

BYE-LAW | ELECTIONS

Last updated: 17th September 2018

Returning Officer

1. There will be a Returning Officer who will supervise the conduct of all elections to which this bye law applies.
2. The Returning Officer will be appointed on an annual basis by the Trustee Board.
3. The Returning Officer may not be any of the following:
 - a. a member of the Students' Union,
 - b. a trustee of the Students' Union, or
 - c. an employee of the Students' Union.
4. The Returning Officer will appoint a member of the Students' Union Staff to be the Deputy Returning Officer. The Deputy Returning Officer may appoint other members of Staff to be Assistant Returning Officers for the duration of an election, who may be delegated any of their functions or roles.
5. The Deputy Returning Officer, subject to the approval of the Returning Officer, will issue Operational Guidelines to all Students' Union Staff Members involved in the administration of an election, which will govern their conduct.
6. Notwithstanding Article 1, any question on the interpretation of this Bye Law or issued guidelines will be resolved by the Returning Officer.
7. The Returning Officer will have power to:
 - a. Disqualify or penalise candidates;
 - b. Give directions to candidates during an election;
 - c. Order recounts;
 - d. Annul an election and order a new one in its place.

Election details and timings

8. The Deputy Returning Officer will publish all elections details for the forthcoming year by the commencement of the first week of the new academic year. These details will include:
 - a. The dates and times of the opening and closing of nominations;
 - b. The dates and times of the opening and closing of the voting period;
 - c. The positions that are to be contested in the election;
 - d. How candidates may submit their nominations.
9. The Returning Officer may, at the request of the Deputy Returning Officer, alter any of the election details already published, provided that the revised details are published at least 2 weeks in advance of the opening of nominations.

10. Voting will only take place during term-time as defined by the University calendar.
11. Nominations shall be open for at least one week, and voting will be open for at least 3 days.

Voting

12. All elections will be conducted by secret ballot, where each voter has only one vote.
13. For single vacancy positions, the Alternative Vote system will be used.
14. For multiple vacancy positions, the Single Transferable Vote system will be used, following the methodology set out by the Electoral Reform Society of Great Britain and Ireland in 1997.
15. The option to Re-Open Nominations (RON) will be offered on all ballots, which will be treated as if it were a candidate for the purposes of counting.
16. If Re-Open Nominations is elected, the position will be declared vacant and a new election will be held at a time and date specified by the Deputy Returning Officer.
17. The counting of votes will be conducted by the Deputy Returning Officer. Results will only be considered valid once the Returning Officer has certified that the election has been conducted freely and fairly.
18. Votes will not be counted while there are outstanding complaints awaiting the decision of the Returning Officer.

Elected positions

19. This Bye Law applies to the positions set out in the table below. Only members of the electorate indicated in the table below who have not opted out of membership of the Students' Union may vote for that position.
20. All candidates for the positions to which this Bye Law applies must be members of the corresponding electorate to be eligible to stand, as set out in the table below, except only students who self-define as women can stand for the position of Women's Officer on the Executive Committee.

Position	Electorate
Executive Officers	All registered students
Delegates to the NUS National Conference	All registered students
Women Students Officers	All registered students who self-define as Women
BME Students Officers	All registered students who self-define as Black or Minority Ethnicity
Disabled Students Officers	All registered students who self-define as Disabled
LGBQ+ Students Officers	All registered students who self-define as Lesbian, Gay, Bisexual or Trans, Queer or any other minority gender or sexuality
Trans Students Officers	All registered students who self-define as Transgender.

Undergraduate Faculty Officers	All students who are registered as undergraduate students and members of that Faculty by the University
Postgraduate Taught Faculty Officers	All students who are registered as postgraduate students on a taught course and members of that Faculty by the University
Postgraduate Research Faculty Officers	All students who are registered as postgraduate students on a research course and members of that Faculty by the University
Student Community Officers	Student Community Officers: All students who are registered in the relevant ward postcode. Ethical and Environmental Officer: All registered students. International Students Officers: All students who are registered as International or EU fee status by the University.
Access Officers	All students who are registered as a Student Parent, Carer, Part-time, Mature, Distance-learner, Living at home or define as a Widening Participation student.

21. At least 50% of the positions for Delegates to the NUS National Conference must be filled by students who self-define as Women.

Nominations

22. Nominations will be submitted in accordance with guidelines issued by the Deputy Returning Officer.
23. All submitted nominations must include the full name and student number of the candidate.
24. The Deputy Returning Officer will ensure a receipt for each submitted nomination is provided to the candidate.
25. In the event that no nominations are received for a position, the Deputy Returning Officer will have discretion to either:
- a. Extend the deadline for nominations, or
 - b. Treat the election as if Re-Open Nominations had been elected, and hold a new election at a later date and time.

Communication

26. The Deputy Returning Officer shall organise opportunities for students to ask questions of candidates.

27. The results of all Students' Union elections shall be certified and communicated by the Returning Officer at the soonest opportunity after the conclusion of the count.
28. The Deputy Returning Officer shall report to the Trustees and the Senate on at least an annual basis the outcome of elections and recommendations for improvements, along with any other pertinent matters.

Expenditure

29. For an election, the Deputy Returning Officer will set an expenditure limit. Candidates may not spend more than this limit during their campaign.
30. The Deputy Returning Officer will provide to candidates an allowance to spend on their campaigns.
31. All publicity used by a candidate (including by their campaign team) during the election must be declared and given a monetary value.
32. After the close of voting, candidates will submit to the Deputy Returning Officer a statement of their expenditure.
33. Candidates must verify their statement of expenditure by providing receipts for all items they spent money on during on a campaign.

Conduct in Elections

34. The Deputy Returning Officer, subject to the approval of the Returning Officer, will provide to candidates guidelines on acceptable conduct during elections. Candidates must act in accordance with these guidelines.
35. The Deputy Returning Officer will provide training sessions in the rules of this Bye Law and any issued guidelines to all candidates.
36. Throughout an election, all candidates must adhere to the following principles of acceptable conduct:
 - a. Do only what other candidates have an equal opportunity to do;
 - b. Treat all students, candidates and staff members with respect.
37. Unacceptable conduct during elections includes but is not limited to any of the following practices (including attempts):
 - a. The use of University or Students' Union resources to further the election of a candidate (except where explicitly permitted by the Returning Officer);
 - b. The defacement of or interference with a candidate's publicity;
 - c. Bribery of voters or election officials;
 - d. Threatening behaviour or harassment of voters or election officials;
 - e. Producing offensive or defamatory publicity;
 - f. Preventing the free and confidential exercise of a vote by voters, including the improper use of mobile devices;

- g. Compromising or interfering with the integrity of the election.
- 38. The Returning Officer may issue penalties to candidates, including disqualification from the election, for breach of the conduct guidelines.
- 39. Candidates may make use of campaigners who assist them during the election. However, the candidate will remain responsible for the conduct of these campaigners and candidates must take all practicable steps to ensure campaigners are in compliance with this Bye Law and issued guidelines.
- 40. Breaches of this Bye Law and issued guidelines that are committed by campaigners will be treated as if the candidate themselves breached this Bye Law and issued guidelines.
- 41. For the purposes of an election, a campaigner is defined as someone who would be reasonably thought to be acting on behalf of a candidate to further the election of that candidate.

Complaints

- 42. Complaints that a candidate or a member of their campaign team has acted in contravention of this Bye Law or issued guidelines will be accepted up until one hour after the close of voting.
- 43. Complaints must be submitted in writing in a format decided upon by the Deputy Returning Officer.
- 44. If necessary, the Deputy Returning Officer will investigate the complaint to obtain further evidence.
- 45. The Returning Officer will rule upon the complaint and if necessary issue penalties at their discretion.

Appeals

- 46. An appeal against a decision of the Returning Officer may be made on the following grounds:
 - a. The interpretation of this Bye Law or any of the issued guidelines used during the election is unreasonable;
 - b. The correct procedure set out in this Bye Law or issued guidelines has not been followed;
 - c. The Returning Officer has been prejudiced or biased;
 - d. The Returning Officer has failed to fully take into account the available evidence.
- 47. Appeals must be made no later than 12 noon on the day after the decision of the Returning Officer is communicated to that candidate.
- 48. If an appeal is made by a candidate, an appeals panel will be convened by a Students' Union staff member who has not been involved in the administration of that election.
- 49. The appeals panel will consist of three independent people who would be eligible to be appointed as the Returning Officer.
- 50. The appeals panel will appoint a chair from within its number.

51. The appeals panel will hear the evidence from the Deputy Returning Officer and any representations made by the appealing candidate.
52. The appeals panel's decisions are final and cannot be appealed further.
53. The Trustee Board will approve and revise from time to time terms of reference to govern the procedure of appeals panels.