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Federation of Window Cleaners

RULES



Registered Office:

Summerfield House
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Reddish, Stockport
Cheshire SK5 6HH
Tel: 0161 432 8754
Email: info@f-w-c.co.uk
Website: www.f-w-c.co.uk

The Federation's Code of Practice (2018)

The eligibility criteria for membership of the Federation of Window Cleaners ("FWC"), are set out in its Rule Book and also require members to adhere to this Code of Practice and Safety Accreditation Scheme ("SAM") of which they are a member. By adhering to this Code of Practice, members demonstrate their high standards in the conduct of their business and their continuing eligibility for membership of FWC. **Failure to observe the Code of Practice and associated rules may cause the member to have their membership terminated.**

Members of the FWC accept this Code of Practice and agree:

To observe this Code of Practice and to comply with the terms of [SAM] Safety Accreditation Scheme as applicable and to comply with any changes to this Code of Practice as notified to them from time to time.

To conduct business dealings in an open, honest, fair and proper manner and in accordance with the laws, rules and regulations of the UK ROI & EU.

2. Not knowingly, recklessly or negligently to be party to any improper business practices of any customer or supplier.
3. To ensure all public statements made by and on behalf of the Member are decent, honest and truthful and in the spirit of the Association.
4. To ensure no false or exaggerated claims are made verbally, in literature, electronically or in any other way
5. To apply the highest ethical standards and never knowingly operate business or communicate in such a way as to bring the Window Cleaning Industry or the FWC into disrepute
6. To comply with all current health and safety legislation and regulations and maintain appropriate operating licenses applicable to a members business activity at all times.
7. To hold and provide evidence on request for service claims, particularly with reference to legislation, certifications and accreditations.
8. To ensure that customers are kept advised of the effect of changes in legislation likely to lead to different in-use handling or Health and Safety implications
9. To provide proper training for sales and support staff to enable them to give professional advice on window cleaning & related services.
10. To refrain from making inaccurate, misleading or malicious statements, whether deliberate or not, concerning a Competitor, or service.
11. Not to discuss at any FWC event, or any other time, any item that might be construed as a breach of UK ROI EU competition law nor to collude with other member or members in a way that breaches, or may breach UK ROI EU competition regulations.
12. To investigate in a reasonable timeframe any complaint raised by a customer and if the complaint is justified to take all necessary action required to rectify the situation with the minimum of delay.
13. In the event of a dispute with FWC about the relevant Standards, Regulations or this Code of Practice, to accept the decision of the Committee, or failing resolution by the Committee to accept the decision of an independent arbiter, currently the British Cleaning Council.
14. To maintain adequate insurance cover for Product, Public and where applicable employers liability.
15. To pay all membership fees (including those applicable to any accreditation scheme to which the member is a party) as and when requested by the FWC.
16. That the FWC may publicise details of the expulsion of any member of FWC, should that occur.
17. We agree to abide by the FWC Code of Practice (Version 1 - October 2017)

Signed Name Position

Company Date

Registered Employers Trade Association since 24th November 1947
Register No FTU69

Federation of Window Cleaners
2013
RULES

1. - Name and Constitution

The Federation shall be called the Federation of Window Cleaners. It shall be composed of Area Councils, Branches, and District Members as hereinafter provided.

2. - Registered Office

The registered office of the Federation shall be Summerfield House, Harrogate Road, Reddish, Stockport, Cheshire, SK5 6HO, or such other place as the Committee of Management may determine.

3. - Objects

The Objects of the Federation may be:

- Sec. 1. - To organise employers and masters who are engaged in the trade of window cleaning; to regulate the relations between employers and employer or employer and employees, and to regulate conditions on the conduct of the trade as may be deemed necessary
- Sec. 2. - To assist members to obtain a fair remuneration for their labour and to establish and maintain satisfactory conditions of employment.
- Sec. 3. - To negotiate the settlement of disputes arising between employer and employer or employers and employees, or between any persons who may be interested in the trade of window cleaning.
- Sec. 4. - To negotiate either alone or in conjunction with any other body, fair wages and conditions of labour for employees engaged in the window cleaning trade.
- Sec. 5. - To protect members by means of legal and/or other assistance in appropriate cases.
- Sec. 6. - To promote meetings and to secure action whereby the trade of window cleaning shall be placed on a national basis.
- Sec. 7. - To promote and assist in improvements of the law and to support or oppose any alteration therein.
- Sec. 8. - To collect and circulate information on all matters affecting the window cleaning trade and to print, publish, and circulate any literature as may seem appropriate to the several objects contained therein.
- Sec. 9. - To promote the general interest of the trade either alone or in conjunction with any other organisation, and to do all such things as may be deemed necessary to attain the foregoing objects.

4. - Application of Funds

Sec. 1. - All moneys received on account of entrance fees, subscriptions, fines, levies, donations, insurance, sales of materials; publications, sale of rules, and interest on funds shall be applied in carrying out the objects of the Federation.

Sec. 2. - So much of the funds of the Federation as may not be wanted for immediate use may, be invested by the Committee of Management in any of the following ways, namely: in the Public Funds, or upon mortgage of freehold or leasehold property in Great Britain. In the purchase of land, chief or ground rents. Or in the erection of offices or other buildings thereon, or in any investment in the market on the advice of a professional body i.e. stockbroker.

Sec. 3. – A special meeting of the Committee of Management may purchase or take upon lease any land, and may sell, exchange, mortgage, lease or build upon that land (with power to alter and pull down buildings and again rebuild) and a purchaser, assignee, mortgagee, or tenant shall not be bound to enquire as to the authority for any sale, exchange, mortgage, or lease by the Committee of Management and the receipt of the Committee of Management shall be a discharge for all moneys arising from or in connection with such sale, exchange, mortgage or lease.

5. – Subscriptions

Sec. 1. – Each Member, Partner in a firm or a Limited Company, shall pay an annual subscription fee – the amount being fixed by the Management Committee from time to time, the current rates being available from Head Office.

Sec. 2. – Subscriptions shall fall due on 1st July in each year. Where a member joins on, or after the 1st July 2006, the subscription shall fall due each year on the anniversary joining date.

6. – Membership

Sec. 1. – Any person, partner in a firm or member of a Limited Company, carrying on the business of window cleaning and general cleaning, shall be eligible to apply for membership of the Federation. All members of a partnership or of a Limited Company taking part in the management of the business must apply for membership. All applicants for membership must be over 16 years of age.

Sec. 2. – An applicant for membership must be insured for public liability (and employers liability) if appropriate. Each member must continue to be insured for public liability (and employer's liability) if appropriate, under such a policy as may be approved by the Committee of Management.

Sec. 3. (a) - An application for membership must be supported by a written Business /Character reference.

Sec. 3. (b) - All members to achieve a one-day IOSH Working Safety Awareness, or equivalent IOSH course.

Sec. 3. (c) - Where there is a need for government licensing – a member must supply evidence of their license to the FWC.

Sec. 3. (d) - Any member who holds a Committee executive, or similar position on any other organisation comparable to the FWC; must sign a declaration that they relinquish all voting / proposition rights.

Sec. 3. (e) - The Executive Council reserves the right to decline membership at their discretion without giving any reason.

7. – Arrears

Any member three (3) months in arrears with their subscription shall forfeit their membership and all associated benefits at the discretion of the Management Committee. Their membership may be revived on payment of the current year's subscription. Should membership of the FWC be lapsed as a consequence of arrears, to re-join again at a later date would incur the relevant administration charge.

8. – Officers and Committee

Sec. 1. – The Federation shall have the following officers: Chairman and Vice-Chairman who together with up-to six other Officers shall form the Committee of Management. Officers and Committee members must each agree to accept these rules and sign a confidentiality Agreement that shall be held on file during their period of office. The Officers will be entitled to claim honorarium and/or expenses for their services if they so wish. The other committee positions are entitled to claim expenses only if required – any officer/committee member who is a sole-trader can claim expenses, as the Federation shall, in general meeting, from time to time determine. Only one honorarium is to be paid in any one day. All officers and committee members shall be over 18 years of age.

26. – Corporate Membership

Sec. 1 – Any person, partner in a firm or member of a limited company trading with or supplying goods or services to Members of the Federation shall be eligible to apply for limited Membership (called "Corporate Membership" or Corporate Members as appropriate) of the Federation.

Sec. 2 – Corporate Members must comply with the Rules unless, and to the extent that the same are inappropriate.

Sec. 3 – Corporate Members entitlement will only be to the extent provided by the following provisions of this section.

Corporate Members will be given the choice of the usual discounts on tools and material sold by the federation.

Corporate Members will be afforded the opportunity to display the federation logo with the following at the foot: "Corporate Member"

- A) Corporate members may organise a meeting to discuss industry policies and a member of the FWC can be present.
- B) The Corporate Members must have been in business and trading for a period of at least two years
- C) The organisation will be admitted as a Corporate Member provided their application meets the acceptable requirements and after providing a sponsoring Corporate Member

Any other relevant members whom the Executive Committee might think would be useful /necessary.

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19. – Audits

The Committee of Management shall, once at least in every year, submit the accounts and all necessary vouchers up to 31st December then last for audit, either to a Public Auditor or to auditors appointed by the Committee of Management, and shall lay before every Annual General Meeting of the Federation a balance sheet showing the receipts and expenditure, funds and effects of the Federation to the 31st December then last.

20. – Copies of Rules

The Committee of Management shall provide the Secretary with a sufficient number of copies of the Rules, to enable the General Secretary to issue a copy to every member, and a copy of such Rules on payment of non-members. The Federation logo will be represented on the front of the Rule Books.

21. – Amendment of Rules

No new Rule shall be made nor shall any of the Rules herein contained or hereafter to be made, be amended or rescinded unless with the consent of a majority of not **less** than the majority of Delegates and District Members present at a Special General Meeting specially called for the purpose.

22. – Dissolution

The Federation shall not be dissolved except with the consent of three-quarters of its members, testified in writing and submitted to a Special General Meeting called for the purpose.

23. – Notices

All summonses and notices shall be deemed to have been duly delivered if left at, or sent by post, to the last known place of address of the member or person for whom the same are intended.

24. – Honorary Membership

All members reaching retiring age with a minimum of fifteen years membership can become Honorary Members of the said Federation.

25. - Data Protection Act 1998

We may use information we hold about members to: write or telephone you about subscription and insurance renewals, sale of window cleaning equipment and other related services appertaining to membership of the federation. Also to other Companies for scheme activities i.e. insurance companies and Yellow Pages for Corporate advertising and other companies and members of the federation who wish to offer cleaning contracts or for similar work generating purposes. However, we can assure members that we will not disclose information to other third parties.

When representing the federation in an official capacity, each officer shall ensure that their appearance is in keeping with the acceptable business attire.

Sec. 2. – (a) A committee member may be removed from the council by a majority vote.

Sec. 2. (b) Any officer or member of the committee of management shall be removed for lack of attendance at Committee meetings; currently set at: failure to attend three or more meetings in one-year. Exception to this rule may be made at the discretion of the committee of management.

Sec. 3. (a) – In case any officer or member of the Committee of Management shall die, resign, be removed, or become unfit or incapable, for whatever reason, the Committee of Management may at any time appoint a member to fill the vacancy until the end of term in which that particular office expires.

Sec. 3. (b) – A member who resigns for whatever reason may not re-apply for the post of Management for a period of THREE terms of office (i.e., 6 years) unless otherwise stated and recorded in the Federation Records book.

Sec. 4. (a) – The Chairman and Vice-Chairman shall be elected at an Annual General Meeting and shall hold office for a period of two years. They shall be eligible for re-election. They shall be elected in alternate years and for this purpose the Chairman shall retire at the Annual General Meeting, commencing with the year 2006/7.

Sec. 4. (b) (Treasurer's duties incorporated into rule 12-General Secretary's duties.)

Sec. 4. (c) – The Committee of Management shall be elected at an Annual General Meeting and shall hold office for a period of two years. One half shall retire annually, but shall be eligible for re-election. In each year the three and in alternate years the four longest serving Other Officers shall retire.

Sec. 4. (d) – An officer or committee member shall retain office until the close of the meeting at which their successor is appointed.

Sec. 4. (e) – Nominations for officers and committee must be forwarded to the General Secretary, in writing, signed by two members, not later than the last Monday in February immediately preceding the date of the Annual General Meeting at which the election will take place.

Sec. 5. – The Committee of Management at their discretion may appoint and delegate any of its powers to sub-committees of its own members. The minutes of such sub-Committees shall be ratified by the Committee of Management.

Sec. 6. – The Committee of Management shall be the governing body of the Federation and shall meet at such times as may be necessary, but at least four times a year. Five members shall form a quorum.

Sec. 7. – At all meetings of the Committee of Management, the chairperson shall have a vote and in the case of a tie, he shall have a second and deciding vote.

Sec. 8. – No member of the Committee of Management or member of staff shall have any financial connection with any firms or persons. The executive Council may however provide approval for such, if in their opinion the goods or services on offer would benefit the membership of the federation.

Sec. 9. – No more than two people from any one Branch or Area may serve on the Committee of Management and only one person from any one Branch of Area may serve as an officer of the said Committee of Management.

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9. – Duties of Committee

Sec. 1. – The Management of the Federation shall be vested in the Committee of Management, which shall be invested with, and shall exercise, complete executive powers provided that in the exercise of these powers, it shall do nothing inconsistent with these rules or the general policy of the Federation as laid down from time to time by general meetings.

Sec. 2. – The Committee of Management may appoint and at their discretion remove a General Secretary and such other employees as they may deem necessary, and shall determine their respective duties and remuneration.

10. – President

The President shall preside at all meetings of the Federation and of the Committee of Management. If the President be not present the Vice-President shall preside. If neither the President nor Vice-President be present within 15 minutes of the time the meeting is called, the members present shall appoint their own chairperson. In the event the President or Vice-president attending the meeting then the appointed person shall vacate the chair.

11. – Treasurer

The Treasurer position is removed – these duties are therefore incorporated within rule 12 at section 7. Rule amended at the AGM on: 15th April 2015.

12. – General Secretary

Sec. 1. – The General Secretary shall attend all meetings of the Federation and of the Committee of Management. The General Secretary shall record correctly the names of the officers and members of the Committee of Management there present, and the minutes of the proceedings, which the General Secretary shall transcribe into a document to be authenticated by the signature of the Chairperson of the next succeeding meeting. The General Secretary shall receive proposals for admission to the Federation; shall bank all monies received into a bank selected by the Committee of Management. The General Secretary shall produce all books, documents, property and monies of the Federation in their possession, and render a full and clear account at each audit and whenever required by resolution of the Federation or of the Committee of Management. The General Secretary shall pay over all moneys and give up all books, documents, and property of the Federation when ordered to do so by resolution of the Federation and of the Committee of Management; The General Secretary shall prepare and forward all documents required by the Act, to be sent to the Register of Trade Unions and Employers Associations.

Sec. 2. – It is the duty of the General Secretary to purchase and record such purchases of materials and equipment for sale by the Federation.

Sec. 3. – To record transactions of materials and equipment.

Sec. 4. – To keep V.A.T. records and make returns to the "Customs & Excise" office as and when directed by that office.

Sec. 5. – To receive written material for printing in the trade magazine "Window Talk" and to edit such material as the General Secretary thinks fit.

Sec. 6. – Any material of doubtful content to be referred to the Chairman and Vice-Chairman.

Sec. 7. – The General Secretary shall pay all demands under the authority of the Committee Of Management. The General Secretary shall produce all books, documents, property or Money of the Federation in their possession and render a full and clear account of each Audit or whenever required by resolution of the Federation or of the Committee of Management. The General Secretary should in conjunction with two other members of the management committee take a more important role than any other officer and have powers to veto any other officials actions if so desired, until the next Committee of Management meeting.

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16. – District Members

Members who are not members of a Branch shall be called "District Members" and shall deal direct with the General Secretary. In case a Branch is established at a later date, any member carrying on business in the town in which such Branch is established must become a member of the Branch.

17. – Transfer of Members

A member shall be permitted to transfer from one Branch to another at the discretion of the Committee of Management provided;

- (a) they submit *bona fide* reasons for such application to transfer;
- (b) they carry on business in the district covered by the Branch to which they desire to transfer, and;
- (c) They have discharged all their obligations to their present Branch.

18. – Meetings

Sec. 1. – At general meetings one Delegate for each Branch may represent a Branch.

Sec. 2. – The Annual General Meeting shall be held in the months of April or May at a time suitable to the Management Committee.

Sec. 3. – A Special General Meeting shall be held whenever the Committee of Management think expedient, or whenever the Majority Branches or ten District Members so request in writing delivered to the General Secretary.

Sec. 4. – At all general meetings, each member present shall have one vote on a show of hands. The chairperson may propose a ballot or, ten Delegates representing seven Branches, and or ten District Members.

In case of a ballot, each District Member shall have one vote and one delegate shall have the same number of votes as there are members in their Branch. Voting for the positions on the Management Committee will take place by Postal Ballot and each individual member, whether they belong to a branch or are district members, will be required to vote by post and must vote for the full number of vacancies that have to be filled. Any infringement of this section will render a voting paper null and void. Each individual member must return their voting paper in the envelope provided to Head Office and the envelope provided must not be used for any other purpose. Each nominee will be required to write a synopsis of themselves for the ballot paper. The voting papers will be scrutinised by two independent persons elected by the members present.

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14. – Branches and Areas

Sec. 1. – The Committee of Management may establish Areas and Branches of the Federation at their discretion. An Area shall consist of The Branches and members in one or more counties. A Branch shall consist of the members carrying on business in any one town provided that the Committee of Management may extend the Branch to cover a Reasonable radius.

Sec. 1. (a) – That regional co-ordinating officers should be appointed by the Federation at an Annual General Meeting for the purpose of district members to get in touch with for materials etc.;

Sec. 2. (b) On the establishment of a Branch, all members carrying on their business within the confines of the Branch, shall be members thereof;

Sec. 3. – A Branch shall meet not less than once in every three months and shall appoint each year and may remove at any time the following officers: Branch Chairman, Vice-Chairman, Secretary, Treasurer, Committee and Delegate.

Sec. 4. – A Branch may make its own rules provided such rules are in conformity with The rules of the Federation and should hold an Annual General Meeting once a year. Branch Rules shall not be effective until approved by the Committee of Management. A Branch shall decide its local subscription with due regard to the annual Federation subscription. Notice of all changes in Branch officials shall be forwarded to the General Secretary within fourteen days.

Sec. 5. – A Branch shall not be entitled to commit the Federation in any way.

Sec. 6. – An Area Council composed of the Delegates elected by Branches shall meet not less than once in every three months and shall appoint each year and may remove at any time the following officers: Area Council Chairman, Vice-Chairman, Secretary, Treasurer, Committee, and Delegate. The Area Council Delegate may attend all general meetings of the Federation, but shall not be entitled to vote except as a Branch Delegate or Proxy. The result of the vote of each Branch Delegate should be forwarded, in a sealed envelope, to his Branch.

Sec. 7. – An Area Council shall make its own Rules provided such Rules are in conformity with the Rules of the Federation. Area Council Rules shall not be effective unless and until approved by the Committee of Management.

Sec. 8. – The duties of an Area Council shall be to organise and co-ordinate the work of the Branches in the Area.

15. – Disputes

Sec. 1. – All disputes between members of branches or a member and their branch, must be submitted to the Branch Committee. The decision of the Branch Committee must be forwarded to the Committee of Management for confirmation. The Committee of Management may confirm or refer back to the Branch any such decision. The decision of the Committee of Management shall be final. Where the Chairperson or a member of the Committee of Management is involved in dispute, their interest must be disclosed and shall take no part in any decisions.

Sec. 2. – All disputes between Areas and Branches must be referred to the Committee of Management, whose decision shall be final.

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Sec. 7. – To act as the Editor of the trade magazine "Window Talk".

Sec. 8. – To receive advertising material and if of doubtful content, to refer it to the Chairman or Vice-Chairman.

Sec. 9 – The duties of the general secretary shall be determined by the Committee of Management. The General Secretary shall consult with four members of the management committee where an instruction given by one or two members of the Committee of Management appears to be inconsistent with accepted practice as defined by the rule-book or, previous deliberations by the Committee of Management.

13. – Offences and Penalties

Sec. 1. –

The Committee of Management may expel any member who: -

(a) Has been convicted of a crime or received a police caution for a criminal offence;

(b) 'Is in breach of the federations good practice guide'

(c) Has wilfully committed repeated and serious breaches of these rules;

(d) Has been proved to have made false statement or declaration with the object of imposing on the Federation;

(e) Has failed to comply with the Rules or Resolutions of the Committee of Management or the Rules or Resolutions of the members Branch (such Branch rules having been approved by the Committee of Management), or: -

(f) Is deliberately acting against the interest of the federations' code of conduct or, fellow members.

(g) Has become insolvent

(h) The Committee of Management, may expel any member who:- in their opinion makes it necessary in the interest of the Federation that they require it. They may invite a Member to withdraw from the Federation specifying the time which shall be reasonable before which the withdrawal shall be made. If the member concerned does not withdraw within the specified reasonable time limit or, offered an explanation of his conduct verbally or in writing found to be reasonable and acceptable in the interest of the Federation, The Committee of Management may expel the member without further notice.

Sec. 2. – The Committee of Management may dissolve any area or branch that, in their opinion is acting in a manner likely to be detrimental to the interests of the Federation.

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