

FULHAM SUPPORTERS' TRUST – ELECTIONS RULES AND PROCEDURES – VERSION 2.0

0. Revision History

Date	Version	Author	Description
05/05/2019	1.0	TG	Initial version.
05/05/2020	1.1	TG	Removed 9.5 relating to exclusion for mental disorder.
16/10/2020	2.0	IC	Added Voting section 9 to clarify process, including dead heats, term allocation and voting method. Old 9 becomes 10. Supporters Direct now Football Supporters' Association (1) Explained election of vacated board positions (2) Clarified selection of freeze dates (6.2)

1. Introduction

The Fulham Supporters' Trust is a democratic organisation, incorporated as a Community Benefit Society and regulated by the Financial Conduct Authority as such.

It is responsible to its members, directly through decisions made at an **Annual General Meeting**, and by the election of a Board of Directors, elected to serve in the interests of the Trust.

Other than in exceptional circumstances, the Board will hold elections each year of a proportion of its membership, to take part at a time during the year as decided by the Board (if necessary, in conjunction with the Football Supporters' Association).

This document constitutes the **Electoral Rules, Regulations and Procedures** and is drafted in accordance with the guidance on running elections issued by the national independent football organisation, the Football Supporters' Association. The purpose of the Election Rules Policy is to ensure that the elections of members of the **Fulham Supporters' Trust** to the **Trust Board** are conducted in an open, democratic and unbiased manner in accordance with these rules.

2. Number of Candidates to be Elected

The Trust Board will consist of up to thirteen members elected by the membership, and up to a further five who can be co-opted by the **Trust Board** to support its work.

Each year, one third of the board positions will be made available for election for a new three-year term. In addition, any position vacated by a board member in the preceding year will be made available for election for the remainder of the original term. This will ensure the Trust Board's membership will be refreshed each year, and enabling continuity for the organisation.

Elected **Trust Board** members will serve for a term of three years, unless elected to a board position vacated in the previous year, in which case they will serve the remainder of that term.

Elected **Trust Board** members must stand down no later than the end of their current term following the completion of their ninth consecutive year after September 2019 as a board member.

3. Definitions

Wherever the following terms are used in **BOLD** print within this document, they shall be deemed to have the following meanings:

3.1 **AGM** means Annual General Meeting

3.2 **FST** means Fulham Supporters' Trust

3.3 **IS** means Independent Scrutineer

3.4 **Trust Board** means the elected board members of **FST**

3.5 **Electoral Rules, Regulations and Procedures** means the rules, regulations and procedures set out in this policy, augmented by any subsequent guidance as may be appropriate.

4. Elections to the Board

Any member of **Fulham Supporters Trust** over the age of 18 shall be entitled to seek election as a member of the **Trust Board**, provided they are a fully paid up member of the Board at the time of the freeze date that is applied to elections. The freeze date should not normally be set other than at an administratively appropriate point for the conduct of elections.

Each member seeking election will require to be both nominated and seconded by other full members of the Trust. Members standing for election are entitled to nominate and/or second candidates other than themselves, as are all Members with the exception of any Member who is undertaking the function of **Independent Scrutineer**.

The **Independent Scrutineer** can be a member of the Trust, or another individual appointed to undertake the role of scrutineer by the **Trust Board**.

5.1 Prime Responsibility of the Independent Scrutineer

The prime responsibility of the **Independent Scrutineer** is to ensure that the election is properly conducted in accordance with the **Electoral Rules, Regulations and Procedures** on behalf of **FST** members.

5.2 Support for the Independent Scrutineer

The **Independent Scrutineer** can request support through an ad hoc group established to manage the election process if they so wish. This can include members of the **Trust Board**, including those standing for election or having nominated or seconded other candidates.

Any Trust member assisting the Independent Scrutineer who is also a candidate, or has nominated or seconded a candidate standing for election will not be:

5.2.1 involved in the collation and publication of candidate statements other than their own;

5.2.2 eligible to take part in a decision which may result in candidate disqualification or

5.2.3 eligible to take part in a decision which may influence the outcome of the Election.

6. Eligibility of Candidates

- 6.1 The **Independent Scrutineer** will verify that nominations are from an eligible **FST** member. If a candidate receives a nomination from a non-member, the **Independent Scrutineer** will advise that candidate as soon as possible, to enable alternative nominations to be sought prior to the deadline for receipt of nominations.
- 6.2 In order to stand as a candidate or to vote, members must be current members at the date of announcement of the election by the existing **FST Board**, which shall be no less than two weeks before the opening of the nomination period.

7. Procedural Complaints

- 7.1 Any procedural complaints will be addressed to the **Independent Scrutineer**, who will be contactable through a specific email address that will be advised to all candidates as part of the election documentation.
- 7.2 The **Independent Scrutineer** will endeavour to respond within five days of receipt of any complaint, and is entitled to seek information from the existing **Trust Board** in support of any matter to be considered. As far as is practical, this should be through those Board members who are not seeking election or re-election.

8. Election Timetable, Voting and Candidates' Statements

Polling for the election is to be run by the **IS**, subject to these **Election Rules, Regulations and Procedures**. The **IS** will determine the results of the election which are final.

- 8.1 The election timetable will be publicised by the **Trust Board**.
- 8.2 Members will be given at least two weeks notice to submit nominations to stand for election, and there will be a voting period of at least a week.
- 8.3 The results will be announced within two weeks of voting deadline by the **IS**.
- 8.4 Elections can be undertaken by electronic ballot, circulated by email to Members eligible to vote.
- 8.5 Candidates will be asked to provide a statement of up to 200 words in support of their nomination, which will be circulated to all members with the ballot papers. Should a candidate not provide a statement, this will be noted in the document circulating the statements from the other candidates.
- . If a candidate's statement has more than the permitted 200 hundred words, it will truncated at 200 words and the following text will be added to the statement: *'The Candidate's statement has exceeded the permitted 200 hundred words and has therefore been truncated'*.
- 8.6 A candidate's statement shall not contain the name of any of their nominators or any other candidate.
- 8.7 In their statements, candidates must not:
- 8.7.1 make threats or derogatory, defamatory remarks or
 - 8.7.2 contravene any Discrimination law within the United Kingdom or

8.7.3 make references regarding other candidates

Any such defamatory statements will be removed by the **IS** prior to circulation to members and the following text will be added to the statement: *'This statement has been edited to remove remarks not allowed under paragraph 6.4 of the FST Election Rules, Regulations and Procedures'*.

- 8.8 The **IS** will ensure that the following statement is circulated with the candidate's statement document: *'The views contained in these statements are the individual views of the candidates and not the views of the Fulham Supporters' Trust'*.
- 8.9 Should no ballot be required, the **IS** will circulate to all members the statements of those deemed elected to the **FST** Board.
- 8.10 It is the Candidate's responsibility to ensure their nominations are valid and submitted in accordance with the timetable. In the event of uncertainty, the decision of the **IS** will be final.
- 8.11 A signed letter of nomination (which can be provided by email) from a member is an acceptable substitute for a signature on a candidates' nomination form.

9. Voting

If there are more candidates than places available on the board, the **IS** will oversee the distribution of electronic ballot papers and copies of candidates' statements to members who are eligible to vote. The following rules will apply.

- 9.1 Each eligible member will be issued with one ballot paper. Multiple votes from the same member will not be accepted. If multiple votes are received from the same member then neither will be accepted.
- 9.2 Votes may be submitted up to the date and time stated on the ballot paper.
- 9.3 Members will be asked to vote for up to one candidate per available board position.
- 9.4 The highest placed candidates in terms of total votes using a 'First Past The Post' voting method shall be deemed elected to the positions available.
- 9.5 Those candidates who receive the highest number of votes will serve the longest terms in situations where there are board positions available with differing term lengths, for example if a board position has been vacated during the previous election cycle.
- 9.6 If, after all votes have been counted, two or more candidates are tied for any board position, lots will be drawn by the **IS** to determine who is elected.

10. Ineligibility to stand for the Trust Board

Candidates are ineligible to stand for election to the Trust Board if they have been:

- 10.1 declared bankrupt or compounded with their creditors;
- 10.2 subject to a disqualification order made under the Company Directors Disqualification Act;

10.3 convicted of an indictable offence (other than a spent conviction as defined by the Rehabilitation of Offenders Act 1974)

They are also ineligible to stand if they:

10.4 fail to abide by any rules for the conduct of elections made by the **FST Board**