# Ordinary Resolution (Society’s Byelaws):

This Ordinary Resolution has been proposed by the Society’s Council. In order to pass, it requires the support of at least 50% of votes cast by those entitled to vote, either in person or by appointment of proxy (online or by post), at a general meeting.

## Statement by the Council on the Ordinary Resolution (Society Byelaws):

**The Council recommends**

**SUPPORTING this Resolution**

**This resolution will ensure the Society continues to subscribe to the highest standards of internal democracy and good governance.**

The Electoral Reform Society is governed by a Council of our members, elected by our members every two years. Council members set our strategy and take an active part in shaping the direction of our campaigns. The next round of elections will be held in September and October – members will be able to nominate themselves to stand in August.

In advance of this, the Council has conducted a thorough review of the Society’s Byelaws that govern these internal elections. We have proposed a number of changes which require formal assent from our members in the form of an Ordinary Resolution brought forward at a General Meeting.

The changes are set out below in a marked-up table version – to help members understand what changes are being made, and setting out the reasons for each change.

The amended Byelaws are then set out in a formal resolution that we will vote on at the General Meeting on 30th July. You can vote online, by sending in a proxy in the post, or by attending the meeting, which will be held online.

**Council urges you to vote FOR this Ordinary Resolution to enact these changes.**

We particularly want to encourage members who have recently joined the Society to vote for this resolution. The changes that we propose are partly to clarify our rules but also – and more significantly – to encourage as diverse a group of candidates as possible to stand for election to our Council.

We are particularly keen to ensure that our rules do not create unnecessary barriers that might discourage potential candidates from standing – especially new members, or those of you who do not know many other members of the Society.

We went through a thorough process to consider what changes we should propose. After the last Council elections, our independent Elections Panel recommended amending our Byelaws to improve clarity and to reduce the potential for confusion. In response, we carried out a thorough review of our Byelaws, sought legal advice, held three meetings where a smaller group discussed potential changes in depth, and then considered and discussed the proposals at a meeting of the full Council – all to decide which changes to ask members to vote on.

Most of the changes are minor, and either correct typos, replace out-of-date rules or clarify current procedures. Some of the changes improve our internal governance and voter engagement, as well as ensuring fairness and protecting the privacy of our 5,000 members. Others help to ensure we continue to subscribe to the highest possible standards of electoral integrity and best practice.

As we prepare for upcoming Council elections in September and October of this year, we want to encourage as diverse a group of members as possible – especially new members – to nominate themselves to stand for election. More information will be circulated when nominations open in August, but in the meantime, if you have any questions, please feel free to get in touch with Kate West at: Kate.West@electoral-reform.org.uk.

**Table of proposed changes: marked up version including reasons for each change:**

|  |  |  |
| --- | --- | --- |
| **Byelaw**  | **Proposed Amendment** | **Reasons for change(s)** |
| 2.1.1a) | a) Elected Council Members shall be elected by a ballot of all members eligible to vote (see below). STV shall be used for all Society elections. The result of the ballot will be reported to the following AGM. Those elected shall take office at the close of that AGM, save in the case of an appointment made in accordance with Article ~~26.2~~ 27.2(Appointment of Council Members), ~~26.3 or 26.4~~ 27.3 or 27.4(Casual vacancies). | Amendments to correct a past error |
| 2.1.2b) | b) On the day of the opening of nominations, theReturning Officer shall invite all members of the Society to nominate themselves as candidates, and in doing so, will provide members with a description of the duties of a Company Director, a nomination form, a copy of the Society’s Election Byelaws, and an outline of the timetable for the election. The election will not, however, be invalid if subsequently reasonable changes in the timetable are made. | It is sensible to send the description of company director duties, nomination form and Byelaws. We have done this in the past, so this formalises existing practice in the byelaws. |
| 2.1.3 | a) Members whose membership subscriptions are in arrears shall not be entitled to vote unless their subscriptions are brought up-to-date before the fourth working day before the issue of ballot papers.b) The Society will not admit new members to the Society between the fourth working day before the issue of ballot papers and the close of the poll.c) Two clear working days before the date for the issue of ballot papers, the Returning Officer shall prepare a final electoral roll of all the members entitled to vote and send a copy ~~copies~~ to the Elections Supervisor. ~~in addition to copies of the following documents:~~~~−lists of candidates' statements~~~~−declaration of identity forms~~~~−reply-paid outer envelopes for the return of ballot papers and declarations of identity~~ | Nowadays the Elections Supervisor collects or produces these materials directly. |
| 2.1.4 | a) Only those who are fully paid-up members of the Society at the close of nominations shall be eligible to stand as candidates.b) Candidates for election must not be disqualified from acting as a Company Director at the close of nominations. c) Candidates for election must not be employed by the Society or have been employed by the Society at any time in the 3 years immediately prior to the close of nominations.d) Candidates for election must ensure that they are able and willing to observe the Society's Articles and Byelaws, which shall be available to download from the Society’s website or made available in hard copy on request. | Logically, prospective candidates should read through the Articles and Byelaws *before* they put themselves forward for election, so this clause has been inserted to replace 2.1.5.d) |
| 2.1.5 | a) Members wishing to stand for election shall nominate themselves using the nomination form which shall be sent to all members. b) The nomination form shall include a declaration as follows: “I, (name) wish to stand as a candidate for election to the Society’s Council for the year ....... and I undertake to comply with the Society’s Election Byelaws currently in force. I confirm my support for the aims of the Society and if elected, intend to serve for the full term of office.” ~~c) Nomination forms received by fax or email will be accepted, provided that an image of the candidate’s signature is included and that there are no other reasons for their rejection.~~~~d) A copy of the Byelaws and the Articles of Association of the Society will be sent to all candidates as soon as reasonably possible after receipt of their nomination papers.~~  | c) is out-of-date and d) has been replaced by earlier insertion at 2.1.4d). |
| 2.1.6 | a) The Society shall use an STV ballot paper as recommended by the ERS STV97 rules or their variant. ~~Society in its current rules for Society elections.~~ The ballot papers shall be marked with serial numbers. Other aspects of the design of the ballot paper shall be as recommended by the Elections Supervisor.b) Candidates’ names shall be listed in random order. The randomisation of the order shall be done by the Returning Officer in the presence of independent witnesses selected by the Returning Officer. The Panel and candidates will be informed of the time at which this will be done and will be invited to observe.  | This clarifies ERS election rules and selection of witnesses.  |
| 2.1.7 | a) In all statements and election-related materials, candidates must conform to a spirit of reasonable, albeit robust, assertion and debate.~~b) Candidates will each be allocated one A4-size page (a margin of at least 1 cm is recommended to avoid text being lost at a binding edge) for their election statements.~~~~c)~~b) Candidates may submit a written statement ~~(as a guideline, statements should not be more than 600 words)~~, ~~which should include a photograph~~ in a standard format to be determined by the Returning Officer. Statements can be submitted in hard copy or digitally ~~by email or by post, in MS Word, PDF, or any other format which the Society’s office can process. All statements~~ and must be typed (the Society’s staff will assist where necessary). Statements will be ~~reproduced in black and white for hard copy circulation~~ sent to members in hard copy and/or may be made available in such electronic format and via such electronic means as the Returning Officer shall determine. ~~d)~~c) Statements and election-related materials circulated or published by the Society and by candidates or on behalf of candidates shall not contain direct or indirect personal criticisms of members of the Society or its staff. Nor shall they make libellous assertions about any person. | Council is keen to ensure there is a level playing field for candidates with different skills and abilities, and to encourage as many members as possible to vote in our internal elections.A standard format ensures more consistency across candidate statements, ensuring that no candidate is at a disadvantage due to their lack of design skills. The format is designed to give candidates – especially those who have recently joined the Society who might be less familiar with our elections – guidance as to the kind of information they should include in their statements.The standard format also makes it easier for voters to negotiate the list and to compare different candidates. This is particularly important for elections held under the Single Transferable Vote, to make it easier to rank candidates in order of preference. We are carefully monitoring our election data over a ten-year period to assess whether this format helps to improve voter turnout.The way that these changes to our Byelaws are drafted gives future Councils the scope to change the format of candidate statements should they wish to instruct the Returning Officer accordingly (e.g. for future proofing and in case adjustments are deemed necessary to improve turnout or for other reasons).The changes also aim to reduce confusion and remove elements that are out-of-date. |
| 2.1.9g) | g) Although other materials relating tothe work of the Society may be included in the same mailing, the Returning Officer will endeavour to ensure that the number of enclosures is kept to a minimum in order to reduce the risk of members overlooking the essential election material. | Amendments to correct a past error |
| 2.1.9h) | h) After the close of the poll, the Election Supervisor shall retain a record of how members voted and ~~securely place the copy of the marked electoral roll, showing members who voted by postal ballot and members who voted electronically, in a suitable container which shall be sealed and dated. This copy shall be retained in the custody of the Election Supervisor who~~ shall release it only if required to do so by a resolution passed within one year of the count by a two-thirds majority at a General Meeting, in order to facilitate an inquiry into an alleged irregularity or irregularities in the conduct of an election. | To remove references to the unnecessarily specific way that records are retained by the Election Supervisor (e.g., “a suitable container”).  |
| 2.1.10 | Delete this clause altogether and renumber subsequent byelaws accordingly. | This clause currently reads as follows: a) Candidates shall be entitled to receive, without charge, a printed list of the names and postal addresses of members entitled to vote, in alphabetical order by surname, provided that the candidate signs a declaration confirming that:•the list shall not be used for any purpose other than canvassing for support in the election;•the list shall be used by the candidate only and shall not be passed to a third party;•the list shall not be used after the last day for the receipt of ballot papers.b) Candidates shall be advised of their right to receive such a list of members and shall be sent a declaration to sign as soon as reasonably possible after close of nominations. Candidates will be sent a copy of the electoral roll, as described above, of members entitled to vote as soon as reasonably possible after the receipt of a signed declaration.c) No other information on membership shall be provided at other times to ensure that all candidates have the same information on the electorate.The Council is uncomfortable about supplying the personal details of our 5,000 members to candidates for canvassing purposes. Primarily, we want to ensure that we protect the privacy and safety of our members. Furthermore, we recognise that it may be considered a nuisance to many of our members if they are sent large volumes of canvassing material from multiple candidates (we have recently had up to 50 candidates for one election). We are also concerned that it may unfairly advantage those candidates with greater financial means than others, who may be able to afford the expensive postage costs of mailing all ERS members. It is also worth noting that candidates are free to offer out their own personal details, if they wish, to allow members to contact them with questions. Those members who wish to engage in debate and share their details are, in this case, still able to do so.  |
| ~~2.1.11~~2.1.10 | a) The times at which envelopes with postal votes are opened shall be at the discretion of the Election Supervisor and may not be on the same day as the count.b) Outer envelopes shall be opened and the voter’s name, as shown on the Declaration of Identity, shall be ~~crossed out on a~~ cross referenced with the list of members eligible to vote and recorded accordingly.c) The Declarations of Identity will be checked and, if valid, separated from the inner ballot paper envelopes and stored separately.d) The inner envelopes will then be opened and the ballot papers removed and counted.e) Ballot papers will be declared invalid if: −they are not accompanied by a valid and signed declaration of identity;−the ballot paper is a copy of an original ballot paper;−the serial number of the ballot paper has been detached;−the ballot paper has been cancelled due to a duplicate ballot paper being issued to the member;−the entries on the ballot paper, in the opinion of the Returning Officer after consultation with witnesses to the count, do not make the intentions of the voter clear (although if some preferences are clear, the Returning Officer will accept preferences up to the point at which doubt arises).f) If more than one vote (using the same PIN) is received, the ~~first~~ lastvote to have been received will be declared valid and will be counted. All ~~subsequent~~ preceding votes received using the same PIN – whether by post or electronically – will be declared invalid. | b) needs updating as it refers to crossing out a voter’s name on a physical list, which is unlikely to be the way in which ballots are counted now. f) When multiple votes using the same PIN are received, the last should be considered valid, not the first. This is recognised protection against coercion and is consistent with 2.1.13 b) (renumbered as 2.1.12a)).  |
| ~~2.1.12a)~~2.1.11a) | a) The election will be counted using ~~the Society’s current rules for Society elections~~ the Single Transferrable Vote method as specified under the ERS STV 97 rules or their variant. Whether it is counted manually or by computer will be at the discretion of the Returning Officer unless the Returning Officer, following consultation with the Elections Panel, decides to issue an instruction on the matter. | Clarifies that the phrase “the Society’s current rules” refers to ERS STV 97 or its variant. |
| ~~2.1.13~~2.1.12 | ~~a) Members who claim not to have received a ballot paper (or who, for any other reason, request a duplicate paper) shall be asked to complete and sign a declaration with an explanation of why a duplicate ballot paper is being requested. Duplicate papers, together with appropriate return envelopes, shall be issued on receipt of this declaration.~~~~b)~~ The Elections Supervisor shall report to the Returning Officer if more than one postal ballot is received from any member and only the second vote received shall be counted.  | Delete a) altogether. Retain 2.1.13b) (renumbered to 2.1.12 accordingly). In practice, this requirement is cumbersome and annoys affected members. Inevitably there are always some members that do not receive their ballot papers in the first mailing due to a variety of reasons including postal delays and address changes. By the time they realise that they have not received a ballot paper and inform us, it is often late in the day. They then must complete a form with a written explanation as to why they are requesting a duplicate ballot paper. Unsurprisingly most do not complete this form and are disincentivised to vote. Either that or time runs out and their vote isn’t counted, causing frustration all round. There is no issue with another ballot being issued by the Election Supervisor if a member flags that they have not received it. This is an extremely common issue which the Election Supervisor is used to handling and has safeguards in place to ensure votes are not counted twice.  |
| ~~2.1.14~~2.1.13 | a) Complaints concerning the conduct of elections and/or against decisions of the Returning Officer shall be made in the first instance to the Returning Officer who shall respond to the complainant as soon as is reasonably possible. If the complainant is not satisfied with the response, the matter will be formally referred immediately to the Elections Panel by the Returning Officer unless the complainant intimates that she or he does not wish this to be done. The Returning Officer shall report ~~to the Elections Panel on~~ all complaints received to the Elections Panel, whether or not they have been formally referred to the Panel.b) When a complaint is referred to the Elections Panel, the ~~member~~individual(s) against whom the complaint is made will be given the text of the complaint and told the identity of the complainant unless the Panel accepts that there are over-riding reasons to protect the identity of the complainant. Where anonymity is requested, the Panel will receive the complaint in confidence but will only act on it if it accepts there are valid grounds for anonymity.c) Should the Elections Panel find that a candidate has not observed the Election Byelaws, the Panel may take one or more of the following actions:(i) issue a warning to the candidate;(ii) report the matter to a General Meeting of the Society;(iii) recommend that the candidate, if elected, should be asked to resign from the Council;(iv) recommend that the Council terminates the membership of the candidate under the provisions of the Byelaws.d) Unless overriding reasons of confidentiality have been accepted, copies of the Elections Panel’s ~~reports~~ response on individual complaints ~~received~~ formally referred to it shall be given to the complainant and to the ~~member~~ individual(s) complained ~~against~~ about. | a) to clarify that it is the Returning Officer that should refer complaints to the Elections Panel. There has been confusion over this in previous years and the Elections Panel recommended it be clarified. b) persons being complained about may not be members.d) reference to the Election’s Panel’s reports in d) needs clarifying here owing to past confusion.  |
| ~~2.1.15b)~~2.1.14b) | The Elections Panel shall, ~~after each election and after each general meeting in which resolutions have been proposed~~, within one year of the declaration of results, submit a report to the Council on all complaints referred to it during the election and any other matters which it believes should be brought to the attention of the Council. If no complaints were referred to the Elections Panel during the election, it may decide not to submit a report.  | Proposed changes are to reflect current practice and to clarify the timing and format of the Elections Panel report.  |
| 2.3.3 | If there are not enough candidates nominated for election to the Elections Panel, the Council shall co-opt to fill the vacant places. Those who are co-opted must still qualify under regulation 2.3.2. Council should give special consideration to any real or perceived conflicts of interest and/or loyalties when considering co-options to the Elections Panel. | To enhance scrutiny of and provide assurance related to the independence and fairness of the Elections Panel.  |

Objection by one Council Member to the Resolution

Dear Fellow Reformers,

It is with a heavy heart that I ask you to vote against this resolution.

I am afraid that, while some work has indeed been done to update the election byelaws, COVID has meant that the review has not has been as thorough as has been claimed, in order to get the whole thing done and dusted in time for the next round of Council elections which are due to kick off this August.

Let’s be clear; while they were certainly due for a spring clean, there was no reason why the existing election byelaws could not have sufficed for the 2021 elections, leaving more time to tweak and improve the new byelaws and **above all consult the membership** in plenty of time for the 2023 elections.

As it is, there is to be no consultation of the members, who have been frozen out of this process altogether, save for this vote on a “take it or leave it” document, with no option to vote on individual contentious elements.

One such contentious element is to be found in 2.1.7b relating to Candidates’ Statements. The existing byelaws allocate one A4-sized page on which a candidate can set out their vision and priorities in their own way but the new byelaws allow the Returning Officer to dictate “a standard format” which last time took the form of a set of questions which candidates were required to answer, within a total limit of about 320 words. Imagine the uproar there would be if a Returning Officer in a public election was able to deny candidates freedom of expression and required answers to questions that could be determined by the outgoing government! Council candidates should have the choice of submitting their own statement or using a template provided by the Society.

I believe 2.1.7b falls short of *“the highest standards of internal democracy and good governance”* claimed in the Council’s statement in support of this resolution.

Given that the election statement is now to be the only official means by which candidates can communicate with the membership, it is of the essence that candidates be allowed to set out their stall in a statement of their own choice, unencumbered by loaded questions demanding, for example, details of skills and experience. What if you have no skills, just enthusiasm?

By voting against this resolution, you will give the Council an opportunity to take a more considered view of the proposals, allowing time for a members’ consultation and for the tabling of the final document at a general meeting in plenty of time for the next round of elections in 2023.

I ask that you vote against this resolution.

David Green

Member of the Elections Working Group and Member of Council

## Ordinary Resolution (Society Byelaws):

**IT IS RESOLVED THAT Byelaw 2.1 (“The Council”) of the Society’s Byelaws be deleted and replaced with the following wording:**

## “2.1 The Council

* + 1. **Form of the elections**
1. Elected Council Members shall be elected by a ballot of all members eligible to vote (see below). STV shall be used for all Society elections. The result of the ballot will be reported to the following AGM. Those elected shall take office at the close of that AGM, save in the case of an appointment made in accordance with Article 27.2(Appointment of Council Members), 27.3 or 27.4(Casual vacancies).
2. The Chief Executive or such other person appointed by the Chief Executive shall be the Returning Officer.
3. The election shall be conducted by an independent organisation appointed by the Chief Executive, that specialises in conducting elections. The election shall be conducted in accordance with these rules and any supplementary instructions issued by the Returning Officer. The organisation appointed shall appoint an Elections Supervisor who will liaise with the Returning Officer.

## 2.1.2 Timetable for elections

1. Not less than four months before an Annual General Meeting in a year in which elections are to be held, the Returning Officer will circulate to the Council and the Elections Panel (‘the Panel’) a plan for the conduct of the election, including a timetable. The Returning Officer shall take into consideration any comments received before finalising the arrangements.
2. On the day of the opening of nominations, theReturning Officer shall invite all members of the Society to nominate themselves as candidates, and in doing so, will provide members with a description of the duties of a Company Director, a nomination form, a copy of the Society’s Election Byelaws, and an outline of the timetable for the election. The election will not, however, be invalid if subsequently reasonable changes in the timetable are made.

**2.1.3 Qualification for voting**

a) Members whose membership subscriptions are in arrears shall not be entitled to vote unless their subscriptions are brought up-to-date before the fourth working day before the issue of ballot papers.

b) The Society will not admit new members to the Society between the fourth working day before the issue of ballot papers and the close of the poll.

c) Two clear working days before the date for the issue of ballot papers, the Returning Officer shall prepare a final electoral roll of all the members entitled to vote and send a copy to the Elections Supervisor.

**2.1.4 Qualification for standing for election**

a) Only those who are fully paid-up members of the Society at the close of nominations shall be eligible to stand as candidates.

b) Candidates for election must not be disqualified from acting as a Company Director at the close of nominations.

c) Candidates for election must not be employed by the Society or have been employed by the Society at any time in the 3 years immediately prior to the close of nominations.

d) Candidates for election must ensure that they are able and willing to observe the Society's Articles and Byelaws, which shall be available to download from the Society’s website or made available in hard copy on request.

**2.1.5 Nomination of candidates**

a) Members wishing to stand for election shall nominate themselves using the nomination form which shall be sent to all members.

b) The nomination form shall include a declaration as follows: “I, (name) wish to stand as a candidate for election to the Society’s Council for the year ....... and I undertake to comply with the Society’s Election Byelaws currently in force. I confirm my support for the aims of the Society and if elected, intend to serve for the full term of office.”

**2.1.6 Design of the ballot paper**

a) The Society shall use an STV ballot paper as recommended by the ERS STV 97 rules or their variant. The ballot papers shall be marked with serial numbers. Other aspects of the design of the ballot paper shall be as recommended by the Elections Supervisor.

b) Candidates’ names shall be listed in random order. The randomisation of the order shall be done by the Returning Officer in the presence of independent witnesses selected by the Returning Officer. The Panel and candidates will be informed of the time at which this will be done and will be invited to observe.

**2.1.7 Candidates’ statements and election-related materials**

a) In all statements and election-related materials, candidates must conform to a spirit of reasonable, albeit robust, assertion and debate.

b) Candidates may submit a written statement in a standard format to be determined by the Returning Officer. Statements can be submitted in hard copy or digitally and must be typed (the Society’s staff will assist where necessary). Statements will be sent to members in hard copy and/or may be made available in such electronic format and via such electronic means as the Returning Officer shall determine.

c) Statements and election-related materials circulated or published by the Society and by candidates or on behalf of candidates shall not contain direct or indirect personal criticisms of members of the Society or its staff. Nor shall they make libellous assertions about any person.

**2.1.8 The ordering of candidates' statements**

Candidates’ statements will be listed in the reverse of the order on the ballot paper. However, an alphabetic index will be provided.

**2.1.9 The issue of ballot papers**

1. In the mailing of ballot papers, appropriate safeguards will be used to ensure that each eligible elector receives one and only one ballot paper.
2. The Elections Supervisor (or an appointed delegate) shall directly supervise the mailing and handling of all ballot papers.
3. The serial numbers of the ballot papers issued shall be noted and checked against the number of eligible voters. If any discrepancies should arise, all reasonable steps shall be taken to remedy any errors and the Elections Supervisor shall consult the Returning Officer who will inform the Panel.
4. A printed list shall be produced of the eligible members to whom ballot papers are sent.
5. Unused ballot papers shall be stored securely and shall not be issued other than with the permission of the Returning Officer.
6. The following documents shall be sent to eligible members with the ballot papers:
	* a set of candidates’ statements;
	* a declaration of identity form;
	* a ballot envelope, overprinted to identify it as a ballot envelope;
	* a reply-paid outer envelope for the return of the ballot paper and declaration of identity;
	* a unique PIN (Personal Identification Number) to enable them to vote electronically as an alternative to the return of a postal ballot.

g) Although other materials relating tothe work of the Society may be included in the same mailing, the Returning Officer will endeavour to ensure that the number of enclosures is kept to a minimum in order to reduce the risk of members overlooking the essential election material.

h) After the close of the poll, the Election Supervisor shall retain a record of how members voted and shall release it only if required to do so by a resolution passed within one year of the count by a two-thirds majority at a General Meeting, in order to facilitate an inquiry into an alleged irregularity or irregularities in the conduct of an election.

**2.1.10 Procedure for the receipt and recording of ballots**

a) The times at which envelopes with postal votes are opened shall be at the discretion of the Election Supervisor and may not be on the same day as the count.

b) Outer envelopes shall be opened and the voter’s name, as shown on the Declaration of Identity, shall be cross referenced with the list of members eligible to vote and recorded accordingly.

c) The Declarations of Identity will be checked and, if valid, separated from the inner ballot paper envelopes and stored separately.

d) The inner envelopes will then be opened and the ballot papers removed and counted.

e) Ballot papers will be declared invalid if:

- they are not accompanied by a valid and signed declaration of identity;

- the ballot paper is a copy of an original ballot paper;

- the serial number of the ballot paper has been detached;

- the ballot paper has been cancelled due to a duplicate ballot paper being issued to the member;

- the entries on the ballot paper, in the opinion of the Returning Officer after consultation with witnesses to the count, do not make the intentions of the voter clear (although if some preferences are clear, the Returning Officer will accept preferences up to the point at which doubt arises).

f) If more than one vote (using the same PIN) is received, the lastvote to have been received will be declared valid and will be counted. All preceding votes received using the same PIN – whether by post or electronically – will be declared invalid.

**2.1.11 The count**

a) The election will be counted using the Single Transferrable Vote method as specified under the ERS STV 97 rules or their variant. Whether it is counted manually or by computer will be at the discretion of the Returning Officer unless the Returning Officer, following consultation with the Elections Panel, decides to issue an instruction on the matter.

b) Candidates and Members of the Elections Panel shall be invited to observe the count. At the count they will be given an opportunity to examine ballot papers and declarations of identity received and to check the accuracy of the recording of sampled ballots. If any candidate is unable to attend, such a candidate may appoint another member of the Society as a delegate provided that the Returning Officer is given prior notice.

**2.1.12 Procedures for members who claim not to have received ballot papers**

The Elections Supervisor shall report to the Returning Officer if more than one postal ballot is received from any member and only the second vote received shall be counted.

**2.1.13 Complaints and objections**

a) Complaints concerning the conduct of elections and/or against decisions of the Returning Officer shall be made in the first instance to the Returning Officer who shall respond to the complainant as soon as is reasonably possible. If the complainant is not satisfied with the response, the matter will be formally referred immediately to the Elections Panel by the Returning Officer unless the complainant intimates that she or he does not wish this to be done. The Returning Officer shall report all complaints received to the Elections Panel, whether or not they have been formally referred to the Panel.

b) When a complaint is referred to the Elections Panel, the individual(s) against whom the complaint is made will be given the text of the complaint and told the identity of the complainant unless the Panel accepts that there are over-riding reasons to protect the identity of the complainant. Where anonymity is requested, the Panel will receive the complaint in confidence but will only act on it if it accepts there are valid grounds for anonymity.

c) Should the Elections Panel find that a candidate has not observed the Election Byelaws, the Panel may take one or more of the following actions:

(i) issue a warning to the candidate;

(ii) report the matter to a General Meeting of the Society;

(iii) recommend that the candidate, if elected, should be asked to resign from the Council;

(iv) recommend that the Council terminates the membership of the candidate under the provisions of the Byelaws.

d) Unless overriding reasons of confidentiality have been accepted, copies of the Elections Panel’s response on individual complaints formally referred to it shall be given to the complainant and to the individual(s) complained about.

**2.1.14 Notification of the result and Election Panel report**

a) At the conclusion of the count and declaration of the result, the Returning Officer shall send a certified copy of the list of candidates elected, together with details of the counts involved, to the Chair of the Council and the Chief Executive (if not the Returning Officer), who shall inform candidates as soon as possible.

b) The Elections Panel shall, within one year of the declaration of results, submit a report to the Council on all complaints referred to it during the election and any other matters which it believes should be brought to the attention of the Council. If no complaints were referred to the Elections Panel during the election, it may decide not to submit a report.

## 2.1.15 Disposal of ballot papers and other documents

The Elections Supervisor shall retain possession of all documents relating to the election for a period of 36 months from the date of the count and the declaration of the result and shall then cause them to be destroyed.”

**AND THAT:**

**Byelaw 2.3.3 (“Co-option”) of the Society’s Byelaws be deleted and replaced with the following wording:**

**“2.3.3 Co-option**

If there are not enough candidates nominated for election to the Elections Panel, the Council shall co-opt to fill the vacant places. Those who are co-opted must still qualify under regulation 2.3.2. Council should give special consideration to any real or perceived conflicts of interest and/or loyalties when considering co-options to the Elections Panel.”

**AND THAT:**

**all relevant provisions in the Byelaws shall be renumbered consequentially and cross- references throughout the Articles of Association and Byelaws shall be updated accordingly.**

**Member Resolution (E-hustings)**

This resolution is non-binding but will provide Council with an indication of members’ views.

## Statement by the Council AGAINST the Member Resolution (E-hustings):

**The Council recommends OPPOSING this Resolution**

**The Council hopes to encourage as diverse a group of members as possible to stand for election to Council. We are concerned that instituting virtual hustings might be off-putting for members who dislike public speaking, but have other equally valuable skills, abilities and perspectives to offer.**

In May this year, Council carefully considered the possibility of holding online hustings for the upcoming Council elections. On balance, Council decided not to hold online hustings this year to ensure that there are as few barriers as possible to standing for elections, and to make it as easy as possible for members voting in our elections to compare different candidates. Engaging with online hustings could be unwieldy and require significant amounts of time which could be off putting for voters as well as candidates.

**Council urges you to vote AGAINST this Resolution.**

We very much hope that some candidates will stand who have the kinds of skills that are tested in interactions like virtual hustings. But – unlike in parliamentary elections – we also hope that candidates who have very different types of skills and abilities will stand too.

Council members play an essential role for the Society. They work with the senior staff team to ensure that high standards of governance are upheld and they provide independent judgement and creative challenge on issues such as strategy, corporate planning and business performance.

Previous Council members have had a range of different skills and experiences. Some have brought a keen eye for detail; many have had experience of different types of political campaigning; others have brought technical skills, for example in finance or building management. The next Council will be able to co-opt three additional Council members to fill any skills gaps – but we would hope to start off in a good position in terms of the mix of skills and abilities represented.

Unfortunately, Council has not been as diverse as we would hope, especially in terms of where in the UK different Council members live, and in terms of representation of minority ethnic groups and disabled people. Many fewer women than men tend to nominate themselves to stand. Greater diversity among candidates standing for election would allow members to elect a Council that is more representative of the diversity of lived experiences and political contexts across the UK. This would put Council in a better position to scrutinise the implementation of the Society’s strategy from a range of different perspectives.

We are also concerned that virtual hustings could be unwieldy and might put members off engaging in the election process. In the past, we have had 40-50 candidates standing for election. Online hustings with such a large number of candidates would be difficult to manage and time consuming to engage with. For example, if we had held a hustings event for the Council elections in 2019, and only given each candidate five minutes to speak, the event would have lasted more than four and a half hours. Any Q&A page has the potential to be similarly unwieldy, especially if we want to ensure that each candidate has the space to provide an adequate response to all questions asked.

Council is committed to ensuring that there are a range of ways for members to engage with the Society. In May this year, Council asked staff to report back on the feasibility of hosting an interactive members’ area on the website. We will carefully consider these proposals in light of likely interest from members, costs associated with building and maintaining such a platform, and likely implications for staff time to moderate comments. Other ways for members to get involved include attending interactive workshops at our annual conference, attending online events throughout the year, using the campaign resources on our website, or standing for election to Council.

You can read more about how we engaged members in our recent strategy development process in this blog: <https://www.electoral-reform.org.uk/reporting-back-from-our-ers-members-workshop/>.

**Statement by Anthony Tuffin on Member Resolution (E-hustings):**

This is a simple resolution to make the ERS more democratic with its internal elections and to encourage open dialogue between candidates and voters.

The ERS’s website states:

“The Electoral Reform Society operates on a simple premise - that politics can be better than it is. We lead the campaign for your democratic rights.

“The Electoral Reform Society is the UK’s leading voice for your democratic rights. We work with everyone – from political parties, civil society groups and academics to our own members and supporters and the wider public – to campaign for a better democracy in the UK.

“Our vision is of a democracy fit for the 21st century, where every voice is heard, every vote is valued equally, and every citizen is empowered to take part. We make the case for lasting political reforms, we seek to embed democracy into the heart of public debate, and we foster the democratic spaces which encourage active citizenship.”

So, let’s practise what we preach; let’s set an example. Whoever heard of democratic elections without hustings or, at least, an opportunity to hold hustings?

Council can decide on the details. At first, the hustings might be just an online members-only forum for posting candidates’ election statements, voters’ questions, candidates’ answers, voters’ supplementary questions etc.

Would e-hustings be unfair on the less tech-savvy candidates? They would be less unfair than traditional hustings are on any parliamentary candidates who aren’t natural public speakers. If necessary, candidates could ask others to help them post replies.

ERS elections have an abysmal turnout. Let’s try to improve them. Let’s practise what we preach by campaigning for the democratic rights of our own members in our own elections to quiz candidates on what they stand for. Let’s embed democracy in the heart of our internal debates. Let’s encourage active membership.

Please show your support for democracy by voting for this resolution.

This resolution is proposed by Anthony Tuffin, former ERS Treasurer, and seconded by Mary Southcott, former ERS Vice-chair.

**Member Resolution (E-hustings):**

This meeting urges Council to institute virtual hustings for all future internal ERS elections for which all members may vote.