

Register No: IP030872



ELECTION POLICY


OF

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PORTSMOUTH SUPPORTERS' SOCIETY

LIMITED

**Registered Under the Industrial
And Provident Societies Acts 1965-78**

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ELECTION POLICY [PORTSMOUTH SUPPORTERS' SOCIETY LIMITED]

1. Introduction

- 1.1. This document is drafted in accordance with the New Model Rules of Portsmouth Supporters Society Limited adopted pursuant to a resolution of the Society at a General Meeting held on 8th December 2014 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. "EMG" means the Election Management Group.
- 2.7. "Board Membership and Conduct Policy" means a detailed set of rules and regulations of the Society set out in a separate policy statement.
- 2.8. "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.
- 2.9. "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 Portsmouth Supporters' Society Limited (also known as Pompey Supporters Trust).
- 2.12. "Society Board means the elected Board of the Society including any Co-opted Members.

3. Election Control

- 3.1. In advance of the commencement of the election, the Society Board will appoint members of the Society (who may not include serving Society Board Members) to form the EMG. This group shall be chaired by an independent person who is not a member of the Society. The Secretary may be a member of this group. In the event that it is not possible to agree the identity of the Independent chair, Supporters Direct will select the Independent chair.
- 3.2. No Society Board Members whose positions are due to be offered for election shall play any part in determining the composition of the EMG or any aspect regarding the conduct of the elections.
- 3.3. Members of the EMG shall not be eligible to nominate candidates nor 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.

- 3.4. During the Election Period the EMG will ensure that the election is run in accordance with this policy.
- 3.5. The EMG shall make the final decision as 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 of the EMG shall have a casting vote in the event of a tie.

4. Timetable

- 4.1. 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.
- 4.2. The Society Board shall agree the number of vacancies to be elected; if the number 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. See Rule 63 of the PST constitution for the number of Board places available.
- 4.3. The Secretary will circulate a nomination form at least twelve weeks before the closure of the Election Period.
- 4.4. The Society Board shall ensure that the membership of the EMG has been agreed by the Society Board before the Secretary circulates nominations forms.
- 4.5. During the Election Period, the EMG shall manage the process, with the assistance of the Secretary as required.

5. Nominations and Eligibility

- 5.1. 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 two fully paid-up members of the Society.
- 5.2. The EMG will verify that nominations are from members of the Society. Society members can nominate as many candidates as they wish.
- 5.3. A signed letter of nomination from a member, or an email from each of the addresses of the candidate and those members nominating that candidate have given the Secretary for receiving Society communications, are acceptable substitutes for a signature on the candidate's nomination form.
- 5.4. 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 nominators or the persons nominating them*, the EMG and Secretary should arrange for candidates to be able to check in advance whether those nominating them are fully paid-up members.
- 5.5. Decisions over the validity of nominations shall be a matter for the EMG having due regard for the Secretary's assessment of the membership status of an individual nominating a candidate. Any decision by the EMG 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.

- 5.6. Candidates must also submit a statement in support of their nomination and may also submit a photograph for publication with their statement (see section 6 below for more details).
- 5.7. The names of those nominating candidates shall be appended to each candidate's statement.
- 5.8. 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.
- 5.9. 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 65 of the Rules) who ceases to be a Member of the Society;
 - 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;
 - 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.
- 5.10. All candidates shall leave full contact details with the EMG including email address.

6. Process

- 6.1. In the event of a contested election, members will have the option of casting the same number of votes as there are vacancies, with a maximum of one vote for each candidate.
- 6.2. Members may vote in the format required by the EMG by email or by post. Only one vote will be recorded from any registered email address.
- 6.3. In the event that any candidate shall withdraw during the Election Period any member who has already voted may withdraw his or her votes and vote again within the Election Period.

7. Statements and Campaigning

- 7.1. Campaigning under the auspices of the Society will start with the statements submitted by the Candidates.
- 7.2. All candidates' statements are to be sent by email to the relevant members of the EMG. These will be gathered together and issued with the ballot papers, and

include the photograph (if submitted) of the candidate.

- 7.3. Candidate statements should be 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.
- 7.4. Candidates shall not in their statements make reference to other candidates or Society Board Members, make threats, insults or derogatory, abusive, racist, sexist or homophobic statements. The EMG will reserve the right to edit any statement to ensure that it does not breach these rules.
- 7.5. 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.
- 7.6. During the election neither the EMG 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.
- 7.7. After the publication and distribution of their statements, Candidates are encouraged to campaign actively using all and every means available (such as twitter, message boards etc).
- 7.7.1 The EMG will make every effort to ensure that Candidates are provided with every opportunity to campaign, and will be supported in this by the Society Board. Hustings, surgeries, programme articles, PA announcements, providing poster sites at the ground and publishing articles on the Society's website will all be considered by the EMG.
- 7.8. In order to ensure a level playing field for all candidates, the use of any club facilities not open to all Candidates is not allowed. For the avoidance of doubt, this does not apply in cases where hustings and other similar events are organised on dates at which not every candidate is able to attend. The EMG must endeavour to ensure maximum participation, but where candidates have other commitments which preclude their attendance, such events can still take place. The EMG will seek to give due notice of the hustings date to candidates.
- 7.9. Candidates will be responsible for the content of all and any publicity material or they produce, whether in print, digital or online formats. All campaigning activity must comply with rule 7.4 above. Candidates planning to distribute leaflets should remember that many will end up on the floor, and should join in and encourage other supporters to help with any required clean-up operation.
- 7.10. Should any candidate come up with a new way of campaigning, he or she is encouraged to discuss it with the EMG before going ahead.
- 7.11. Candidates' campaigns are not to exceed a reasonable cost, which will be at the discretion of the EMG.

8. Appeals

- 8.1. Candidates or complainants shall raise matters with the EMG whose decision is final.

- 8.2. Complaints after voting has closed shall be made to the EMG not later than three working days after the close of poll. Any complaint received after this date shall be ruled out of order.
- 8.3. If any candidate should contravene the Election Policy, the EMG shall judge whether a disqualification should apply and their decision is final.
- 8.4. Any appeal against the decision of the EMG shall be made through and governed by the disputes procedure as set out in the Society Rules.

9. Results

- 9.1. The highest placed candidates in terms of total votes as equal to number of places available for election declared by the Society Board shall be deemed elected.
- 9.2. 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 and by proxy 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 Society Board below the minimum required under the Rules for them to act, all validly nominated candidates shall be deemed elected by the EMG and this declared at the AGM.
- 9.3. The result shall be communicated to members as soon as practicable.
- 9.4. Successful candidates shall become full Society Board Members upon receipt of their signed acceptance of the Board Membership and Conduct Policy.
- 9.5. The 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 Secretary.