

Standing Order C: Elections and Referendums

The Returning Officer

1. The Returning Officer will be appointed at the first meeting of Assembly in each Academic Year on the advice of the Board of Trustees and must not be a member of Durham SU.
2. The Returning Officer will have authority over all Durham SU elections and referendums, subject to the Articles of Association and the Standing Orders.
3. The principal duty of the Returning Officer is to safeguard the interests of the student electorate in fair, democratic votes.
4. The Returning Officer has authority to interpret these Elections Rules and publish Elections Guidance.
5. The Returning Officer will report following each election to Assembly and to the Board of Trustees.
6. The Returning Officer will appoint the Chief Executive or their nominee as a Deputy Returning Officer, to administer cross campus ballots and issue initial rulings as appropriate.

Voting and campaigning

7. Cross campus ballots will be held for Officers, Association Presidents, student trustees, and delegates to the National Union of Students UK Conference.
8. Durham SU uses transferrable voting in its elections because this is fairer and better reflects the interests of the student electorate.
9. All elections will have a re-open nominations option (RON) as a candidate.
10. The ballot is administered by professional staff and volunteers, appointed by the Deputy Returning Officer. Administrative support will not demonstrate partiality towards any election candidate.
11. Students are expected to have an interest in the outcome of an election or referendum, so will not usually be administrative support.
12. Students in positions of authority will not be permitted to use resources that others generally do not have the ability to access.

Complaints

13. All complaints relevant to cross campus ballots will be considered using this complaints procedure.
14. The Durham SU statutory complaints procedure will only be appropriate if a complainant believes that no confidence can be placed in entire ballot, and should be addressed to the supervising trustee in the first instance. Complaints must be received before the close of ballot.

15. Complaints will be considered first by the Deputy Returning Officer, who will make an initial ruling. The Deputy Returning Officer is only able to accept complaints relevant to Durham SU regulations, and will not be able to consider concerns that are breaches of University or Common Room rules.
16. A ruling of the Deputy Returning Officer can be appealed to the Returning Officer on grounds that there was procedural irregularity in the handling of the complaint, or if there is new evidence which for good reason was not available at the point of making the complaint.
17. The Returning Officer's decision is final. The Returning Officer has power to caution, sanction or withdraw a candidate who does not follow the Rules, Guidance, or meet reasonable expectations of a Durham SU candidate.

Officers and Trustees

18. The current Student Officers and Trustees shall be required to remain neutral for the duration of the elections period.
19. The current Student Officers and Trustees shall be responsible for the promotion of cross-campus elections across the University.
20. The above points do not apply to current Student Officers and Trustees that are running again in cross-campus elections.
 - 20.1 If this is the case, then the Student Officer or Trustee running in the election shall not use their position as Student Officer or Trustee to garner votes during that election.
 - 20.2 This means using social media or any other available resources that are specific to the role of that Student Officer or Trustee, to garner votes during that election.

Elections Guidance

21. The Returning Officer will publish Elections Guidance for each cross campus ballot which will include at least:
 - 21.1 The nominations process, which must be open for at least seven clear days.
 - 21.2 Good campaigning practice, to support high participation in respectful, positive campaigns.
 - 21.3 Support made available, including any Durham SU contribution to candidates.
 - 21.4 The voting process, which must be designed to support wide participation from student voters.
 - 21.5 The complaints process, with detailed steps as to how students submit complaints, and how the complaint will be handled.

The Durham SU Board of Trustees resolved on 20 January 2020: that Rules 18 to 20 of the Elections Rules were in tension with other parts of the Durham SU Articles of Association and Standing Orders, in particular (but not exclusively) Article 15 and Standing Order F5. The Trustees therefore interpreted the correct way to apply these Elections Rules as required by Article 4. The Trustees have agreed that Elections Rules 18 to 20 can have no effect and therefore will not be enforced by the Returning Officer, although they will remain part of the Rules.