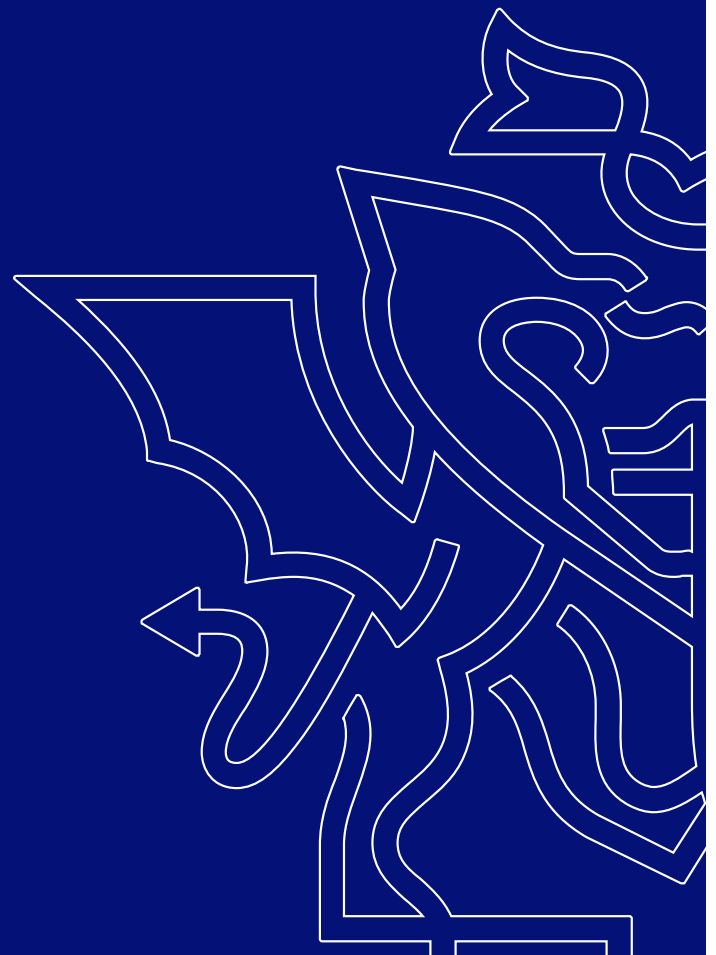




The Chartered
Institute of Marketing

Election Procedures for Election to The Board of Trustees

2016



Appendix 2

BR101 - Election Procedures to the Board of Trustees

Bye-law 42c requires Board Regulations for the conduct of the election.

Bye-law 53 gives power to the Board of Trustees to delegate.

The Board of Trustees delegates authority for the conduct of the elections to the Secretary, in accordance with Bye-law 53.

1. Core principles for CIM Elections

- 1.1 The participation of the membership in CIM's elections is vital for the success of the organisation. To ensure this, the election systems used need to be accessible to all members and trusted by those members.
- 1.2 The core principles to be followed are
 - That all systems for voting should be secure and accurate. Only people entitled to vote should vote and votes must be recorded and counted accurately.
 - That the election process is objective. Procedures should be applied impartially and consistently.
 - That all members should be encouraged to participate in elections (both as candidates and voters); that elections are well publicised; and that it is easy to vote.
 - That the administration of the election is transparent. Procedures and criteria will be written in clear English and available to all. The results of the election will be announced promptly.
- 1.3 These principles are listed in order of priority and where there is any conflict between them they will be applied in that order.

2. Elections Governed by These Procedures

- 2.1 These procedures apply to election to the Board of Trustees.
- 2.2 All CIM elections are subject to its Charter and Bye-laws, and where there is a conflict between these procedures and the Charter and Bye-laws, the provisions of the Charter and Bye-laws shall prevail.

3. Responsibilities

- 3.1 The Bye-laws state that the Secretary is responsible for the conduct of the elections. The Secretary shall therefore either act as Returning Officer, or appoint a Returning Officer to act on his or her behalf.
- 3.2 The Returning Officer is responsible for the conduct of a particular election. It is the job of the Returning Officer to apply and interpret these procedures; to count the votes (or oversee the count); and to announce the results. In the event of any dispute concerning these procedures, the ballot or the validity of votes, the decision of the Returning Officer shall be final.
- 3.3 The Returning Officer may also appoint agents for the purposes of assisting with an election.
- 3.4 Subject to Bye-Law 42a, the Returning Officer has the power to suspend and then recommence an election or to disqualify candidates who breach these procedures.
- 3.5 The Returning Officer and his / her agents must not be CIM members. If the Secretary is a CIM member, an alternative Returning Officer shall be appointed by the Board of Trustees.

4. Equal Opportunities

All members should be able to participate equally in elections. To help ensure this:

- Election materials will be made available in formats that are accessible for all members regardless of disability. For example, materials should be made available on print, on tape and in Braille, on request.
- The language used in election materials should not be gender specific.
- Alternative methods of voting will be made available to members who may not be able to vote in the customary way as a result of a disability. The Returning Officer is authorised to agree special voting provisions in this instance, providing that all the core principles set out above will still be met.

5. Timetable For Elections

5.1 Elections will normally be held in the six months preceding the AGM. The exact timetable for each election will be determined by the Returning Officer at least 4 months before the proposed closing date for nominations.

5.2 All elections will follow the order of events listed below

Set the timetable	See section 5
Appoint Returning Officer (if applicable)	See section 3
Publish notice of elections	See section 8
Closing date for nominations	See section 10 and 11
Closing date for manifestos	See section 15
Dispatch voting papers and manifestos	See section 17
Voting opens	See section 17
Close of voting	See section 17
Count the votes	See section 21
Notify candidates of the results	See section 25
Publish the results	See section 25

6. Voting Systems

6.1 These procedures are drafted with particular reference to postal voting which is the default mechanism used for all elections. However, alternative voting systems, including secure web based voting, may be used as permitted by the Charter and Bye-laws and where there are adequate safeguards regarding security and privacy.

6.2 Postal Voting

6.2.1 When an election is conducted by postal ballot a ballot form will be sent to each member. The ballot form will be in such format as the Returning Officer shall determine (see section 17).

6.2.2 Whenever possible, members will either be provided with a business reply service envelope for the return of the ballot paper, or given details of a freepost address to which the ballot paper should be returned.

6.2.3 In a postal vote members will be instructed that nothing should be placed inside the envelope other than the ballot form and a declaration of identity form, if used. In addition the envelope should be marked "ballot paper" and, if necessary with the name of the election. The Returning Officer may choose to specify that ballot papers are only valid if returned in envelopes provided. CIM cannot accept responsibility for ballot forms not returned in the appropriate envelopes not being counted.

6.2.4 It is the responsibility of members to submit their completed ballot forms. Ballot forms should therefore be submitted individually. Whilst CIM will accept ballot forms from members at the same address in the same envelope, the Returning Officer will not accept ballot forms where there is a possibility that they have not been returned by the individual members– e.g. a large number of forms collected in one envelope.

6.2.5 Envelopes containing ballot papers will be kept in a secure location.

6.3 Electronic or Telephone Voting

6.3.1 As an alternative to postal voting, electronic or telephone voting may be used for elections, as permitted by the Charter and Bye-laws. If voting by electronic means or telephone is being used, the following procedures must be followed

- Members must have the right to submit a postal vote as an alternative to electronic or telephone voting. Mechanisms must therefore be put in place to ensure that there can be no duplication in voting.
- In order for the voting process to be secure, each member must be issued with a unique reference number. This number should not relate to the member in any way, or enable the member to be identified from it. For this reason, CIM membership numbers should not be used.

- The unique identification number will be required to register a vote (either by electronic or telephone voting or post). It must be capable of being used only once, to ensure that only one vote is recorded.
- Telephone voting must be to a dedicated line, or lines. Access to the votes recorded will be restricted to the Returning Officer, his / her agents, any other independent scrutineers, and any independent service provider.
- Electronic voting must be via a secure website, with appropriate encryption to ensure that the vote is not traceable in any way. In addition the software used must prevent any record of the vote being kept on the computer or terminal used.
- Adequate safeguards against fraud must be in place to maintain the security of the ballot.

7. Voting Privacy

The Returning Officer will make such additional arrangements as s/he thinks appropriate to ensure that members' votes remain confidential.

8. Notice of Elections

- 8.1 Adequate notice must be given of all elections. This will normally mean a notification posted directly to all members entitled to vote or inclusion in a CIM publication that is sent to all members (or all members entitled to vote). Notice of an election should also be placed on the CIM website.
- 8.2 Notice of the election will be given at least one month before the closing date for nominations.
- 8.3 The notice of the election will include
- What the election is for
 - The number of vacancies to be filled (if known) and from which geographic locations
 - How to nominate or be nominated
 - Who is eligible to be a candidate
 - Who is eligible to nominate a candidate
 - The closing date for nominations and the timetable for the elections
 - Any other information considered by the Returning Officer to be necessary in order to facilitate the election.
- 8.4 The nomination forms will be made available to members via downloading from the website, and will also be posted or emailed to members on request.

9. Eligibility to be a Candidate

To be a candidate a person must comply with the eligibility requirements for the position, as set out in the Charter, Bye-laws and General Regulations.

10. Process for Nominations

- 10.1 All candidates must be nominated in accordance with the criteria for the specific election. All nominations must be received by the deadline specified.
- 10.2 The Returning Officer will specify the format for any nomination, which will normally include
- The name of the candidates.
 - The membership number of the candidates.
 - The addresses of the candidates.
 - Any other information considered necessary by the Returning Officer.
 - Candidate's signature indicating that they are willing, and eligible to stand for election.
 - Names of the persons proposing and seconding (the nominators), along with their membership numbers and / or addresses, and signatures. In the event that a candidate is nominated by the Trustees, this may be replaced by a statement from the Board of Trustees to that effect.
- 10.3 A nomination will be invalid if
- The completed forms have not been received at the specified address by the closing date for nominations.
 - The candidate has not signed the form.
 - The nominators have not signed the form.

- The candidate is not eligible for election.
- The nominators are not eligible to nominate.
- The particulars of the candidates or the persons nominating the candidate are incomplete, untruthful or inaccurate.
- A nominator has proposed or seconded more than one candidate.
In this instance, the Returning Officer will try to contact the nominator (if this is possible before the deadline). If the Returning Officer is unable to contact the nominator, the nomination received first by the Returning Officer will stand and any subsequent nominations proposed or seconded by that nominator will be classed invalid.

10.4 The Returning Officer's decision that a nomination is invalid is final. The candidate will be immediately withdrawn for the election if the Returning Officer holds that a nomination is invalid.

11. Delivery of Nominations

- 11.1 Details of where nomination papers must be returned to will be included with the nomination forms, along with the deadline for the receipt of nominations.
- 11.2 It is not necessary for all the nomination information to be returned on the same form. It may be more convenient for nominators to complete separate forms from the candidate and each other. In addition, whilst CIM will issue nomination forms a nomination will be valid provided it contains the same information (and signatures) as the form.
- 11.3 The Returning Officer may agree to receive nominations by fax or in electronic formats, provided that either
- this is supported by a "hard copy" of the nomination and that this hard copy is received before any election materials, with the candidates' details, are published.
Or
 - In the opinion of the Returning Officer appropriate security measures are in place to allow for facsimile or electronic nominations to be accepted. If this is the case, this fact will be stated in the notice for the election.

12. Publication of Nominations

- 12.1 All nominations received shall be confidential prior to the closing date for the nominations. The names of the candidates or potential candidates shall not be disclosed to anyone, including Trustees. (However, the Returning Officer may choose to disclose how many nominations have been received to date.)
- 12.2 At the closing date for nominations, the names of the candidates will be made public. A complete list of candidates will be given to any candidate, or other member, on request. The list may also be published via the website and other means.

13. Process for Withdrawal for Candidates

- 13.1 A candidate can withdraw from an election by submitting a notice of withdrawal. This must be signed by the candidate, and delivered to the Returning Officer at the same address as for the delivery of nomination papers. Any withdrawals must be received no later than four days after the closing date for nominations.
- 13.2 A nominator can withdraw his/her nominations at any time before the closing date for nominations, by submitting a notice of withdrawal. A nominator cannot withdraw his/her nominations following the close of nominations.
- 13.3 If a candidate withdraws, the election proceeds with the remaining candidates.
- 13.4 If a candidate dies at any time between the closing date for nominations, and the announcement of the election result, the election will continue. If election materials have already been printed and / or distributed, CIM will make attempts to notify members, via the website and any other general means of publication, of the death of the candidate. Any votes received for the deceased candidate will be discounted.

14. Uncontested Elections

If an election is uncontested (i.e. the number of candidates from each geographic location is equal to or less than the number of vacancies for that area) a statement of the candidates will be posted on the website no later than one week after the close of nominations, and the candidates shall be declared elected unopposed.

15. Manifesto and Election Materials

- 15.1 Candidates will be asked to prepare a manifesto – a short personal statement supporting their candidacy and including details of their proposed contribution to The Board. In addition, candidates will be asked to supply biographical details. The content will be as determined by the Returning Officer, but will typically include qualifications, membership grade, CIM experience, current employment, industry sector expertise, place of residence and nationality. Manifestos and biographical details must be submitted by the deadline specified (which may be the deadline for the receipt of nominations, or a date after this). Failure to submit a manifesto or biographical details by the deadline will not invalidate a nomination, but no manifesto or biographical details will be published if received after the deadline.
- 15.2 The manifesto must be no longer than 250 words. Manifestos exceeding 250 words may be returned to the candidates for editing (if this is possible before the deadline) or simply cut down to the limit. This may mean that only the first 250 words are published. The Returning Officer or his/ her agents shall not edit manifestos on behalf of candidates.
- 15.3 The Returning Officer or his / her agent shall review the content of the manifestos. Election manifestos are published at the Returning Officer's discretion and CIM will not publish any manifesto that it believes
- to contain inaccurate or untruthful information
 - to be potentially libellous
 - could subject CIM to any legal action or discredit it in any way.
- 15.4 The manifestos, biographical details and name of nominators will be provided to all members eligible to vote, along with ballot papers or instructions on voting if an alternative method of voting is being used.
- 15.5 In the election materials published by the Returning Officer the candidates will be listed alphabetically in order of their family names. If there are two or more candidates with the same family name, they will be listed in order of their other names.
- 15.6 If a candidate has more nominations than are required, only sufficient names will be published. Where possible the Returning Officer will give the candidates the opportunity to select the names, but if not these will be determined by the Returning Officer (normally the first received).

16. Canvassing

Whilst CIM recognises that some candidates will engage in canvassing, and does not intend to prevent this activity, there are some restrictions that are placed on canvassing activities

- No statement, remarks or details of any kind shall be published in any form whatsoever by CIM itself in respect of candidates and in connection with elections, without the prior written consent of the Returning Officer.
- CIM staff, whether or not members, must not canvass on behalf of any candidate, or be involved in any such activities.
- Candidates and their supporters must not make use of CIM resources, including membership details or mailing lists for the purposes of canvassing. All candidates should ensure that they comply with Data Protection legislation in the UK and with similar legislative provision in other jurisdictions. Where a candidate has access to membership details in another capacity (eg through SIG, branch or regional involvement) they must not use those details for canvassing.
- During the period of the election; candidates will not canvass using any official CIM approved social media site, including LinkedIn, Facebook or Twitter or any other official CIM site or similar medium which may become available in the future.
- Candidates and their supporters are reminded that any action which could be construed as buying or procuring, advertising or offering incentives to encourage voting, is not permitted.

17. Voting

- 17.1 Voting papers will always be dispatched at least four weeks before the date set for the close of voting. Voting papers will be sent to all members entitled to vote, and will include
- the names of the candidates and the names of those nominating the candidates
 - the election manifesto and biographical details for candidates.
 - details of the voting procedure, including the date for the close of voting, and the address to which votes should be sent
 - a ballot form, or if an alternative voting method is being used, instructions on how to vote
 - a business reply, or freepost envelope, if being used.
- 17.2 It shall be at the discretion of the Returning Officer how the information is provided to members, but, for the avoidance of doubt, the inclusion of voting papers with, or within, a CIM publication that is sent to all members will meet the requirements of this section. In addition to providing the information to individual members, the voting papers (excluding the ballot paper and returning envelope) will also be published on the CIM Website.
- 17.3 CIM is responsible for ensuring that voting papers, or details of how to vote, are dispatched to members at their notified address (see 18). Papers are dispatched in good faith. However, the non-receipt of a ballot paper, or any other election materials, by any member or members shall not invalidate an election.

18. Ballot Papers

- 18.1 Whatever form a ballot paper takes, it must
- contain the names of all the candidates
 - contain clear instructions on how to vote.
- 18.2 If an alternative method of voting is used, this information must also be provided to the voters in the appropriate format e.g. on the website, or in the instructions for telephone voting.
- 18.3 Ballot papers (or details of how to vote) must only be sent to members' notified addresses, or distributed to members personally. Notified address means the mailing address of the member on the membership database held by CIM at the time that mailing details are compiled. It is the responsibility of the member to ensure that CIM is notified of his / her correct address, and any changes to it.
- 18.4 One or more of the following mechanisms must be used to ensure that ballot papers cannot be duplicated, and that they are used only by those persons entitled to vote.
- The ballot paper has a unique identification number on it.
 - There is space on the ballot paper for a unique identification number to be written on it by the voter (a unique identification number having been issued to each member).
 - The ballot paper needs to be signed by the member and/ or requires identification details such as a membership number, or will be accompanied by a declaration of identity form to be completed.
 - Any other security mechanisms as the Returning Officer may approve.
- 18.5 Any un-issued ballot papers, or publications containing ballot papers, must be returned to the Returning Officer to be destroyed.

19. Replacement Papers

CIM will only issue replacement ballot papers in exceptional circumstances and where there is no possibility of a duplication of voting. The decision of the Returning Officer on whether to issue a replacement ballot paper is final.

20. Eligibility to Vote

To be eligible to vote a person must, at the time of the dispatch of the voting papers to members

- 20.1 be a CIM Voting Member
- 20.2 meet any further eligibility criteria for the specific election as set out in the Charter, Bye-laws and General Regulations.

21. Counting of Votes

- 21.1 The Returning Officer, or agents appointed by him/her, is responsible for collecting all envelopes containing ballot papers, or voting records (electronic or telephone). No other person will have access to the ballot papers or voting records.
- 21.2 Counting should take place as soon as possible after the close of the voting, and continue, with reasonable breaks, until all votes are counted.
- 21.3 The Returning Officer, or agents, are responsible for opening each envelope (if used); verifying each ballot paper or voting record; and counting all ballot papers or voting records.
- 21.4 Ballot papers or voting records should be verified before being counted. Verification will involve
- checking that the ballot paper is original and not a copy.
 - checking that it has a unique identification number (if used) or that the appropriate security details have been completed.
 - checking the appropriate verification procedures for voting by methods other than postal voting.
 - recording the total number of ballot papers or voting records received, and comparing with the numbers issued and numbers eligible to vote.
- 21.5 The Returning Officer must ensure that if counting is suspended for any reason (for a reasonable break, or overnight) proper precautions are taken for the security of the ballot papers, voting records and other documents.
- 21.6 The Returning Officer shall be responsible for determining if a recount is necessary for any votes. However normally a recount shall only take place if
- there is reason to believe that there may have been an error in the counting
 - a candidate has been elected by four or less votes.
- 21.7 Any such recounts shall only take place during the Count. Once the Returning Officer has announced the results they shall be regarded as final, in the absence of manifest error.

22. Attendance at Counts

Only the Returning Officer, and his/her agents and an independent scrutineer has a right to be present at the counting of the votes, unless, exceptionally, the Returning Officer has granted permission to anyone else to attend.

23. Validity of Votes

- 23.1 The decision of the Returning Officer on the validity of a vote, or any question arising in respect to a vote, will be final.
- 23.2 A ballot paper, or voting record, will be invalid if
- it is not received by the Returning Officer before the deadline for the close of voting.
 - It is not an original ballot paper (in a postal vote) or in the required format for any other form of voting.
 - The person who voted was not entitled to vote, or there is uncertainty as to whether the person was entitled to vote (for example if a signature or membership number is required and is not provided, or a declaration of identity form is not completed).
 - A unique identification number is required but is missing, or duplicates another number (in which case both votes shall be invalid).
 - There is no clear indication of voting intention.
 - There is uncertainty as to whether the individual member themselves submitted the ballot paper / vote.
- 23.3 Situations in which there would be no clear indication of a voter's intention include those where
- the voter has voted for more than one candidate (or more candidates than the number of vacancies).
 - the mark, or marks, on the paper is not clearly placed by a candidate's name.
 - the paper, or voting record, has been left blank.

- 23.4 A ballot paper will not normally be invalid if
- the vote is marked in the wrong place, but with a clear indication of which candidate or candidates are preferred.
 - the vote is marked otherwise than with a cross.
 - there is more than one mark but with a clear indication of which candidate, or candidates, is preferred.
 - the member has not used all of his/her votes.
- 23.5 Only the Returning Officer or his or her agent can determine whether a ballot paper, or voting record, is invalid. All invalid papers or voting records should be marked "invalid", and must be kept with all other ballot papers / voting records.
- 23.6 In announcing the results, the Returning Officer shall also announce the number of invalid votes.

24. Tied Votes

If there is a tie between any two or more candidates, and the addition of one vote to any of the candidates would have enabled that candidate to be elected, the Returning Officer will decide between the candidates by drawing lots.

25. Announcement of Results

- 25.1 The Returning Officer is responsible for announcing the results of an election.
- 25.2 All candidates will be notified of the results as soon as possible after the Count has concluded and no later than four days after that time. Members will be notified of the results in the first appropriate publication following the election. In addition, the results of all elections will be placed on the CIM website, no later than one week after the count has concluded, and the results shall be available to all members, on request, at any time from the conclusion of the count.
- 25.3 The election results shall be published in the numerical order of votes received along with the percentage of total votes that each candidate received. The number of votes cast for each candidate shall not be published.

26. Retention of Ballot Papers and Voting Records

All ballot papers and any other voting records shall be retained for a period of at least 6 months, after which they should be destroyed. Only the Returning Officer, his or her agents or an independent scrutineer, or another person acting on the explicit authority of the Board of Trustees will have access to the ballot papers and voting records.

CIM

Moor Hall
Cookham
Maidenhead
Berkshire, SL6 9QH
United Kingdom

T +44 (0)1628 427120
F +44 (0)1628 427158
E info@cim.co.uk
W cim.co.uk
 [@CIM_Exchange](https://twitter.com/CIM_Exchange)
 facebook.com/TheCIM
 The Chartered Institute of Marketing (CIM)