LHSU By-Laws 

Officer Elections (including Purdah Rules)

# Preamble

Liverpool Hope Students’ Union (LHSU) is a registered charity and a students’ union (within the meaning of the Education Act 1994). The Union is a member led organisation. The Union will be governed in such a way as to give individual members opportunities for a meaningful input into its collective decision-making.

Officer elections shall function in accordance with the LHSU Constitution, in particular clause 12.1, and in consistency with other relevant By-Laws.

There are three Student Sabbatical Officer (SO) positions: President, Vice President (Sports and Activities) and Vice President (Welfare & Community).

There are ten part-time Officer positions: Black & Minority Ethnicities (BME) Officer; Disability Officer; Lesbian, Gay, Bisexual & Transgender (LGBT) Officer; Women’s Officer; Trans + Officer Residential Life Officer Commuting Students Officer Officer; Part-time, International Mature Student Officer; and Post-Graduate (PIMPS) Student Officer.

Elections for Student Sabbatical Officers shall be held in the second semester of the academic year preceding the academic year the seats are available.

# Operational Matters & the Returning Officer for Elections

* 1. The General Manager is responsible for the operational matters surrounding elections and referenda. With the exception of Returning Officer in SO elections, they shall be responsible for allocating staff members to particular roles.
  2. The NUS shall appoint a Returning Officer to oversee the good conduct of the SO elections.
  3. The General Manager of LHSU shall appoint a Deputy Returning Officer (DRO) to assist the Returning Officer in their duties.
  4. This DRO will assume the same duties in relation to other elections (including for part-time officers, NUS Conference delegates, etc.) and referenda, with the General Manager acting as Returning Officer.
  5. All Union staff members should always act fairly and impartially towards all candidates and slates. In their professional capacity, they must not take part in any publicity that could link them with any candidate or slate. Any complaints may be raised through the organisation’s general Complaints Procedure.

# Election Rules & Guidance

2.1. Candidates are expected to conduct themselves in a way that is honest, fair and reasonable and engage in a positive campaigning experience that helps students to vote.

2.2. Candidates and their supporters are ambassadors for LHU students and LHSU and will be expected to refrain from bribery, treating, undue influence, personation and breaches of secrecy of the ballot.

2.3. It is strictly prohibited to make or publish a false statement of fact about the personal character or conduct of a candidate in order to affect the return of a candidate at an election.

2.4. False statements about LHSU, the University or its staff are to be actively discouraged by the DRO. If the candidate refuses to amend or withdraw such a statement the DRO will issue a public disclaimer on behalf of LHSU.

2.5. The DRO will issue more detailed Guidelines before nominations open.

# Complaints

3.1. Elections and referenda have their own Complaints Procedure. Students wishing to complain about the conduct of campaigns can submit a complaint to the DRO.

3.2. Complaints must be made as soon as possible after the event they relate to.

3.3. Complaints will not be accepted after the close of ballot, unless it concerns the conduct of the poll.

3.4. The DRO will consider the complaint and respond in writing within two working days of the complaint being received.

3.5. Where a complaint has been made against a specific candidate, the individual will be informed in writing and they will be given an opportunity to respond to allegations. Where appropriate, candidates may be invited to come in and discuss the complaint in person.

3.6. The DRO is also empowered to investigate the possibility of vexatious complaining i.e. complaints that are malicious, baseless, frivolous or mischievous in motivation or purpose.

3.7. Following the DRO’s determination, if either party believes that there is new evidence, or if they disagree with the outcome of the complaint, they can appeal to the Returning Officer.

3.8. The Returning Officer will investigate the appeal. They will notify relevant parties of the outcome in writing.

3.9. The Returning Officer’s decision is final.

The process for submitting complaints will be explained in the Guidelines, and sent to all candidates.

# Sanctions for Electoral Misconduct

4.1. A candidate accused of serious electoral misconduct may be suspended from campaigning whilst the DRO conducts a thorough investigation. In such circumstances there will be a clear prima facie case before proceeding to suspend.

4.2. The sanctions available for misconduct proven on the balance of probabilities will range from a verbal warning to disqualification for the election. Intermediary sanctions include a temporary suspension from active campaigning.

# Purdah Rules

5.1. Introduction

The term ‘purdah’ has come into popular use to describe the period of time immediately before an election or a referendum when specific restrictions on existing full time and party time elected officers are in place.

For elections, purdah is taken to start from the close of nominations. For referenda, purdah is taken to start from the opening of voting.

5.2. Guidance to elected officers

In your official capacity as a full time or part time officer and / or in your use of Union resources:

* You are allowed to continue to discharge normal Union business during the purdah period providing you have due regard for these bylaws;
* In general, you should not issue any publicity which seeks to influence voters;
* No candidate posters or similar election material should be displayed in any Union office, and badges, stickers or tea shirts endorsing a particular candidate, slate or proposition in a referendum will be worn;
* You should consider suspending hosting third party material or closing public forums if these are likely to breach this guidance;
* Communications relating to individuals involved in the elections should not be published;
* Do not publish any communications on issues that you can foresee would be controversial during the election, or report views on proposals in a way which identifies them with individual candidates or slates;
* You are allowed to request that the DRO publishes factual information to counteract false or misleading public statements, or on controversial issues that you have been prohibited from commenting on in your official capacity.
* In the case of referenda, you have the right to be consulted over the content of the impartial ‘For and Against’ communications published by the DRO;
* Incumbent candidates have no additional rights to any other candidates. Reasonable use of facilities and information available to the other candidates should be available to them.

5.3. General advice to elected officers

You should be guided by the principles of fairness. It is crucial that Union members and those standing for office would see any decision you take as fair and reasonable.

The presumption is that normal Union business will continue over the election period. The exception is where a particular initiative, proposal, consultation or publication in the period could reasonably be regarded as giving a candidate or their supporters an advantage in the election. If that is the case then the initiative should be deferred until after the election. However, most routine business should continue unaffected.

If you wish to be involved in electoral / referendum campaigning then you should do so in a private capacity and in your own time.

If you are in any doubt, seek advice from the DRO.

# Rules

6.2. Only the Executive Council can approve, review or amend these By-laws. Such changes must not be inconsistent with any provision of the LHSU Constitution.

6.3. Copies of these By-Laws must be made available to any member of the Union on request.