Imperial College Union
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Election Rules / Byelaw J Review

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1. Context

Background
In the 2022 Leadership Elections cycle, the Union received 89 complaints, which resulted in two candidates receiving a disqualification. Furthermore, ICU receive a high volume of queries to the Elections team during or around the elections. As a result of this, Imperial College Union have taken the decision to review the rules and regulations surrounding elections. This review aims to consider demographics, best practice from the sector, observations from previous elections, as well as the Union's current strategy and values.

Principles
Any changes to the rules and regulations associated with elections should be aligned to the Union's strategy and values. Therefore, the rules should empower the Union to:

- strengthen and help create active and inclusive student communities
- empower students to change the world around them
- challenge and reduce inequalities affecting students
- facilitate the personal and professional development of students

The review should also ensure that the rules are aligned with the Union's values. Therefore, this process will seek to ensure:

- that the elections are run democratically
- that the elections are inclusive to all students to both run and vote
- that students who breach the rules are held accountable in a fair and meaningful way
- that the Union staff and volunteers (including the Returning Officer) can act with integrity.

Intended Outcomes
The success of the review will be measured through the impact measures and outputs defined in the ICU strategy. These are:

- increased number of students standing in all elected roles
- students in at least one volunteer role in the Union
- increased number of academic and wellbeing reps elected
- increased number of underrepresented students participating in key Union activities and leadership roles

In addition to this, success will be measured through:

- decreased number of student complaints in the next leadership election
- increased candidate satisfaction
- higher turnout
- decreased overall bureaucracy and staff administrative burden

2. Why does ICU run elections?

The Education Act 1994 stipulates that:
(d) appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote;
(e)the governing body should satisfy themselves that the elections are fairly and properly conducted;
(f)a person should not hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment;[1]

Therefore, there is no further legal requirement for us to elect any roles other than roles considered to be 'major Union Offices'. However, one of ICU's core strategic values is being democratic in our approach – championing democratic structures and placing students at the heart of decision-making.[2] ICU believes that students should be empowered to stand and select their own representatives autonomously, based on their needs.

Elections across representation, clubs and society positions is paralleled across the sector, and Imperial students actively participate in the process (with turnout for elections often higher than sector averages).[3] Campaigning in and winning ICU elections also supports students to develop crucial skills they need from employment (including public speaking, time management, influencing, persuasive writing etc.)

3. Analysis

<u>Demographics analysis</u>
Since 2015-16, the College has reported a significant demographic shift, particularly in proportions of international students at the College. International students make up 60% of all students at the College, and there has been a 7.9 percentage point increase in Chinese students (who now make up over a quarter of all students at Imperial).[4] There has also been an increase in the number of postgraduate students – who account for 50% of students at the College.

In terms of gender, students are roughly 58:42 split on those identifying as men and women respectively. This is unusual compared with the wider sector.

<u>Sector analysis</u>
To establish what common practice looks like in the wider students' union sector, ICU analysed ten different students' union elections rules/principles. These were SUs either connected to Russell Group institutions or London-based, including: London School of Economics SU, King's College London SU, University College London SU, Queen Mary SU, City University London SU, Sheffield SU, Manchester SU, Leeds SU, Exeter SU, Oxford SU.

Overall observations were:

- Every SU who was examined published either a bye-law or a more streamlined set of rules, but they did not publish the bye-law and additional rules together. No other Union had a differentiation between 'major' or 'minor' elections
- Some SUs (e.g. London School of Economics) adopt a 'principles-based' approach: rather than have specific rules on behaviour, they have a set of values which reflect how they wish candidates should conduct themselves (often aligned with the Union's own values)
- At any of the Unions examined, seconders are not required for most Union positions except Sabbatical Officers;

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[1] Education Act 1994
[2] Back to Basics (2021)
[3] A range of Russell Group SUs cite a turnout between 10-20%. In 2021, ICU achieved a 29.9% turnout
[4] Imperial College Statistics Guide 2020-21

- Liberation Officer positions[5] generally require students to self-identify into a category in order to vote, except where it was not specified in the bye-law (e.g. Queen Mary Students' Union, where the process was unclear).
- Half of the SUs publish an FAQ to support student understanding of the rules.
- Four SUs mentioned Covid-19 regulations which were either out of date, or made blanket statements referring to Government guidance.
- Although every union has guidance related to publicity, there was no evidence of any separate policies that candidates needed to adhere to.

Elections Feedback

Last academic year, the Elections Working Group met to discuss the elections and there were a number of recommendations around how to improve the elections processes. These included:

- The Union should undertake an Equality Impact Assessment of its Election structures and operations in the Summer of 2022. The Union should proactively address barriers to participation for students from marginalised backgrounds.
- The Union should undertake a review of its Major and Minor Election Rules in the Summer of 2022. The Union election rules have not been reviewed for several years and require updating.
- The Union should develop a Candidate Engagement Plan, this should include a year-round campaign to engage students with the broad range of Union roles and increased in person engagement with students. Increased resource should be provided to the promotion and engagement of 'first time' voluntary and representative roles to encourage earlier engagement and participation from students.
- The Union should develop a coherent Insight Plan and embed better use of data and insight to inform its election work.
- The Union should have a Welfare Plan to support candidates running in elections this should include in-person drop-in support sessions throughout the process.
- The election system is outdated and convoluted with over reliance on individual staff, and therefore should be within scope of the Digital Transformation Project.

4. Recommendations

1. Streamline the rules and ensure that they are easy to understand for all communities

The rules should be streamlined into two documents; the bye-law (containing oversight arrangements), and a rules document (typically included in the Candidate Pack, which sets out every rule for candidates in a single place). The bye-law should not contain any additional rules, but instead be the place that sets out the provisions for a free and fair election; the byelaw has been amended for the Committee's consideration in Appendix Two. Proposed changes to the rules document for the 2023 Leadership Elections are set out in Appendix One.

The Committee may also wish to consider, in future, an even more streamlined 'principles-based' approach to election rules – which would demonstrate that rules cannot be set for every eventuality, but that the organisation (through the (D)RO) will take concerns about election conduct and integrity very seriously, in line with our organisational values.

2. Removing the requirement for seconders from 'minor' positions

A large number of elections queries relate to seconders for rep positions. Although seconders add additional credence for major roles, they are inhibiting for students who wish to stand for rep positions. This is also difficult to replicate across elections which are not held via eVoting. Seconders are not a byelaw requirement for minor elections, but the Committee is asked to agree to that they are not required for minor positions, moving forward so it can

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[5] NB: not community roles which are open to all students (e.g. Environment and Sustainability)

be operationalised on eVoting asap (please note this may take some time to be put into practice and would be done at the soonest election where operationally possible).

3. Consult Liberation groups on potential voter self-identification
Self-identification is consistent with how the sector defines voters for liberation positions, and would ensure that the Liberation Officers are representative of the communities they serve. However, this may limit turnout or interest in the roles. Therefore, it is suggested that the Union consults with the current LOs and their networks so they are able to make a recommendation to Council on this issue.

4. Remove the elections section of the publicity policy
Publicity related concerns are the most common cause of election complaints, and mostly translate into warnings. There is no real evidence that this has a serious impact on voting intention. It is suggested any of the significant publicity rules that have been developed to ensure consistency and fairness are included in the main body of the rules instead.

5. Include rules for all communications platforms
Currently, the rules name certain social media platforms in the rules. It may be useful to clarify additional platforms (e.g. WeChat, TikTok) or have clear rules regarding all social media platforms.

Appendix One

Byelaw J3.4 currently states that the Returning Officer shall "set rules, regulations and guidelines other than these election Bye-Laws to govern the conduct of the election". The Committee is asked to propose to the Returning Officer of the 2023 Leadership Elections that these rules might form the skeleton of the rules he will set for the election:

Proposed Rules for Leadership Elections 2023 [rationales] (tracked changes from LE22 in red)

1. Any activity or publicity that is illegal, breaches College rules, policies and codes or Union bye-laws, regulations, policies or constitution or GDPR is deemed to be in breach of the election rules.

2. The College is still a place of work for students and staff alike during the election period. Candidates must not do anything to disrupt the normal operations of College or the Union during campaigning.

3. Due to ongoing uncertainty around COVID-19, the RO and DRO reserve the right to suspend in-person campaigning at any time throughout the elections period. [N/A – renumber rules below]

4. Lecture shout outs are prohibited unless permission is provided by the lecturer.

5. Lecture chat functions must not be used for campaigning without permission of the lecturer or organiser.

6. Any expenditure must be on activity or items that be both that which all candidates could reasonably have had the opportunity to buy or carry out. and must be replicable by all other candidates in a given election. [Adjusted wording in an attempt to be clearer]

7. All campaign material, including any paid for social media advertising, must be accounted for and spend declared, with a suitable receipt.

8. No candidates' publicity may appear before the beginning of campaigning as stated in the Elections timeline.

9. All campaign material must comply with the Union's Publicity Policy [election aspects below]

10. Any campaign material must include the Leadership Elections banner available. Other use Use of the Union or College logo on campaign material is prohibited.

11. Permission must be sought when posters are placed on non-designated poster boards as set out in the Union's Publicity Policy (imperialcollegeunion.org/yourunion/policies/17) or in departments and halls of residences. Designated poster boards are:
a. On Union Building poster boards with the exception of the bar areas and the Union Dining Hall and those covered in glass.
b. Stairway noticeboards at St. Mary's, on each floor.
c. Glass notice boards at SAF and in UMO student post room. d. Reynolds First floor walls and basement walls.

12. All publicity must be in English only or have an English translation of anything said in a foreign language, the translation being equal or greater in prominence.

13. Publicity stunts may not occur on the Queen's Lawn, Queen's Lawn Terrace, Prince's Gardens or Upper Dalby Court without the consent of the College Secretary. They should never be offensive or dangerous – including contravening Health & Safety considerations. A risk assessment must have been submitted and approved, and appropriate permissions must be sought. [All in red here is the elections part of the Publicity Policy, proposed to live here instead]

12. Candidates and their campaign team may not harass, coerce, bribe or use intimidation to persuade someone to vote or whom to vote for.

13. Candidates must not obscure, tamper with or remove the publicity of any other candidates nor any publicity for non-election related issues or events.

14. Campaign material and activities must not cause damage to College or Union property.

15.All candidate websites and social media pages must contain a link to the elections website imperialcollegeunion.org/elections .

16.All Twitter, Instagram and Facebook accounts used for campaigning must follow @icunion.

17. All campaigning done through social media Facebook, Instagram and Twitter must contain the hashtag '#icuElections'.

18. Candidates are allowed to use Facebook groups, WhatsApp/WeChat group chats, mailing lists and other forms of group communication only if they have collected consent to be contacted from those individuals during the campaign period and the group was formed for the sole purpose of campaigning in this election.

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