



COLLEGE OF  
**APPLIED BIOLOGISTS**

Professional Accountability

## **Policy 3 - 100**

**Nominations and Elections**

***Revised September 2023***

<b>Policy Name:</b>	<b>Nominations and Elections Policy</b>			<b>Policy. No.</b>	<b>3 – 100</b>
<b>Approval Authority:</b>	College Board	<b>Adopted:</b>	Nov. 2020	<b>Reviewed:</b>	Sept. 2021
<b>Responsible Staff:</b>	CEO, Executive Ops/Comms Officer	<b>Revised:</b>	September 2023		
<b>Responsible Committee:</b>	Nominations Committee	<b>Contact:</b>			

Contents

Purpose ..... 3

Scope ..... 3

The Gap Analysis ..... 4

    Merit-based competencies ..... 4

    Diversity considerations ..... 5

Nominee eligibility ..... 5

Soliciting prospective nominees ..... 6

Elections ..... 6

    Candidate information ..... 7

Reporting ..... 7

Filling of mid-term Board vacancies..... 8

    Temporary appointments by Board ..... 8

Qualification of chairs of statutory committees..... 8

    Qualification of committee chairs..... 8

## Purpose

Pursuant to the *Professional Governance Act*, the Nominations Committee is responsible for administering the nomination of registrants who are qualified to be nominated for election to the College Board in accordance with the process and selection principles referred to in section 25 (1) of the Act, the bylaws, and applicable Regulations. The Nominations Committee must ensure, to the furthest extent possible, that the nomination process for election to Board is conducted in a fair, impartial, and transparent process.

The specific powers and duties assigned to the Nominations Committee through the Act, its Regulations, the bylaws and this policy include:

- a) Conducting an analysis (the gap analysis) of Board vacancies
- b) Making reasonable efforts to contact potential nominees
- c) Making reasonable efforts to nominate at least one more nominee than Board vacancies to be filled
- d) Making reasonable efforts to ensure that the nominees for the Board are diverse
- e) Evaluating potential nominees based on criteria and eligibility set forth in this policy
- f) Advising the Board and the Registrar of its nominees in accordance with the Act, its Regulations and the bylaws
- g) Ensuring that candidate information is available to registrants
- h) Publishing a final report no later than three months after the completion of Board elections

## Scope

This policy applies to members of the Nominations Committee in execution of their statutory mandate. It also applies to registrants who wish to establish their eligibility for the Board and committee chair positions.

## Formation of the Nominations Committee and appointment of the chair

Pursuant to the eligibility requirements described in the Act, its Regulations, in Part 2, div. 3, section 2-8 of the Bylaws and in this policy, the Board of the College of Applied Biologists will appoint up to six members, including the chair, to the Nominations Committee.

The Committee shall be appointed not less than five months before the annual general meeting is held and will begin its work by conducting the gap analysis to determine the current or expected needs of the Board.

## The Gap Analysis

The Nominations Committee will conduct a gap analysis in June of the year previous to the election year. The gap analysis will be based on a self-assessment completed by Board members that analyzes the Board's current level of competence in the following merit-based competencies:

### Merit-based competencies

- Leadership: Demonstrated confidence and good judgment in directing the efforts of others to achieve desired outcomes, while modeling respect, commitment, integrity and accountability
- Organizational strategy: Understanding of and experience with an organization's process of defining its strategy, or direction, and making decisions on allocating its resources to pursue this strategy
- Financial literacy: Understanding of financial statements, cash flow, budgeting, financial planning and investing that allow an organization to make informed and effective decisions about their financial resources
- Risk management: Knowledge of enterprise risk management, risk assessment, and risk policies and procedures to enable effective risk management oversight of the organization
- Governance: Understanding and knowledge of board governance and the roles and responsibilities of board members, usually demonstrated through previous board experience
- Regulatory understanding: Knowledge of regulations and regulatory organizations, including the purpose of regulation, gained from working with legislation, having experience being a part of a regulator, or working in a heavily regulated industry
- Human resources: Knowledge and understanding of HR policies related to employees and volunteers, including equity, diversity and inclusion policies, performance management, and succession planning and ensuring sufficient resources to fulfill an organization's responsibilities

The Board's self-assessment will be delivered in a manner deemed appropriate by the Board in support of the Nominations Committee's gap analysis.

Gaps in competence identified through the gap analysis will be used to guide the qualification of nominees as the Committee will determine qualification of nominees based on filling of identified gaps in Board competence.

It is not necessary for nominees to possess all of the merit-based competencies. It is likewise unnecessary for a potential nominee to possess all of the competencies identified by the Nominations Committee as being absent or deficient in the current Board composition. Nominees should be qualified

based on possession of some of the qualities identified in the gap assessment that would be complementary to the Board's current or expected composition.

The gap analysis will also review nominees based on a commitment to diversity that equitably represents the diversity in the province of BC and of Canada collectively:

### Diversity considerations

- Gender identity and/or expression and sexual orientation
- Ethnicity
- Age
- Capability
- Geographic location within the province of BC
- Professional or lived experience
- Area of practice in applied biology

The gap analysis will therefore establish needs for the Board based on merits, diversity of individual, diversity of practice in applied biology and regional representation.

### Nominee eligibility

In order to be qualified for Board election by the Nominations Committee, a potential nominee must:

- a) be eligible to stand for election according to the Act, its Regulations and the Bylaws
- b) have been a registrant of the College in good standing for three (3) years as of the date that office is taken (the Annual General Meeting)
- c) demonstrate adequately, in the opinion of the Nominations Committee, proficiency in the required merits identified as necessary through the gap analysis and be of personal identity as to ensure diversity on the Board.

Furthermore, a potential nominee must complete:

- a) The pre-nomination information request (Prospective Nominee Form, see appendix)
- b) A least one interview with members of the Nominations Committee
- c) Candidate information to be published for eligible voters to review

Additionally, applicants for the position of Vice Chair or, in extraordinary cases, applicants for the position of Chair, must have:

- Acted as a Board Member for at least one year in the past five years as of the date of the next annual general meeting; or
- Acted as a member of a statutory committee (Audit and Practice Review Committee, Credentials Committee, Discipline Committee, Nominations Committee or Investigations Committee) for at least two years in the past five years as of the date of the next annual general meeting but may not be a current member of the Nominations Committee

If the Nominations Committee determines that an applicant has failed to sufficiently meet any of the eligibility requirements as detailed in the Act, the Regulation, the College bylaws or this policy, the

Nominations Committee will disqualify the applicant from the ballot or exclude the applicant from progressing to any other stage of the nomination process

- The Chair of the Nominations Committee will notify the applicant in writing that they have been disqualified or excluded and detail the factors considered by the Nominations Committee which resulted in the applicant being identified as ineligible as per Part 3, Division 2, section 3-3, (2) of the College bylaws

Registrants may not apply for more than one position on the Board in any given election:

- a) For example, applicants may not apply to run for a Board member position and a Vice Chair position during the same election, they must choose one position only
- b) Sitting Board members who apply for the Vice Chair position, or in extraordinary circumstances, the Chair position, prior to the completion of their current elected term vacate the remainder of their term as of the Annual General Meeting and either begin their term as Vice Chair (if elected) or cease to be on the Board

The Nominations Committee will review all prospective nominees who meet the eligibility requirements established in this policy and either approve or reject them for inclusion on the ballot.

The Nominations Committee will report to the Board and submit to the Registrar for inclusion on the ballot all qualified nominees.

## Soliciting prospective nominees

The Nominations Committee must make reasonable efforts to ensure that there are more nominees than advertised Board vacancies. These reasonable efforts include, pursuant to the eligibility requirements defined in the Act, its Regulations, the Bylaws and this policy:

- a) The Nominations Committee chair will contact incumbent Board members about their interest in applying for reelection
- b) The Nominations Committee will maintain a log of prospective nominees
  - i) Committee members will contact and maintain communication with registrants that they determine to meet the eligibility requirements
  - ii) Committee members will log all interaction with prospective nominees to ensure transparency, integrity and fairness in the process of qualifying nominees
- c) The Nominations Committee, with support from the CEO, will contact registrants generally through
  - i) College communications platforms including email
  - ii) Social media
  - iii) Personal contacts
  - iv) Community advertising

In contacting prospective nominees, the Committee will make all reasonable attempts to protect the personal information of those contacted and will sign a Confidentiality Agreement.

## Elections

Board elections will be operated in accordance with the Act, its Regulations and the Bylaws and in observance of the following election requirements:

- The Call for Nominations (or nominations period; commencement of accepting of applications for prospective nominees to the Board) will be no later than 16 weeks before the annual general meeting of the College
- The deadline for submission of prospective nominees will be no later than 10 weeks before the annual general meeting of the College
- Qualified nominees must be announced on or before the commencement of balloting
- Balloting must begin no later than six weeks prior to the annual general meeting of the College
- Ballots must be returned no later than 30 days after they were issued
- Results of balloting must be delivered to the Nominations Committee chair as soon as they are known

The Nominations Committee will determine the period which they will accept applications from prospective nominees and in accordance with the requirements above and advertise to registrants the commencement of this period.

### Election of nominees

On occasions where the advertised Board vacancies have differing service terms, nominees for Board member positions will be elected in the following manner:

- a) The nominee with the greatest number of votes will be elected to the vacancy with the longest term (typically a three-year term)
- b) The nominee with the second greatest number of votes will be elected to the vacancy with the second-longest term
- c) Nominees are elected to vacancies in this manner until all vacancies are filled

### Candidate information

The Nominations Committee will ensure that nominees provide sufficient information to support their candidacy in accordance with the Act and its Regulations. The Committee will make this information available on a publicly accessible website maintained by or on behalf of the College. Candidacy information will include:

- The registrant's name, registration number, and city of residence
- The registrant's current employer
- The merit-based competencies demonstrated by the registrant and verified by the Nominations Committee
- A summary of a maximum of 150 words, written by the registrant and approved by the Committee, that explains any other details relevant to make public about the registrant

This information must be received by the Registrar before the commencement of balloting as required in this policy or the nominee will be ineligible for the ballot.

### Reporting

The Nominations Committee will submit to the Board a report that contains a summary of activities relating to the year's nominations and election functions.

Pursuant to the Act, its Regulations, and the Bylaws, the Nominations Committee will publish no later than three months after the completion of the Board election a report containing:

- How the qualification of nominees was undertaken in compliance with the Act, its Regulations and the Bylaws
- How the qualification of nominees met the requirements as determined by the gap analysis and as advertised in the notice of Board vacancies
- How the Nominations Committee met its other duties and responsibilities under the Act, its Regulations, the Bylaws and this Policy
- Suggestions from members of the Nominations Committee for improvement of its processes in subsequent years

## Filling of mid-term Board vacancies

Should a registrant be unable to act in their capacity as Board member through removal or any other measures taken by the Board pursuant to the Act or its Regulations, the Nominations Committee may, at the direction of the Board, make a reasonable effort to fill the vacancy. Any mid-term vacancies filled will be for the remaining duration of the vacated term.

## Temporary appointments by the Board

Pursuant to the Act, the Board of a regulatory body may temporarily appoint a Board member. In this event, the Nominations Committee, according to the merit-based criteria and principles described in the Act, its Regulations, the Bylaws, and this Policy, will qualify any registrants for temporary appointment by the Board.

Vacancies that occur with greater than a year remaining in the vacated term may have a temporary appointment until the next general election after which the position will be filled via candidates qualified by the Nominations Committee and elected during the general election as stated in section 3-8 of the bylaws.

The Nominations Committee may also, at the direction of the Board, make a reasonable effort to fill a vacancy of the Vice Chair position using the same methods described in this Policy.

A registrant, including a registrant Board member, cannot be appointed to fill a temporary vacancy of the Chair position under any circumstances.

## Qualification of chairs of statutory committees

The Nominations Committee will be responsible for ensuring that chairs of committees are assessed using the merit-based principle in accordance with the Act or its Regulations with the exception of the Nominations Committee itself, for which the chair appointed by the Board may only be the immediate Past Chair or a Lay member of the Board as stated in section 2-8 (5) of the bylaws.

## Qualification of committee chairs

Registrants who apply for the chair position of a statutory committee must complete the Volunteer Application form and submit a *curriculum vitae* in the same manner that other volunteers apply for positions with the College's working bodies.



However, in addition to those requirements, an applicant for the chair position must:

- Meet any specific requirements of the chairperson stated in the bylaws or Policies that govern the committee for which the applicant is applying as chair
- Sit an interview with the chair of the Nominations Committee, CEO and the staff lead for the committee

Applicants will be qualified by the Nominations Committee chair, the College CEO and the staff lead for the Committee. The chair of the Nominations Committee will report to the Nominations Committee on the results of the qualification process and review how the merit-based principles were followed.