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BALLOT GUIDELINES FOR THE ELECTION OF THE GENERAL SECRETARY AND EXECUTIVE COUNCIL 2017

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BALLOT GUIDELINES FOR THE ELECTION OF THE GENERAL SECRETARY AND EXECUTIVE COUNCIL

The Executive Council is the governing body of Unite the union, responsible for the union's administration and governance, and its policy in between Policy Conferences. All eligible members are urged to consider standing for election to the Council. The union has produced a guide *Executive Council – Roles and Responsibilities* outlining what the EC does, and what is involved in being a member of it. This can be found on the union website alongside these guidelines, ballot notice and other EC election information. The General Secretary is responsible for the Administration of the Union.

The following guidelines to the conduct of the election of a General Secretary to hold office from 2017 – 2022 and Executive Council for the May 2017 – April 2020 electoral period are intended to ensure that the election conforms to law and the union's rule book, and to indicate what candidates and their supporters can and cannot do. It is aimed to ensure an open, fair and democratic process. It should be read in conjunction with Rules 14 and 16 of the Unite Rule Book – "Executive Council" & "Election of Executive Council Members and the General Secretary".

1. The union is required by law to have an Independent Scrutineer responsible for conducting the ballot and ensuring its conformity with legislation. This is *Electoral Reform Services* at 33 Clarendon Road, London N8 0NW. There is also a Returning Officer responsible for the internal administration of the election – for these elections this will be *Electoral Reform Services*. Finally, the union's rules provide for an independent Election Commissioner to adjudicate on complaints by candidates or the Executive Council. This is *Professor Keith Ewing*. Both the Returning Officer and Professor Ewing can be reached through the union's Head Office.
2. All members of the union, including members paying Retired Members Plus contributions and Community members can vote in the General Secretary election. All members of the union can vote in the Executive Council election *except* retired and community members. Members who join after January 1 2017 cannot vote in either election.
3. Notice of the ballot, together with a timetable and other details, will be sent to all Unite branches, workplace representative and full-time officials responsible for constitutional committees.

CANDIDATES

4. To stand in the election for General Secretary a member must be eligible to vote in the election and have at least 5 years continuous membership of the union.
5. To stand in the election for the Executive Council members must be accountable representatives of workers. This is defined in Rule Six in the union's rule book and associated guidance, both available on the union website. In addition, candidates must have been members for at least 13 weeks, not to be more than 13 weeks in arrears on their subscriptions and cannot be employed by another trade union. Nominees who are eligible solely by virtue of being branch officers in employment will be asked by the Returning Officer to verify their employment status through presentation of pay slips or a current P60 form.
6. Prior to the nomination period for candidates opening, branches and workplace representatives will be advised that they can email details of prospective nominees to branches and workplaces. Prospective nominees will be allowed to provide a 150-word statement *only*, together with their

membership details and the name of the constituency in which they wish to stand, which will be circulated by the union with the letter inviting nominations.

7. Prospective Candidates must be a member in the region or sector, or in the equalities category, for which they wish to seek election. A nominee for the Youth seat must be 27 years old or under at the date nominations close.

NOMINATIONS

8. Nominations can be made by branches and workplaces (where there is no workplace branch). Branches will be sent nomination forms. Forms for workplace reps will be available from Regional Secretaries and, for branches only, online. Nominations can only be made at a meeting properly convened for that purpose during the nominating period. All notices of meetings must be made available to the Returning Officer when nominations are submitted. Sample notices which can be used are included here for convenience, as an appendix.
9. Branches need not give special notice of the meeting if their branch meeting details are up-to-date on the membership system. Otherwise at least seven days' notice of the meeting must be given, and it must be clearly stated that EC nominations will be considered at the meeting. All workplaces must give such notice of their meetings. At least five members eligible to vote must be in attendance at Branch meetings, which may only nominate for national equalities seats, for the regional seats in the region in which the branch is located and for the sectoral seats(s) in sectors which the branch has at least five members. Workplaces may only nominate for the relevant sector seat and for national equality seats at least three members eligible to vote must be in attendance at the workplace meeting.
10. Nomination forms must be completed in full by both Branches and workplaces. Failure to do so may result in the Returning Officer declining to accept a nomination.
11. All prospective nominees:
 - for General Secretary must receive at least 50 branch nominations or workplace nominations (the total must include nominations from more than one region).
 - for the Executive Council must receive at least three nominations from branches, workplaces or a combination of both to become candidates, except candidates for regional seats who must receive at least three nominations from branches alone.Once candidates have received the required minimum number of nominations they will be so advised, and sent weekly updates of branches and workplaces nominating them.

INFORMATION

12. After the close of nominations and before the dispatch of ballot papers, the union will send an email to all branches and workplace representatives containing an election statement from candidates. Candidates must strictly observe the deadline notified for receipt of such a statement.
13. All eligible candidates will be sent postal and email contact addresses of the secretaries of branches which have nominated him/her where the secretary has signed the Data Protection Permission on the nomination form. Candidates themselves will be required to sign a similar declaration prior to the release of this information.
14. All candidates who have confirmed in writing that they accept nomination will be invited to submit an election address of up to 600 words for General Secretary and 300 words for the

Executive Council. Guidance, *which must be strictly adhered to*, concerning how this address should be completed will be contained on the Election Address Form sent to the candidates for this purpose. If the address contains more than the set word limit, only the first 600 or 300, respectively, will be printed, and no illustrative or visual material may be included. All legal liability for the contents of each candidates' election address rests solely and entirely with the candidate in question and not the union.

CAMPAIGNING

15. Branches may expend their own funds in support of a candidate nominated by them and any costs incurred by the Regional Administration in providing assistance will be charged against the appropriate branch fund. Otherwise, no union funds or other resources may be used to support any candidate, nor may the union's corporate identity or logo (or anything which in the opinion of the Returning Officer may be identified as such) be used in any material supporting any candidate(s). Unite's own social media platforms may not be used for election campaigning.
16. Candidates must ensure that members should only be written to, telephoned, e-mailed, texted or otherwise communicated with at their home or on private communications appliances if they are given a clear option to unsubscribe or otherwise decline to receive any further such communications.
17. No candidate shall email any Unite employee at their work in support of their campaign. No Unite employees should campaign or provide administration support using union facilities for any candidate.
18. All candidates and their campaign supporters should familiarise themselves with the provisions of the Data Protection Act 1988, details of which provisions will be made available to candidates once they are validly nominated and are available from the union administration at any time.
19. If the Returning Officer determines that a candidate or his/her campaign is in breach of any of the provisions of paragraphs 14-17 above, they may be disqualified from standing in the election. There will be no appeal.

VOTING

20. Eligibility to vote is as set out in paragraph 2 above. All eligible members will be sent the ballot papers and the election addresses for the seats in which they are entitled to vote together with a reply envelope. Should they not receive such a ballot paper by the date specified in the attached timetable they should contact the Independent Scrutineer which will determine whether a replacement ballot paper should be sent.
21. Members must by law be allowed to vote free from interference or restraint imposed by other members or by employees of the union. For example, it is not permitted to hold raffles or ballot days which encourage members to bring their ballot papers to a central point for posting. Such activity may lead to the partial or total invalidation of the ballot and lead to the invocation of Rule 27 relating to membership discipline.
22. It is the responsibility of the member to ensure that his/her ballot is returned to the Independent Scrutineer by the close of ballot.

COUNT AND DECLARATION

23. The Independent Scrutineer is responsible for the count of the ballot. The count process (opening of ballot envelopes) will not commence until after the close of the ballot. Candidates

may attend the count verification process, or may be represented at the count verification by one person only on their behalf.

24. The Independent Scrutineer will provide the result to the Returning Officer and the Executive Council will issue a declaration of the result, which will be published on the union's website, and will inform all branches.

This Guidance is designed to assist members of Unite in understanding the conduct of this ballot, and to set down clear parameters for nominating and campaigning. It does not cover all the points set out in Rule, nor all the legal provisions governing the election. If there is any doubt or confusion on any point, please refer to the union administration for information.

ELECTION TIMETABLE

The new EC will hold office from 1st May 2017 to 30th April 2020. The following timetable for this election ensures that the new Council can take office on 1st May. Membership eligibility deadline for members voting in election – 1st January 2017 – to be eligible to vote a person must be a member at this date.

Despatch of Nomination Forms PLUS e-mail with campaign statement from people seeking nomination	w/c 2 nd January 2017
Nominations Period	Monday 16 th January – Friday 17 th February 2017
Last date for Receipt of Nominations	Wednesday 22 nd February 2017
Last date for Acceptance and Receipt of Election Address	Monday 27 th February 2017
Voting Papers Despatched	27 th March 2017
Helpline for members who have not received their ballot paper opens	Friday 7 th April
Deadline for despatching duplicate ballot papers	Thursday 13 th April 2017
Easter Holiday 2017	14th – 17th April
Deadline for Voting papers to be returned to the Independent Scrutineer – 5.00 p.m. on	Wednesday 19 th April 2017
Count and scrutiny of ballot papers by ERS	Thursday 20 th to Wednesday 26 th April 2017
Count Verification attended by observers	27 & 28 April 2017
Executive Council receive report of Independent Scrutineer and result declared	28 th April
New EC takes office	1 st May 2017

EXECUTIVE COUNCIL; CONSTITUENCIES AND SEATS 2017 – 2020.

The Constituencies and seats on the next Council will be as follows. This make up takes into account the requirement for minimum proportionality contained in Rule 11.

The number indicated in brackets below specifies where designated seats have been allocated because of the proportion of women or Black or Asian ethnic minority membership in a constituency. The first set of brackets in each case refers to a designated seat for women; the second set of brackets refers to a designated seat for Black or Asian ethnic minority members.

CONSTITUENCIES	EC members	WHO CAN NOMINATE	HOW MANY VOTES DOES AN ELIGIBLE MEMBER GET IN THIS CONSTITUENCY
REGION SEATS			
East Midlands	2(1)	Branches	2
Ireland	2(1)	Branches	2
London/Eastern	4(1)(1)	Branches	4
NEYH	2(1)	Branches	2
North-West	3(1)	Branches	3
Scotland	2(1)	Branches	2
South-East	2(1)	Branches	2
South-West	2(1)	Branches	2
Wales	2(1)	Branches	2
West Midlands	3(1)(1)	Branches	3
Industrial Sector Seats			
Aerospace & Shipbuilding	2	Branches & Workplaces	2
Automotive Industries	3(-)(1)	Branches & Workplaces	3
Civil Air Transport	3(1)(1)	Branches & Workplaces	3
Chemicals, Pharmaceuticals, Process and Textiles	1	Branches & Workplaces	1

Community, Youth Workers and not for profit	1	Branches & Workplaces	1
Unite Construction, Allied Trades and Technicians	4	Branches & Workplaces	4
*Construction (former UCATT)	4	The 4 former-UCATT seats will be taken by members of their existing executive.	
Docks, Rail, Ferries and Waterways	1	Branches & Workplaces	1
Education	1	Branches & Workplaces	1
Energy and Utilities	1	Branches & Workplaces	1
Food, Drink and Agriculture	3(1)(1)	Branches & Workplaces	3
Finance and Legal	3(2)	Branches & Workplaces	3
General Engineering, Manufacturing and Servicing	2	Branches & Workplaces	2
Government, Defence, Prisons & Contractors	1	Branches & Workplaces	1
Graphical, Paper, Media and Information Technology	1	Branches & Workplaces	1
Health	3(2)	Branches & Workplaces	3
Local Authorities	2(1)	Branches & Workplaces	2
Metals (including Foundry)	1	Branches & Workplaces	1
Passenger Transport	2(-)(1)	Branches & Workplaces	2
Road Transport Commercial, Logistics and Retail Distribution	2	Branches & Workplaces	2
Service Industries	1	Branches & Workplaces	1
National Equality Seats			
Women	1(1)	Branches & Workplaces	1
BAEM	1(-)(1)	Branches & Workplaces	1
LGBT	1	Branches & Workplaces	1
Disabled	1	Branches & Workplaces	1
Youth	1	Branches & Workplaces	1
Total number of seats on the EC	71(18)(7)		

Appendix 3

SAMPLE BRANCH/WORKPLACE MEETING NOTICE

This notice should be amended to reflect your own branch or workplace meeting details and the nominations your branch is eligible to make. It should be distributed widely to members using the usual method of issuing a meeting notice.

Date:

To: All members of the {insert branch or workplace name}

In accordance with the Rules of Unite a ballot will be held to elect a General Secretary and members of the Unite Executive Council (for the electoral period 1st May 2017 to 30th April 2020).

In accordance with the Trade Union and Labour Relations (Consolidation) Act 1992 Electoral Reform Services; have been appointed to act as Independent Scrutineer for this ballot. They can be contacted at the following address: The Independent Scrutineer, Electoral Reform Services, Election Centre, 33 Clarendon Road, London N8 0NW.

Any prospective candidate for General Secretary must be a member, must be eligible to vote in the election and have at least 5 years continuous membership of the union. For the Executive Council they must be an accountable representative of workers in accordance with Rule 6 and a member of the constituency they wish to represent.

Under the ballot rules our branch/workplace is required to hold a meeting during the nomination period 16th January to 17th February 2017 in order to determine our nomination for General Secretary and the following seats on the Unite Executive Council.

- Regional representatives
- Industrial Sector representatives
- National Woman's, BAEM, LGBT, Disabled member or Youth representatives

(Please refer to the ballot guidelines booklet to complete this section with the constituencies your branch or workplace is entitled to nominate for)

This meeting will take place on {insert day and date between 16th January and 17th February 2017} at {insert time and venue}.

Yours sincerely

{name}

Branch Secretary/Workplace representative



Unite Facebook comment policy

Unite the union welcome comments, feedback and messages and will reply to as many as we can, but please respect other members and don't post abusive or inappropriate messages. Read our terms in the 'notes tab'.

Unite is not responsible for any comments made by members of the group. Members are solely responsible for the content of the comments they post here and do not necessarily reflect the opinion or approval of Unite.

Unite's goal is to maintain open community where members feel free to express themselves, but also recognise that some posts can descend into negative sniping and excessive self-promotion. Where comments/posts comments violate the terms of use, Unite will exercise its right to moderate and remove comments which are deemed to be offensive or unsuited to the subject matter of this group.

We encourage comments that:

- Are clear, "on topic" and that respond to the content.
- Have a positive/constructive tone.
- Are open to being contradicted by other readers.

We discourage comments that:

- Are not "on topic" or are not responding to other comments.
- Are excessively long, unpleasant or negative in tone.

We will delete comments, without notice, that:

- Contain any personal attacks - on writers, other members or any individual
- Are abusive, disruptive, harassing, threatening or vulgar.
- Contain racism, sexism, homophobia or other forms of hate-speech.
- Attack, denigrate, diminish, harm or cause upset or offence to an individual or group.
- Are libellous or defamatory.
- Contain advertising or spam.
- Are excessively self-promotional or link to a website that is malicious or promotes a business that does not relate to the trade union movement.

If you have any questions, please direct them to ashraf.choudhury@unitetheunion.org

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