

Bye-Law 2: Elections & Referenda

- 1 Cross campus elections will take place for all positions on the Union Council, as detailed in bye-law 1: representation
- 2 Referenda may be called through the processes described within the Constitution
- 3 Voting
 - 3.1 Voting in elections and referenda shall be arranged to ensure the highest possible level of participation of the membership
 - 3.2 Voting may take place either through paper ballots or online voting. Where online voting is being used the definition of 'ballot box' shall include all permanently placed computers or tablets owned by either the University or the Union or any voting station staffed by elections officials
 - 3.3 Voting in any election or referendum will be open for a minimum of 2 university days during term time and a maximum of 5 university days during term time
 - 3.4 All full members of the Union will be eligible to vote in elections and referenda.
 - 3.5 In Society and Sport Club elections all those who are members 7 days before voting starts will be eligible to vote.
 - 3.6 Voting shall be the Alternative Voting System in the case of elections to a single position, the Single Transferable Voting System in the case of multi-position elections and by a yes/no First Past The Post system in the case of referenda
 - 3.7 In the case of all representative elections Re-Open Nominations shall always be a candidate
 - 3.8 In all referenda the options available shall be yes/no/abstain. Abstentions do not count when counting if a vote has reached quorum
 - 3.9 Where a paper ballot is being conducted, candidates (or their nominee) shall be permitted to observe the count of the relevant election
 - 3.10 The results of elections/referenda shall be made available to all members of the Union as soon as is reasonably possible following the verification of the results by the Returning Officer
- 4 The Returning Officer
 - 4.1 The Union Council will, at the first meeting of the academic year, appoint a Returning Officer for all elections for the academic year
 - 4.2 The Returning Officer must not be a member of the Union or have held any office within the Union's structures in the 5 years prior to appointment
 - 4.3 The Returning Officer shall have the final authority to rule on all matters of organisation and regulations in relation to elections & referenda, in accordance with the Constitution and this bye-law
 - 4.4 Following any election or referendum the Returning Officer shall produce a report for the Union Council on the conduct of the election/referendum
 - 4.5 While the Returning Officer has final authority within the Union over any issues in relation to elections or referenda all members retain the right of ultimate appeal to the University Secretary under the Education Act (1994), however, no appeal or complaint

can be made to the University Secretary without having first exhausted the Union's procedures

4.6 The Returning Officer may appoint a Deputy Returning Officer to act on their behalf

5 Elections & Referenda Regulations

5.1 The below will apply to all elections and referenda, 'candidates' shall be taken to refer to either the 'yes' or 'no' campaign in the case of referenda

5.2 The Returning Officer's ruling is final in the case of any challenge to or complaint in relation to any of these regulations (with the caveat of 4.5)

5.3 Nominations

5.3.1 Nominations for all positions shall be advertised to all members and be open for a minimum of one week of university term time

5.3.2 For a nomination to be valid it must include the following:

5.3.2.1 The students' full name, student number, date of birth, email address, postal address and telephone number or using a self nomination form as defined by the Returning Officer

5.3.3 When a referenda is called the proposer of the motion shall be deemed as the candidate for the 'yes' campaign. The President shall advertise the opportunity to all members to nominate themselves to lead the 'no' campaign as under 5.3.2

5.4. The Women's Representative must define as a woman, the Black, Minority, Ethnic (BME) Student representative must self-define as BME, the Disabilities Representative must self-define as having a disability, the Mental Health Officer must self-define as having experience of mental illness and the LGBT Rep must self-define as being LGBT. School Representatives should be studying in the school they wish to represent by the time they take up the role. The Postgraduate Officer must be expecting to undertake a Postgraduate role in the next academic year or current year in the event of a bye-election. If they do not take up their Postgraduate Course after the election then a new election will be held for the role. The same applies for voting where either through predetermined definition (for example being in the relevant School to then vote for the School Rep) or, wherever possible in line with Union voting software, self-definition for other roles.

5.5 Candidate Question Time/Hustings

5.5.1 The Returning Officer shall organise an opportunity for students to put questions to candidates for sabbatical officer roles following the close of nominations

5.5.2 This shall be organised in a manner that will allow the greatest number of the membership to take part as possible

5.5.3 All nominees must either take part in the Question Time/Hustings or submit their apologies, failure to do so may result in the candidate being removed from the election

6 Campaigning

6.5.1 The Returning Officer shall set a maximum campaign budget for each candidate prior to the opening of nominations

- 6.5.2 Candidates must submit a campaign spending return within one hour of the close of voting detailing all expenditure and providing evidence
- 6.5.3 Failure to provide details of campaign expenditure will result in action against the candidate from the Returning Officer
- 6.5.4 The Union will only reimburse candidates for their elections expenditure on receipt of a campaign spending return and relevant evidence submitted prior to the close of voting
- 6.5.5 Any items provided by the Union to candidates at no cost, or that are generally freely available to all candidates shall not be counted in any expenditure and be deemed as 'free'
- 6.5.6 Items or services received by candidates through personal relationships that would normally incur a cost and that would not be available to all other candidates must be accounted for, in consultation with the Returning Officer
- 6.5.7 Any breach of any University, building, or local authority rules or regulations committed in the course of campaigning shall also be deemed as a breach of election regulations and may result in action by the Returning Officer in addition to any action from relevant authorities
- 6.5.8 All candidates shall be deemed responsible for the actions of those campaigning on their behalf, where they can be considered to have had a reasonable ability to control the actions of said individuals
- 6.5.9 Candidates or their campaigners may provide members with a voting platform (where online voting is being used), but must not intimidate or force a member to vote for them, ensuring their vote is secret.
- 6.5.10 The Returning Officer shall produce, prior to the opening of campaigning, a good conduct policy for candidates in elections that must be signed by all candidates in order for their nomination to be valid, as in 5.3.2
- 6.6 Breaches of campaign regulations
 - 6.6.1 Any member of the Union, election official or member of University staff may submit a complaint against the conduct of a candidate(s) or their campaigner(s)
 - 6.6.2 Complaints must be submitted to the Returning Officer, or their Deputy, in writing via email to the assigned elections email account stating:
 - 6.6.2.1 The name of the complainant
 - 6.6.2.2 Any affiliation the complainant has to any campaign in the election taking place
 - 6.6.2.3 Against whom the complaint is being made
 - 6.6.2.4 The election regulation that has been breached
 - 6.6.2.5 Any evidence relating to the alleged breach
 - 6.6.2.6 A suggestion as to the action that the complainant believes the Returning Officer should take
 - 6.6.3 Any ruling of the Returning Officer shall be communicated to all candidates in the election
 - 6.6.4 Complaints against any candidate must be submitted before the close of voting. After voting has closed the only complaints that can be accepted are those in relation to the count. The count shall not commence for the relevant election

until all complaints have been considered by the Returning Officer or until any subsequent appeal has been heard by the Union

- 6.6.5 In the event of an appeal against the decision of the Returning Officer a panel of three members, not connected to the complaint, the complainant or the subject of the complaint shall be convened at the earliest possible opportunity
- 6.6.6 They shall consider the appeal against the decision of the Returning Officer and decide either to uphold or overturn the decision
- 6.6.7 In the event of a complaint being upheld by the Returning Officer action will be taken against a candidate based on the severity and the potential impact of the breach of the regulations. This may include, but is not limited to, the removal of a candidate from an election or a matter being dealt with by the Union or University disciplinary procedures.