

**BMA model LNC Constitution**

1. **Title**

1.1 The committee shall be calledthe ……………. Trust Local Negotiating Committee (The LNC).

**Note**: enter your Trust name

1. **Accreditation**

2.1 Members of the LNC committee will be members of the BMA (or BDA). Members must also be accredited in line with BMA policy and arrangements for accrediting local representatives. This will ensure representatives are ERA (Employment Rights Act) accredited representatives, and the employer is properly notified of this status.

2.2 LNC members must undertake BMA online training for initial accreditation and undertake to attend further training courses to receive advanced accreditation for their role.

2.3 BMA-accredited representatives are entitled to time off for their trade union activities and duties as provided for within the terms of sections 168 and 170 of the Trade Union and Labour Relations (Consolidation) Act 1992. This includes both time off to attend and prepare for LNC meetings.

 **Note**: ensure all LNC members are accredited by the BMA and have followed due process. This will ensure access to relevant legal rights and time off.

1. **Accountability and Purpose**

 **3.1** The LNC members shall be directly accountable to the BMA (BDA) members employed by ……. Trust and will represent the collective interests of all medical (and dental) Staff.

 **Note**: if applicable BDA members and dental staff can be included here. Only legally recognised trade unions and their representatives can undertake collective bargaining on behalf of the workforce.

 **3.2** The LNC will provide regular reports to both BMA members and the wider Medical (and Dental) Staff via all available channels including Medical Staff Committees, Resident Doctors Forum, and any other constituents of the LNC.

 **Note**: This section can be edited to include the local terminology of relevant committees and constituents

 **3.3** The role of the LNC shall be to agree and represent the collective interests of medical (and dental staff) employed by the Trust or otherwise working in or for the Trust.

 **3.4** The LNC representatives should work in the best interests of their members, working cohesively with the entire LNC for improved terms and conditions of employment.

* 1. In particular, LNC members will:

 3.5.1 Continually monitor the terms and conditions of service, working arrangements, policies, and procedures relevant to all medical (and dental) staff in the Trust, including those on locally employed contracts and the application of national terms and conditions of service.

* + 1. Identify and evaluate the scope for improvement in the terms and conditions of service, working arrangements, policies, and procedures relevant to medical (and dental) staff in the Trust.
		2. Negotiate with representatives of the Trust on all matters relevant to the employment conditions of medical (and dental) staff in the Trust.
		3. Ensure that medical staff at the Trust are represented on other relevant committees as appropriate. Seek to ensure that all general Trust policies that have an impact on medical (and dental) staff are also brought to the joint LNC for consultation and approval.

 **Note**: if the LNC does not have representation at the full Staff Side meetings a mechanism needs to be agreed to sign-off relevant all staff policies that affect medical staff.

3.5.5 Maintain effective communication with BMA members and constituents and have due regard to the policies of the British Medical Association.

* + 1. Have regard to diversity and balance to ensure that the LNC is representative of the whole medical workforce.

 **Note**: consider gender, ethnicity, and other characteristics as well as contract type, IMG representation, LTFT, etc

* + 1. Participate in appropriate regional and national BMA meetings, events, training, and activities.

## Membership

 **Note**: The make-up of the LNC should include all grades and be broadly representative of the doctors employed by the Trust in both physical and mental health.

 Membership of the LNC shall be as follows:

* 1. Medical consultants from the groups below;

 **Note**: you may break this down to include a consultant from each department or workplace as relevant to the Trust to ensure a representative LNC.

**4.2** SAS doctor representatives

**4.3** Doctors in Training – across all grades

**4.4** Locally Employed doctors

**4.5** Other representatives as appropriate to reflect the workforce.

**Note**: IMG, LTFT, employed GPs, clinical academics – as applicable. The number of representatives in each category should reflect the number employed.

The size of the LNC will reflect the size of the Trust, not all members of the LNC will be members of the JLNC. Widening participation at LNC level will increase representation.

* 1. A BMA full time Officer
	2. Other persons may be invited to LNC meetings as appropriate. For example the GoSW or LTFT champion. Such invitees will not be eligible to vote nor will they be counted in a quorum.
	3. LNC members should not be members of management. Clinical Directors and clinical managers will normally represent Trust management. The LNC committee reserves the right to determine whether there is a conflict of interest. If an LNC member accepts a managerial position during the tenure of their election, they will be asked to step down due to a potential conflict of interest.
	4. Membership shall cease on leaving the employment of the Trust.
	5. Members shall be required to attend the vast majority of LNC meetings. If attendance drops without a reasonable explanation, they may be asked to step down from the committee.
1. **Elections**

**5.1** LNC members shall be appointed from amongst the group they represent. Elections shall be held regularly. Local BMA members will be eligible to endorse or vote for their local BMA LNC representative.

 **Note**: a local election process should be agreed. Consider the frequency of any elections and the process for ad-hoc elections outside of the normal timescales. A BMA election protocol is available. Your BMA officer can assist in contacting the local members for election and ratification purposes.

### 6. Officers

**6.1** The LNC members shall elect a Chair from their number.

**6.2** The LNC may also elect a deputy Chair / honorary secretary from their number.

The Officers shall be appointed for a period of three years and be eligible for re-election.

Officers may be eligible for locally agreed facility time negotiated with the employer whilst undertaking their roles.

## Decisions

**7.1** The LNC will seek to decide all matters through consensus. However, where this is not possible decisions shall be reached by a simple majority vote of members attending a meeting. In the event of a tie, the Chair shall have a second casting vote.

**7.2** Any LNC sub-group should report back to the wider LNC before ratification at the JLNC.

**7.3** The LNC shall meet regularly, where possible giving members advanced notice of planned meeting dates and the agenda.

 **Note**: The LNC should meet regularly. Meetings do not need to be aligned to JLNC dates. Papers should be circulated at least 2 weeks in advance and any minutes should be shared promptly. It is good practice to set LNC meeting dates for the year ahead and agree a minimum number of meetings to be held.

**7.4** An extraordinary meeting of the LNC can be called at the request of three members.

**8. Quorum**

 The LNC will determine the number of representatives required to be present to form a quorum. This should not be less than 3 members.

 **Note**: this should be an agreed number based on the number of representatives

### 9. Changes

Changes to the constitution may only be made by a 2/3 resolution of the LNC and must be ratified by the Full-time officer of the BMA.

## 10. BMA support

Provided that the LNC operates in accordance with this constitution, the British Medical Association will formally accredit it and provide officer support in accordance with its policies.

**10.1** If agreed with your officer, the BMA can provide a small honorarium payment for LNC administrative support on receipt of an invoice.

Signature ………………………….…………………….

**LNC Chair**

Signature ……………………………….……………….

**BMA Officer**

Date ………………………..……………………………..