, 39, 41-53, 56, 58, 60-63 (as those regulations are modified by Table C so as to apply to a company limited by guarantee) and Regulation 59 shall apply to the holding of general meetings of the Federation.
- 26 The voting rights of different classes and categories of membership are defined in the Bye-laws.
- 27 All Members are entitled to receive notice of and to attend all general meetings whether or not they are entitled to vote.
- 28 Provision shall be made in the Bye-laws to enable voting by proxy at a general meeting.

FCS Rules 9th September 2024

BYE-LAWS

OF

THE FEDERATION OF CLINICAL SCIENTISTS

- 1 Eligibility for membership: All members of the Association practicing in the United Kingdom and in the Member category (and legacy members maintaining their Federation category of membership) shall be considered members of the trade union.
- 2 In respect of issues relating to the pay and conditions of service of Members, the Committee shall organise, as necessary, secret ballots of Members directly affected by the particular issue. The ballot of such Members shall be conducted in accordance with the procedure regarding ballots in the Bye-laws of the Association.
- 3 All members of the Federation shall have full voting rights at meetings of the Federation and in ballots.
- 4 **Code of Conduct**
 - 4.1 When Officers are dealing with a member's problem, all personal details will be maintained as confidential to the officers necessarily involved in the case except by the expressed agreement of the member involved.
 - 4.2 Members of the Federation may also be Members of other professional organisations or trade unions. On election to office as a workplace representative or membership of the Committee the member shall confirm in writing their primary allegiance to the Federation and shall represent only the views of the Federation in any negotiations or publications.
 - 4.3 The business and minutes of the Committee are confidential to the Committee until it decides to make them public to the membership.
 - 4.4 Members of the Federation shall ensure that internal disputes within the Federation are treated as such and that needless publicity is not given to disputes related to internal matters.
 - 4.5 Members shall not by word or action bring the Federation into disrepute.
- 5 **Definition of Regions**

Regions will normally be co-terminus with those in the United Kingdom determined by Council as defined in Article 6.1. Representation of Regional Members may be modified to reflect the distribution of the membership.
- 6 **Recognition of Groups**

The following Groups of membership are recognised within the Federation:

 - 6.1 Clinical Biochemists.
 - 6.2 Clinical Genetics Scientists.
 - 6.3 Clinical Microbiologists.
 - 6.4 Trainee Members: This group shall include all pre-registration trainee clinical scientists and registered clinical scientists in training. One Committee member shall represent trainees in Band 6, and one those in Band 7.
- 7 **National Officers**
 - 7.1 Each recognised Group listed in Bye-law 6 shall supply at least one National Officer.
 - 7.2 One National Officer shall be appointed by the Committee to be "Registrar of Cases" to keep a record of and co-ordinate the handling of members' employment problems.
 - 7.3 National Officers shall be appointed by the Committee. They shall be currently elected or former Members of the Committee.
 - 7.4 National Officers, who may or may not be elected representatives, shall be appointed to represent the Federation at any National Forum, formally constituted or ad hoc, set up for negotiation or consultation on pay and conditions of service affecting Clinical Scientists.
- 8 **Representation of Individual Members**
 - 8.1 The Federation will not normally provide resources in support of a member's industrial relations case where the main substance of the case began before or within 90 days of the date of written application for membership. At the discretion of Federation Officers appropriate advice will be offered.
 - 8.2 Decisions regarding the extent of expenditure of Federation resource in pursuit of any member's case will be taken by at least two Officers of the Federation Executive, one of whom shall be the Chair, Secretary or Registrar of Cases. Applications to review the decision will be considered by the Chair and Secretary, after taking advice from the Industrial Relations Advisors to the Federation and in the light of further documentation provided. The unanimous decision of the Chair and Secretary shall be final.