

# CF10 ARMS PARK RUGBY TRUST

## ELECTION POLICY

### 1. Introduction

1.1. This document is drafted in accordance with the existing Rules of Supporters Society Limited adopted pursuant to a resolution of the Society at a General Meeting held on 8<sup>th</sup> March 2017, and the Best Practice guidance issued by Supporters Direct. The purpose of the Election 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. Definitions

- 2.1 “AGM” means the annual general meeting of the Society.
- 2.2 “Election Period” means the period from the date each year on which the Secretary issues nomination forms to Members until 3 days after the announcement of the result of the election to which the nomination forms relate.
- 2.3 “Member(s)” means a member(s) of the Society.
- 2.4 “Society Board Member(s)” means an elected or Co-opted Member(s) of the Society.
- 2.5 “Election Policy” means the terms and conditions laid out in this document.
- 2.6 “Board Membership and Conduct Policy” means a detailed set of rules and regulations of the Society set out in a separate policy statement.
- 2.7 “Co-opted Member(s)” means a person(s) who has/have been elected to the Society Board by Society Board Members but not elected by the Members.
- 2.8 “Indictable Offence” means a criminal offence (other than a spent conviction as defined by the rehabilitation of Offenders Act 1974) for dishonesty, fraud or dealing in drugs.
- 2.9 “Rules” means the rules and regulations of the Society laid out in the separate Rules document
- 2.10 “Secretary” means the Secretary of the Society.
- 2.11 “Society” means Cardiff Blues Rugby Supporters’ Society Limited (also known as CF10 Arms Park Rugby Trust).
- 2.12 “Society Board” means the elected Board of the Society including any co-opted Society Board Members.

- 2.1. The AGM will take place within the period laid down in the Society's Rules, and the exact date shall be decided by the Society Board by the end of the preceding financial year.
- 2.2. 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.
- 2.3. The Secretary will circulate a nomination form for the Election of Officers with the advance notice of the AGM at least ~~six~~<sup>eight</sup> weeks before the AGM. They must be returned so as to be in the hands of the Secretary ~~14~~<sup>28</sup> days before the date of the AGM.
- 2.4. Any member resolutions to be considered at the AGM should also be submitted to the Secretary, and in his hands, 28 days before the AGM.

### 3. Election Strategy

3.1 The elections will be for:

- Chairman
- Secretary
- Treasurer
- Up to 6 other Board members

#### **All nominations must have a proposer and a seconder**

3.2. The elections will be for three years.

3.3. At the first AGM the following special arrangements will be in place:

- The first Chairman will serve for 1 year
- The first Secretary will serve for 2 years
- The first Treasurer will serve for 3 years

The three elected officers' term of office will then move to the usual period of 3 years

***These special arrangements will operate for the first AGM to avoid a major hiatus at the end of three years.***

### 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 proposed and seconded by at least two fully paid-up members of the Society.
- 4.2. A signed letter of nomination from a member, or email from the address a member has given the Secretary for receiving Society communications. Printed names are

acceptable substitutes for a signature on the candidate's nomination form received by email.

- 4.3. It is the candidate's responsibility to ensure that their nomination is valid and submitted in accordance with the election timetable. The Secretary should arrange for candidates to be able to check in advance whether those nominating them are fully paid-up members.
- 4.4. Decisions over the validity of nominations shall be a matter for the Secretary's assessment of the membership status of an individual nominating a candidate.
- 4.5. Candidates must also submit a statement in support of their nomination and may also submit a photograph for publication with their statement. The names of those proposing and seconding candidates shall be appended to each candidate's statement.
- 4.6. By submitting a nomination, Candidates will be deemed to have accepted this Election Policy, 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.
- 4.7. Where the number of candidates will require an election, the voting will take place at the AGM. The conduct of the election, and the counting of the ballot papers will be managed by two scrutineers appointed on the night.
- 4.8. Specifically, candidates are also self-certifying that they comply with the Society Rules and Board Membership and Conduct Policy relating to eligibility to serve on the Board. In particular, no person can be a member of the Society Board:
  - (with the exception of Co-opted Members co-opted onto the Society Board under Rule [67] of the Rules) who ceases to be a Member of the Society;
  - who has been a member of the Board for 12 consecutive years;
  - who is subject to a bankruptcy order or has in place a composition with his/her creditors;
  - who is subject to a disqualification order made under the Company Directors Disqualification Act 1986;
  - who fails to abide by any rules for the conduct of elections made by the Society Board.
  - who has a conviction for an indictable offence (other than a spent conviction as defined by the Rehabilitation of Offenders Act 1974);
  - in relation to whom a registered medical practitioner who is treating them gives a written opinion to the Society stating that they have become physically or mentally incapable of acting as a Director and may remain so for more than three months;
  - in relation to whom by reason of their mental health, a court makes an order which wholly or partly prevents them from personally exercising any powers or rights which that person would otherwise have;

## **5. Statements and Campaigning**

- 5.1. Campaigning under the auspices of the Society will be restricted to the statements submitted by the candidates.

- 5.2. All candidates' statements are to be sent by email to the Secretary with the nomination forms. These will be distributed to the membership 7 days before the AGM for the members' consideration.
- 5.3. Candidate statements should be at least 400 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.
- 5.5. In agreeing to be nominated and so accepting this Policy, candidates shall agree to indemnify the Society for the cost of meeting any liability of the Society that may arise as a result of the contents of their statement.

## **6. Appeals**

- 6.1. Candidates or complainants shall raise matters with the Secretary whose decision is final.
- 6.2. Complaints after voting has closed shall be made to the Secretary not later than three working days after the close of poll. Any complaint received after this date shall be ruled out of order.
- 6.3. If any candidate should contravene the Election Policy, the Secretary shall judge whether a disqualification should apply and their decision is final.
- 6.4. Any appeal against the decision of the Secretary shall be made through and governed by the disputes procedure as set out in the Society Rules.

## **7. Result**

- 8.1 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.
- 8.2 If there are as many or fewer candidates than there are places, an affirmative ballot shall be held at the AGM. Each successfully nominated candidate will be put before the meeting for the approval of members. Any candidate not receiving the support of more than half of those present in person shall be deemed to have not been elected. The exception shall be that 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 and this declared at the AGM.
- 8.3 The result shall be communicated to members at the AGM.
- 8.4 Successful candidates shall become full members of the Society Board upon receipt of their signed acceptance of the Board Membership and Conduct Policy.
- 8.5 The Society Secretary will issue the Board Membership and Conduct Policy to the successful candidates upon the result of the election and should any successful candidate not return the Board Membership and Conduct Policy duly signed in whichever way the Secretary asks for it to be returned within one calendar month, without an acceptable reason for the lateness in returning the document, the election of that candidate will be declared null and void and a vacant position will be created. For the avoidance of doubt, the onus for returning the signed Board

Membership and Conduct Policy shall be on the successful candidate not the Society Secretary