

Sheffield Hallam Students' Union March Election 2023

Guiding Principles

1. Students have the right to choose who their representatives are.
2. Candidates must treat other candidates, students, staff and members of the public with respect.
3. Candidates must respect the campus environment and the local area they live in.
4. Candidates are wholly responsible for the actions of those campaigning on their behalf.
5. Candidates' campaigns must be fully transparent and accountable to the Students' Union.
6. Candidates must not do anything to gain an unfair advantage.
7. Candidates must not undermine the fair and democratic running of elections.
8. Candidates must not interfere with students whilst they are casting their vote.
9. Candidates must not break any general Students' Union and University/College rules and regulations. This also includes the Law.

RULES AND REGULATIONS

The Elections Guiding Principles should be considered the overarching guidance for all elections conduct, with the following rules and regulations providing specific details on key areas. If a complaint is made regarding conduct that is not directly referenced within the rules and regulations, the Deputy Returning Officer will make any decisions in line with the principles guiding the elections process.

Adherence to the following rules **and** to the broader guiding principles is required to ensure a free and fair election; failure to do so may result in penalties that include, but are not limited to, the suspension of a candidate's campaigning activity, or the disqualification of the candidate from the election.

Where a candidate's conduct is investigated by the Deputy Returning Officer (DRO), they will be required to attend an online meeting with the Deputy Returning Officer or their nominee, and their campaign may be suspended until that meeting is held. Should a candidate fail to attend a meeting with the Deputy Returning Officer, then a ruling will be made in their absence.

Should you have any questions on any of these rules, please contact a member of the Representation & Democracy Team by emailing democracy@shu.ac.uk. Ignorance or misunderstanding of these rules will not be considered a mitigating factor in the event of a breach.

Candidate Eligibility

All candidates must fulfil the following criteria to be a candidate in the Elections. If at any point it is ruled that a candidate does not fulfil one of these criteria, then the Deputy Returning Officer retains the right to immediately exclude the candidate from the Elections.

1. By the start of the campaign period, all candidates **must**:
 - a. Fulfil all eligibility criteria as laid out in By-law 10 in the Students' Union's Articles of Governance (see appendix A).
 - b. Be eligible to be a Trustee of a charity according to [UK law](#).
 - c. Submit a manifesto and a candidate photograph by the stipulated time and date.
 - d. Attend a Candidate Training session, and sign and agree to be bound by these Rules & Regulations for the duration of your campaign.

2. By the agreed time and date after the start of the campaign period, and before the specified deadline, all candidates must submit a completed Candidate Budget Declaration form.

Budgets and Resources (*The money, materials, and resources that Campaigns may use to promote their position*)

3. Candidates have a set budget of £50 per candidate for use during their campaign. This cannot be exceeded under any circumstance. This money will be reimbursed once Candidate Budget Declaration forms and accompanying receipts are submitted to, and approved by, the Elections Team.
4. Any materials or resources used in an election campaign should be equally available to all candidates.
5. Candidates must purchase items solely for their own campaign activities. Pooling resources with other candidates is not allowed, and rewards for campaigners will not be considered a legitimate use of campaign funds.
6. The Deputy Returning Officer reserves the right to remove, or demand the removal of, campaign material if it is deemed inappropriate.

Physical Campaigning (*Campaign activity carried out in person*)

7. Physical campaigning may be restricted at any time in line with national, local or University guidance concerning the ongoing COVID-19 pandemic. All candidates will be contacted in relation to any changes.
8. Candidates may not campaign in University Libraries (Addsetts or Collegiate)
9. The use of stickers on Union, University and public property is expressly forbidden.

Digital Campaigning (*Campaign activity carried out on social media or via other digital channels*)

10. Only personal social media accounts or accounts, groups or pages specifically created for the purpose of campaigning in the given Election are to be used to promote a candidate.
11. Candidates must not make use of pre-existing mailing lists to promote their candidacies. This includes, but isn't limited to, the use of Society membership lists by committee members, and lists of students and Course Reps by Course or Department Reps. This also includes making use of University address books.
12. Where access to a digital space (a group, page, or similar) is controlled by an administrator or moderator, access must be given (or not given) to all candidates equally. (*Please see Appendix B for more information on how to interpret this rule*).

Endorsements (*Promotion/recommendation of the Campaign by other students or student groups*)

13. An endorsement is considered any activity that indicates a recommendation of a candidate, or that provides a candidate with any form of promotion or platform.
14. Candidates may be endorsed by any full member of the Students' Union, with the exception of individuals and groups listed under rules 15 to 17.
15. Endorsements by Students' Union staff, Elected Officers, Elected Reps, or Student Trustees are *not permitted*.
16. Endorsements by University staff are not permitted, with the exception of those by students who hold student staff roles within the University.

17. Societies and Clubs are *not permitted to endorse any elections candidates*. For the avoidance of doubt, this does not preclude individual Club or Society members, including Committee Members, from endorsing candidates according to rule 14.
18. Candidates may not be endorsed by any company, business, or political organisation, by alumni, or by students at other institutions.
19. Candidates may not campaign as a part of a 'slate' (i.e. a group of candidates campaigning together)

Campaign Conduct (*General conduct requirements for the campaign*)

20. Comments or criticism regarding other candidates must never be personal nor include any false statement in relation to a candidate's manifesto or conduct. Any reference to a candidate's personal traits, character, or religious or partisan views are not allowed.
However, criticism of a candidate's manifesto or campaign is allowed.
21. As per Guiding Principle 8, candidates may not interfere with students when they are casting their vote. In order to comply with this Principle, candidates must not attempt to influence or observe a student in the act of voting on an electronic device.
22. Campaigning may only take place after the Candidate Name Release and only by candidates who fulfil all relevant eligibility criteria under rule 1.
23. Candidates must stop engaging with a student if the student so requests.

Accessibility

24. The DRO and the Elections team reserve the right to make concessions for candidates on the grounds of accessibility. The aim of these concessions is to 'level the playing field' for candidates with disabilities, or other conditions which may impact their ability to campaign.

COMPLAINTS AND SANCTIONS

Complaints

Any member of the Students' Union is entitled to submit a complaint about an Elections candidate or a member of their campaign team.

All complaints must:

- Be submitted using the official Elections Complaint form, which can be found at www.hallamstudentsunion.com/elections/complaints.
- Explain clearly which rule or guiding principle is alleged to have been broken.
- Include sufficient evidence to investigate the complaint.

Complaints that do not fulfil these criteria will not be investigated.

Providing the complaint fulfils the criteria, the Elections team will respond to your complaint within 24 hours.

Candidates who have a complaint made against them must respond immediately to any requests for a meeting with the Elections team or Deputy Returning Officer. If the candidate does not respond, then a meeting may be held in their absence, and the candidate will not have the opportunity to provide any mitigating evidence.

Complaints may be submitted until 3PM on Friday 17th March 2023. Complaints made after the close of the voting period will only be addressed if the rule break is deemed serious enough to have influenced the result of the Election.

Sanctions

If a complaint is upheld by the Deputy Returning Officer, a sanction may then be applied. The exact nature of the sanction is at the complete discretion of the DRO. The sanction could include, but is not limited to:

- Suspension of campaigning activities for a period of time
- A formal caution, of which several will result in disqualification
- Restriction of campaign budget
- Restriction of inclusion in SU Elections publicity
- Requiring the candidate to promote other candidates alongside themselves
- Requiring a formal public apology from the candidate
- Disqualification

It is worth noting that ignorance of a rule will not be considered a mitigating factor in deciding on a sanction. Rule breakages by members who are campaigning on the behalf of a candidate will be dealt with as if the candidate themselves broke the rule, as per Guiding Principle 4.

If in doubt, candidates should always ask for advice from the Elections team.

Aggravating Factors

Candidates will be punished more harshly if the DRO considers there to be aggravating factors at play. These could include, but are not limited to:

- Dishonesty or deception
- Repeat offences
- Abuse of power
- Discrimination based on protected characteristics

If an aggravating factor is considered to be present, then the rule breakage will be dealt with more severely. This could include instant disqualification.

Appendix A – By-Law 10

<p>Eligibility for standing as a candidate in Elections</p>	<p>13. All candidates for election shall:</p> <p>13.1 be full members of the Students' Union at the time of their election and for the duration of the term of office for any position they intend to stand for. Opted Out Students, Associate, Lifetime and Reciprocal members are not entitled to participate in Elections</p> <p>13.2 only be eligible to stand for one Elected Officer and/or Representative position within each Election</p> <p>13.3 provide a manifesto</p> <p>13.4 fulfil all requirements set out in Appendix 1 to this By-Law - Eligibility to Stand for Election and Eligibility to hold office.</p> <p>13.5 fulfil all requirements outlined by the Elections Strategic Group and abide by the Rules and Regulations of the Election in which they are a candidate.</p> <p>14. The following specific conditions shall apply to candidates for elections:</p> <p>14.1 Candidates for election to the posts of:</p> <ul style="list-style-type: none"> - International Students' Officer - Postgraduate Taught Students' Representative - Postgraduate Research Students' Representative - Part-Time Students' Representative - Mature Students' Representative <p>shall be as defined by the University</p> <p>14.2 Candidates for election to the posts of:</p> <ul style="list-style-type: none"> - BME Students' Representative - Disabled Students' Representative - LGBT+ Students' Representative - Trans Students' Representative - Women's Representative <p>shall self-define as a member of that Liberation Group.</p>
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Appendix 1 to By-Law 10
Eligibility to stand for election

	Position stood for:					
	Elected Officer	Elected Representative	UC Chair	Student Trustee	Open Space Rep	NUS Delegate
Full Member	Yes	Yes	Yes	Yes	Yes	Yes
Opted Out Student	No	No	No	No	No	No
Associate member	No	No	No	No	No	No
Life member	No	No	No	No	No	No
Students' Union Staff (Permanent)	No	No	No	No	No	No
Students' Union Staff (Student Casual)	Yes	Yes	Yes	Yes	Yes	Yes
Hallam University Staff (Permanent)	No	No	No	No	No	No
Hallam University Staff (Student Casual)	Yes	Yes	Yes	Yes	Yes	Yes
Previous Elected Officer	Yes	Yes	Yes	No	Yes	Yes
Previous SHSU Trustee	Yes	Yes	Yes	Yes	Yes	Yes
Holds another SU post	No	No	No	No	No	Yes
Permanently excluded from SU	No	No	No	No	No	No
Previous dismissed as Elected Officer	No	No	No	No	No	No

Appendix 2 to By-Law 10
Eligibility to hold office

	Position Elected to:					
	Elected Officer	Elected Representative	UC Chair	Student Trustee	Open Space Rep	NUS Delegate
Full Member	Yes	Yes	Yes	Yes	Yes	Yes
Opted Out Student	No	No	No	No	No	No
Associate member	No	No	No	No	No	No
Life member	No	No	No	No	No	No
Students' Union Staff (Permanent)	No	No	No	No	No	No
Students' Union Staff (Student Casual)	No	No	No	No	No	Yes
Hallam University Staff (Permanent)	No	No	No	No	No	No
Hallam University Staff (Student Casual)	Yes	Yes	Yes	No	Yes	Yes
Previous Elected Officer	Yes	Yes	Yes	No	Yes	Yes
Previous SHSU Trustee	Yes	Yes	Yes	Yes	Yes	Yes
Holds another SU post	Yes	Yes	Yes	Yes	Yes	Yes
Permanently excluded from SU	No	No	No	No	No	No
Previous dismissed as Elected Officer	No	No	No	No	No	No

Appendix B – access to digital spaces

The use of digital space when campaigning can give rise to situations where it's not immediately clear what the fairest approach is. Below is an outline of common areas of confusion.

Closed social media groups

A candidate may request to promote their campaign in a closed Facebook group. These are groups which are publicly visible which candidates need to request access to. The moderator of the group may decide to allow or reject the candidate's request, but they must do the same for all other candidates. *However*, this does not mean that all other candidates *must* join the group – or even have the group highlighted to them – they will still need to take the initiative to do so. If the moderator allowed one candidate to post, but didn't allow another candidate to post when asked, then this would not be fair and would break the rules.

Private groups

Some groups are private access to them is beyond the scope of these rules and guidelines. A good example of this is a WhatsApp group chat. As these are private groups which cannot usually be publicly accessed, it is not against the rules for one candidate to have access to a group chat while another candidate does not. This could be compared to a private house: a candidate could visit a friend's house and promote their campaign there, and this wouldn't mean that all other candidates should be able to access that house.

As with all rules and guidelines, if you are unsure if an action would break the rules, you should first contact the Elections team at democracy@shu.ac.uk.