

LIBERTY

Rules of Elections, Postal Ballots and the Annual General Meeting

As amended by the AGM on 11 May 2024

1. THE ANNUAL GENERAL MEETING

- 1.1 The Executive Committee shall give notice of an Annual General Meeting at the time provided for in clause 9 of Liberty's Constitution and Rules.
- 1.2 Notice of the Annual General Meeting shall include the date/dates and venue of the Annual General Meeting and an invitation to those entitled to receive notice to submit motions or constitutional amendments for inclusion in the Preliminary Agenda. The form of submissions and the closing date shall be specified in the notice.
- 1.3 Motions reasonably considered by the Executive Committee to be inconsistent with Liberty's objects and/or values as specified within clauses 2 and 3 of the Constitution, or to relate to operational or procedural matters, may be deemed out of order by the Executive Committee. For the purposes of this clause, an operational or procedural matter is one that is likely to require Liberty to make alterations to its administrative processes in order to accommodate the substance of the motion. In such circumstances, the Executive Committee, before deeming the motion out of order, will consult with the relevant Liberty administrative department to assess the viability of the motion.
- 1.4 An individual member, local group or affiliated organisation may only propose or second a total of four motions (including constitutional amendments) for consideration at one Annual General Meeting.
- 1.5 At its first meeting after the closing date(s) referred to in Rule 1.2 the Executive Committee shall consider whether the motions submitted are in order and shall prepare a Preliminary Agenda containing all those items of business which are in order.
- 1.6 Identical motions shall be tabled as joint motions of those submitting them. The Executive Committee may draft composite motions and any such composite motions shall be circulated as part of the Preliminary Agenda.
- 1.7 The Executive Committee shall, where appropriate, group motions under appropriate headings within the Preliminary Agenda.

- 1.8 The Preliminary Agenda shall then be circulated to all those entitled to notice of the Annual General Meeting together with an invitation to submit amendments to the motions or composite motions circulated under this Rule 1.8.
- 1.9 The Executive Committee may, by giving notice to all those entitled to receive notice of the Annual General Meeting, invite them to submit Emergency Motions to be received not less than 72 hours before the start of the Annual General Meeting. Such Emergency Motions must relate to some matter on which it would not have been possible to have submitted a motion by the specified date(s). The emergency motion must be accompanied by an explanation as to why it could not have been submitted by the due date(s).
- 1.10 The Executive Committee may, when it deems necessary, include in the proposed final Agenda and Timetable only some of those matters of business included in the Preliminary Agenda and which have been found to be in order. Before excluding any item of business under this Rule, the Executive Committee will consider any representations made by the person or organisation submitting the item. If the item is then rejected by the Executive Committee, the individual has the right to make representations to the Conference and Appeals Committee
- 1.11 The Executive Committee shall produce a final Agenda and Timetable including the proposed order of business. The proposed final Agenda and Timetable shall be circulated at least seven days before the day appointed for the first session of the Annual General Meeting. Amendments to the proposed final Agenda and Timetable shall be moved and debated only at the first session of the Annual General Meeting. The final Agenda and Timetable shall not thereafter be challenged. The Executive Committee may, from time to time, suggest to the Annual General Meeting an alteration to the final Agenda and Timetable.
- 1.12 The following items shall be included in the Agenda of the Annual General Meeting:
 - (a) Any report of the Conference and Appeals Committee;
 - (b) The report of the Executive Committee;
 - (c) The appointment of scrutineers;
 - (d) The Annual Report on the work of Liberty during the preceding year;
 - (e) The report of the Culture and Well-being Working Group (or any other competent Executive Committee Subcommittee) on the implementation of Liberty's anti-oppression strategy/policy;
 - (f) The audited accounts of Liberty for the previous year;
 - (g) A report from the Chair setting out the detail of every policy agreed by the Policy Council since the report provided to the previous Annual General Meeting;
 - (h) Results of election to the Policy Council;
 - (i) Business of which proper notice has been given according to these Rules;
 - (j) Emergency motions of which notice has been given in accordance with Rule 1.9.
- 1.13 Staffing and membership matters of a personal nature are the responsibility of the Executive Committee and are not competent business for the Annual General Meeting.

1.14 The Executive Committee will appoint a member of staff to perform the function of Returning Officer of the Annual General Meeting.

2. ELECTIONS

2.1 The Executive Committee is obliged to inform the Conference and Appeals Committee about the procedures for running the elections. The Conference and Appeals Committee is entitled to make any enquiries or investigations they consider necessary, and following consultation with the Executive Committee, may make changes to the election process.

2.2 The Executive Committee shall issue an invitation to all those entitled to receive notice to make nominations for any vacant places on the Council to be filled by postal ballot in accordance with clause 14.8.1 of the Constitution. The invitation shall specify a closing date which shall be not less than six weeks after the issue of the invitation.

2.3 The format of nomination forms shall be specified by the Executive Committee. Proposers and seconders shall be submitted on the nomination form in the set format.

2.4 Candidates for election may submit a biography/manifesto in support of their nomination. This document must be received no later than the closing date for nominations and must not exceed 200 words in length. Any extra words after the 200th will be deleted.

2.5 Nominations in the set format, which may be separately completed by nominees, proposers and seconders, must be submitted to the Returning Officer by the date specified.

2.6 Once the validity of nomination has been confirmed or otherwise the Returning Officer shall arrange through the Director for the ballot paper and manifestos to be distributed to members and affiliates entitled to receive notice of the Annual General Meeting.

2.7 The format of the ballot paper and the order of listing of candidates shall be decided by the Returning Officer. Candidates will normally be listed in alphabetical order.

2.8 In the event of any dispute over the conduct of the elections the Executive Committee shall make a ruling. If an individual or affiliate member does not accept this ruling they shall have the right of appeal to the Conference and Appeals Committee whose decision in matters of elections shall be final. Any appeal against a decision of the Executive Committee must be notified to the Executive Committee within ten working days of the written notification being received by the individual or affiliate.

2.9 It is the responsibility of candidates to ensure that they are available to receive communications in the month following the closing date for nominations.

3. ELIGIBILITY

3.1 Candidates, and those nominating, proposing or seconding candidates or motions or amendments, must be Liberty members or affiliates at the appropriate closing date.

3.2 Nominations will be declared invalid if the papers are not properly completed or the time limits or membership requirements are not adhered to.

- 3.3 The Executive Committee has the power to deem invalid any nomination that contains statements that it construes as inconsistent, in content and/or in manner of expression, with Liberty's Objects or Values set out in clauses 2 and 3 of the Constitution. In the event that the Executive Committee decides to exercise this power, it will, before making a final decision, invite representations from the affected nominee and any other interested party. In reaching a decision, the Executive Committee shall have regard, among other considerations, to the principles of justice and fairness, the integrity of the elections and Annual General Meeting process and to any reputational injury to Liberty that might ensue as a result of a decision to deem the nomination invalid or a decision to allow the nomination to proceed.
- 3.4 After the close of nominations the Returning Officer will submit to the Director a list of names and addresses of candidates and their nominators and seconders and request confirmation that, at the closing date, all the persons and organisations listed were members or affiliates as determined by clauses 5 and 6 of the Constitution.
- 3.5 If in respect of any person or organisation the Director is unable to provide the relevant confirmation, the Returning Officer shall write within ten working days of the close of nominations to those whose membership validity is under question. Those persons or organisations will have ten working days from the dispatch of the letter to clarify any ambiguity. Clarification shall not permit the use of clauses 8.4 of the Constitution to allow reinstatement of a membership which has lapsed by virtue of clause 8.3 of the Constitution. Members and affiliates are responsible for ensuring that their membership subscriptions are up to date.

4. POSTAL BALLOTS

- 4.1 The Returning Officer will be a member of Liberty staff who is nominated by the Director and appointed by the Executive Committee.
- 4.2 Council elections, Constitutional amendments and any other matter which the Annual General Meeting so decides shall be determined by a membership ballot.
- 4.3 The Returning Officer shall be responsible for the conduct of any such ballots.
- 4.4 The format of the ballot papers shall be decided by the Returning Officer.
- 4.5 The Executive Committee may conduct the ballots themselves or appoint some other organisation such as the CIVICA to perform the task as they see fit.

5. REVIEWS AND APPEALS

- 5.1 Except where specified in these Rules or within the Constitution, the Executive Committee shall determine the time-frame within which any request for it to reconsider its decision or any appeal against its decision to the Conference and Appeals Committee shall be made. The time-frame will not be less than 7 working days from the date that the decision that is subject to appeal is notified in accordance with clause 23 of the Constitution.
- 5.2 When setting the time-frame for any review or appeal in line with Rule 5.1, above, the Executive Committee shall have regard to the principles of justice and fairness and to the need to ensure that elections and the Annual General Meeting proceed in a timely fashion.