



The Association
of UK Dietitians

**BDA Trade Union National Executive
Committee election procedures 2024-2027**



Introduction

1. This document contains the procedures for election our trade union national executive committee (TUNEC). They are based on the current laws that apply to union elections. These procedures were approved by the BDA Board of Directors on 7 May 2019 and are designed to ensure that members, activists, representatives and staff are treated with dignity and respect at all times when participating in the union's democratic structures. *The TUNEC is a statutory body which oversees the work of the Trade Union and is democratically accountable to the membership.*
The Board of Directors comprises company directors who are responsible for all aspects of management of the organisation.

Appointing a Returning Officer and agreeing a timetable

2. At least 3 months before the election Council will appoint an independent, qualified Returning Officer who will act as scrutineer under the Trade Union and Labour Relations (Consolidation) Act 1992. The BDA has entered into a 1 year contract with Democracy Technology Ltd (Mi-Voice) to carry out these duties.

Timetable

3. The timetable for the election, as agreed with the Returning Officer, is set out in the election timetable (appendix A). The period of officer for successful candidates will be from the date of the TUNEC meeting in May 2024 to the Date of the TUNEC meeting in May 2027.

Eligibility for candidates

4. To be eligible for nomination to the TUNEC, a candidate must have been a full or associate member of the BDA for at least 3 months before the beginning of the election process. Throughout the election process, prospective candidates must remain full or associate employed members and continue to meet the requirements of the seat for which they are standing.
5. A member may only stand as a regional/country representative if they are nominated by at least 2 members from within their region/country.
6. A member may only stand as a non-NHS representative if they are nominated by at least 2 members who do not work in the NHS.
7. A member may only stand as a LGBT+ representative if they are nominated by at least 2 members.
8. A member may only stand as a BAME member's representative if they are nominated by at least 2 members.
9. A member may only stand as a disabled members' representative if they are nominated by at least 2 members.
10. A member may only stand as a dietetic support worker/assistant representative if they are nominated by 2 members.

11. A member may only stand as a young member representative if they are nominated by at least 2 members under the age of 30. (Young member means aged 30 or under when the period of office ends).
12. A member may only stand as a candidate for one seat, be it regional/country, BAME members', disabled members', young members.

Trade Union National Executive Committee constituencies

13. The agreed constituencies for the TUNEC are attached as seat guidance (appendix B) to these procedures.

Election procedures, candidate and nomination forms

14. On the date set out in the timetable, election procedures and nomination form will be:

- Available via the following website <https://www.mi-nomination.com/britishdieteticassociation>
- Available to download from our website, and
- Available on request.

15. Any candidate wishing to stand for election should submit their application online via the nomination website or return a hard copy of the nomination form.

Returning nomination forms

16. Nominations can be made by full and associate members who fall within an appropriate region, country or category.
17. Applications submitted via the nomination site will require Candidates to enter their member number and "sign" the form by checking a box on the nomination site, before pressing the submit button. After clicking submit, the Candidate, the BDA and Mi-Voice will receive an e-mail confirming receipt of the application. The nomination site also allows a candidate to "save" their application. A "saved" form that has not been submitted by the close of nominations will be invalid.
18. Nomination forms must be signed by the member and their membership number should be included. If a member cannot submit their nomination online, paper copies may be submitted by post. Paper copies must be filled in using black ink. Mi-Voice will acknowledge receipt of any submissions by post on delivery to their offices.

Processing nomination forms

19. Nomination forms must be received by the deadline.
20. Nomination forms received which are incomplete, incorrect, potentially libellous or exceed word counts, will wherever possible be referred back to the nominating member by the Returning Officer as soon as reasonably practicable with a copy to the candidate.

21. At the end of the nomination period, the Returning Officer will decide if nominations are valid.
22. Nominating members will receive an email or letter, no later than the date set out in the timetable, to inform them if their nomination is invalid and stating the reasons for that decision.

Returning candidate forms

23. A member is not treated as a prospective candidate until their signed/confirmed nomination form has been submitted (either via the nomination site, or a hard copy received at the Returning Officer's postal address) as confirmation that they wish and are eligible to stand in the election
24. If the candidate later wants to withdraw from the election, they must do so, in writing, by the date set out in the timetable.
25. Candidate forms should be submitted through the online nomination site or returned by post. Paper copies should be filled in using black ink.

Processing candidate forms

26. Only candidate forms received by the deadline set out in the timetable will be accepted.
 - a. An email or letter will be sent to the candidate to tell them their candidate form has been received.
 - b. The Returning Officer will provide access to a secure online reporting portal for BDA Staff to review nominations that have been received
 - c. Nomination forms delivered to the Returning Officer's office which are incomplete or incorrect may be referred back to the prospective candidate. The Returning Officer will notify the BDA of receipt of any incomplete forms.
 - d. The BDA office will check that the candidate is eligible to stand for the seat they have been nominated for and notify the Returning Officer if there is an issue with eligibility.
27. At the end of the nomination period, as laid out in the timetable, the Returning Officer will decide whether candidates are eligible to stand in this election. If the nominated candidate is not eligible to stand, the candidate will be told why they are not eligible.
28. Candidates will receive an email or letter no later than the date set out in the timetable, to confirm whether or not they are eligible to stand in the election.

Appeals

29. If a candidate or nominating member wants to appeal against the Returning Officer's decision, they should do so in writing by the date set out in the timetable. They must give full details of the reasons for their appeal and provide documents to support this.

30. Appeals should be sent to:

The Returning Officer at
Democracy Technology Ltd
Epsilon House
Enterprise Road
Southampton
Hampshire
SO16 7NS

E-Mail: support@mi-voice.com

31. The Returning Officer will make a final decision on the candidate's eligibility by no later than the date set out in the timetable.

Nomination helpline.

32. The Returning Officer will run a nomination helpline from 9am to 5pm Monday to Friday on the dates set out in the timetable, to provide information to nominating members and candidates. The helpline number is 02380 763987. Alternatively, members can contact support@mi-voice.com

33. The helpline can confirm whether a nomination has been received. However, nominations should not be considered valid until written confirmation has been received from the Returning Officer.

Election address

34. All eligible candidates may prepare an election address, which would be completed at the time of submitting the Nomination Form. This will be sent out with the ballot paper.

35. The election address should be no longer than 500 words in total. The 500 – word limit does not include the list of nominating members, although the list will be sent out with the election addresses. The nomination site will not allow a candidate to exceed the word count. Should a candidate submit their address by post then any words over the limit will not be included in the printed version of the election address, having been cut at the 500th word.

36. Candidates may also submit a recent photograph. This must be a head and shoulders shot of the candidate, either black and white or colour. An electronic version of the photo can be uploaded via the nomination site. If a candidate is unable to upload their photo, then they can attach it to an email and send it to support@mi-voice.com or send a hard copy by post. If submitting hard copy, the candidate should write their name on the back of the photo.

37. No photographs can be returned.

38. In line with the Trade Union and Labour Relations (Consolidation) Act 1992, the contents of the election address, including spelling and grammar, are the candidate's responsibility. Neither the Returning Officer nor any BDA employee will be allowed to correct or change any election address, except as necessary where the election address is longer than the word limit.

39. Election addresses should not contain any statements that:

- Are discriminatory, racist, sexist or abusive
- Include false accusations against members or BDA staff or
- Go against the strategic aims and objectives of the BDA

Any election addresses that contain these kinds of statements will be treated as a disciplinary offence under the Byelaws for the Investigation of Complaints about BDA Members

40. The BDA and Mi-Voice will not be responsible for any civil or criminal liability arising from publishing, copying or distributing individual election addresses. This liability will rest with the individual candidate.

41. The election address must be completed at the time of submitting the online nomination form. If the member is unable to submit their nomination online then a hard paper copy can be sent to the Returning Officer, along with the other required forms.

42. An email (or letter if no email address has been provided) will be sent to candidates to confirm whether their election address was received by the deadline set out in the timetable.

Notice of election

43. Notice will be sent out in an electronic bulletin to members to tell them how the ballot will be carried out, by the date set out in the timetable.

Entitlement to vote

44. All eligible members who are included on the membership database three months before the date we plan to send out ballot papers will be entitled to vote in the appropriate election. Members who are not on the membership database on the date set out in the timetable will not be entitled to vote.

Ballot papers and the method of voting

45. Ballot papers will be sent to the member's home address (or any address that they have given in writing) as shown on our membership database. This will include a prepaid envelope for returning the ballot papers to the independent scrutineer. All voting will be by post (as required by the Trade Union and Labour Relations (Consolidation) Act 1992).

Members who have not received their ballot papers

46. Members who have not received a ballot paper by the date set out in the timetable should contact the election helpline from 9am to 5pm Monday to Friday.

The number is +44 2380 76 3958. Alternatively, emails can be sent to support@mi-voice.com or ballot@bda.uk.com

Campaigning

47. The BDA recognises that campaigning in whatever form is a vital part of any election process. The following sections of this document include guidance for those members and candidates who are involved in elections. The aim is to make sure that everyone is clearly aware of their responsibilities and the limits set to allow fair elections to take place. Candidates will be required to confirm their willingness to adhere to the campaigning guidelines at the time of submitting their nomination by checking a box on the nomination form.

Candidates seeking nominations

48. For the purpose of seeking nomination and later for campaigning during the election, a member can ask the BDA office for a copy of the contact details of Chairs of Groups and Branches. This will be provided free of charge.

49. These contact details may be used for the period of the campaign but must be destroyed immediately at the close of the ballot as set out in the timetable. Any unauthorised use of this data or failure to destroy this data may result in action being taken and may also breach data protection requirements.

50. These contact details will only be issued to prospective candidates.

Campaign procedures for nominating members, BDA bodies and candidates

51. The BDA will not allow candidates, or their supporters, to have access to our electoral roll/membership database. This means that Branch, Group or workplace registers of members, including phone lists, email lists, home address or any other contact details provided by or stored by the BDA or employers cannot be used for election purposes. Any unauthorised use may breach data protection requirements.

52. Any Branch or Group of members that invites a candidate to speak at a meeting or social event about their involvement in the election must also invite all the other candidates. Candidates can appoint a representative to attend these meetings and speak on the candidate's behalf.

53. Candidates or their representatives must not visit Branches, Groups or workplaces to canvass (persuade people to vote for them) without the relevant permission and unless the same opportunity has been offered to other candidates.

54. To ensure that the BDA remains an independent and representative trade union where all members have the right to fully and fairly participate, no nominee or candidate shall invite or accept any donation or contribution in money or kind from any outside organisation or company, including any provider of goods or services to the BDA, any political party or any employer in which the BDA has members.

55. Donations or contributions may be accepted from any individual BDA member subject to a maximum value of £25 per donation or contribution and per candidate per election. For the avoidance of doubt, examples of 'in kind' includes, but is not limited to, the production, design printing and distribution of campaign materials, such as leaflets, posters, emails, social media postings, websites, SMS messaging and organising campaign events.

56. BDA funds can be used to hold hustings meetings (provided for by these procedures), whether they are used to hire a suitable room, advertise the meeting or pay the travel expenses of candidates or their representatives to and from the hustings meeting.

57. BDA funds, property or resources cannot be used to support campaigning for any particular candidate, except in the following circumstances.

- a. To hold meetings (as explained in these procedures)
- b. To provide candidates with a copy of the contact details for all nominating members from the BDA office.

58. BDA funds, property or resources include (but are not limited to):

- a. BDA trade union facility time
- b. Any resources as set out in the relevant employer's facilities agreement
- c. The BDA corporate identity or logo (or anything which in the opinion of the Returning Officer may be identified as such)
- d. Any BDA secretarial, administrative and office facilities, including stationery, laptops and mobile phones
- e. BDA publications, BDA websites and BDA social media, including Groups and Branches
- f. The paid time of BDA employees including expenses for travel and subsistence, except for hustings.

Number of candidates

59. If the number of eligible candidates is no more than the number of seats for the group concerned, those candidates will be deemed to have been elected unopposed.

60. If two (or more) candidates for a seat at a contested election receive an equal number of votes, a further election will be run for those candidates who 'tied'.

Voting system

61. The method of electing members will be by a simple majority of those voting in the election for each seat (or seats).

Complaints about elections

62. If a member wishes to make a complaint about the fairness of the election, or how an election has been carried out, they must write to the Returning Officer (at the address below) by no later than the deadline set out in the election timetable. They should include any documents that support your complaint and where possible state which of the rules they believe may have been broken.

63. The Returning Officer will decide whether a complaint is valid.

64. Any complaint that is deemed to be valid by the Returning Officer may result in action being taken by the BDA.

Obligations on candidates

65. In the event that any nominee or candidate becomes aware of any breach or apparent breach of these procedures by another person or organisation acting or purporting to act on their behalf, the nominee or candidate shall as soon as reasonably practicable dissociate themselves from any breach, take all reasonable steps to prevent a recurrence of any breach, withdraw any material that has been issued in support of them and notify the Returning Officer they have done so.

Obligations on members campaigning in elections

66. No BDA member is permitted to distribute campaign materials, produced by any outside organisations on behalf of a candidate in the election. If evidence is found that a member has distributed materials produced by any outside organisation, they may be subject to disciplinary action.

The result of the election

67. The result of the election will be announced on the date set out in the timetable and published as soon as possible. The Returning Officer's and independent scrutineer's report will be published on the BDA website and a link to the report in Dietetics Today no later than three months after receiving it.

Questions and contact information

68. If you would like any information or further explanation about these procedures or the election, you can contact the BDA Trade Union using the details below:
Tusecretary@bda.uk.com or ballot@bda.uk.com

69. If you have a complaint about the election, you should put it in writing to the Returning Officer at:

Democracy Technology Ltd
Epsilon House
Enterprise Road
Southampton
Hampshire
SO16 7NS

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