

## **Byelaw 5 – How do elections and referenda work?**

*Elections & Referenda are a chance to ask all students their thoughts on who their leaders should be or what should happen on a vital point of policy. They are overseen by a Returning Officer who ensures fairness in the debate.*

- 500 The Trustee Board will appoint a Returning Officer. They will not be a Member of the Students' Union. Their role shall be
- a) To ensure that elections are fair and that all eligible students can vote in them.
  - b) To promote engagement in the Students' Unions democratic processes
  - c) To oversee referenda
- 501 The powers of the Returning Officer shall be:
- a) To have ultimate responsibility for the interpretation of all election rules for the Union and how they are carried out.
  - b) To set timelines for elections and referenda
  - c) To set out any rules for elections and referenda
  - d) To ensure that all candidates in an election have a fair opportunity to promote themselves and that any platform provided by the Union is equal for all. This shall include any coverage by Union run student media
  - e) To set out the rules for any election counts and oversee the count for election to major union offices
  - f) To report to the Trustee Board and governing body of the University on any elections to major union office (the Full Time Officers).
  - g) To approve the results of an election count or referendum
  - h) To disqualify candidates from an election
- 502 The Returning Officer may appoint one or more individuals to be deputy returning officer to oversee the administration of elections. They may not be members of the union but may be employees of the union or anyone else that the Returning Officer deems to be suitable.
- 503 The Deputy Returning Officer's powers shall be any delegated to them by the Returning Officer except that they cannot disqualify candidates or approve the results of a count for major union office

### **Election Regulations**

- 504 The Returning Officer will regularly publish a set of election regulations for the Union that operate in line with this byelaw.
- 505 The election rules shall be published at least two weeks before the opening of any nominations period that they concern (for example Full Time Officer elections).
- 506 The election rules will include the following
- a) Rules on nomination for election and the details that they need to provide.
  - b) Timescales for nominations and campaigning.
  - c) Rules concerning campaigning during the election.
  - d) Rules explaining how students can vote including any provision for online voting.
  - e) Rules for complaints about elections and the sanctions that the Returning Officer may implement on candidates.
  - f) Rules concerning candidates who wish to campaign together as a "slate".
- 507 The rules shall make clear that anyone standing for election to a position that includes Trustee responsibilities must be eligible to be a Trustee to be appointed.

- 508 The timescale for elections to Full Time Officer positions shall conclude by the end of March each year.
- 509 The voting method used shall be a transferable vote method and include an option for “Re-open Nominations”.
- 510 Candidates for election may be held responsible for the conduct of their campaigning team if the Returning judges that they were or should have been aware of an activity during the election period.
- 511 As well as the election rules outlined above, candidates will be subject to the general rules of the Union, the university and any local or national laws. Should any of these be broken by a candidate or their team then the candidate may be disqualified.

### **Complaints**

- 512 Any complaints about an election must be received in writing and be received no less than 2 hours after the close of voting. Where possible complaints should be raised within 24 hours of the action that is being complained about.
- 513 The election count will not be declared until all complaints relating to that election are resolved.
- 514 The Returning Officer’s judgement on elections shall be final and without an Appeal. Students may raise a concern about the Union under the 1994 Education Act if they wish.

### **Referenda**

- 515 Referenda are votes which are open to the entire student body for them to decide on a specific question.
- 516 With the exception of a vote of no confidence in a Trustee or elected representative, a referendum shall be held to debate any issue by
- a) a Secure Petition signed by 2% of members in accordance with Articles or
  - b) a simple majority vote of the Trustee Board or
  - c) a simple majority vote of Student Council.
- 517 The quorum for a referendum will be set by the Returning Officer but shall not be less than 2% or more than 5%.
- 518 The regulations for the Referendum shall be set by the Returning officer but shall include
- a) A notice period of the referendum of at least 14 days
  - b) Provision held by secret ballot outlining the process for voting including how many days it shall be open for.
  - c) The date and time where the count will take place and how the result will be publicised.
  - d) The procedure for submitting complaints and how they will be dealt with.
- 519 To trigger a motion of no confidence in a Trustee or elected Officer by a Secure Petition will require signatures of at least 4% of members in accordance with Articles and will only be valid if at least 4% of members vote.
- 521 There will be an Appeals process concerning the outcome of the referenda and the conduct of the Returning Officer. Appeals should be submitted to the Board of Trustees no later than 5 days following receipt of a response from the Returning Officer. The Board’s decision is final.

### **Changes to Articles**

522 The period of time during which any amendments to a proposal to change the Articles may be submitted to the Board of Trustees under Article 9.3.2 shall be 14 days.