

Bye-Law 10

Annual Elections

- 10.1. Eligibility for Sabbatical Officer posts:
 - 10.1.1. There shall be up to five Sabbatical Officer posts
 - 10.1.2. There will be one officer for each of the four Hubs (CASS, GSBL, Computing & Digital Media and Human Sciences, Social Professions and Social Sciences)
 - 10.1.3. Officer Trustees are full-time, sabbatical roles
 - 10.1.4. Candidates for sabbatical Hub roles must be registered students at the School or Schools corresponding to that Hub.
 - 10.1.5. Where an eligible student takes office after graduating/completion of a course they shall be deemed to be continuing (registered) students of their original School and remain Union members for their period of office

- 10.2. Part Time / Hub Committee (Block) Posts
 - 10.2.1. Any full member, who will not have completed their course of study before taking and completing a term of office, shall be eligible to serve as a Part Time / Hub Committee Member or appointed member. Should they complete their course or they are no longer registered at the university or lose student status for any reason they shall have deemed to have resigned from their position. They must be students during their period of office.
 - 10.2.2. For Hub / PT roles, candidates for the elected (part time officer) posts will need to be registered students at the School or Schools corresponding to that Hub. The appointed members who are Student Academic Reps will also need to be registered students at the at the School or Schools corresponding to the Hub.
 - 10.2.3. Hub Committees will be formed as follows:

Three elected (part time officers) and three appointed members who are Student Academic Reps (StARs)
 - 10.2.4. Special Conditions for Hubs:
 - 10.2.5. Hubs Committees will be elected as a block at the annual elections:
 - 10.2.5.1. There shall be 3 women members as a minimum across both elected and appointed members.
 - 10.2.5.2. Appointed members will be selected by a majority ballot of StARs from the relevant School(s).
 - 10.2.5.3. The vote, which follows elections, shall allocate seats to ensure the correct male / female balance.
 - 10.2.5.4. Where it is necessary to elect female posts to ensure the balance female candidates are separated from the electoral pool and these elections are run electing the required number for that specific Hub (1 or 2).
 - 10.2.5.5. Female candidates who were not elected are then entered back in to the pool with the other candidates for a second count to fill the remaining positions. If there are not enough female candidates to fill the position this is kept open for later co-option.
 - 10.2.6. Blocks and Voting (Hubs / NUS)

- 10.2.7. For cases where a dedicated female “block” is required, all female candidates are separated from the electoral pool and an STV count for all these candidates is run electing the required number.
- 10.2.8. If there are not enough female candidates to fill the position this is kept open for later co-option.
- 10.2.9. Female candidates who were not elected are then entered back in to the pool with all other candidates the remaining positions are filled as per the normal STV process, with no dedicated gender positions.

10.3. Conduct of Elections

- 10.3.1. Timing: Annual elections shall be held before the end of March each year to elect the Union officers for the following year (1st July – 30th June). The timetable for elections and all other arrangements shall be the responsibility of the Returning Officer. The period from the opening of nominations to the declaration of the election result shall not exceed eight weeks.
- 10.3.2. Election regulations shall be approved by the Board of Trustees and University Board of Governors.
- 10.3.3. Election Rules: Rules governing the conduct of elections, including rules for candidates, shall be prepared and maintained by the Returning Officer and issued to all candidates. These rules cannot be in variation to these election regulations.
- 10.3.4. Term of Office: Officers and Officer Trustees shall take up office on 1 July following their election and shall hold office until 30th June the following calendar year.
- 10.3.5. NUS Delegates (as defined by NUS) shall be elected for a single Conference as specified in the election regulation and in accordance with the procedures laid down by NUS.
- 10.3.6. By-elections shall be held in the event of the following:-
“Re-Open Nominations” (RON) is successful in any election and/or a post holder elected in the election resigns before taking office
- 10.3.7. Re-open Nominations (RON): In all elections, voters shall be given the option of voting to re-open nominations. All candidates, including unopposed candidates, shall therefore run against “Re-Open Nominations” (RON).
- 10.3.8. Recognition of Election results: In any University wide election at least 5% of those eligible to vote must do so. In the event that this is not the case the University may not recognise the outcome. This does not apply in the case of by-elections.

10.4. The Presidential Portfolio / Poll

- 10.4.1. A presidential poll will be run alongside the main voting. It should be clear this is not a separate vote for a President and there is no separate presidential position
- 10.4.2. The presidential poll contains all candidates for sabbatical positions from the four Hub elections.
- 10.4.3. All voters will be asked to indicate their preference of candidate for the presidential role when they vote.
- 10.4.4. Once voting closes counting for the four Hub sabbatical positions will take place and individuals elected as per the election regulations.

- 10.4.5. At this stage all candidates other than the four elected sabbatical Hub officers will be eliminated from the presidential poll and votes transferred as per the normal AV rules and the election count then run as per the Union's standard AV rules with the presidential portfolio going to the winning candidate.

Bye-Law 11

Election Regulations

- 11.1 Standing for election / eligibility
- i) You have to be a member of London Metropolitan University Students' Union to be eligible to vote or stand for election.
 - ii) Students who have been subject to disciplinary action by the Students' Union or University following a serious offence will not be eligible if the offence was found proven. Any offence considered major misconduct under the University's disciplinary regulations will count as a serious offence and may include, but not be limited to, unlawful activity, violence, harassment, intimidation or victimisation of staff and/or students, damage to Union or University property.
 - iii) If an Officer is deemed to have resigned through non-attendance, they are not eligible for election in the same academic year.
 - iv) Officers previously dismissed for disciplinary reasons will not be eligible for election.
 - v) Candidates will need to be eligible (in line with the University's current regulations) to progress to the next year and/or graduate.
 - vi) It is the candidate's responsibility to disclose any disciplinary action taken by the University, prior to submitting their manifesto. Failure to do so may result in your candidacy being rejected and/or a penalty to be decided by the Returning Officer in accordance with Clause 11.13 below.
 - vii) The Students' Union and University will require successful candidates to have satisfactory Disclosure and Barring Service clearance to be appointed. The Sabbatical Officer will be deemed to have resigned and the appointment terminated where DBS clearance is obtained which is not satisfactory to the Students' Union and University.
 - viii) Candidates are able to stand for one Executive position only.
 - ix) Candidates may be re-elected for a second year and serve a maximum of two years as a Sabbatical Officer.
 - x) Candidates for sabbatical Hub roles must be registered students at the School or Schools corresponding to the Hub.
 - xi) Candidates for Hub / PT roles will need to be registered students at the School or Schools corresponding to the Hub.
 - xii) Where an eligible student takes office after graduating/completion of a course they shall be deemed to be continuing (registered) students of their original School and remain Union members for their period of office.
- 11.2 Elections Timetable
- a. General
- i) Notice of all elections will be given to all students a minimum of 10 working days before nominations open. The notice will include details of the dates on which nominations open and close, times and venues of hustings, how, where and when to vote; as well as details of all the posts to be filled.
 - ii) Nominations will be open for a period of at least five working days. Notice of those candidates nominated will be displayed within two working days of close of nominations, on the notice boards and web sites of the Union.

- iii) Candidates are not to begin campaigning until after candidate briefings and official notification is given.
- iv) Any candidate wishing to withdraw from the election must notify the Returning Officer/Assistant Returning Officer of this in writing.
- v) Vote counting will commence within one working day of close of the ballot. The Returning Officer will declare the time and location of the count to all candidates, before voting commences.
- vi) Any complaints relating to the election or conduct of candidates prior to the count must be submitted to the Returning Officer, in writing, within one working day of the close of voting. Any complaint relating to the conduct or validity of the count must be made to the Returning Officer within one working day of the count taking place.
- vii) All ballot papers and electronic voting data will be stored for four weeks after the election is completed and then destroyed, unless a complaint or appeal has been lodged in which case the ballot papers and electronic voting data will be preserved for a period of four weeks from the conclusion of any consequent investigation.
- viii) In the event of a sabbatical officer or a student officer position becoming vacant then a by-election will be held according to the by-election guidelines set out in this document.

b. Election of Delegate for the National Union of Students National Conference

- i) The President of the Students' Union will be the ex officio delegate to the National Union of Students National Conference and will be a delegation leader. Should the President not be able to attend the Conference, the Executive shall select an alternative member to attend.
- ii) All other delegates to this conference will be elected in accordance with the regulations at the time.

11.3 Voting

- i) Only current members of the Union are eligible to vote in elections.
- ii) All elections will include the opportunity to vote for 'Re-Open Nomination' (RON). The election of RON results in the election for that position being re-held.
- iii) The vote will be cast using a system agreed by the Returning Officer which may be a paper ballot or an electronic ballot system or a combination of both. Such votes will be secure and the list will be available for the scrutiny of the Returning Officer.
- iv) If electronic voting is used it will be available for a minimum of seventy-two hours. One or more ballot areas (electronic and/or paper) will be available across sites for a minimum of three working days. Location of the electronic ballot areas will be appropriately advertised to members.
- v) Voting will be by Alternative Vote (AV) for single vacancy elections and Single Transferable Voting (STV) for multi-vacancy elections in accordance with the rules for the operation of transferable voting systems as set by the Electoral Reform Society.
- vi) Polling Stations

- a. Candidates should not be physically present in the area of the polling station. The RO or their deputy/nominee will define the area of the polling station
- b. Candidates should not interfere with ballot boxes
- c. Candidates should not interfere with the electorate
- d. Candidates should be respectful of polling station staff

Any such behaviour will be considered an election violation to be investigated by the Returning Officer who may impose a relevant penalty in accordance with clause 11.13 below

- vii) For sabbatical roles:
Voting will be by cross campus ballot to satisfy the requirement of the Education Acts.
- viii) For Hub / PT roles:
Voting will be on a Hub only basis where possible.

11.4 Nominations

- i) All candidates must fully and correctly complete the nomination form (which may be electronic and online) to be eligible to stand. Forms will require the name and student ID number, email and phone number of proposers and seconders, who will be contacted for verification.
- ii) Only current members of the Union are eligible to nominate candidates.
- iii) Completed nomination forms must be submitted according to the instruction of the returning officer before the agreed closing date.
- iv) For a nomination form to be valid it must be received before the stated closing date and time. The nomination form and elections website will state the closing date and time. Forms received after this time will be invalid.
- v) Candidates must submit publicity materials electronically at the same time as their nomination forms.

11.5 Announcement of Candidates

The Returning Officer or assistant will publish the following on SU notice boards and websites:

- i) The names of all candidates submitting valid nomination papers.
- ii) The names of each Proposer and Secunder for these candidates.
- iii) The manifesto provided by each candidate.
- iv) The date of the election.
- v) The times and methods by which votes may be cast.
- vi) The date(s), time(s) and venue(s) of all hustings.
- vii) Details of any invalid nomination paper, together with the reason for its invalidity.

11.6 Manifesto

- i) All candidates must submit a maximum five hundred word manifesto (part of the nomination form) which will be displayed on the appropriate websites and notice boards.
- ii) All manifestos should be written in English and must comply in particular with the Unions and University's Equal Opportunities Policy.

- iii) Candidates are required to provide a photograph and a short video (30 second) of themselves.

11.7 Candidate Briefings and Hustings (Question Time)

- i) Candidates are invited to take part in briefings prior to the elections. Hustings are called and chaired by the Chair of Council, (or nominated deputy in the event of the chair being a candidate) in which they have the opportunity to explain their manifestos to the members.
- ii) All candidates for full time posts must attend Hustings and Briefings. Failure to do so, except on grounds specified by the Returning Officer, will result in a penalty to be decided by the Returning Officer.
- iii) Hustings will take place at a venue(s) and time(s) as pre-advertised by the Returning Officer.
- iv) All full-time candidates will deliver a speech at Hustings to be followed by questions from the floor.
- v) Anyone is permitted to attend Hustings, but only members of the Union may ask questions of candidates.
- vi) Candidates should concentrate on issues and are not permitted to make derogatory or personal remarks about other candidates, staff, former staff or students.

11.8 Publicity

a. Production of publicity

- i) Publicity of any form is not permitted prior to the official commencement of the election campaigning as determined by the Returning Officer. This includes making publicly available (public being more than 10 persons), any social media or web based information.
- ii) Candidates will be entitled, free of charge, to printing/photocopying as outlined in the election information sheet. This is restricted to original artwork to be submitted with the nominations form.
- iii) Designs are subject to the approval of the Returning Officer or their nominated deputy.
- iv) Candidates are not to exceed their printing and publicity budget as outlined by the Returning Officer.
- v) Candidates will not be allowed certain publicity materials. This list will be reviewed by the Returning Officer and includes additional unauthorised web space or sites, stickers, and graffiti. Further details will be available in the information pack and at the candidate's briefing.
- vi) Outside sponsorship is not allowed to fund campaigns and publicity. Any candidate with outside sponsorship will be disqualified.
- vii) Derogatory reference to other candidates, staff, former staff or students either by name or implication is forbidden.
- viii) Election material is not to be libellous or defamatory.
- ix) Campaigning, other than printed publicity and canvassing must be approved in advance by the Returning Officer or their Deputy/Nominee. The Returning Officer will normally approve such requests unless the proposed method would give an unfair advantage to any candidate or it contravenes Union and or University Policy.

- x) All publicity must comply with the Union and University's Policy including those relating to Equal Opportunities.

b. Distribution of publicity

- i) Election publicity must not obscure, deface or remove any current candidates, Union or University publicity/information already displayed.
- ii) No candidate is to remove or in any way deface the election publicity of another candidate.
- iii) Publicity materials must not be displayed or distributed within the Library.
- iv) Only materials suitable for fixing publicity should be used. Any costs incurred resulting from damage caused by publicity or from additional cleaning costs in removing publicity, will be charged to the candidate(s) responsible, who will be wholly liable for any such costs.
- v) The Returning Officer or Deputy will designate and allocate poster sites at the Candidate Briefing session(s).
- vi) Any flyers distributed will be removed if littered.

11.9 Campaigning & Canvassing

- i) Candidates are responsible for the actions of any campaigner or supporter assisting in their campaign. All election regulations apply to supporters as well as candidates, and it is the responsibility of the candidate(s) to ensure, as far as reasonably possible, that anyone assisting in their campaign reads, fully understands, and abides by these regulations.
- ii) Union societies, committees and other groups may not give support to candidates via official club/society activities (including social media).
- iii) It is the responsibility of candidates to ensure that they have any necessary authority and/or permission to canvass in student accommodation.
- iv) No candidate can use Union or University meetings, lectures or events inside or outside the University campus without permission of the organiser, such permission should extend to all candidates.
- v) Candidates must, at all times, respect and work within the law of the land when canvassing.
- vi) When conducting activities on University or Union property, official permission should be granted from relevant persons and be in accordance with the above.
- vii) Candidates may not utilise Union or University student mailing lists for the purposes of campaigning, such as stars contacts, society memberships etc. This applies for both public and private lists.
- viii) No candidate may use any Union resources except for those made available to all by the Union.
- ix) Slates and joint campaigning, Candidates are permitted to organise in teams, sometimes known as "slates", and may produce shared publicity and encourage voters to support all the members of the team. However, slates may not pool their resources to give them an unfair advantage or do things that independent candidates could not do. Candidates are jointly liable for the actions of fellow slate members.

11.10 Governing and Supervision of Elections

11.10.1 The Returning Officer

The Trustee Board and the University's Board of Governors jointly approve the Returning Officer every three years from candidate(s) proposed by the Elections Committee. Students' Union members, University Staff and Union Trustees cannot be a Returning Officer.

With the exception of the suspension and/or removal of Assistant Returning Officers, the Returning Officer will have the final say in elections matters including but not limited to matters of interpretation of these regulations, eligibility, discipline and exclusion. There shall be no appeal to the Trustees Board. All appeals are as outlined in section 11.14 "Right of Appeal".

The responsibilities of the Returning Officer(s) are:

- i) Enforcement of these election regulations and ultimate responsibility for the free and fair running of elections.
- ii) To submit a report on the conduct of the elections to the Union's Trustee Board and the University's Board of Governors, within one month, following each election stating whether the election was conducted freely and fairly in line with the election regulations and what steps should be taken to improve future elections. The report will be published on the Union's website.
- iii) To co-opt up to four Assistant Returning Officers, one of whom may be nominated as the Deputy Returning Officer. The appointment of such Assistant Returning Officers must be confirmed by the Trustee Board.

11.10.2 Assistant Returning Officers:

- i) Are co-opted three yearly by the Returning Officer to assist the Returning Officer in the administration and general running of elections.
- ii) Should not be members of the Student body / Student Officers or Union Trustees.
- iii) Can be immediately suspended by the Returning Officer, subject to notice and ratification by the Trustees. The Returning Officer has the power to dismiss an Assistant Returning Officer subject to notice and ratification by the Trustees. Trustees will hear any appeals or complaints related to such matters.

11.10.3 Deputy Returning Officer

The Deputy Returning Officer is responsible for the Returning Officer's duties, should the Returning Officer be in any way indisposed. The Deputy Returning Officer will be an Assistant Returning Officer and appointed by the Returning Officer.

11.10.4 The University Secretary

The University is satisfied that these regulations ensure the conduct of fair elections as required by the Education Act 1994. However the University Secretary has the power to give such directions as it reasonably believes are necessary to comply with its obligations under Part II of the Education Act 1994.

11.11 By-Elections

By-Elections are to be held in accordance with these Election Regulations and are to be held in the following circumstances:

- i) Where sabbatical or student officer positions remain unfilled following the main election
- ii) In the event of a sabbatical officer role becoming vacant during the first term.

11.12 Conduct

Should candidates act contrary to the principles set out below they are committing an offence under these regulations and are subject to sanctions from the Returning Officer.

- i) A student must be free to cast their vote without undue influence or pressure.
- ii) Candidates must respect that every student has the right to vote confidentially and freely. Any complaints raised by students about being unfairly pressured to vote for any particular candidate will be taken extremely seriously. Candidates must not attempt to help students during the process of voting, even if a student has requested assistance. This can include but is not restricted to voting on another student's behalf (with or without their consent), using mobile devices to obtain votes, intimidation, creating false or bogus ballots or any other attempt to unfairly influence the outcome is an offence under these regulations.
- iii) Obey the law, union and university policies. Candidates, slates and campaign teams, as always, must adhere to the law, University regulation and Union policy. Breach of these policies can lead to action against you and your slate / teams by the Returning Officer and further disciplinary which could in turn affect your student status.
- iv) Treat others as you wish to be treated.

11.13 Interpretation and Complaints

- i) The Returning Officer is solely responsible for the interpretation of these regulations including but not limited to matters of eligibility, discipline and dismissal.
- ii) Complaints should be submitted in a timely manner. Delay in submitting a complaint is unnecessary and against the spirit of the election. Complaints must be made within one working day of the close of polling.
- iii) Requests for interpretation of these regulations or complaints about the conduct of candidates can be made to the Returning Officer, in writing, including evidence where appropriate and the expected resolution.
- iv) The Returning Officer, assisted by the Assistant Returning Officers if necessary, shall investigate all complaints and make adjudication according to the seriousness and complexity of the complaint. Decisions on complaints and conduct will be made within two working days, which may include the decision to hold a further enquiry.
- v) In the event of a candidate being proven to have broken one or more of these regulations, the Returning Officer shall have the power to:
 - a. Issue an oral or written warning.
 - b. Restrict the amount of publicity available to the candidate.
 - c. Disqualify the candidate.

- d. Require the candidate to publicly correct or withdraw any inaccurate or prohibited statement or to remove any prohibited publicity material or
- e. Take any other appropriate action.
- vi) Any complaints on the conduct of candidates during canvassing shall be dealt with by the Returning Officer. The Returning Officer may suspend a candidate for a period of time pending investigation, taking account of the nature of the alleged offence. Following investigation, a candidate may;
 - a. Face disqualification or removal from office.
 - b. Confiscation of election materials.
 - c. Be asked to issue an apology or
 - d. Agree to be bound by a code of conduct or be issued with a warning.
- vii) All rulings made by the Returning Officer will be posted on the elections notice board and website. Candidates are expected to consult these regularly.
- viii) The Returning Officer is recognised by the Trustee Board and University as the independent person to whom complaints should be referred. The Returning Officer will submit a statement to the Trustee Board and Board of Governors following each election, stating whether the elections have been conducted fairly and properly in accordance with the election regulations.
- ix) There shall be a right of appeal to the University Secretary in accordance with clause 11.14 below.
- x) A breach of election regulations is itself a form of misconduct under University disciplinary regulations.
- xi) Any decision to vary the election regulations or election notice temporarily must have the approval of the university secretary.
- xii) The Returning Officer may choose to delay the announcement or suspend the outcome of the vote if there is a suspicion that unfair activity may have influenced the outcome pending a full investigation. If a full investigation finds evidence that there has been activity that has unfairly influenced the outcome the Returning Officer may take such action as required, including but not limited to removing candidates, eliminating votes and rerunning the election.
- xiii) The announcement of results does not prevent further investigations and or action including but not limited to removing candidates, eliminating votes and rerunning the election, should the returning officer discover matters of concern post announcement.

11.14 Right of Appeal

- i) Appeals by candidates against the decision of the Returning Officer shall be made, in writing, to the University Secretary, within 5 working days of the Returning Officer's decision. The University Secretary will deal with all appeals at the same time, a decision will be made 5 days after the last date that an appeal can be made.
- ii) Appeals against the decision of the Returning Officer may be made to the University Secretary on the following grounds:
 - a. the Returning Officer has misapplied a procedure, policy or regulation;
 - b. the decision(s) is not supported by the evidence;
 - c. there was a serious procedural error (whether of the election regulations or
 - d. of the requirements of natural justice) or other irregularity that makes the decision unfair;

- e. No reasons for the decision were given.
- iii) The Appeal must be made in writing and should contain which post was run for, the candidate's role in it, the nature of the decision to be appealed, the grounds for appeal and the outcome being sought. The candidate must provide all documentation and evidence to support their appeal, at the time of submission.
- iv) On appeal the University Secretary shall have the power to affirm:
 - v) set aside or vary any finding or decision reached by the Returning Officer, or
 - vi) Refer the matter, or any part of it or any decision to the Returning Officer for further consideration, together with any such guidance as the University Secretary thinks fit.
- vii) The University Secretary will inform the candidates of his/her decision in writing, setting out the reasons for the decision and, where appropriate, any proposals or recommendations made;
- viii) The decision of the University Secretary is final.

11.15 Suspension

- i) Should any candidate be alleged to be in serious breach of these Regulations or any other document or instruction issued by the Returning Officer, then that person may be suspended from the election process by the Returning Officer until such time they are reinstated, penalised or disqualified.
- ii) Within 48 hours of any such suspension being imposed, the Returning Officer will make a decision on whether a suspended candidate may continue to take part in the election process. Candidates may appeal to the University Secretary or their delegate in accordance with clause 11.14 above.

11.16 The Elections Committee:

- i) Is a sub-committee of The Board of Trustees, with a reporting link to the Executive Committee
- ii) The Chair will be elected from the committee membership
- iii) It will meet a minimum of 4 times per year with a quorum of five. Additional
- iv) meetings may be called with the agreement of the Chair, or at the request of the Trustees
- v) It can make recommendations to the Trustees for changes to these regulations.
- vi) The members of the committee are:
 - a. President
 - b. One other Executive Officer – to be decided by Exec
 - c. One student - to be appointed by Student Council
 - d. Returning Officer
 - e. Deputy and Assistant Returning Officers
 - f. An External Trustee
 - g. University Secretary or their deputy

- vii) Any officers and student members of the Elections Committee standing for election will be automatically removed and replaced until the process, including any review, is complete.
- viii) Remit of Elections Committee
 - a. To make recommendations on policy and procedure.
 - b. To manage promotion of the election in its wider sense.
 - c. To set dates for approval.
 - d. To review the election process.
 - e. To set targets.
 - f. To oversee the elections budget.
 - g. The committee shall have the power to set up such groups as needed to conduct the operation of elections.

11.17 Role of Sabbatical and Part time Officers:

- i) Officers, sabbatical or otherwise, are restricted in their involvement during the election period. They should have no involvement in the process, its operation or interpretation during this time, except where specifically referenced within this document.
- ii) Officers are expected to play a full part in the general promotion of the elections to the student body, to encourage both candidates to stand and members to vote.