

# **SCARBOROUGH ATHLETIC FC**

## **Our Club, Our Community**

### **ELECTION RULES**

#### **1. Introduction**

- 1.1. This document is drafted in accordance with the existing Rules of Scarborough Athletic FC Society Limited and the Best Practice guidance issued by Supporters Direct. The purpose of the Election Rules Policy is to ensure that the elections for the Society Board members are conducted in a democratic and unbiased manner and the process and results are accepted as free and fair by all participants.

#### **2. Election Control**

- 2.1. In advance of the commencement of the election, the Society Board will appoint suitable persons (who may include Society members and serving Society Board members) to form the Election Supervision Group (**ESG**). This group shall be chaired by an independent person who is not a member of the Society.
- 2.2. No members of the Society Board whose positions are due to be offered for election shall play any part in determining the composition of the ESG or any aspect regarding the conduct of the elections.
- 2.3. Members of the ESG shall not be eligible to nominate candidates or be a candidate themselves and shall ensure that they are not associated closely with any candidates and have proper regard to maintaining the integrity of the election process.
- 2.4. During the election period the ESG will ensure that the election is run in accordance with this policy. This shall run from the date the Secretary issues nomination forms to members, and shall end 3 working days after the announcement of the final result.
- 2.5. The ESG shall make the final decision as to the eligibility of candidates, nominations and valid votes. They shall conduct the count, and the result as determined by them is final. Any decisions taken will be by majority vote and recorded. The Chair shall have a casting vote in the event of a tie.

#### **3. Timetable**

- 3.1. The Board shall agree the number of vacancies to be elected; if the numbers to be elected differs from the numbers elected in previous years, or changes the number of places to be elected in total on the Society Board, then the reasons why the change has been made shall be communicated to members in the form soliciting nominations.
- 3.2. The Secretary will circulate a nomination form with advance notice of the closing date for elections at least 56 days before the closing date.
- 3.3. The Society Board shall ensure that the membership of the ESG has been agreed by the Society Board before the Secretary circulates nominations forms.
- 3.4. The issuing of these forms shall start the election period, which will be closed by the announcement of the final result by the ESG. During this period, the ESG shall manage the process, with the assistance of the Secretary as required.

#### **4. Nominations and Eligibility**

- 4.1. Any person wishing to be a candidate for election to the Society Board must be a fully paid-up member of the Society and be nominated by at least three fully paid-up members of the Society.
- 4.2. The ESG will verify that nominations are from members of the Society. Society members can nominate up to nine candidates.
- 4.3. A signed fax or letter of nomination from a member, or email from the address a member has given the Secretary for receiving Society communications, are acceptable substitutes for a signature on the candidate's nomination form.
- 4.4. It is the candidate's responsibility to ensure that their nomination is valid and submitted in accordance with the election timetable. In order to ensure that candidates can confirm the validity of their

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nominees, the ESG and Secretary should arrange for candidates to be able to check in advance whether those nominating them are fully paid-up members.

- 4.5. Decisions over the validity of nominations shall be a matter for the ESG having due regard for the Secretary's assessment of the membership status of an individual nominating a candidate. Any decision by the ESG not to accept a nomination as valid should be notified to the candidate as soon as possible in order that the situation may be rectified or an appeal heard.
- 4.6. Candidates must also submit a statement in support of their nomination and may also submit a photograph for publication with their statement (see section 5 below for more details).
- 4.7. The names of those nominating candidates shall be appended to each candidate's statement.
- 4.8. By submitting a nomination, candidates will be deemed to have accepted these election rules, the Society's Rules, and any other policies and rules adopted by the Society Board and the membership and agreed to be bound by them.
- 4.9. Specifically, candidates are also self-certifying that they comply with the Society Rules relating to eligibility to serve on the Board. In particular, no person can be a member of the Society Board who:
  - is subject to a bankruptcy order or has in place a composition with his/her creditors;
  - is subject to a disqualification order made under the Company Directors Disqualification Act;
  - has been convicted on indictment for any offence (other than a spent conviction as defined by the Rehabilitation of Offenders Act 1974);
  - is or may on the basis of medical evidence be suffering from mental disorder;
  - fails to abide by any rules for the conduct of elections made by the Society Board.
- 4.10. All candidates shall leave full contact details with the ESG

### 5. Statements and Campaigning

- 5.1. Campaigning under the auspices of the Society will be restricted to the statements submitted by the candidates and to any hustings organised by the Society.
- 5.2. All candidates' statements are to be sent by email to the relevant members of the ESG. These will be gathered together and issued with the ballot papers, and include the photograph (if submitted) of the candidate and a list of the members who have nominated them.
- 5.3. Candidate statements should be at least 200 words long and no longer than 1000 words. If a candidate's statement has more 1000 words, it will be truncated and text will be inserted below stating "The candidate's statement has exceeded the permitted amount and has therefore been truncated". The number of words counted shall be decided using Microsoft Word.
- 5.4. Candidates shall not in their statements make threats, insults or derogatory, abusive, racist, sexist or homophobic statements. The Election Working Group will reserve the right to edit any statement to ensure that it does not breach these rules.
- 5.5. In agreeing to be nominated and so accepting these rules, Candidates shall agree to indemnify the Society from any liability that may arise out of the contents of their statement.
- 5.6. During the election neither the ESG nor the Society Board may provide advice to voting members as to the suitability of any candidate nor issue any voting advice to members collectively. Individual Society board members who indicate a preference in public must make it clear that they do not speak on behalf of the Society board and express a purely personal opinion.

### 6. Appeals

- 6.1. Candidates or complainants shall raise matters with the ESG whose decision is final.
- 6.2. Complaints after voting has closed shall be made to the ESG not later than three working days after the close of poll. Any complaint received after this date shall be ruled out of order.

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- 6.3. If any candidate should contravene the election rules, the ESG shall judge whether a disqualification should apply and their decision is final.
- 6.4. Any appeal against the decision of the ESG shall be made through the disputes procedure as set out in the Society Rules.

### 7. Result

#### 7.1. If there are more candidates than places available on the Society Board

7.1.a) The ESG will issue postal ballot papers and copies of candidates' statements with the notice sent of the date of closing date of ballot paper returns.

7.2.b) Votes may be submitted by the post up to the day of the closing date of ballot paper returns. The count of ballot papers will be made by the ESG.

7.3.c) The highest placed candidates in terms of total votes as equal to number of places available for election declared by the Board shall be deemed elected.

#### 7.2. If there are as many or fewer candidates than there are places

7.2.a) An affirmative ballot shall be held at the Election Hustings. Each successfully nominated candidate will be put before the meeting for the approval of members.

7.2.b) Any candidate not receiving the support of more than half of those present in person and by proxy shall be deemed to have not been elected.

7.3.c) Should the failure to elect any of the validly nominated candidates leave the Board below the minimum required under the Rules for them to act, all validly nominated candidates shall be deemed elected by the ESG and this declared at the Election Hustings.

- 7.3. The result shall be communicated to members in the Society's newsletter and on the Society's website and at the next members' meeting.
- 7.4. Successful candidates shall become full members of the Society Board upon receipt of their signed acceptance of the Board Membership Policy and Code of Conduct for Society Board members by the Secretary.