



Australasian College
for Emergency Medicine

Policy on College Elections

Policy COR673

Document Review

Timeframe for review:	Every two years, or earlier if required
Document authorisation:	ACEM Board
Document implementation:	Chief Executive Officer
Document maintenance:	General Manager, Governance and Standards

Revision History

Version	Date	Pages revised / Brief Explanation of Revision
v1	Oct-2018	Approved by the Board
v2	Feb-2019	Revisions to Document Review section
v3	Aug-2020	Addition of s 4.3
v4	Apr-2022	Two-yearly review with substantive revisions throughout

1. Purpose and scope

This policy seeks to provide clarity for nominees in a College election as to the policy of the College regarding election campaigns, outcomes and the publication of results. It should be read in conjunction with the relevant provisions of the ACEM Constitution, Regulation A – Governance, and any applicable College policy(ies). To the extent that there are any inconsistencies, the ACEM Constitution and the Regulations shall prevail.

ACEM governing bodies and a small number of entities have elected positions; this policy applies to these positions in full. The expression of interest and appointment processes ordinarily associated with the membership ‘spill’ of entities are not election-based and, as such, do not involve direct election by a group of College members and/or trainees. As such, they are not considered to involve campaigning by nominees for election. Nevertheless, the contents of this policy apply to these circumstances and individuals are expected to abide by the standards of conduct and other aspects referred to herein.

2. Terminology

ACEM/the College

means the Australasian College for Emergency Medicine.

Entity

means an entity, howsoever styled, established by a governing body pursuant to approved terms of reference and in accordance with the *Policy on College Entities*.

Governing Body

means the ACEM Board, the Council of Advocacy, Practice and Partnerships (CAPP) and/or the Council of Education (COE).

Member

means a person admitted as a member of the College pursuant to the provisions of the ACEM Constitution and associated regulations, and, for the purposes of this policy, also includes, with exception of trainees, any other person serving on any College entity or as a College representative.

Trainee

means trainees enrolled in and undertaking the FACEM Training Program and, for the purposes of this policy, also includes trainees undertaking the Emergency Medicine Certificate (EMC), Emergency Medicine Diploma (EMD), Emergency Medicine Advanced Diploma, and Diploma in Pre-Hospital Retrieval Medicine (DipPHRM), and Specialist International Medical Graduates (SIMGs) undertaking College requirements for the purpose of attaining eligibility for election to Fellowship of the College.

3. Background

Pursuant to the provisions of the ACEM Constitution and associated regulations (Regulation A - Governance), there is an established schedule of elections and associated processes for appointment to positions on the ACEM Board, Council of Advocacy, Practice and Partnerships (CAPP), Council of Education (COE), network executives, regional faculty boards, Trainee Committee, and for the positions of Regional Deputy Censors. Elections may be required at other times as and when a casual vacancy arises.

4. Nominations

Requirements of eligibility for College positions along with materials required for a nomination to be considered valid and the timeframe for submission of these materials will be published by the College through its standard channels of communication. Failure to meet eligibility requirements and/or submit all required materials by a designated time as communicated will result in an individual's nomination being deemed invalid.

Following determination of valid nominations for a position, where a vote is required to fill any elected position, elements of an individual's nomination, as stipulated on the applicable nomination form, in the call for nominations and/or other College communication, will be made available to eligible voting members and/or trainees. Such elements may include the nominee's Curriculum Vitae, Supporting Statement, and Statement on ACEM Core Values. Nominees must ensure that any personal information that they do not wish to be made available to voting members and/or trainees is not included. Following the closing of nominations, no revisions, amendments and/or substitutions to any aspect of an individual's nomination will be permitted.

During the nomination period, irrespective of whether a nomination has been submitted to the College, no individual should publically promote or allow others to publically promote their intention to nominate for an elected position, or their candidature. It will be considered a breach of the College's *Code of Conduct* should such activity be brought to the attention of the College and, following consideration by the ACEM Board, may result in the removal of an individual's candidacy, regardless of their nomination.

A nominee may withdraw their nomination at any time prior to the closing of nominations; notification of withdrawal of a nomination should be submitted in writing to elections@acem.org.au. Where the designated timeframe for nominations has passed and voting has commenced, a nominee wishing to withdraw their nomination must submit a formal request in writing outlining the reasons for the request to the attention of the College CEO ([via elections@acem.org.au](mailto:via_elections@acem.org.au)). In such instances, the withdrawal of a nomination from any election will be at the discretion of the College CEO.

5. Election campaigns

5.1 Role of the College

Consistent with the principle of free and fair elections, the College does not provide assistance to individual nominees in any College election.

In circumstances where an election is required, the College will promote the conduct of an election through its normal communication channels, as determined by the College President and Chief Executive Officer (CEO).

In conducting an election, including through the online voting page and in College communications, nominees will ordinarily be listed alphabetically by surname.

52 Campaigning by Nominees

The [ACEM Core Values](#) of *respect, integrity, collaboration* and *equity* define the organisation's guiding principles, and underpin the way College works in order to meet its vision and mission of ensuring the highest standards are maintained in the training of emergency physicians, and in the provision of emergency care to the communities of Australia and Aotearoa New Zealand. Throughout the nomination and election process nominees must, at all times, conduct themselves in a way that demonstrates a commitment to the ACEM Core Values.

Supporting Statement

As part of the nomination process and where prescribed by the College, nominees have an equal opportunity to promote themselves through their *Supporting Statement*, which may, if an election is required, be provided to those who are eligible to vote in that election. Supporting Statements must not exceed 500 words and must be submitted as part of the nomination process (i.e. not later than the closing date and time specified in the applicable call for nominations). For the purposes of election for the position of President-Elect, once eligibility and other nomination requirements are confirmed following the closing of nominations, all nominees will be offered the opportunity to post a video recording (*Campaign Video*) on My ACEM that reiterates and/or elaborates on their Supporting Statement. Such Campaign Videos will be limited to a maximum of five (5) minutes in total length, and may be produced by candidates and submitted to the College, or a request may be submitted to the College CEO for assistance from College communications staff in producing the video. Such requests will be considered by the CEO in consultation with the President on an individual basis, with equity of resourcing a primary consideration in the assistance provided.

Supporting Statements and campaign videos must abide by all relevant ACEM regulations and policies in regard to content. In particular, Supporting Statements and video content must not contain:

- Any material that defames, vilifies, discriminates against, harasses or bullies or brings into disrepute any individual, including, but not limited to, another ACEM member (including another nominee), trainee or staff member, or group or organisation.
- Any material that misrepresents the candidate for election, including, but not limited to, their involvement with College or other professional bodies, or their professional or other achievements.
- Any material that is felt to adversely or negatively affect the reputation or interests of ACEM.
- Implies the endorsement of any individual ACEM member, trainee or staff member, or groups thereof in relation to their nomination or election.

In the context of the above, all Supporting Statements and Campaign Videos will be scrutinised by the CEO in consultation with the President prior to posting on the College website or distribution through other College communication channels.

Electioneering / Campaigning

As outlined above (refer Section 4 – Nominations), during the nomination period for any position, irrespective of whether a nomination has been submitted to the College, no individual should publically promote or allow others to publically promote their intention to nominate for an elected position, or their candidature, and such activity may result in the removal of an individual's candidacy, regardless of their nomination. Accordingly, electioneering by nominees is not permitted until the nomination is deemed valid by the College, and subsequent to the closing of nominations.

The College recognises that many nominees for election will, by virtue of their involvement in College activities, have access to contact details, including email addresses, of a number of individuals or groups of College members, trainees or others. The College views the use of such contact information (i.e. that nominees may have obtained as a result of their involvement in the work of the College, and which they do not ordinarily use for purposes other than College work) for 'electioneering' (campaigning) purposes as improper and unethical, and as a breach of the College *Code of Conduct*. Additionally, the use of such information in connection with an election campaign may constitute a breach of the College's *Privacy Policy* and privacy legislation in Australia and Aotearoa New Zealand.

Accordingly, where the College becomes aware of the use of such information for election purposes by nominees, the matter will be referred to the College CEO and President for consideration. Where an improper and/or unethical use is deemed to be substantiated, the matter will be referred immediately to the ACEM Board for consideration of removal of an individual's candidacy where an election is in progress, or, should the election have been completed and the individual concerned be deemed to have been successful in that election, the removal of the individual from the position for which the election was held. In such circumstances, the candidate who received the second highest number of votes shall be deemed to have been successful in that election.

Similarly, nominees should not request or seek to obtain member and/or trainee information from the College, a member of staff, another College member, trainee or other individual who may hold confidential contact information for the purposes of electioneering. To do so is both improper and unethical, and instances will be examined by the Board for potential removal candidacy from an election or removal of an individual from the position or which the election was held.

The College recognises also that nominees for election are likely to have various personal and professional networks of colleagues or others who they may choose to contact in connection with their candidacy in a particular election. Nominees are not precluded from utilising these networks and are free to promote themselves to voters. Nominees may also choose to utilise other personal networking modalities, such as social media, for the purposes of conducting an election campaign. The College acknowledges that it does not have the capacity to instruct or limit the nature of communications issued by groups external to the College, and that individuals (including candidates) may also not always be in a position to control the nature of communications issued by others on their behalf.

That said, in utilising personal or professional networks or social media for the purpose of aiding their candidacy during a College election, candidates must remain cognisant of their professional and personal responsibilities and must do their utmost to ensure that no material(s) posted or communicated on their behalf fall outside any regulation, policy or guideline of the College or regulatory body (e.g. Medical Board of Australia, Medical Council of New Zealand).

As is outlined above in relation to supporting statements and campaign videos, the College will scrutinise closely any communication that is brought to its attention for concerns relating to:

- Content that defames, vilifies, discriminates against, harasses or bullies or brings into disrepute any individual, including, but not limited to, another ACEM member (including another nominee), trainee or staff member, or group or organisation.
- Content that misrepresents the candidate for election, including, but not limited to, their involvement with College or other professional bodies, or their professional or other achievements.
- Content that is felt to adversely or negatively affect the reputation or interests of ACEM.
- Content that implies the endorsement of any individual ACEM member, trainee or staff member, or groups thereof in relation to their nomination or election.

Where a communication in support of a candidate is brought to the attention of the College and is considered by the CEO in consultation with the President to be in violation of any of the above or fall outside of the standard expected of ACEM members and trainees, the matter will be referred to the ACEM Board. In such instances, the Board will consider the matter to determine whether the candidate was aware of and/or took all reasonable steps to restrict the dissemination of the material in question. Where the candidate is found to the satisfaction of the ACEM Board to have been aware of the material and not taken all reasonable steps to restrict the dissemination of the material, the individual's candidacy may be removed where an election is in progress, or, should the election have been completed and the individual concerned be deemed to have been successful in that election, the removal of an individual from the position for which the election was held.

The College encourages all nominees to carefully consider their actions in the context of legal and ethical obligations, including the standard of conduct and behaviour expected of all members and trainees through the College's *Code of Conduct*.

53 Involvement of Internal, Affiliate and External Bodies

While the College wishes eligible individuals and groups to be as well informed as possible in order to guide their vote in any College election, the College will not endorse or provide assistance or information to any internal, affiliated or external body that wishes to publicise, promulgate material of any sort in relation to, or conduct any event in relation to any College election. The College will conduct all election processes transparently, fairly and with neutrality.

This includes, but is not limited to, publicising any forum or other event organised by any such body in relation to any ACEM election, distributing material from any such body in relation to an ACEM election, or providing contact details of any candidate or other individual for the purposes of assisting with the organisation or conduct of any event, including for the purpose of inviting any individual(s) to participate in a proposed event.

College members and trainees serving on an ACEM governing body and/or entity must not publically advertise, endorse, or similarly promote a candidate(s) in any election. This includes, but is not limited to, discussion at College meetings and other electronic means, including College-hosted discussion forums.

6. Validity of Elections

No election is invalid by reason of:

- any delay in calling for nominations or holding an election on the date communicated; or
- any inadvertent failure to send to any eligible member and/or trainee any notice or other communication in relation to an election; or
- any defect of a merely formal nature; or
- any nominee campaign being determined by the Board to have contravened this and/or other applicable College policies, regulations or other documents.

All elections conducted in good faith by the College will be valid and effective notwithstanding that it is afterwards discovered that there was some defect in the appointment of that person or that the person was disqualified from acting for any reason.

7. Election Results

The College does not ordinarily advise nominees of or otherwise publish the number of votes they or any other nominee(s) in an election received nor the variance in the votes received.

8. Further Information

Any questions a nominee in a College election may have in relation to any aspect of this policy should be addressed to the College Chief Executive Officer (via elections@acem.org.au).

9. Associated Documents

The following are referred to in this document:

- ACEM Constitution
- ACEM Core Values
- ACEM Regulations
- Code of Conduct (COR235).



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