

Secondary Rules of Norwich Bicycle Repair Co-operative Ltd (NBRC)

1. General

- 1) These secondary rules are intended to complement and clarify the Articles of Association of our co-operative. They are agreed by general meeting of the co-operative and may be changed at any time by full consensus at a general meeting of the co-operative.
- 2) In this document the term's "Norwich Bicycle Repair Co-operative Ltd", "NBRC" and "the Co-op" are used interchangeably.

2. Membership

- 1) Our Articles allow for a condition of membership to be made on a minimum number of hours worked. This prescribed number of hours shall be set at minimum average of 21 hours per week (Article 22(1)(b))

Members must also:

- 2) Demonstrate they can reliably and consistently perform the requirements of their jobs as outline in there personal job descriptions. People will only be accepted as new members on condition of meeting all the goals laid out in their initial training contract.
- 3) Demonstrate a willingness and ability to engage with NBRCs consensus decision-making process and attend at least one external training event in consensus decision making.
- 4) Have attended the "Introduction to financial literacy for worker co-ops" training unless they can demonstrably prove they have a good understanding and experience of all the areas covered in that workshop.
- 5) Show a commitment to good communication with other members; ask for appropriate help and support when this is needed and engage constructively with problems and difficulties
- 6) Agree with the aims and objectives of NBRC (refer to objects)
- 7) Attend, except for in genuinely exceptional circumstances the monthly review and

planning meetings of NBRC and participate meaningfully in the running thereof

8)

a) While it will not be expected that all members will undertake all duties involved with the running of the co-op it is expected that they will take an interest in all aspects of the business and be willing to undertake responsibility in more than one area e.g. Mechanical work; administrative work; customer service, finance and book-keeping; stock management; business planning; training etc.

b) Be willing, with necessary support, to undertake personal skill development in order to participate in a range of areas of the business.

c) Be willing, again with appropriate support, to take leadership in one or more aspect of running the business

9) Be committed to promoting and ensuring equality and diversity both within the organisation and in how we treat our service-users.

10) Uphold NBRCs safer spaces policy:

“We believe that NBRC should be an organisation in which all members, workers and users feel safe. We do not tolerate language or behaviour which undermines people in terms of gender, sexual orientation, age, ability, race etc. It is very important to all of us to be accepted for who we are, and to have confidence in ourselves. If you use prejudicial or insensitive language or behaviour you can expect to be challenged. We expect members and workers to take an active role in challenging prejudice & oppression: if we ignore it we are allowing it to happen.”

11) Fulfil a minimum 6 months probationary membership period (reviewed at 3 months)

12) Must want to be a full member of NBRC

3. Casual staff

1) NBRC aspires to a position where all it's worker's are members and all it's members are workers. While the latter condition is an absolute requirement of our co-operative status we accept pragmatically that it will be necessary sometimes to employ temporary or non-member staff to fulfil contractual obligations. Our recruitment procedures will prioritise and aim to recruit staff who have the desire and potential to become full-members and only employ temporary or non-member staff where this has not been possible.

- 2) Temporary or non-member staff will be made employees with recognised employment contracts
- 3) Temporary or non-member staff will be made aware that we are a worker's co-operative and what the routes to membership are.
- 4) Where non-member staff are employed their roles will be limited to those which:
 - a) Are undertaken under the supervision of a full-member of NBRC
 - b) Are for an average of less than 19 hours per week
 - c) Do not involve any area of financial responsibility
 - d) Posts involving Co-op development, project management and Senior mechanic roles will only be open to full-members of NBRC

4. Policies and Procedures

- 1) Areas of NBRC secondary rules pertaining the grievance and disciplinary procedures, equality and ethical policies apply to both members and employees of NBRC.
- 2) Areas of NBRC secondary rules pertaining to quality of work apply to both members and employees of NBRC.

5. Grievance procedure

Norwich Bicycle Repair Co-operative Ltd recognises that both workers and members may at some point wish to seek redress for a grievance relating to their work. Workers and members are encouraged to use the procedure outlined below to bring about a satisfactory solution to their problems. This procedure should be used for all grievances arising from employment, except for issues relating to contractual terms of employment, job description and appeals against disciplinary action. All members and workers have the right to be accompanied by a person of their choice at all meetings arranged to discuss the grievance. At all stages of the procedure, the party who feels aggrieved has the right to state their case. Notes should be taken and copies agreed by all parties. Anyone disagreeing with the notes may require this to be recorded in those notes.

Stage 1

If you feel you have cause for complaint in relation to any aspect of your work you should first discuss this with a co-op full member. If this is not appropriate you can approach a member of the support group of the co-op*. You may make the complaint either verbally or in writing. A meeting will be arranged between you and a full co-op member (as a person responsible for member's and worker's welfare) as soon as possible for the purpose of addressing your grievance.

If the matter is not resolved to your satisfaction you may proceed to Stage 2 of the Grievance Procedure. If a group of workers and/or members share a grievance they can start the procedure at Stage 2.

Stage 2

If the matter is not resolved to your satisfaction you may refer the grievance to the full meeting of the co-op. The matter will be minuted, along with any decisions taken. The minutes will be made available to you, and any disagreements with the minutes will be noted in those minutes.

Stage 3

If you are still not satisfied with the decision or agreed action you may request that your grievance is reconsidered by a full meeting of the co-op. Arrangements will be made to consider the grievance by the meeting within fifteen days (unless there are significant reasons why this cannot happen within fifteen days, in which case it will happen as soon as possible). You will have the right to state your case and to be accompanied by an advisor of your choice. The matter will be minuted, along with any decisions taken. The minutes will be made available to you, and any disagreement with the minutes will be noted.

Note for all employees of NBRC (directors and causal staff): This Grievance Procedure forms part of your Terms and Conditions of Employment and should be appended to your Contract.

* The co-op support group is made up of individuals who are supportive of the co-op and are familiar with its way of working and making decisions. This group shall be appointed by a general meeting of the co-op.

6. Disciplinary procedure

Generally recourse to formal disciplinary procedures should only be taken once all reasonable efforts have been made to remedy such difficulties by informal means. The verbal warning is the first stage of the disciplinary procedure and should not be confused with informal discussion stages. It is the view of NBRC that an informal approach taken at an early stage will prove more productive and less problematic than taking steps once a problem has become serious.

If after a reasonable time a particular strategy has not remedied the situation or in the case of more serious misconduct it is proper for the co-op to invoke the formal disciplinary procedure as outlined below.

a) General Notes

If a member/employee is charged with, or convicted of, a criminal offence not related to work, this is not in itself reason for disciplinary action. Similarly, a member should not be dismissed solely because they are absent from work as a result of being in custody or at court appearances.

b) Procedure for formal meetings within the disciplinary process

The following procedure will apply to all formal meetings (i.e. not the Informal Discussion stage) within the disciplinary process.

A full co-op member (being a person responsible for members' Welfare) will invite the individual concerned to discuss the situation at a formal meeting. Other than the member subject to the disciplinary process at least two other members shall be present at this meeting.

The member/employee concerned will be given at least one week's notice and the letter or note or email should contain enough information for the individual to be able to understand both what it is they are alleged to have done wrong and the reasons why this is not acceptable, and any documents that will be used at the meeting should be included or otherwise made easily available.

The time and place should ideally be agreed with the member/employee, and if this is not possible it should be at a time and place where it can be reasonably expected that the member/employee will be able to make.

At all meetings the member/employee concerned is entitled to be accompanied by person of their choice. The member/employee should be given the opportunity to ask questions and present evidence.

A member who cannot attend a meeting should inform those responsible for organising the meeting in advance whenever possible. If the member fails to attend through circumstances outside their control and unforeseeable at the time the meeting was arranged (e.g. illness) another meeting should be arranged.

A decision may be taken in the member's absence if they fail to attend the re-arranged meeting without good reason. If a member's companion cannot attend on a proposed date, the member can suggest another date so long as it is reasonable and is no more than five working days after the date originally proposed. This five day time limit maybe extended by mutual agreement.

Where applicable the member will be informed of the consequences of failure to improve.

Written records of proceedings should be kept for a period in accordance with the co-op's data protection policies. Copies should be provided to the member in question. Records should include:

- the complaint against the employee, including any evidence of misconduct;
- the employee's defence;
- findings made and actions taken;
- the reasons for actions taken;
- whether an appeal was lodged;
- the outcome of any appeal;
- any grievances raised during the disciplinary procedure; and
- subsequent developments.

At each stage the right to appeal shall be given within one month of the meeting. The appeal will be heard by general meeting of the co-op within fifteen working days of the appeal being made and the appellant will be given at least ten working days' notice of the meeting. The member is entitled to be accompanied by a person of their choice.

The meeting may decide:

- i. to uphold the disciplinary measure.
- ii. to uphold part of the measure but vary some of the conditions imposed, so long as such variation does not result in more severe conditions than originally set.
- iii. to reject the measure.

c) Stages of the Disciplinary Procedure

The normal expectation is for a discipline case to progress through the following levels. In cases where misconduct or unsatisfactory performance is considered to be serious then the procedure may begin at later stages.

i. Informal Discussion

In cases of minor offences or faults in working standard the individual concerned will be invited to discuss the situation informally. This would not be regarded as disciplinary action and would be seen as a process of constructive criticism. A note should be taken to show that the discussion has taken place in order to assist assessment of whether the case should be referred to the next stage if the minor offences or faults continue.

ii. Verbal Warning

If there appears to be a persistent problem then a formal meeting will be held to consider whether a Verbal Warning should be given. If at that meeting it is considered that action is reasonable and justified then a formal Verbal Warning will be issued. A Verbal Warning will normally take the form of a reprimand specifying the standard of behaviour expected in the future, and the time period in which it should be achieved, along with a date on or near which the situation will be reviewed. A record of the Verbal Warning should be kept for a period specified at the meeting (usually nine months), but should normally be disregarded for disciplinary purposes after this period has expired, unless the case is on-going.

iii. Written Warning

If there is no improvement within the specified time, or the case is serious enough to warrant the disciplinary process beginning at this stage then a formal meeting will be held to consider whether a Written Warning should be given. If at that meeting it is considered that action is reasonable and justified then a formal Written Warning will be issued.

A Written Warning will normally take the form of a letter, stating the reasons for the warning, the action which must be taken to put things right, (including the type of assistance or re-training the coop may be able to offer), the time in which these matters must be put right and informing the individual of their right to appeal.

A record of the Written Warning should be kept for a period specified at the meeting (usually nine months), but should normally be disregarded for disciplinary purposes after this period has expired, unless the case is on going.

iv. Final Written Warning

If there is no improvement within the specified time, or the case is serious enough to warrant the disciplinary process beginning at this stage then a formal meeting will be held to consider whether a Final Written Warning should be given. If at that meeting it is considered that action is reasonable and justified then a Final Written Warning will be issued. A Final Written Warning will normally take the form of a letter, stating the reasons for the warning, the action which must be taken to put things right, (including the type of assistance or retraining the co-op may be able to offer), the time in which these matters must be put right and informing the individual of their right to appeal. The letter shall also inform the member that the failure to improve, or persistence in a course of action, will lead to dismissal. A record of the Final Written Warning should be kept for a period specified at the meeting (usually twenty four months), but should normally be disregarded for disciplinary purposes after this period has expired, unless the case is on-going.

v. Dismissal

If the member/worker does not meet the required standard set out in the Final Written Warning, or the case is serious enough to warrant the disciplinary process beginning at this stage then a formal meeting will be held to consider whether the individual should be dismissed. If at that meeting it is considered that action is reasonable and justified then a member/worker may be dismissed and cease to be an employee/member of the co-op. If the formal meeting does not constitute quoracy (as defined for General Meetings by the coop's Articles of Association) then the decision to dismiss the member must be ratified by a General Meeting before dismissal can take effect. Reasons for dismissal will be given in writing. The member/employee concerned will be given at least one week's notice.

Note for all employees of NBRC (directors and causal staff): This Disciplinary Procedure forms part of your Terms and Conditions of Employment and should be appended to your Contract.

7. Quality of work

- 1) NBRC is a professional repair service and as such it aims and aspires to a quality of workmanship and service at least comparable to a mainstream bicycle shop.
- 2) Quality of repair work and scope for training and improvement will be a standing agenda item for Co-op meetings and any action taken will be reviewed at each AGM
- 3) Any returns of repair work will be recorded and monitored with a view to:
 - a) Identifying systematic short comings.
 - b) Identifying priorities for training.
 - c) Improving best practice.
- 4) We are committed to developing our own handbook of best practice for safety checks and repairs. As new guidance is produced under this process all documents headed "NBRC guidance on..." that are agreed by a general meeting become part of this policy and part of NBRC's Secondary rules.
- 5) For all employees of NBRC (directors and causal staff): This Quality of Work policy forms part of your Terms and Conditions of Employment and should be appended to your Contract. Failure to adhere to this policy could lead to disciplinary proceedings.

8. Equality Policy

- 1) NBRC is committed to eliminating discrimination and encouraging diversity within the co-op and the projects that it runs. We aim to provide equality and fairness and not to discriminate on grounds of gender, gender reassignment, marital status (including civil partnerships), race, ethnic origin, colour, nationality, national origin, disability, sexual orientation, religion or age. We oppose all forms of unlawful and unfair discrimination.
- 2) Selection for membership, promotion, training or any other benefit will be on the basis of aptitude and ability.
- 3) Everyone is entitled to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated. Anyone suffering from or witnessing intimidation, bullying or harassment is encouraged to report it to the person responsibly for their welfare.
- 4) In any recruitment process initiated by NBRC Equality policy and what steps are to be taken to ensure that recruitment is fair, open and accountable, will be a standing item on the agenda.
- 5) All members and employees of NBRC are expected to promote equality and inclusivity in the organisation by actively enforcing the NBRC Safer Spaces policy:
“We believe that NBRC should be an organisation in which all members, workers and users feel safe. We do not tolerate language or behaviour which undermines people in terms of gender, sexual orientation, age, ability, race etc. It is very important to all of us to be accepted for who we are, and to have confidence in ourselves. If you use prejudicial or insensitive language or behaviour you can expect to be challenged. We expect members and workers to take an active role in challenging prejudice & oppression: if we ignore it we are allowing it to happen.” (as Section 2.9)a). above)
- 6) The members of NBRC believe that large wage differentials are intrinsically unjust and damaging, not just to the individuals in question but to society as a whole. For this reason the maximum level of remuneration offered within NBRC will not exceed two times the lowest remuneration offered (based on a comparison of per annum gross pro rata pay). The only exception to this will be temporary rates of pay, connected explicitly with periods of training or apprenticeship, where such training rates fall below the current adult minimum wage.
- 7) Differentials in remuneration within NBRC (including members and employees) will only ever be based on objective differentials in the level of responsibility and/or skill.
- 8) Wage rates and other aspects of NBRC's equality policy will be reviewed on an

annual basis by the General meeting.

- 9) The directors of NBRC are committed to taking seriously and tackling sensitively any allegations of intimidation, harassment, bully or prejudicial behaviour calling on support from outside the Co-operative if necessary.
- 10) Breaches of our equality policy will be regarded as misconduct and could lead to disciplinary proceedings.
- 11) For all employees of NBRC (directors and causal staff): This Equalities policy forms part of your Terms and Conditions of Employment and should be appended to your Contract.

9. Ethical Policy

- 1) Where practical NBRC will source it's supplies from other Co-operatives
- 2) NBRC is committed to participating in mutual aid networks. Contribution to mutual aid networks and other acts of co-operative solidarity will be monitored and discussed at the AGM always with a view to improving support and participation
- 3) Items brought for the staff area will always be vegetarian and not tested on animals, usually vegan and where practical fair trade or locally/ethically sourced.
- 4) We are committed to reducing waste and minimising the amount of our refuse that ends up in land-fill. To this end we will:
 - a) Monitor what is thrown away
 - b) Actively seek out opportunities for re-use or re-purposing
 - b) As far as possible re-cycle that which cannot be re-used.
- 5) NBRC will carry out an annual audit of the impact of it's purchasing and practices

10. Meetings & quoracy

Our articles state:

- 1) The quorum required for a directors' meeting shall be 3 directors or 50% of the directors, whichever is greater. (Article 13(2))

- 2) The quorum required for a general meeting shall be 3 members or 50% of the membership, whichever is greater. (Article 28(2))

Additionally

- 3) All General Meetings will consider:
 - a) Check that previous decisions have been carried out.
 - b) Review the financial state of the Co-op.
- 4) Secondary rules can only be changed at General Meetings or Annual General Meeting and by full consensus of members
- 5) New members can only be admitted at General Meetings or Annual General Meeting and by full consensus of members

11. Consensus

- 1) This co-op is committed to making decisions which every member can support. Consensus is reached if every member present is in agreement on an issue, or when not in agreement agree not to maintain an objection.
- 2) In order to use consensus members recognise that:
 - a) They share a common goal for the co-operative.
 - b) They are committed to reaching consensus.
 - c) They will actively work towards building trust between members, and being honest and open with each other.
 - d) Good decisions need to be given enough time, and rushing a decision rarely helps in the long term. As consensus and its underlying values of trust, honesty and openness are not generally practised in wider society it can take time to adjust and learn to do consensus well and efficiently.
 - e) The running of the co-operative and its meetings requires the active participation of members.
 - f) In order to reach consensus we need to be clear about the process we use so that we understand how we are making the decision.
- 3) We generally use the process outlined below to reach consensus. Although not all decisions need to explicitly use this process any member may demand that the process below be followed explicitly in each of its stages.

Step 1: Introduce and clarify the issue(s) to be decided
Share relevant info. What are the key questions?



Step 2: Explore the issue and look for ideas.
1. Gather initial thoughts and reactions. What are the **issues** and people's **concerns**?
2. Collect **ideas** for solving the problem – write them down.
3. Have a **broad ranging discussion** and debate the ideas. What are the pros and cons?
Start thinking about solutions to people's concerns. Eliminate some ideas, short list others.



Step 3: Look for emerging proposals
Look for a proposal that weaves together the best elements of the ideas discussed. Look for a solution that addresses people's key concerns.



Step 4: Discuss, clarify and amend your proposal
Ensure that any remaining concerns are heard and that everyone has a chance to contribute.
Look for **amendments** that make the proposal even more acceptable to the group.



Step 5: Test for agreement
Do you have agreement? Check for the following:
Blocks: I have a fundamental disagreement with the core of the proposal that has not been resolved. We need to look for a new proposal.
Stand asides: I can't support this proposal because ... But I don't want to stop the group, so I'll let the decision happen without me.
Reservations: I have some reservations but am willing to let the proposal pass.
Agreement: I support the proposal and am willing to implement it.
Consensus: *No blocks, not too many stand asides or reservations? Active agreement?*



Then we have a decision!



Step 6: Implement the decision
Who, when, how? Action point the tasks and set deadlines.