

Regulations governing the procedures for elections for the following:

- **NATIONAL EXECUTIVE COUNCIL ELECTIONS - 2021**
- **NATIONAL REPRESENTATIVE ELECTIONS - 2021**
(Postal Executive & Telecoms and Financial Services Executive)

- 1) These regulations have been determined by the National Executive Council in accordance with the Rules of the Union to govern the election of National Executive Council members and Industrial Executive positions (Postal Executive and Telecoms & Financial Services).

The election will take place in May-August 2021 and the successful candidates will take up office at the end of August 2021 until the end of April 2023. Further information regarding the election process is contained in the attached appendices that also form part of these regulations:

Appendix 1 – National Executive Council Positions

Appendix 2 - Postal Constituency – Industrial Executive Positions

Appendix 3 – Telecom & Financial Services Constituency Industrial Executive Positions

- 2) Nominations open on **20 May 2021**. The Senior Deputy General Secretary will provide formal notice of when the election will take place.
- 3) Where Branches are entitled to nominate members from their own Branch, nomination forms will be supplied to all Branches who request them in writing or by email. Completed nomination forms giving the biographical details, election address and a recent photo for the Branch candidate must be received by **14:00 on 10 June 2021**. Due to the current Covid 19 pandemic Branches should send the information to postnelections@cwu.org. Any nominations received after that date and time will not be accepted. Each Branch will be sent an email to the address that CWU HQ has on file for the branch confirming receipt to confirming receipt of nomination forms.
- 4) Where Branches are entitled to nominate members from Branches other than their own, nomination forms will be distributed direct to these Branches for completion and return to CWU Head Office by **14:00 on 10 June 2021**. Due to the Covid 19 Pandemic the forms will be sent by email only to the address that CWU HQ has on file. Completed nominations forms should be sent by email to tfsnelections@cwu.org. Any nominations received after that date and time will not be accepted. Each Branch will be sent an email to the address that CWU HQ has on file for the branch confirming receipt to confirming receipt of nomination forms.

Members who are nominated as a candidate will be sent an email confirming that a nomination has been received. The email will contain the appropriate forms to be completed giving their acceptance of nomination, biographical details, photo and election address. Completed forms for biographical details and the election address, together with a recent photograph must be received by **14:00 on 14 June 2021** by the Senior Deputy General Secretary, CWU HQ. Due to the current Covid 19 pandemic candidates should send the information by email to tfsnelections@cwu.org. Any acceptance forms, biographical details, election addresses or photographs received after that date will not be accepted.

- 5) All candidates shall have the right to prepare an election address of not more than 300 words, biographical details of not more than 100 words and to submit a recent photograph. The content of the election address and biographical details is the responsibility of the individual candidate and the Union will not be held responsible for any defamatory or libellous statements contained in the election address and biographical details.

- 6) The biographical details, election address and individual photographs for all candidates will be published and distributed with the ballot papers to all relevant members. Other than Branch publicity restricted to the membership of their individual Branch any other publicity or canvassing such as handouts, posters, etc. for any or all candidates will be the responsibility of the individual candidate who shall fund any such publicity.
- 7) The method of recommending support for candidates to its own Branch members will be a matter for each Branch. Notification of names of candidates and voting entitlement will be published to branches in advance of the despatch of ballot papers to assist branches in this matter. No Branch Officer or other workplace representative shall have any responsibility for the circulation of publicity for any candidate other than the candidate recommended by the Branch. All material produced by the Branch must include the name of the Branch and the printers name and address where appropriate.
- 8) The Independent Person, in accordance with all legislation, designated as the printer of all ballot material is under instruction to refer any request from a candidate or Branch to undertake printing on their behalf, to the Independent Scrutineer and General Secretary. Printing for a Branch, or candidate, can only be undertaken by the Independent Person with the written authority of both the Independent Scrutineer and the General Secretary.
- 9) Candidates may not use information held by the union on its national records for workplace or home addresses for members for the purposes of distributing any publicity material. Any complaint that a member has used such information may be investigated by the Independent Scrutineer, and if as a result, the complaint is upheld, may take appropriate action in accordance with paragraph 18 of these Regulations.
- 10) Voting will be by individual member by the marking of a ballot paper by the member entitled to vote. The ballot will be fully Postal in accordance with current legislation.
11. Each member entitled to vote shall be allowed to do so without interference, constraint or undue pressure, in secret, and so far as is reasonably practicable without incurring any direct cost to the member.
- 12) So far as is reasonably practicable, all members entitled to vote will receive a ballot paper at the address notified in writing to the CWU. The ballot papers will be dispatched, so far as is reasonably practicable, from **6 July 2021**. For votes to be valid, members must mark the ballot paper in accordance with the instruction, and return it sealed in the prepaid envelope provided to the address nominated by the Independent Scrutineer and appearing on the envelope.
- 13) All eligible members included in the Register maintained by the Union as at **6 June 2021** are entitled to vote. Every effort will be made so far as is reasonably practicable to ensure that each member will receive a ballot paper through the post. It is not possible to issue duplicate ballot papers unless this is authorised by the appointed scrutineer. To request a duplicate ballot paper the eligible member will need to send a written request to the appointed independent scrutineer (Civica) at cwuelections@cesvotes.com. The request must contain the following information; CWU membership number, correct postal address and the reason why a duplicate ballot paper is being requested.
- 14) The last time for receipt of ballot papers at the address nominated by the Scrutineer will be first post **3 August 2021**. Any ballot papers received after that time will not be counted.
- 15) The Scrutineer will declare the results of the election as soon as possible after the completion of the count.

- 16) The CWU is committed to free and democratic elections and will actively oppose racism and sexism and all forms of discrimination based on race, creed, religion, age, disability, sex or sexual orientation in industry, the Union and Society. Members and candidates must not behave in a discriminatory manner or circulate any material that may be offensive to any other member or candidate.
- 17) No full time officer of the Union as defined under the rules, shall publicly endorse, at any official Union organised meeting or conference or in writing, any candidate for election.
- 18) A member, candidate or Branch may make a complaint regarding the ballot on the grounds that there has been a breach of Union Rules or of these Regulations. The complaint must be submitted in writing to the Independent Scrutineer no later than four weeks of the declaration of the results. The Scrutineer shall investigate the complaint, and if as a result, the complaint is upheld may declare the election void or the election of any particular person void or any appropriate candidate disqualified. In addition, they may invalidate any vote or any number of votes previously counted or include any vote or any number of votes not previously counted and thereby re-determine the results of the election. The decision of the Scrutineer shall be final and binding.
- 19) These Regulations shall be distributed to all Branches in advance of the nomination process for the purpose of being brought to the attention of the membership. The Regulations shall be sent to each candidate on receipt of their nomination, and to any other individual member who applies to either the Union or to Electoral Reform Services Limited.
- 20) Any matter not covered by the Rules of the CWU, or by a decision of the NEC prior to the ballot, shall be determined by the Scrutineer.
- 21) The Scrutineer appointed in accordance with the Trade Union and Labour Relations Act 1992, as amended, shall be Civica Election Services Limited, The Election Centre, 33 Clarendon Road, London, N8 0NW. In addition to carrying out duties in accordance with the Act, the Scrutineer shall make whatever enquiries or investigations they consider appropriate in order to ensure that, as far as possible, the ballot has been carried out in accordance with these Regulations. The decision of the Scrutineer on any matter in these Regulations shall be final.

Candidate Guidelines

CWU NATIONAL EXECUTIVE COUNCIL AND INDUSTRIAL EXECUTIVE ELECTIONS 2021

Please Note: That in line with the policies of the union, where they have not already done so all candidates will be required to undertake CWU Equality & Diversity training.

ALL CANDIDATES ARE REQUIRED TO COMPLETE THE WOMEN AND BAME PROPORTIONALITY SECTIONS ON THE NOMINATION FORM AS APPROPRIATE

Biographical Details

Each member nominated, as a candidate will be entitled to complete the appropriate forms giving the following biographical information:

- Branch
- Date started employment relevant to CWU
- Date of joining CWU (or relevant predecessor union)
- Job Title

Union Record/Other relevant service to the Union and Labour Movement

In addition to the information above candidates are also entitled to submit a maximum of 100 words, for inclusion in the booklet to be sent to every member with their ballot paper.

This should include information on positions held in Branch, District, Region NEC etc. together with appropriate dates and information on representation at Conferences e.g. TUC, PTTI, C.I., UNI, membership of other unions, political parties, any education or training relevant to this election.

Election Address

Each candidate is entitled to submit an election address of up to 300 words. Words in excess of 300 will be deleted after the 300th word. The election address should be submitted by e-mail to the relevant constituency NEC election email address postnecelections@cwu.org or tfsnecelections@cwu.org. The preferred format for this is MS WORD.

Alternatively the election address should be typed or written in clear manuscript and signed by the candidate when submitting to the union. Please do not send photocopies to avoid misreading of your statement. Any errors will be reproduced – so proof read your text carefully prior to submitting it.

Use of formats such as underlining, text in bold, bullet points, etc. may be used and it is the responsibility of the candidate to ensure that any instructions regarding the layout are clear.

The CWU cannot take any responsibility for text that cannot be read, or instructions on layout that cannot be understood.

Photograph

Each candidate is entitled to submit a recent photograph that will be printed with the election address. The photograph should be of the head and shoulders of the candidate only. Photographs containing more than one person are not acceptable, and will not be printed in the booklet. Candidates should note that black and white photographs will reproduce to a higher quality in the booklet, and the CWU cannot take any responsibility for inferior quality if a colour photograph is supplied. Photographs must be received by the CWU by the appropriate closing date for acceptance of nominations and cannot be returned after the ballot.

Please note: Instructions to refer to those printed in previous years, photocopies of a previous election address or extracts cut out from printed copy in previous elections, including photographs, are not acceptable, and only the submissions received for this election will be printed.

In accordance with current legislation, the CWU shall secure that no modification is made to any election address other than where it is necessarily incidental to the method adopted for producing the copy.

APPENDIX 1

NATIONAL EXECUTIVE COUNCIL

The NEC shall comprise 34 members:

- a) President and Vice President, but their inclusion shall not increase the numbers from their originating Constituencies.
- b) 11 lay members elected biennially by and from the Postal Constituency and 1 of whom shall be the Vice Chair. All of whom shall automatically be members of the Postal Industrial Executive. At least 2 lay members must be women. At least 1 lay member must be BAME.
- c) 2 lay members elected biennially by and from the Postal Constituency. At least 1 lay member must be a woman. Lay members holding these 2 positions will not be eligible to hold a position on the Postal Industrial Executive.
- d) 8 lay members elected biennially by and from the Telecom and Financial Services Constituency and 1 of whom shall be the Vice Chair. All of whom shall automatically be members of the Telecoms and Financial Services Industrial Executive. At least 2 lay members must be women. At least 1 lay member must be BAME
- e) 2 lay members elected biennially by and from the Telecom and Financial Services Constituency. At least 1 lay member must be a woman. Lay members holding these 2 positions will not be eligible to hold a position on the Telecoms and Financial Services Industrial Executive.
- f) 2 lay Young Workers members elected biennially who must be 29 or under at the time of the election. 1 of whom will be elected by and from the Postal Constituency and 1 of whom shall be elected by and from the Telecoms and Financial Services Constituency.
- g) 1 lay Retired Member elected biennially by all members of the retired sector.

The Retired Members NEC representative shall not be entitled to vote on issues that are Financial, Rule, Constitutional or issues that could be considered to have an industrial context except where they apply only to Retired Members.

- h) 8 lay Equality members elected biennially, 1 lay member from each of the Postal and TFS constituencies for each of the following equality strands.

Women
LGBT+
BAME
Disability

APPENDIX 2

POSTAL CONSTITUENCY INDUSTRIAL EXECUTIVE POSITIONS

The Postal Executive (PE) will consist of 17 lay members elected biennially.

The composition of the PE is as follows:

- a) 11 NEC members elected by and taken from all Members in the Postal Constituency whom in accordance with the rules of the CWU shall automatically be members of the respective Industrial Executive.
- b) Subject to implementing the outcome of (a) above up to 2 members elected by and taken from members who are from Postal Technical Services Grades.
- c) Subject to implementing the outcome of (a) and (b) above the remaining places on the PE will be elected by and taken from members who are from Postal Grades.

APPENDIX 3

TELECOMS & FINANCIAL SERVICES CONSTITUENCY INDUSTRIAL EXECUTIVE POSITIONS

The Telecoms & Financial Services Executive (T&FSE) will consist of 16 lay members elected biennially.

The composition of the T&FS Executive is as follows:

- a) 8 NEC members elected by and from all members in the Telecoms and Financial Services Constituency whom in accordance with the rules of the CWU shall automatically be members of the respective Industrial Executive.
- b) 1 member elected by and from all members the Telecom & Financial Services Constituency and who must be aged 29 or under at the time of the election.
- c) 1 member elected by and taken from members in the Santander Group and related companies (Santander UK, Santander UK Operations Ltd, Santander UK Technology Ltd, Santander Global and Paragon Customer Communications).
- d) 1 member elected by and taken from members in Telefonica O2 UK and Connect 44.
- e) 1 member elected by and from all members working for Capita in the T&FS Sector and 14Forty (Capita contract).
- f) 4 members elected by and taken from all other members in the Telecom & Financial Services Constituency.