

Herts SU Elections

Rules & Regulations

October 2024

Contents

Candidate Briefings	2
Roles within the Elections	2
Eligibility	2
Voting	5
Behaviour	5
Campaigning Activity and Endorsements	6
Campaign Materials	8
Campaign Expenses	8
Elections and Bye-Elections Disciplinary Grounds	9
Elections Complaints Procedure	11

Overview

Hertfordshire Students' Union's (Herts SU) Elections are based on principles of trust and fairness for everyone involved. These rules are fundamental in ensuring our elections are free, fair, and inclusive. A breach of these rules could result in sanctions up to, and including, disqualification.

The below rules and regulations are broken up into sub-categories for ease of access and will be explained in the candidates' briefings – however, if any candidate has any questions about these rules, please contact Herts SU's Elections Committee on elections@hertssu.com.

Candidate Briefings

There will be compulsory candidate briefings following the close of the nominations period. All students who have nominated themselves to stand in the election must attend or make alternative arrangements with Herts SU. Failure to attend or to make reasonable alternative arrangements with the SU will result in removal from the elections.

Candidate briefing dates and times are listed on the Herts SU website (www.hertssu.com). Candidates will also be required to attend a compulsory de-briefing, with details being shared with candidates at the candidate briefing.

Roles within the Elections

- Returning Officer (RO) – National Union of Students (NUS)
- Deputy Returning Officer (DRO) – Phillip Dowler, Director of Advocacy & Opportunities
- Elections Committee – appointed annually in line with Bye-Law 4

Eligibility

1. Herts SU recognises that being a student officer, whether full-time or part-time, is a responsible post which will require you to lead by example, represent students and have credibility in your dealings with students, SU staff and University staff. Herts SU is committed to the principle that no students put their academic studies at risk through the elections process or through taking up any student officer position. In addition to the membership eligibility criteria outlined in Herts SU Bye-Law 1, eligibility to run for election and hold any Herts SU position is based on the below criteria.
2. Candidates will be asked to declare anything current or historic that could put their, Herts SU's and/or UH's reputations at risk and/or that could be in breach of Herts SU's or UH's policies and/or the law, including (but not limited to) Herts SU's EDI policy. This includes the reasonably recent past and candidates will be asked, as part of their candidate declarations, to confirm that the information on their social media accounts reflects their current views.

3. Eligibility checks as outlined below will be undertaken by the University and Herts SU prior to elections and if you fail to meet the below requirements, you will be withdrawn from the election prior to the opening of voting. If the election has already occurred, the Officer or Officer-Elect may be removed from their post and the elections results may be re-run as described below.

4. Eligibility requirements for all roles:
 - a. You must be a current student or current Elected Officer in good academic (if applicable) standing with the University (detailed below).
 - b. If a student has any outstanding referrals or deferrals by the close of nominations for the 2024 elections, including any zero credit modules, they will be ineligible to stand in the election.
 - c. Following the election, should an elected student officer not pass all credits of their current year of study by the above date, they will be unable to take up their post. In this instance, the original election vote count be declared null and void and the vote will be counted again with the student's candidacy removed from the count to reveal a new election result. If the new winning candidate cannot take up the position, the process will be repeated until the role is successfully filled. If the role cannot be successfully filled following this process, a Bye-Election may be called in accordance with the Herts SU Bye-Laws.
 - d. You must be in good financial standing with the University or have the capacity to settle any debts in full prior to the opening of voting (or prior to taking up your role if after the election).
 - e. You must be in good disciplinary standing with the University and Herts SU and not be subject to any live disciplinary warnings or sanctions.
 - f. You must be in possession of valid right to work in the UK documentation, which must be seen and checked by Herts SU prior to the commencement of elections.
 - g. You must be eligible to be a Trustee in the United Kingdom. Further information on this is available [here](#).
 - h. No member may stand for election having been previously disqualified from a Herts SU election.
 - i. No member may stand for election having previously had employment terminated by Herts SU or the University of Hertfordshire or being subject to a live disciplinary warning from Herts SU or the University of Hertfordshire.

- j. Candidates are not eligible to stand if they have not participated in one of Herts SU Candidate Support Sessions (or have made alternative arrangements for a one to one catch up session).
- k. Candidates can only stand for one position per election.
- l. An Elected Officer can only hold a full-time or part-time position for a maximum of two years.

5. Additional eligibility requirements for part-time roles:

Students must have firm plans for continued study at the University of Hertfordshire for the 2024-25 academic year. Part-Time Officer roles will be undertaken alongside students' studies, with successful candidates committing to work between 5-10 hours per week, to be determined in conjunction with Herts SU staff. These roles also have additional eligibility requirements in terms of self-definitions – please see the individual role descriptions for further details of these requirements.

6. Additional eligibility requirements for full-time role:

- a. Students must have undertaken a previous student leadership position in support of Herts SU or University. Eligible student leadership positions are Elected Officer, HertSquad Activator, HertSquad Club Committee Member, Network Committee Member, School Community Organiser, Society Committee Member, Student Council Chair, Student Council Deputy Chair, Student Rep or Student Trustee.
- b. Postgraduate and Undergraduate students who are successfully elected into our Full-Time Officer role (President) who are not due to complete their studies by the start date will be required to suspend their studies from the role start date and for the entirety of the role (dates of which are outlined on the Herts SU website). Failure to do this will result in the Officer elect not being able to take up their post.
- c. The University's current policy is to allow this for one year only. Further details about suspending your studies can be found on [Ask Herts](#).
- d. Students on a Tier 4 visa should talk to an [International Student Adviser](#) to discuss the effect this may have on their visa.
- e. Elected Officer roles do not constitute placements and cannot be used as one.

Voting

1. Current University of Hertfordshire students will be able to vote on the website (www.hertssu.com) or at a polling station. Details of the polling station locations will be available on the website.
2. Voting will be open on Tuesday 5th November on De Havilland and Wednesday 6th November on College Lane.
3. Voting will be available online from 8am-10am and 4pm-6pm each day.
4. Voting will be available at polling stations between 10am-4pm each day.
5. HIC students are not eligible to vote.

Behaviour

1. Officers of Herts SU are student leaders and any students campaigning for any of the SU leadership positions are expected to behave accordingly. This means treating student voters, fellow candidates, University and Herts SU staff with respect.
2. There must be no 'negative campaigning', such as candidates making unsupported attacks on other candidates' manifestos or making attacks of a personal nature against other candidates. Any challenge which is not deemed to be of a personal nature is allowed. Candidates should treat each other with dignity and respect. If candidates are found to deface or discredit another candidate's campaign in any manner (written/online/spoken verbally), this will be dealt with disciplinary action. The final judgement on whether a candidate has contravened this lies with the Returning Officer or Deputy Returning Officer.
3. Candidates must not discriminate against any religious, political and/or ethnic groups or genders throughout their campaign. This includes hate crime/incidents and anti-social behaviour. This type of behaviour will not be tolerated and will be dealt with very seriously in accordance with University's disciplinary procedures,

Herts SU disciplinary procedure and the law as necessary. A zero-tolerance approach to the above will be taken and this behaviour will result in immediate disqualification from the elections.

4. Candidates must respect students' personal space at all times; for example, candidates must not disturb students who are studying in the Learning Resources Centre (LRCs) or eating in University restaurants.
5. Candidates may not force entry into any student accommodation, whether off-campus or on-campus, and must not enter student accommodation with the intention to campaign.
6. Candidates must allow voters to cast their ballot freely and must not communicate with voters in any way once they have begun to complete their ballot. Candidates may not use their own computers or tablets to encourage students to vote, and candidates may not under any circumstances use another student's mobile device or computer to vote on their behalf, or to physically assist in the voting process on the student's device (this includes, but is not limited to, scrolling, or directing them to cast a vote).
7. Any attempt to defraud the elections process by any member of Herts SU shall be referred immediately to a Herts SU Disciplinary Panel or University Disciplinary Panel – the discretion for this referral will be the Deputy Returning Officer or nominee from within the Elections Committee.
8. If a student at any point asks a candidate to leave them alone, candidates must respect their wishes and leave the student alone as soon as they are asked to. Students have varying degrees of sensitivity about being approached and this must be respected – failure to do so will result in immediate disqualification from the elections.

Campaigning Activity and Endorsements

1. Improper use of WhatsApp Groups, including messaging individual members of groups and asking them to vote, is in breach of GDPR regulations and, in addition to potential elections sanctions, up to and including removal from the Herts SU

HERTS SU

Elections, you could face potential fines and sanctions from the Information Commissioner's Office (<https://ico.org.uk/>).

2. Every mobile device is considered a polling station and will be treated as such.
3. Candidates are not allowed to use any of their personal electronic devices such as a mobile phone, iPad or laptop for the purposes of allowing other students to vote from. Candidates are also not allowed to handle a voter's mobile device (this includes, but is not limited to, scrolling or directing them to cast a vote).
4. No current or former Elected Officers of Herts SU, subcommittees of Herts SU, affiliated societies, other Herts SU affiliated student groups, or Athletic Union clubs may endorse any candidate and may not use any official website, social media page, mailing list, or general meeting to do so.
5. No candidate may use any resources made available to them through positions of responsibility within Herts SU or University (e.g. society positions) to actively advertise their campaign but may continue to serve in their role during the elections.
6. Endorsements on Herts SU affiliated social media, including all society group chats and social media profiles, and Herts SU official group chats is strictly prohibited. Individuals who do not adhere to this, candidates or otherwise, will be subject to Herts SU Societies Code of Conduct, and/or reported to the Dean of Students Office for further disciplinary action.
7. Candidates must not campaign in Herts SU offices or meetings. Candidates must not incorporate Herts SU branding and/or logo into their campaign materials.
8. "Purdah" is the period leading up to an election during which new announcements that may influence the election are prohibited. This will commence two weeks prior to voting opening.
9. During this period communication sent out to encourage students to vote will not include any reference to any candidates including current Officers.
10. Neither Herts SU nor the University can influence the election in any way and at no time express any preference of whom should be elected.

Campaign Materials

1. Flyers, business cards or other printed campaign materials designed with the intention of distribution are not permitted during the election.
2. Digital campaign materials must be approved by Herts SU prior to the commencement of the Voting period. The deadline for this will be provided prior to the Voting period, and cannot be used until approved in writing, by email from elections@hertssu.com.
3. Candidates may only alter, move or remove their own campaign materials.
4. Campaign materials and candidate behaviour during elections must not bring Herts SU into disrepute.
5. Students who work for Herts SU or the University as casual staff who are standing in the elections may not campaign when they are at work. Candidates must not wear uniform or branded clothing provided to them for work purposes to campaign.
6. Non-casual University staff who are also registered as a student and wish to get involved in the elections are advised to seek advice from the Dean of Students and Deputy Returning Officer before standing. Herts SU and University staff must not influence the outcome of the elections.
7. Complaints about Herts SU elections are subject to the Herts SU's Elections Complaints Procedure: the deadline for submitting complaints is one hour after voting closes.

Campaign Expenses

1. There will always be a limit to how much a candidate can spend on their campaign. This will be announced to all candidates via email and at a candidate briefing. Herts SU will reimburse candidates for all of their campaign spending if this is supported by valid receipts and submitted before the deadline. If money is a

HERTS SU

barrier to participating in an election, we can make arrangements to pay campaign funding in advance, but this will be decided on a case-by-case basis.

2. Candidates must not accept any sponsorship, donations and/or gifts which would increase their budget for their campaign.
3. Candidates must not exceed their budget. Failure to abide by the stipulated budget will result in disqualification from election.
4. Candidates must submit a completed expenses form, including all receipts, to either of the Herts SU reception on College Lane (in the Hutton Hub) or emailed (with digital copies of receipts) to elections@hertssu.com no later than one hour after the close of voting. If no money is spent during the campaign, this must be made clear on the form.

These rules are in addition to Herts SU and University of Hertfordshire Code of Conducts.

Herts SU Elections and Bye-Elections Disciplinary Grounds

Prohibited Public Promotion of Candidacy or Campaign
<ul style="list-style-type: none">• Use of flyers, business cards or other printed materials designed with the express purpose of distribution• Campaign Publicity that causes damage to Herts SU or UH property, such as the use of stickers or glue which would prevent the removal of the material• Continual or widespread attempts to display campaign materials in undesignated Herts SU and UH spaces• Campaign spending that exceeds the campaign spending limit
Defamation of Another Candidate or Campaign
<ul style="list-style-type: none">• Continual or widespread cases of tampering with another candidate's campaign activity• Negative campaign activity in regards to another candidate or their campaign• Negative interference either written or oral (including online; see Social Media Sub Section) in regards to another candidate or their campaign

- Deface any campaign materials (online) of another candidate

Anti-Social and Intimidating Behaviour, or any Violation of Herts SU or University Rules or Policies

- Continual or widespread campaign activity that is disruptive to others
- Physical campaigning to students outside of designated places or outside of restrictions
- Campaign activity that uses disorderly, threatening, harassing or offensive behaviour or language in person, in writing (including electronically) or orally
- Campaign activity that uses intimidating or discriminatory behaviour or language in person, in writing (including electronically) or orally
- Reference to another candidate's personal traits or character and/or misrepresentation of another candidate's religious, political, or other views or actions
- Campaign activity that may have criminal and/or legal implications

Unacceptable Behaviour – Voting and Polling Stations

- Cases of candidates attempting to coerce, influence or interfere whilst a student is casting a vote
- Unwanted or continual pressure on students voting
- Any handling of another's mobile device including scrolling, handling or directing
- Helping a student to vote, even if a student has requested assistance
- Candidates offering the use of their own personal electronic devices (e.g. iPad, mobile phone, tablet and/or personal laptops) to other students for voting purposes is strictly prohibited

Prohibited Endorsement

- Unauthorised use of Herts SU or UH branding, including images of current or previous Herts SU Elected Officers or Herts SU/UH staff
- Permitting a UH employee to endorse a candidate or campaign by using their position, privileges and/or access to resource
- Elected Officers re-running are prohibited from using their position, privileges and/or access to resource to promote their campaign
- Endorsement by or within student clubs, societies, student media or Athletic Union clubs including the use of society funds, mailing lists or social media pages to support a candidate or campaign
- Endorsements on Herts SU affiliated social media, including all society group chats and social media profiles, and Herts SU official group chats
- Accepting sponsorship or donations (either monetary or gifts in kind) that give advantage to a candidate or campaign

Elections Complaints Procedure

1. Scope

This procedure covers elections run by Herts SU as described in Bye- Law 4; covering the conduct of any student or Elected Officer standing for election.

Herts SU is committed to ensuring that election processes are free, fair and inclusive. Any complaints lodged regarding breaches of the published rules and regulations for Herts SU elections will be investigated via this procedure. Disciplinary action will be taken if, on the balance of probabilities, it could reasonably be construed that a candidate breached the candidate rules and regulations and/or Bye-Law 4.

For the sake of the timescales mentioned within this procedure, 1 working day counts as Monday to Friday, 09:00-17:00 (excluding bank holidays and University closed days).

2. Raising a Complaint

Any complaint regarding the conduct of election candidates, during an election period, must sent to Herts SU via our website www.hertssu.com/elections and will be responded to within 1 working day of the complaint being raised where possible.

Complaints relating to the conduct of election candidates, or the running of the elections, must be submitted no later than 1 hour after the close of voting. Complaints relating to the voting count must be submitted within 1 working day of the close of the count. Any other complaints outside of these parameters may be considered under Herts SU's main Complaints Procedure or Herts SU's Code of Conduct as appropriate.

Other than in exceptional circumstances, such as when the case involves the reputation of Herts SU, no Elected Officer shall be involved in or informed of the details of any complaint or allegation.

3. Handling Complaints

On receiving a complaint, an informal investigation will be conducted by a member of the Elections Committee – reporting back to the Deputy Returning Officer (DRO) with their initial findings.

If deemed, on the balance of probabilities, to be minor misconduct – the complaint will be dealt with informally; this may include an informal written/verbal warning being issued with recommendations for further action required to prevent further disciplinary action.

If deemed, on the balance of probabilities, to be of a moderate or severe nature – a formal investigation will be initiated, and arrangements will be made for a disciplinary panel hearing to be convened.

Should the candidate not respond to communications, or refuse to engage with the investigation process, the investigation and disciplinary panel hearing process will proceed in their absence.

4. Disciplinary Panel Hearings

The Disciplinary Panel will be made up of two people from the Elections Committee; the DRO or nominee will chair the disciplinary hearing.

Disciplinary panel hearings will be arranged wherever possible at a mutually convenient time and place. The candidate has the right to be accompanied by a friend or family member (who is not employed by Herts SU) – however the accompanying party attends in a purely supportive capacity (i.e. they are not able to speak on behalf of the candidate).

Conduct of the Disciplinary Panel Hearing:

- a. The disciplinary panel hearing will begin with the DRO or nominee summarising the allegations made and the findings of any investigation that has taken place; the candidate will have the opportunity to question the DRO and any members of the disciplinary panel about the findings of the investigation.
- b. Any relevant witnesses may then be invited into the hearing to provide their statements, leaving once they have given their statements.
- c. The candidate will then be asked to provide a statement regarding their response to the allegation, and the disciplinary panel will then ask any questions regarding the candidate's statement.
- d. The candidate will be asked to provide summarising statements, if they wish to do so. And then the candidate will be asked to leave the room, for the disciplinary panel to deliberate.

If, on the balance of probabilities, the disciplinary panel find some or the entire allegation proven there are different types of sanction which can be imposed depending upon the severity of the allegation. Examples of sanctions are (but not limited to):

- Formal written warning.
- A suspension of campaigning time and voting time for the election candidate (period of time to be decided according to the severity of misconduct).
- Percentage of the vote to be docked – proportionate to the severity of the allegation.
- Disqualification.
- Referral to Herts SU Code of Conduct for further investigation/action.
- Referral to the University's Code of Conduct for further investigation/action.
- Declare the election null and void.

If the disciplinary panel find that the allegation is not proven, the case will be dismissed and no sanction will be imposed.

- Wherever possible, the disciplinary panel will endeavour to provide their decision on the same day as the disciplinary panel hearing – followed by a written confirmation of the decision within 2 working days of the disciplinary panel convening. However, In the event that it is not possible for the disciplinary panel to confirm their decision on the day of the panel hearing, the disciplinary panel will endeavour to provide their decision in writing to the candidate within 2 working days of the disciplinary panel convening. This may include confirmation of whether the issue has been referred onto the University or another external agency (i.e. the Police) for further additional investigation.

When considered appropriate, where an allegation is proven for a candidate who is a presently elected Sabbatical Officer, the Herts SU Staff Disciplinary Procedure shall be invoked.

5. Appeals Procedures

The election candidate has the right to appeal any formal disciplinary sanction that is imposed.

Appeals can only be made if the election candidate believes that their case fulfils at least one of the following accepted grounds for requesting a review of an elections disciplinary panel decision:

- a. If new evidence has come to light, which wasn't available at the time of the disciplinary panel hearing.
- b. If the sanction imposed by the elections disciplinary panel is considered to be disproportionate.
- c. If procedural irregularities, unfairness or impropriety has occurred during either the investigation or disciplinary hearing process.
- d. If the election candidate has exceptional circumstances (i.e. personal or medical) which they wish to be taken into consideration. The exceptional circumstances must be evidenced wherever possible (i.e. a letter from a Doctor to confirm medical exceptional circumstances).

HERTS SU

Appeals should be made in writing, stating the grounds upon which the election candidate is requesting a review of the disciplinary decision, within 1 working day of the date stated on the written confirmation of decision from the elections disciplinary panel. Appeals should be submitted via email to elections@hertssu.com. The appeal will be referred to the Returning Officer (RO) for consideration.

The possible outcomes of an appeal are:

- The appeal is upheld and the disciplinary sanction is reduced or removed.
- The appeal is upheld and the issue is re-investigated and/or re-heard.
- The appeal is dismissed and the original decision is upheld.

The election candidate will be notified in writing regarding the result of the appeal, and the reasons for the decision, as soon as reasonably possible.

The decision of the Returning Officer shall be final with no further right of appeal.