

**Imperial College Union
Governance & Membership Committee / 6 September 2023**

Election Rules & Regulations / Appointment of Returning Officer(s)

- Author(s): Cat Turhan (Director of Membership Services)
Clem Jones (Interim Representation Manager)
- Purpose: According to the ICL/ICU Code of Practice, which sets out how Imperial meets the requirements of the Education Act (1994), each year the ICU Trustees shall agree a formal set of election rules and regulations and appoint an External Returning Officer / Deputy Returning Officer.
- Decision(s): To approve the appointment of the Returning and Deputy Returning Officers for the 2023/24 academic year.
- To recommend draft election rules and regulations to the Returning Officer(s)

1. Appointment of the Returning Officer and Deputy Returning Officer(s)

1.1 Autumn/Summer Elections and Byelections; Horizons (language courses) Rep Elections

These elections largely relate to the election of Academic and Wellbeing Reps (including Horizons reps), CSP Committees, Liberation Network Reps and some Union Council roles.

All elections run under major election rules require a non-member of the Union to be the returning officer. As staff are non-members, responsibility for the Autumn and Summer elections process will be cascaded down through the organisation with the following proposed structure:

The Board is asked to approve that the Director of Membership Services (Cat Turhan) as the Returning Officer for these elections.

The Board is also asked to approve Clem Jones (Interim Representation Manager) as the Deputy Returning Officer, who will have operational responsibility for the process and the ability to appoint Assistant Returning Officers.

1.2 Leadership Elections

To ensure a free and fair election process, the Committee are asked to approve a senior staff member provided by another Students' Union as the returning officer for the union-wide Leadership elections. This position will provide outside, impartial, expert opinion in the event that a complaint is escalated.

The Union is grateful that, for the last three academic years, Ryan Bird – former CEO of Reading Students' Union and now CEO at The SU, University of Bath – has acted as the Returning Officer for these elections.

The Committee should now consider that, in the approved minutes of last year's standing meeting of the Committee, it was previously noted that for the Leadership Elections 2024 "the Committee may wish to consider asking a different senior SU professional to be RO, for variation". (For the avoidance of doubt, the Union has no concerns with the service Ryan Bird has provided to date; it is simply best practice to periodically change the most senior electoral official for the election of Union major office holders, in order to ensure confidence in the external scrutiny of the electoral process).

The Committee is therefore asked to approve **Lucy Gill** as RO for the Leadership Elections 2024. Lucy is currently Director of Student Influence at University of Nottingham Students' Union and Trustee at Liverpool Hope SU and has kindly agreed to act as RO for us if approved.

The Committee is also asked to approve that the Director of Membership Services (Cat Turhan) as the Deputy Returning Officer, who will have operational responsibility for the process and the ability to appoint Assistant Deputy Returning Officers.

2. Election Rules & Regulations

Last year the Union undertook a [review](#) of the Election Rules & Regulations, resulting in a several clarifications to the Election Rules and a number of updates to Byelaw J (Major Elections). The Election Rules remain the gift of the RO for each election run under Byelaw J (with Byelaw J3.3 stating that the Returning Officer shall “set rules, regulations and guidelines other than these election Byelaws to govern the conduct of the election”). The Union’s elections working group has reviewed the rules using last year’s elections in order to identify any causing issues to arise or attracting queries for clarification from candidates; the Committee is therefore asked to propose to the Returning Officers of the 2023-24 Elections that the below rules might form the basis of the rules they will set for their elections (proposed changes from previous elections in **red text**, with the rationale for proposals in [parentheses]):

1. Any activity or publicity that is illegal, breaches College rules, policies and codes or Union byelaws, 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. The RO/DRO reserve the right to suspend the elections in the event of a circumstance beyond the Union’s control. This may include but not limited to: acts of God, war, strikes or labour disputes, embargoes, acts of competent government or regulatory authorities, pandemic, quarantine or widespread illness, illness of members of staff, actual, suspected or threatened act of terrorism, riot, civil disorder, or any other ‘force majeure’ event.
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 all candidates could reasonably have had the opportunity to buy or carry out.
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. Use of the Union or College logo (**apart from the Union-provided Elections Banner**) on campaign material is prohibited. **[This prohibition was carried across from the Union’s former Publicity Policy during the Rules Review; however, it contradicted that the Union provides an elections ‘banner’ with the ICU logo and voting dates/webpage link during elections for candidates to add to their posters. The updated wording clarifies this is allowed but continues to ensure that the College logo is not used without permission, nor are poor quality ICU ones used].**
10. Permission must be sought when posters are placed on non-designated poster boards 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
- e. Sherfield walkway

11. 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.

12. Publicity stunts may not occur on the Queen's Lawn, Queen's Lawn Terrace, Prince's Gardens, or 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.

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

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

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

16. All candidate websites and social media pages ~~must~~ **should** contain a link to the elections website imperialcollegeunion.org/elections. **[This reflects that it is good to promote the election webpages wherever possible, but it is an infraction of election fairness if a candidate mistakenly does not include a link in every instance].**

17. All campaigning conducted through social media ~~must~~ **should** contain the hashtag '#icuElections'. Candidates should declare their social media accounts during the nomination and manifesto uploading period to support the RO/DRO to investigate complaints should they arise.

18. Candidates are allowed to use social media or digital communication chat functions, 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.

19. Candidates running for Officer Trustee positions ~~should~~ **must** only run for one position as opposed to multiple **[This further clarifies the expectation that candidates are committed to the policy portfolio of the respective areas of the Union covered by the OTs positions, and believe themselves to be the best suited candidate to the role].**