



## **TRUSTEE NOMINATION & ELECTION RULES**

### **Introduction**

1. Under the terms of the constitution and our governing document, the Muslim Burial Council of Leicestershire (MBCOL) operates through a Board of Trustees.
2. Under the terms of the constitution all trustees are to be elected by a majority vote at the annual general meeting who shall hold office from the conclusion of that meeting up to a term of 5 years. The term of office is five years and thereafter Trustees are obliged to stand down, but are eligible for re-election.
3. The members are reminded that the role of Trustees is absolutely vital and everyone is reminded that this role carries with it an important and onerous responsibility, which needs to be discharged. Everyone is therefore encouraged to focus their minds on ensuring that people that are nominated have the appropriate resources of time, commitment and skills in discharging their responsibilities as Trustees. Members are also reminded that the Board should, as much as possible, mirror and reflect the community that it serves and you are therefore all positively encouraged to nominate individuals from different backgrounds and different traditions so that the Board is able to draw upon the widest possible section of perspective and experience.
4. Members are reminded that the constitution has specific rules in relation to eligibility of Trusteeship which are governed under clause six of our constitution which in general terms imposes restrictions as to who is eligible to serve, these are that a person cannot serve if:
  - a) *if they are under the age of 18 years*
  - b) *in circumstances such that, had he or she has been would have been disqualified for other reasons*
  - c) *if they do not ascribe to the religion of Islam.*
5. The Board would encourage all members to put forward nominations in advance of the Annual General Meeting so that the elections can be managed appropriately. All those individuals that have been nominated must under these circumstances submit their written consent to be considered for election and are also encouraged to produce (at their own expense) any publicity materials, profiles or any other information regarding their nomination and the skills they bring to the organisation.

## **Nominations**

6. Members organisations can nominate individuals. Private individuals are not permitted to nominate. Nominations must come from member organisation.
7. Member organisations that nominate must do so through individuals within the organisations that are authorised to act e.g. a Chairman or secretary.
8. The member organisation nominating an individual will need to have the nomination seconded by another separate member organisation. Member organitaions are not permitted to nominate and second the same individual.
9. Member organisations that wish to nominate any person to stand shall send to the office manager or secretary a completed nomination form as set out in appendix 1. All nomination forms must be delivered by no later than 7 clear working days (weekends and bank holidays do not count as working days) prior the AGM.
10. Nominations that do not meet this time limit shall not be acceptable and no nominations shall be allowed at the AGM. Any defective nomination will be subject to rectification, an opportunity will be given to remedy any defects and will be subject to a time limit to make good any errors or defects.
11. The nominations will have to be proposed and seconded (by two separate member organisations) and the person being nominated shall give their written permission and consent that they wish to be considered. If they are not physically present at the Annual General Meeting they can still be considered on condition that the written confirmation is presented to the election commissioner.
12. In addition, any additional background material, profiles, biographies and the like that will support the suitability of the person being nominated may also be distributed. Such material is to be produced at your own cost.
13. If the number of nominations exceed two (the maximum number of vacant positions for election) then the election process will take place and members shall vote. Prior to voting taking place all those individuals that have been nominated will be provided one final opportunity to consider standing down if they wish to do so.

## **Voting**

14. Voting will only be available to member organisations and in accordance with our constitution each member organisation shall appoint two representatives to attend the AGM and therefore shall have two votes.
15. Membership of MBCOL is determined by Clause 10 of the constitution and only those organisations that currently exist on MBCOL's membership register shall be entitled to vote. Any new organisation attending on the day may join the AGM but may not be permitted to enter the election process or vote. Their entitlement to vote

shall occur on the next subsequent AGM once their membership has been ratified and confirmed.

16. If any member organisation is unable to appoint two representatives to attend the meeting then one representative may attend and is permitted to two ballot papers.
17. Those members that wish to cast the votes without attending may do so by way of a proxy. All member organisations that wish to vote by proxy are reminded that they must give their written choice of reference of their proxy votes to the MBCOL Office Manager / secretary within three clear working days from the date of the AGM and whether or not the proxy votes are accepted on the day will be entirely at the discretion of the Election Commissioner.
18. Member organisations are reminded that all proxy votes must be in writing and must contain the name of the organisation that will not be able to attend, the person whom they are voting (which is optional) for and how many of their votes they are exercising. The document is also to be signed by the appropriate member organisation's representative and must also be dated no less than three clear working days before the AGM. Notwithstanding the requirements set out above the election commissioner shall exercise appropriate discretion if the circumstances are such that it is just and fit to do so. In this respect, the decision of the election commissioner in exercising his / her discretions shall be final.
19. All member organisations eligible to vote shall register at the AGM and upon completion of the valid registration process they will be given a ballot form which shall be used for voting purposes.
20. Voting shall be by way of secret ballot as determined by the election commissioner.
21. All voting will be counted by the election commissioner and with the assistance of the Office Manager and two other independent persons who will serve to independently verify the result.
22. The election commissioner shall render into writing the total vote cast and the appropriate scores of all the candidates with all successful candidates will be notified to the membership on the day of the AGM.
23. The ballot papers shall be sealed by the election commissioner and shall be retained by the Office for a period not less than twelve months for the purposes of any reviews or recounts that may be called forth.
24. Any reviews or recounts must be lodged in writing by an eligible member organisation to the Chairman of MBCOL no later than 56 days from the date of the AGM.
25. The successful candidates nominated will so be nominated by number of votes cast in their favour and in the event of a tie between two or more candidates the following procedure shall apply:

26. The candidates will be requested to consider their positions in relation to whether or not they wish to continue to be considered
27. In the event that the matter is not settled by voluntary agreement then eligible voting members shall vote again amongst those candidates that are tied
28. In the unlikely event that there continues to be tie after the second election then the candidate shall be selected by the drawing of their name (i.e. drawing lots).
29. Upon the conclusion of the election all appointed Trustees are obliged to sign their consent to serve in accordance with clause 22 of the constitution which states as follows:

*“CONSENT OF ELECTED TRUSTEES”*

*We the undersigned hereby accept and consent to act as Trustees of MBCOL following our nomination and election. We fully and clearly understand that this is an important responsibility and shall at all times conduct ourselves with due diligence and in furtherance of the Association’s scope and objectives. We further understand the extent and nature of power vested in us by this Constitution and shall exercise such powers with due diligence and in furtherance of the Association’s scope and objectives”*

30. All elected Trustees therefore must understand that their election as Trustees is subject to their conformation that they will submit to the written consent as set out above.
31. In the event of any elected Trustee not willing to submit to this declaration then their appointment as Trustee shall be terminated forthwith. Under these circumstances a vacancy will occur and this will be dealt with in accordance with clause 8 of the constitution.

**General**

32. These rules shall take effect from the adoption at the AGM and shall be the adopted practice in respect of all future elections of the Muslim Burial Council Of Leicestershire. The date of adoption being 6<sup>th</sup> Day of August 2014.



## MBCOL TRUSTEE NOMINATION FORM

### Notes to completing the nomination form

1. **Nominator** – This is the name of the member **organisation** making the nomination. The nominator cannot be the same as the seconder
2. **Secunder** – This is the name of the member **organisation** seconding the nomination. The seconder cannot be the same as the nominator
3. **Nominee** – This is the name of the **person** being nominated to stand for election as Trustee.
4. **Supporting Statement of Nominee** – This section is optional and for the **Nominee's** personal profile in no more than 250 words

| Nominator (name of member organisation)                                                             | Address of Nominator (member organisation) | Name, Signature & position                             | Date |
|-----------------------------------------------------------------------------------------------------|--------------------------------------------|--------------------------------------------------------|------|
|                                                                                                     |                                            | Name (print).....<br>Signature .....<br>Position ..... |      |
| Secunder (name of member organisation)                                                              | Name & Address of Secunder                 | Name, Signature & position                             | Date |
|                                                                                                     |                                            | Name (print).....<br>Signature .....<br>Position ..... |      |
| Nominee                                                                                             | Address of Nominee                         | Signature                                              | Date |
|                                                                                                     |                                            |                                                        |      |
| Supporting Statement of Nominee (Optional – no more than 250 words. Continuation sheet can be used) |                                            |                                                        |      |
|                                                                                                     |                                            |                                                        |      |