

# FC UNITED OF MANCHESTER

## ELECTIONS POLICY and NOTES ON GUIDANCE FOR MEETINGS

***This Election Policy and Notes on guidance for meetings should be read in conjunction with the rules of FC United Ltd relating to the conduct of General Meetings (Items 37 to 59), eligibility (16 and 66) and casual vacancies (70)***

Please note that reference to “General Meetings” also includes Annual General Meetings and Extraordinary General Meetings.

### **1 Candidates for Board Elections**

- 1.1 Nominations can be made at any time up until close of nominations at noon 45 days before the scheduled date of the General Meeting.
- 1.2 As part of the advanced notification of a General Meeting the Club will inform members how many positions on the Board are up for election and which, if any at that stage, of the current Board Members have declared that they will not be re-standing for election.
- 1.3 Any member wishing to stand as a candidate should submit a written nomination to the Club Secretary who will confirm receipt.
- 1.4 The nomination should;
  - a. Be endorsed by not fewer than 5 other members who, in granting their endorsement, state that to the best of their knowledge the member seeking election to the Club Board fulfils the criteria set out in these rules. This should include the name and membership number of each endorsing member which will be included in the General Meeting notes.
  - b. Clearly state that the member wishes to stand for election to the Club Board at the forthcoming General Meeting.
  - c. Declare eligibility to be a member of the Club Board.
  - d. Be written in clear English and be clear to read.
  - e. Clearly state the name and membership number of the nominated candidate.
  - f. Be received no later than noon 45 days before the scheduled date of the General Meeting.
- 1.5 All Candidates may also submit a statement in support of their candidacy of no more than 400 words and a passport style photograph.
- 1.6 Statements and photographs not supplied at least 45 days before the scheduled General Meeting date may not be distributed with the General Meeting papers. Where possible the statement should be supplied to the Club Secretary in a common digital text format.

### **2 Member scrutiny**

Candidates' details will be announced as soon as practicable after the closing of nominations.

- 2.1 Members will have the opportunity to scrutinise candidates in the following ways;

- a. Candidates' statements will be available on the official Club Members' forum on the Club's website and in the General Meeting papers.
- b. A section in the Members Forum will be provided for Members to pose questions to candidates. This will be open to both candidates and members before being closed to members but left open to candidates for a further period of five days allowing them sufficient time to answer all questions.
- c. Those members who do not have access to the internet can submit questions by post. All the questions submitted in this way will be posed as questions on the Club forum to candidates by the forum Moderator. All questions and answers on the election section of the forum after it has closed will be printed and made available from the Club offices and on a matchday at the Membership Stall as well as by post if requested.
- d. At the General Meeting there will be a period of up to two hours before the formal business in which Members can ask candidates questions. In the interests of fairness, this will be on a 'question time' format where Members questions will be put to all candidates in a chaired forum and will form part of the meeting.

### **3 Voting and Counting Procedure**

The club shall elect members of the Club Board following the procedure below;

- 3.1 Each member who has not already used a postal vote or online vote if available, will receive a ballot paper at the General Meeting listing the names of all candidates, which will be placed in random order.
- 3.2 "Re-open Nominations" shall be a nominated candidate in all elections, which, if elected shall automatically resign.
- 3.3 Each member may vote for as many candidates as there are vacancies on the Board by clearly marking an "X" in the boxes next to their preferred candidates.
- 3.4 A member may vote for fewer candidates than there are vacancies available, but may not vote for more, and this must be clearly explained on the ballot paper.
- 3.5 The independent overseer(s) of the election and count will be announced at the start of the General Meeting.
- 3.6 Voting will close at the end of the General Meeting at which point all cast ballots will be securely held until such a time as they can be independently counted.
- 3.7 All candidates may attend the count.
- 3.8 In the event a candidate withdraws at any stage of the election process votes cast for that candidate will be considered void and will not be counted.
- 3.9 Once all votes have been counted the candidate with the highest number of votes will be elected to the Club Board, followed by the candidate with the second highest number of votes and so on until all vacancies on the Club Board have been filled subject to the following points 10, 11 and 12:-

- 3.10 Should any candidate or candidates receive the same or fewer votes as “Re-open nominations” they will not be elected. Should any candidates receive fewer than 50% of the votes cast, they will not be elected.
- 3.11 In the event of board places remaining vacant due to “Re-open nominations” receiving more votes than other candidates or due to candidates receiving fewer than 50% of the votes cast a further election for those vacancies will not be held until the following General Meeting.
- 3.12 If, after all votes have been counted, two or more candidates other than “Re-open nominations” are tied for the last remaining vacancy lots will be drawn to determine who is elected.
- 3.13 A recount may be requested by any candidate within 24 hours of declaration. The independent overseer(s) in conjunction with the Club secretary will decide if such a request should be acted upon. In circumstances where the margin of votes between the candidates in question is wider than 50 votes or 5% of valid ballot papers cast – whichever is the greater – such a request would not normally succeed.

#### **4 Submission of motions**

- 4.1 Motions may only be submitted by current members of the Club. Any member wishing to submit a motion should familiarise themselves with the Club Rules and this guidance. Further advice and help with drafting and submitting a motion may also be sought via the Club Secretary. Any such advice given will not seek to influence the substance of the motion.
- 4.2 The Board have been given legal guidance advising that resolutions are to provide an overall strategy for the Board who are elected by the Membership to run the Club. Instructions can only be given to the Board within resolutions and not to named individuals.
- 4.3 Types of Motions:
- a. **Members’ Resolution**  
This is a motion to provide direction to the Board in a specific and binding way. These motions are governed by Rule 29. Members’ Resolutions require a 2/3rds majority.
  - b. **Board Resolution**  
This is a motion tabled by the Board to provide direction in a specific and binding way. These motions are governed by Rule 30. Board Resolutions require a simple majority.
  - c. **Constitutional Rule Change**  
Motions proposed as Members’ or Board motions may sometimes require a change to the rules. These can be referred to as a Constitutional Rule Change. Such motions are governed by the section of the constitution entitled “Amendment to Rules” (Rules 105-108). Generally requires 2/3rds majority, but alteration of certain rules may require a three quarters majority, a minimum level of participation and a postal ballot.
  - d. **Members’ Vote**  
A vote intended to gather the opinion of members on a given subject. Members’ votes are indicative and do not bind the Club Board to a specific course of action even though the expectation is that the Club Board will respect the result of the vote. A simple majority will provide sufficient guidance that the Board will respect

if not otherwise prevented from doing so. Members' votes are not governed by the Rules.

e. **Point of Agenda**

Addition of a point of discussion to the agenda of a General Meeting requires no vote but simply ensures that time is set aside in the General Meeting for discussion of a specific question or statement. Points of agenda (any other business) are governed by rule 30d and no vote can be held.

4.4 Writing the motion.

- a. Submitting a motion should consist of two parts:
- b. Content of the motion (this is what will be voted on)
- c. Justification for the motion (this is the argument in favour and will be printed in full in the members' notes for the General Meeting).

4.5 The motion should:

- a. Clearly state whether the motion is intended as a Members resolution, a Constitutional rule change, a Members vote, or a Point of Agenda.
- b. Be written in English and be clear to read.
- c. Clearly state the name and membership number of the proposer.
- d. Be signed and dated by the proposer if posted or sent by email without signature.
- e. Include contact details for the proposer (preferably a phone number and an email address).
- f. For each type of motion the proposer should obtain the signatures of 5 other members on a single written copy of the motion and clearly print the names and membership numbers of each member next to their signature. Alternatively the motion can be accepted with the same content but without signatures. If any member cannot find 5 supporters of the motion they can ask the Club to circulate to members via the Members Forum.
- g. A signed copy of the motion should be delivered to the Club clearly marked for the attention of the Club Secretary or by email without signature. If posted the motion should be made available to the Club Secretary in a digital format if possible.
- h. Motions must reach the Club Secretary not later than noon 45 days before the General Meeting is to be held.
- i. The Club will make available a motions submission form to assist this process. This form will be available in digital form from the Club website and in printed form from the Club on request.

## 5 Notification of Motions

- 5.1 The Club Secretary (or a nominated representative of the Club acting with the permission and knowledge of the Club Secretary) will confirm to the proposer when their motion has been received. As part of this confirmation the proposer will be made aware of their rights to debate the motion at the General Meeting and invited to nominate either themselves or another representative to debate on their behalf.
- 5.2 When a motion is received the contents of the motion will be placed on the Members Forum of the Club website as soon as possible after receipt. This will give other members the opportunity to prepare and submit counter motions up to noon, 45 days before the General Meeting.

## 6 Withdrawing motions

- 6.1 Under certain circumstances a member may wish to withdraw a motion, in particular where a similar motion has subsequently been submitted rendering the original motion obsolete.
- 6.2 Any proposer wishing to withdraw their resolution should do so no later than noon 45 days before the General Meeting. A full list of withdrawn motions will be made available to members attending the meeting.
- 6.3 The Board after reviewing any motion may ask the proposer to withdraw the resolution for further consideration by the Board prior to the distribution of the General Meeting documentation to members. If the proposer does not wish to withdraw the motion the Board may recommend a vote against it but in doing so will clearly state the reasons why.

## **7 Debating motions**

- 7.1 The following procedure should normally be followed when debating motions at the General Meeting:
  - a. The proposer of a motion or a nominated representative of his/her choice will be invited to describe the main features of the proposed motion to the meeting (1-2 minutes)
  - b. Once described the proposer or representative will then be allowed to state the case in favour of the motion (2-3 minutes)
  - c. A representative from the Board will give the Board's response to the proposed motion. As part of this response the Board should identify any possible negative consequences that may arise from the motion – irrespective of whether the Board is in favour or not. If none are known the Board should declare as such (2-3 minutes)
  - d. Questions and comments will be invited from members who wish to speak on the motion (12 minutes – a maximum of 2 minutes each speaker)
  - e. The proposer or nominated representative of the motion shall not take part in the debate, except to answer specific questions of clarity, which should be directed via the Chair of the meeting. After the debate, the proposer or nominated representative shall have the right of reply to the debate (2 minutes)
  - f. The Chair will move to a vote where one is required.