

## Norfolk & Waveney LMC Constitution

### Appendix 3 – Method of Election to the LMC

#### Persons Eligible for Election

- (a) All members of the Committee shall be included on the list of registered medical practitioners.
- (b) All members of the Committee shall be working within General Practice in the area.
- (c) Any current member of the Committee shall, notwithstanding any other clause of the Constitution, be eligible for re-election.

#### Method

1. A partial election of the committee shall take place by the end of March of every second year.
2. Before the month of November in the preceding year to which an election is to be held, the Committee shall confirm the constituencies and the number of members to be elected to represent each constituency. See Appendix 2.
3. Practitioners entitled to vote for candidates in the constituencies listed in Appendix 2 are practitioners who work within practices that contribute to the running expenses of the Committee. Locums eligible to vote must conduct the majority of their GP work in a practice in the area.
4. A Returning Officer will be appointed by the Committee.
  - (i) In the event of the Returning Officer's absence or inability to act the Committee shall appoint a deputy for this purpose, to act in his place. This person must not be eligible to stand or vote in the election.
5. Register of Electors
  - (i) The Returning Officer shall prepare a register of the names and email addresses of those persons the Returning Officer is aware of that are entitled to vote. The persons whose names are on the register are referred to in this document as electors.
  - (ii) The register of electors shall also show in respect of every person whose name appears thereon whether he is a partner or a salaried or locum GP, and the constituency in which he is entitled to stand and vote, where pertinent, i.e. for a partner this is determined by the address of his main surgery premises.
  - (iii) Practitioners whose names appear on the said register of electors shall be entitled to vote for candidates within the same constituency.
6. The Returning Officer shall send electronic notice of the election to each voter and such notice shall be sent so as to be delivered to the elector not less than twenty-eight clear days before the date of the election. Such notice shall:
  - (i) state the date of the election
  - (ii) set out the provisions with regards to nomination of candidates
  - (iii) enclose a nomination form
  - (ii) state in which capacity the elector is entitled to vote
  - (iii) state the constituency in which the elector is entitled to vote
  - (iv) state the date by which nominations for the election must be submitted to the Returning Officer
7. Each candidate nominated for election must be supported by two GPs working in the area. GP Partners standing for election must have their nominations supported by two GP partners working in the same constituency. Salaried and Locum GP nominations must be supported by two GPs working in general practice in the area.

Forms may be signed electronically.

8. The Election

- (i) If the number of nominated candidates qualifying for election in accordance with this document does not exceed the number of vacancies available, the Returning Officer shall declare those candidates to be elected.
  - (ii) For the purpose of filling any vacancy or vacancies where more than the corresponding number of qualifying candidates is nominated a vote shall be taken in the manner hereinafter provided.
  - (iii) Each elector shall be entitled to cast a number of votes equal to the number of vacancies to be filled by those for whom he is entitled to vote but he may not cast more than one vote for any one candidate.
  - (iv) Each voting paper shall contain:
    - (a) a statement of the number and the identity of candidates for whom the elector may validly vote and
    - (b) a statement that the completed voting paper must be returned to the Returning Officer so as to reach him by the date of the election (which shall be specified in the voting papers and shall not be more than fourteen days after the issue of such papers)
  - (v) The Returning Officer shall send to each elector the appropriate voting paper.
  - (vi) Voting shall be by electronic or postal ballot unless otherwise agreed by the Returning Officer.
  - (vii) A returned voting paper shall be invalid if:
    - (a) the elector has purported by it to cast more votes than is permitted
    - (b) it is not named or signed
    - (c) in any other respect it does not comply with this document or is marked in such a manner as to cause uncertainty as to the candidates for whom the elector desires to record his vote; provided that the Returning Officer may, if he thinks fit, treat a voting paper so marked as valid for the purpose of any vote other than that in connection with which the uncertainty arises
    - (d) it is received by the Returning Officer after the date of the election
  - (viii) The Returning Officer shall examine the voting papers received on or before the date of the election and after rejecting any that are invalid shall count the votes recorded on the remaining papers and shall prepare a return of the candidates according to the number of votes which each has received, the person receiving the highest number of votes being placed highest on the return.
  - (ix) If the votes received by any two or more candidates are equal and the addition of one vote to any one of such candidates would enable that candidate to be declared elected, the Returning Officer shall decide by lot which of the candidates shall take the highest place.
  - (x) Any questions as to the validity of any nomination or voting paper in connection with an election shall be determined by the Returning Officer.
  - (xi) The Returning Officer shall forthwith give notice in writing of the result of the election to all candidates.
9. Where any document is required to be sent it shall be deemed to have been duly sent if it was emailed, posted or hand delivered to the address shown in the register.

10. No election shall be invalid by reason of any misdescription or non-compliance with the provisions of this electoral process if the Returning Officer is satisfied that the election was substantially conducted in accordance with the provisions of this process.