

The Dons Trust's rules for elections to the Trust Board 2021

Wimbledon supporters set up the Trust to be a democratic organisation based on participation from its members. We want to run elections that have the widest possible involvement by members, as candidates and as voters. We must ensure that the way we organise and control elections encourages members to take part. These rules therefore aim to promote active and vibrant elections, keeping bureaucracy to a minimum while ensuring fairness as far as possible.

The election steering group (ESG)

1. From time to time the Board will appoint a Chair of the ESG. On the ESG Chair's recommendation, the Board will appoint other members to the ESG. The Chair's main responsibility will be to ensure a vibrant, fair election.
2. The ESG will work in liaison with the Secretary of the Trust. Members of the ESG and the Secretary are not allowed to stand as candidates, nor to nominate a candidate, in any Trust election.
3. During the election period (which runs from the opening of nominations until the declaration of the results) the ESG will run the election in accordance with these rules on behalf of the Trust. Outside an election period, the ESG will support and advise the Board in matters relating to the conduct of elections; they will also advise the Board on widening and deepening members' participation in Trust elections.

Announcing the election

4. The Secretary of the Trust will formally start the election by announcing its timetable, the number of elected positions to be filled and the nomination procedure. The timetable as announced forms part of these rules.

Eligibility and nomination

5. A candidate and their proposers must be fully paid-up members of the Trust on the date of nomination and meet the criteria set out in rule 58 of the constitution.
 - 5a. Employees of the club, including playing staff, team management and those who receive payment from the club on either a contract or freelance basis are ineligible to stand for election or to nominate candidates. See also rule 26 below.
6. A candidate must comply with the nomination procedure announced by the Secretary and set out on the current nomination form.
7. The ESG will verify all nominations upon receipt and may require evidence of identity. This includes contacting a candidate's Proposers. Should there be any reason to reject a nomination, the candidate will be informed as soon as possible. They will be entitled to resubmit a revised nomination, addressing, to the ESG's satisfaction, the ESG's concerns either before the close of nominations, or 48 hours after being advised of the rejection, whichever is the later. For the avoidance of doubt, there may be only one such 48 hour period for corrections. If a valid nomination is not then submitted to the ESG's satisfaction then it will be deemed rejected.

No policy statement can anticipate all the questions that might arise. If in doubt on matters not clearly covered by this statement, the ESG should always be guided by the spirit of these rules.

8. Candidates are responsible for the veracity of their manifestos and programme summaries. In their material, candidates may not make threats or insults, nor make derogatory, abusive, racist, sexist, or homophobic statements or references. Statements about other candidates should be backed up with evidence in or linked to the manifesto. Candidates' attention is drawn to the communications provisions in the AFC Wimbledon Volunteer Charter.

9. The ESG will remove any statements that it considers to be in breach of Rule 8 from manifestos and / or summaries before publication. Any text so removed will be replaced by a statement explaining the removal.

Announcement of candidates

10. The ESG will inform the Secretary of the number of properly nominated candidates.

11. If the number of properly nominated candidates is more than the advertised number of vacancies, the ESG will publish a list of their names and their manifestos, as well as the names of those members nominating each candidate and other information that the ESG considers useful to members.

12. If the number of properly nominated candidates is equal to or fewer than the advertised number of vacancies, the ESG will publish a list of their names and their manifestos and will report to the Secretary that they are considered to be elected.

13. In the event that there are any additional vacancies due to the resignation of sitting Board members before their term of office comes to an end, then every effort will be made to fill these positions as part of the main elections. In order for this to be possible, the resignation of any sitting board members will need to be received by the Secretary before the announcement of candidates.

14. In the event of any additional vacancies as described in 13, then the five candidates receiving the highest votes in the election will be declared to be elected for a full two year term and the candidates receiving the next highest votes equal to the number of additional vacancies will be declared elected to complete the remaining terms of office of the resigned Board members.

15. In the event that the number of candidates validly nominated does not exceed the total number of vacancies (regular plus additional) then an election will not be held. In this circumstance then the following procedure will be followed:

- If the total number of candidates does not exceed the total number of regular vacancies (five) then each of these candidates will be declared to be elected to a full term.
- If the total number of candidates nominated is more than the number of regular vacancies but less than or equal to the total number of vacancies (regular plus additional) then all candidates will be informed of the outcome and invited to nominate themselves to fill one of the additional vacancies (ie to serve for one year rather than two).
- If the allocation of candidates to regular/additional terms is still not decided then a drawing of lots will take place in the presence of the independent person. If possible, this will take place with the candidates able to be present or (if Covid-19 precautions do not permit) then with candidates able to watch via Zoom or some other conferencing system.

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Campaigning

16. Candidates are encouraged to campaign actively. The ESG will make every effort to ensure that candidates are provided with opportunities to campaign, and will be supported in this by the Board of the Trust. Pro-Boards and twitter debates, hustings, surgeries, programme articles, PA announcements, providing poster sites at the ground and publishing articles on the official website at www.afcwimbledon.co.uk will all be considered by the ESG (subject to Covid-19 related requirements, see below). Should any candidate come up with a new way of campaigning, they are encouraged to discuss it with the ESG before going ahead.

17. Whilst there are no formal financial restrictions on candidates, they are expected not to spend substantial sums on their campaigns. Any and all spending must be directly related to the campaign. Bribery in any form is not permitted. Any concerns or questions about this rule should be addressed to the ESG in advance.

18. Data Protection. Candidates are asked to familiarise themselves with the requirements of relevant data protection legislation including the Data Protection Act 2018. In particular, any data such as contact details they may hold as a result of their involvement in other ventures, whether linked to the Club or Trust or not, may not be used in the course of their campaign. Candidates may not have access to the membership list (in whole or in part) of the Trust for the purpose of campaigning. Any potential breaches of this rule will be reported to the Information Commissioner's Office.

19. 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 debates and other similar events (including events organised by third parties but supported by ESG) are organised on dates at which not every candidate is able to attend. The ESG must endeavour to ensure maximum participation, but where candidates have other commitments which preclude their attendance, such events can still take place. The ESG will seek to give due notice of the event dates to candidates.

20. The promotion of the election by media and social media outlets not in the control of the Club or its subsidiaries is encouraged. This includes encouraging debates and questions to candidates and the organisation of interviews or hustings events. Such outlets are asked to ensure equal access for all candidates. The ESG recognises that each will have their own editorial and moderating policies but they are requested to enforce these in the spirit of a fair and vibrant election and within these rules. Outlets are encouraged to contact the ESG if they have any questions or concerns.

21. Candidates will be responsible for the content of all publicity material they publish, which must comply with the rules for manifestos. 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.

22. If campaigning develops in a way that could bring the Trust or club, or both, into disrepute, then the ESG will warn the candidate(s) concerned. If considered necessary, the ESG will bring the matter to the Board's attention. The Board may, if it wishes, issue a statement distancing the Trust from events. The Board will decide on whether a similar statement should be suggested to the club.

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Voting and counting

23. Voting will be by a multiple variant of the “first-past-the-post” system. Members will be able to cast as many votes as there are vacant positions, but may use fewer if they wish. Members cannot vote more than once for any candidate, but they will be encouraged to use all their votes. The candidates will be ranked in order of number of votes received and allocated to the available vacancies in descending order of votes received until all the vacancies are filled (see also section above related to regular and additional places to be elected). The ESG is responsible for distributing voting instructions and making candidates’ manifestos available to all members entitled to vote at the election. In the event of a tie requiring resolution, the result will be decided by an independently observed lottery.

23a. Only members of the Dons Trust who are fully paid up by 30th October may vote in the election. Members joining or renewing after this date will not be able to vote.

24. The count will be overseen by an independent person.

25. The results as determined by the ESG are final and will be published as soon as possible after the count. The announcement of election results will include the number of votes cast for each candidate.

Conducting a fair election

26. During the election period:

- Trust and club volunteers and club employees should not be involved in campaigning for any candidate or candidates while undertaking their duties, but, as a general rule, candidates may continue with their own duties. If there are concerns about this in a particular case, these should be raised in the first instance with the ESG;
- Employees of the Club, including playing and non-playing staff and those on casual or freelance terms, may not campaign for any candidate and no implication should be given that employees are backing the candidacy of any candidate. This includes the use of words or images that a reasonable person may take to imply support for a candidacy;
- any opinions about election issues and/or a candidate given by anyone connected with the Trust or any of its subsidiaries should be expressed in a personal capacity, and not on behalf of the Trust or its subsidiaries. The communications provisions in the AFC Wimbledon Volunteer Charter apply.

27. Any communication about the implementation of these rules should be addressed to the ESG:

- by email to elections@thedonstrust.org;
- by letter addressed to the ESG at AFC Wimbledon, Plough Lane Stadium, Wimbledon SW17 0NR

The ESG will endeavour to acknowledge receipt of such communication within two working days.

28. If any candidate breaks these rules, the ESG will judge what, if any, steps to take, in the interests of a vibrant and fair election. The ESG will proceed sensitively, recognising that Trust members may not be seasoned political campaigners and that advice can at times be as effective as the imposition of sanctions.

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29. During the election period members, whether candidates or not, who have any complaints about the conduct of the election should follow the procedure in 27 above. Anonymous complaints may not be investigated, but the Board, the Secretary and the ESG will try to respect any request for confidentiality.

30. Appeals against any decision of the ESG may be made to the Secretary; they will be judged by the Board of the Trust.

31. If a successful candidate declines to take up their place after the results of the election have been announced, then the resulting vacancy will be considered as a resignation of a Board member in accordance with the constitution of the Trust.

32. Where reference is made to the Board in 16, 22, 29 and 30 above, any discussion or judgement can only involve Board members who are not candidates in the current election.

Covid-19 and the Election

33. Where possible, this election will be run as normally as possible. However, the Trust and the ESG are mindful of the impact that Covid-19 has had and the potential harm it may cause. All election procedures will therefore be implemented with a view to minimising risk and candidates are also asked to ensure that their campaigning does not raise the risk of the spread of the disease.