

Political activity and campaigning policy

Version: 1.0

Summary	Policy on the law governing HUSU's engagement in Political activity and campaigning.	
Keywords	Politics, Charity Law, Campaigning, Legislation,	
Target audience	HUSU colleagues, Students, University colleagues,	
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Equality Impact Assessment

The Equality Impact Assessment part A has been completed. The assessment stored on HUSU's internal T: Drive.

Version control

Date	Author	Version	Page	Reason for change

Reviewers/contributors

Name	Position	Version Reviewed & Date

Political activity and campaigning policy Information on a page

This page summarises the key information or key steps in a process to follow. This does not negate the need to be aware of and follow the further detail provided in the document.

 Legislation	<ul style="list-style-type: none">• Relevant Legislation includes:• Charity Law• Education Act 1994• Charity Commission guidance (CC9)
 Campaigning	<ul style="list-style-type: none">• HUSU can campaign.• Must be in furtherance of our Charity purpose.• Awareness campaigns.• HUSU can support or oppose a Parliamentary Bill.• Provide, publish comments on a proposed Government policy.
 Methods of campaigning	<ul style="list-style-type: none">• HUSU can use any legal methods.• Use emotive or controversial material that is lawful and justifiable.• Write or meet with Government Ministers.• Brief MP's• Ask Supporters for help.
 Taking part in demonstrations	<ul style="list-style-type: none">• HUSU can organise direct action.• It must always be in support of a Charitable campaign.• Includes marches, rallies and peaceful pickets.• HUSU must always consider reputational risk.
 Using Charity resources	<ul style="list-style-type: none">• HUSU can use its resources for campaigning and political activity within strict limits.• The issue must affect present and future members.• HUSU cannot spend resources outside of its charitable purpose.• HUSU cannot support matters of general concern.
 What is "Ultra vires"?	<ul style="list-style-type: none">• Latin phrase for "Beyond powers".• Ultra vires relates to all activity not just political and campaigning.• Education Act and Charity Commission rule that SU's cannot spend funds on matters that do not directly benefit or have the possibility of benefiting Members.
 Support for political parties	<ul style="list-style-type: none">• HUSU must remain politically neutral at all times.• HUSU can support particular policy linked to its purpose.• Independence must be maintained at all times.• HUSU can lobby parties or MP's• HUSU can take part in public debates.• Political societies are allowed, with strict limits on the use of HUSU resources to fund them.

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1. Introduction

Students' Unions can and do get involved in campaigning and in some cases in 'political activity'. However, there are laws governing what we can and cannot do. HUSU is committed to providing the best student experience for our members, often through campaigns and political activity, on issues that affect them in their position as students rather than general citizens. This policy sets out how HUSU can get involved in campaigning including political campaigning, demonstrations including marches, rallies, and peaceful picketing to bring about change for our members.

2. Scope

This policy is specific to HUSU as a Charity and is relevant to all HUSU Trustees, Presidents, Colleagues, Members/Students, Associate and Lifetime members. The policy may also be useful to University Colleagues.

This policy provides information on political activities and campaigning that are compliant with legislation, the policy must be read in conjunction with the Charity Commission document "Campaigning and political activity guidance for charities" (CC9). A link for this document can be found [here](#),



3. Duties and responsibilities

Trustees and Directors of HUSU group must have due regard for this policy when carrying out their role on the Charity's Board.

Presidents must have due regard for this policy when carrying out their Elected roles.

Part Time Officers and other Member Volunteers must have due regard for this policy when carrying out their volunteer roles.

Members of our Student groups must have due regard for this policy when carrying out any Political activity or campaigning as part of HUSU.

HUSU Staff must have due regard for this policy in the general course of their work.

4. Political activity and campaigning

4.1 Legislation

The two key pieces of legislation that are relevant to Students' Unions are the Education Act 1994 and Charity Law.

Hull University Students' Union has to comply with other laws that apply to organisations and individuals when organising any activity, including campaigning.

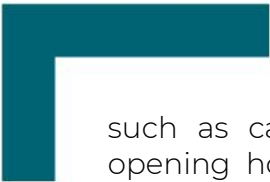
'Students' Union' is defined in section 20 of the Education Act 1994. It includes a body representing or promoting the general interests of students at a university or at a college or hall of a university. Hull University Students' Union is a Students' Union in this definition and exists to be the recognised representative channel between Students and the University of Hull, provide social, cultural, sporting and recreational activities and forums for discussions and debate for the personal development of our students. Ultimately supporting the advancement of education at the University of Hull.

HUSU can promote new legislation as long as it is relevant to our purpose. On the same basis, a charity can also promote the need for a particular piece of legislation, subject to their purposes, charities may be able to persuade government departments to introduce or adopt legislation.

4.2 Campaigning

HUSU may undertake campaigning and political activity as a positive way of furthering or supporting our charitable objectives. Charities such as Students' Unions have considerable freedom to do so, subject to the law and the terms of their governing documents.

HUSU can get involved in campaigns and political activity that further its charitable purpose. Campaigns could include providing information to students or raising awareness – such as how to register to vote or providing health information. HUSU can also focus on the operations of the University,



such as campaigning for better assessment feedback or longer library opening hours. So long as the issues affect students, in their position as students (rather than general citizens), campaigns can be about local or national issues – such as better street lighting near campus (Salmon Grove is a recent example) or student fees and loans. Political campaigning is complex (See 4.3)

HUSU can campaign for a change in the law or against a change in the law only if the campaign supports our charitable purpose for example legislation on student fees. As long as it is relevant to our purpose HUSU (as a Charity) can support or oppose the passage of a Parliamentary Bill, if this can reasonably be expected to support the delivery of its charitable purposes. A charity may provide and publish comments on possible or proposed changes in the law or government policy, whether contained in a Green or White Paper, draft Parliamentary Bill or elsewhere. A charity may also supply to Members of either House relevant information or briefing about the implications of a Parliamentary Bill, for use in debate.

4.3 Methods of campaigning including Political campaigning

HUSU can use any methods of campaigning that are legal. So long as it is legal, reasonable in its likelihood to be effective, and reasonable in its cost HUSU can use a wide variety of methods to effectively campaign on an issue.

A charity can campaign using emotive or controversial material where it is lawful and justifiable in the context of the campaign. Charities need to consider whether the method of campaigning on any particular issue is likely to damage their credibility with, or support from, the public and other stakeholders for both the specific campaign but also in the wider context.


HUSU can get involved in political campaigning. The Students' Union can do what any other body or person trying to change that law can do. For example, it can write to or meet the relevant government minister explaining its concerns, brief MPs, and ask its supporters to help. It is, of course, subject to the same restrictions. For instance, it must not defame people or incite people to violence. It must obey the civil and criminal law and any relevant regulations.

The law is complex as to exactly how Charities, such as Students' Unions, can carry out political activity, such as trying to change a law or government policy, until its goal has been met, but political activity cannot become the only activity of a charity indefinitely; it should be a means to an end, rather than the end itself.

Political activity might include raising public support for a change in the law, or seeking to influence political parties or independent candidates, decision-makers, politicians or public servants to accept the charity's position. It may also be responding to consultations carried out by political parties.

4.4 Taking part in demonstrations

HUSU may, in principle, organise different kinds of direct action in support of charitable campaign activity. Such events might include participation in



marches, rallies, or peaceful picketing. Such participation might offer significant opportunities for publicising HUSU's position/stance on an issue, and further its purposes, or show the extent of public support for the issue. However, it is important to assess the likelihood and scale of any risk of damaging public support for the charity.

Events such as demonstrations and rallies can also present real problems of control for a charity, because of the complexities of public order legislation. The nature of public demonstrations means that there is a greater risk of an offence being committed by representatives of the charity, or others taking part, compared with other campaigning activities. For this reason HUSU has to consider carefully what steps it can take to minimise or mitigate the risk of these offences occurring, for example through careful preparation and good liaison with the police or other authorities.

4.5 Using Charity resources

HUSU can use its charitable funds for campaigning and political activity, but there are limits. The circumstances in which funds and facilities can be used for campaigning (either on local or national issues) are limited. The main rule is that the issue must affect present and future members of the Students' Union as students, and not just as citizens. Examples of local issues, which might fulfil this requirement, would be better street lighting near the campus, more public transport at night to student accommodation areas, or the provision of nursery places for the children of students. An example of a national issue would be student loans or fees.

HUSU cannot spend its funds on anything that falls outside its purpose and objectives. Funds cannot be used to promote or support campaigns on matters which may be of general interest or concern, but which do not affect members of the Students' Union as students.

Examples would be industrial disputes, general campaigning on environmental matters, e.g. environmental policies and road building, or the treatment of political prisoners in a foreign country. A students' union cannot pay to transport students to demonstrations on such issues. Even where the issue is one that does affect students as such, the connection must be sufficiently close to justify any expenditure, and the amount spent needs to be reasonable in relation to both any benefit to students and the financial resources of the Students' Union and its other commitments.

4.6 What is 'Ultra vires'?

'Ultra vires' is a Latin phrase meaning 'beyond the powers'. It is often used to describe activity that is beyond the power, remit or legal ability of the Students' Union. It is not exclusively to do with campaigning or political activity; it relates to any activity. Any charity cannot use its resources (e.g. money, staff time, facilities) for things that are not within its objectives as a charity. Both the Charity Commission and the Education Act guidance is very specific that not only can Students' Unions not spend money on things that don't benefit their members as students; but also any use of resources that is allowed must still be reasonable or proportionate to the possibility of benefit, and the available resources.

4.7 Support for political parties

HUSU must not give its support to any one political party. It may express support for particular policies, which will contribute to the delivery of its own charitable purposes, so long as its independence is maintained, and perceptions of its independence are not adversely affected.

HUSU can engage with a political party, but only in certain ways, and circumstances, only to the extent that the engagement furthers the Students' Union's own purposes. It must remain politically neutral and consider working with all/other parties to further its purposes.

Students' Unions can engage with political parties; for example, it can lobby parties or individual MPs, provide information and briefings and take part in public debates.

HUSU has party political societies like the Liberal Democrats, Labour Club Society and Conservative Association. These are allowed for educational purposes; the use of Students' Union funds is very restricted, but also even-handed. These societies exist for the discussion and expression of views, they can organise events that do the same. As individuals students can, of course, campaign; however they cannot use Students' Union funds for political purposes, and can only affiliate to particular campaigns and/or organisations for the purposes of obtaining educational material or information to assist in the discussion or expression of views.

5. Training requirements

If any training associated with this policy forms part of the statutory and mandatory* training provision for HUSU and/or HUUS Ltd or other training 'required by role'* then employees will complete this as per their role and contractual requirements. Please contact HR for all your statutory, mandatory and role requirements. If training associated with this policy is a professional and/or developmental requirement this will be identified with your line manager. If the policy author/reviewer has identified a need for an element of training associated with this policy that might impact mandatory training, they must contact the Finance and HR Director to discuss. Any approvals required will come through the policy approval process.

6. Monitoring Compliance

Element to be monitored	Lead	Tool	Frequency	Reporting arrangement
Compliance with the Charity commission guidance, and the 1994 education act.	Jane Stafford CEO	Good Governance code	Four times a year. Annually	Appointments, Governance development Committee Full Board meeting.

Element to be monitored	Lead	Tool	Frequency	Reporting arrangement
Links to Code of Practice	Jane Stafford CEO John Duffy COO (UoH)	Code of Practice review cycle.	Annually	Relationship Committee. Full Board meeting. University Council

7. Document review

The document will be reviewed every three years, or sooner if changes in legislation occur or new evidence to best practice becomes available.

8. Associated HUSU and/or HUUS Ltd

Student event and external speaker policy (can be found on [HUSU's Governance webpage](#)).

9. Supporting references

Charity commission publication (CC9)

<https://www.gov.uk/government/publications/speaking-out-guidance-on-campaigning-and-political-activity-by-charities-cc9>

Charity commission Updated in 2019:

<https://ogs.charitycommission.gov.uk/g048a001.aspx>

Charity commission section on political campaigning

https://ogs.charitycommission.gov.uk/g048a001.aspx#tab3#heading_toc_fq_18

10. Definitions

Term	Definition