Elections & Referenda

1. Elections
   1. Cross campus elections will take place for all positions on the Student Executive Committee,
   2. Executive Committee positions will be held for one year, from 1st July to the 30th June
   3. Where positions exist to represent a specific group of the membership, only members who identify themselves as being part of that group may stand for the position
   4. Where a position on the Executive Committee is vacant due to either no nominations being received or an officer leaving office before the end of their term, a bye-election will be arranged at the earliest convenient time that will facilitate as many members of the union to vote as possible
   5. In the event that no practical time for a bye-election can be found the Executive Committee may, by a two-thirds majority, co-opt a member to fill a vacant position. Such a co-option must be reported to the next meeting of Union Parliament for approval by a simple majority
   6. Where either a bye-election or a co-option has taken place the member will hold the position up to 30th June in the academic year in which the election/co-option took place
2. Referenda
   1. Referenda can take place either to:
      1. Adopt or repeal a policy
      2. Propose an affiliation or disaffiliation to an external organisation
      3. Remove a member of the Executive Committee
   2. Referenda may be called by:
      1. A two-thirds majority vote of the Executive Committee
      2. A simple majority vote of Union Parliament
      3. A petition of 250 members being presented to the President
   3. If a referenda is called as under 2.3 it will be the responsibility of the President to arrange a cross campus referendum at the earliest convenient time that will facilitate as many members of the union to vote as possible. This should generally take place in the same term as the call for the referendum
   4. The quorum for a referendum to be valid is outlined in the Constitution
   5. Any motion to be put to referendum must clearly state what is being proposed for the Union and must be phrased as a yes/no question. The Returning Officer for a referendum will make the final ruling on the wording of any question in order to ensure a balanced and fair vote
   6. Any proposal to change the Union’s Constitution requires a two-thirds majority, as laid out in the Constitution
   7. Any motion that is passed by the membership and that reaches quorum will come into effect the upon the confirmation of the result by the Returning Officer
3. Voting
   1. Voting in elections and referenda shall be arranged to ensure the highest possible level of participation of the membership
   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 College or the Union or any voting station staffed by elections officials
   3. Voting in any election or referendum will be open for a minimum of 2 college days during term time and a maximum of 5 college days during term time
   4. All full members of the Union will be eligible to vote in elections and referenda
   5. 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
   6. In the case of all representative elections Re-Open Nominations shall always be a candidate, with the exception of elections to the position of NUS National Conference Delegate
   7. In all referenda the options available shall be yes/no/abstain. Abstentions do not count when counting if a vote has reached quorum
   8. Candidates (or their nominee) shall be permitted to observe the count of the relevant election
   9. 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
   1. The Executive Committee will, at the first meeting of the academic year, appoint a Returning Officer for all elections for the academic year
   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
   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. The Returning Officer may appoint a Deputy Returning Officer to support in their role. Any appointment of a Deputy must be approved by a simple majority vote of the Executive Committee, any Deputy must not be a member of the Union
   5. Following any election or referendum the Returning Officer shall produce a report for the Executive Committee on the conduct of the election/referendum
   6. 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 Clerk to the Corporation of the College under the Education Act (1992), however, no appeal or complaint can be made to the Clerk to the Corporation without having first exhausted the Union’s procedures
5. Elections & Referenda Regulations
   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
   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 4.6)
   3. Nominations
      1. Nominations for all positions shall be advertised to all members and be open for a minimum of one week of college term time
      2. For a nomination to be valid it must include the following:
         1. The students’ full name, student number, date of birth, email address, postal address and telephone number
         2. A signed copy of the election regulations and good conduct policy
         3. A completed manifesto
         4. A picture clearly showing the nominee, or an acceptance that the Union can use the picture from the student records system
      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
   4. Candidate Question Time/Hustings
      1. The Returning Officer shall organise an opportunity for students to put questions to candidates following the close of nominations and prior to voting opening
      2. This shall be organised in a manner that will allow the greatest number of the membership to take part as possible
      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
   5. Campaigning
      1. The Returning Officer shall set a maximum campaign budget for each candidate prior to the opening of nominations
      2. Candidates must submit a campaign spending return prior to the close of voting detailing all expenditure and providing evidence
      3. Failure to provide details of campaign expenditure will result in action against the candidate from the Returning Officer
      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
      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. 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
      7. Campaigning shall begin upon the closure of nominations, no campaigning may take place before this point
      8. Any breach of any College, 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
      9. 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
      10. No campaigning may take place in direct sight of a ballot box
      11. Candidates or their campaigners must not provide members with a voting platform (where online voting is being used), this will be deemed as intimidation of voters and will result in action against the candidate by the Returning Officer
      12. 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. Breaches of campaign regulations
      1. Any member of the Union, election official or member of College staff may submit a complaint against the conduct of a candidate(s) or their campaigner(s)
      2. Complaints must be submitted to the Returning Officer, or their Deputy, in writing and using the form provided, and must clearly state:
         1. The name of the complainant
         2. Any affiliation the complainant has to any campaign in the election taking place
         3. Against whom the complaint is being made
         4. The election regulation that has been breached
         5. Any evidence relating to the alleged breach
         6. A suggestion as to the action that the complainant believes the Returning Officer should take
      3. Any ruling of the Returning Officer shall be communicated to all candidates in the election
      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 until all complaints have been considered by the Returning Officer or until any subsequent appeal has been heard by the Union
      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. They shall consider the appeal against the decision of the Returning Officer and decide either to uphold or overturn the decision
      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. Such actions may include, but shall not be limited to:
         1. Removal of some or all of a candidate’s budget
         2. Removal of a candidate’s publicity
         3. Restrictions on the number of campaigners a candidate may use at any one time
         4. Prevention of a candidate from engaging in some or all campaigning activity
         5. Removal of a candidate from an election