BYE LAWS D

ELECTION REGULATIONS

The following shall be the Election Regulations for all annual elections and by-elections.

1. Organisation

a) The Returning Officer shall not be an ordinary member of CUSU and will be determined by the Board of Trustees. The Returning Officer shall:

   i) Be fully conversant with the election regulations outlined in these Bye Laws.
   ii) Be responsible for the organisation of the annual elections and by-elections detailed in the Articles of Association and Bye Laws.
   iii) Ensure that agreed policies and procedures for elections are adhered to
   iv) Consider any complaints regarding the elections.

b) The CUSU General Manager shall act as the Deputy Returning Officer. The Returning Officer may appoint additional Deputy Returning Officers if necessary to facilitate the good organisation of the elections. The Deputy Returning Officers will support the Returning Officer in his/her duties as outlined in Bye Laws D(1).

c) The Returning Officer and any Deputy Returning Officers must act impartially and ensure that all elections are fair and properly conducted.

d) The Returning Officer with the help of relevant staff as determined by the General Manager shall:

i) Publicise details for all aspects of the elections in accordance with the established procedures of CUSU.

ii) Publish a list of all confirmed candidates within 24 hours of close of nominations. .

iii) Ensure that candidate's manifestos are available through the website provided that they are submitted in an appropriate format and meet the publicised deadline.

iv) Organise all election events, including candidate question time for all positions where appropriate.

v) Publicise an explanation of electronic voting, the location and arrangements of voting booths..

vi) Declare and publish the results of all elections after they have been certified by the Returning Officer.

vii) Upon the completion of an election, produce a written report on the election and include suggestions on how the elections can be improved.

viii) Produce additional guidelines to the election regulations set out in these Bye Laws. These guidelines may govern such aspects of the election process as the conduct of candidate question time, publicity design, distribution and display, campaigning and candidates' meetings, along with any other aspects of elections that needs to be regulated. The guidelines must be decided no later than one week before nominations open and must be published on the CUSU website.

e) Annual elections shall take place before the end of March for Executive Committee and end of October for Student Council. The positions contested in the annual elections are detailed in Bye Laws A and B.

f) By-elections shall be held for any vacant positions that need to be filled. The Returning Officer shall organise the by-elections following a recommendation by the Board of Trustees.

2. Candidates and nominations

a) Any ordinary members of CUSU shall be eligible to stand and vote in all CUSU elections with the following restrictions:

i) Members may only stand for one position in each 'set' of elections at any given time.

ii) No member shall hold a Sabbatical Officer position for more than two years in total at the University.

iii) No members of Student Council may hold more than one seat at the same time.

iv) With the exception of Sabbatical Officers, a person will only be eligible to stand for a position if they are expected to hold the position (at the time nominations close) for at least half the duration of the potential term of office.

v) No member may stand for election having been previously disqualified on the grounds of attempting to disrupt an election or any other dishonest conduct.

b) The following restrictions will also apply:

i) Only members enrolled in the appropriate Faculty, or campus may stand as a candidate, nominate and vote in the election for any Faculty Representative or Campus Officer.

ii) Only members enrolled as postgraduate students (taught or research) may stand for the position of Vice President for Postgraduate Students.

iii) For Postgraduate Taught and Postgraduate Research Officer posts, a student wishing to stand and/or vote must be registered as a postgraduate taught or postgraduate research student.

iv) Only self defining students will be able to stand and vote for the following positions: Black Students' Officer, LGBT+ Students' Officer, Women Students' Officer, Disabled Students' Officer and Carer, Part Time and Mature Students' Officer.

c) Members wishing to stand for election must submit an official online nomination form through the CUSU website clearly specifying:

i) The candidate's full name, including how they wish it to appear on the ballot, current contact details and University Student ID number.

ii) The position that the candidate is standing for in the elections.

d) Nominations must be submitted no later than the time and day appointed by the Returning Officer and no nomination shall be accepted after that. The Returning Officer shall confirm whether the

candidates who have submitted nominations are eligible to run in the elections.

e) . Nominations shall remain open for at least 5 working days.

f) A candidate can withdraw their nomination by informing the Returning Officer in writing prior to the announcement of the election results.

g) A candidates' briefing must be held following the closure of nominations.

h) All candidates will be required to read the election regulations and guidelines before the submission of their nomination.

i) A candidate will also be disqualified if they fail to:

   i) Attend candidates' briefing without good reason, as defined by the Returning Officer.
   ii) Submit a written manifesto by the publicised deadline.
   iii) Attend candidate question time without good reason as defined by the Returning Officer.

3. Term of Office

a) Those elected to Executive Committee shall take office on July 1st following their election and relinquish office June 30th the following year. .

b) Those elected to CUSU Council shall take office one day after the announcement of the election results and relinquish office on the day following the announcement of the results of the next elections or course end date, whichever is sooner.

c) Those elected annually as members of the delegation to the NUS National Conference shall take office one day after the announcement of the election results.

4. Voting system and booths

a) All ordinary members of CUSU shall be eligible to vote by secret ballot in the annual elections and by-elections. Members shall:

   i)   Be entitled to vote once for any position that they are eligible to vote for as stated in D(2)(b).
   ii) Vote in person and not by proxy.
   iii) Not vote on behalf of any other member.

b) The Alternative Transferable Vote system shall be employed to determine the election result for positions with a single seat while the Single Transferable Vote system shall be employed for positions with multiple seats, both as defined by the Electoral Reform Society.

c) At the annual elections (or first election to any position) only, the option of 'Re-Open Nominations' shall be provided. Should Re-Open Nominations be the elected candidate, then the position in question shall remain vacant until a by-election is held.

d) Voting shall be held during a standard teaching week over a minimum of three working days.

e) Voting shall be conducted using a secure electronic system approved by the Returning Officer and the CUSU General Manager. The system will have to provide for all conditions laid out in Bye Laws D(4)(a) to D(4)(d), including:

   i)   The system should be accessible through the CUSU website.
   ii) The method, times, dates and purpose of the election shall be appropriately publicised to the membership in advance of the election, and the Board of Trustees shall be notified in advance.
   iii) System access shall be limited to the Returning Officer, General Manager, and any other staff member (CUSU or University) they deem necessary to have access.

f) In the event that the electronic voting system cannot be used, voting shall take place by paper ballot through anonymised voting booths. The paper ballot will be subject to Bye Laws D(4)(a) to D(4)(d), and function as follows:

   i)   Ballots shall be held securely free from being tampered with.

ii) The staff member(s) present in the voting booth shall act as the Poll Clerk(s).

iii) A member shall be required to prove their identity using their student identification card before being issued with a ballot paper and allowed to vote.

iv) If the elector accidentally spoils his/her paper, the elector may obtain another ballot paper from the Poll Clerk, providing the elector returns the 'spoilt' paper to the Poll Clerk.

g) The paper ballot count shall:

i) Take place in accordance with the Rules outlined by the Electoral Reform Society immediately after the closing of polling.

ii) Be supervised by the Returning Officer or Deputy Returning Officer(s) who may appoint a sufficient number of tellers to assist in the count. No teller shall serve in any election in which that person is a candidate. The candidates and one person nominated by each of the candidates shall be entitled to be present. No other person shall be present without the express permission of the Returning Officer or Deputy Returning Officer(s).

h) In the interest of maximising voting opportunities for members, the Returning Officer or Deputy Returning Officer shall make sure that anonymised voting booths are set up across campuses. Members should be able to vote electronically (or using paper ballot in the event Bye Laws D4f applies) through the voting booths using their student identification card.

i) The locations and opening of voting booths shall be determined by the Returning Officer or Deputy Returning Officer to ensure the fullest opportunity for members to vote.

j) Where voting booths are set up, a CUSU and/or University staff member shall be present at all times.

5. Campaigning and conduct

a) Only ordinary members of CUSU can campaign on behalf of a candidate or endorse a candidate. Candidates will be responsible for the actions of their campaign team members and supporters. Campaign team members must be declared to the Returning Officer. If any campaign team member breaks the election regulations then the candidate will be responsible and may face disciplinary action under Bye Laws D7.

b) Candidates should adhere to the principle that they should only do what other candidates have an equal opportunity to do.

c) All candidates and their campaign teams are expected to demonstrate respect for the positions, opinions and rights of the other candidates and of students.

d) Candidates should ensure that neither they nor their campaigns team misrepresent other candidates either verbally, on any publications or by any other means.

e) Candidates may team up and run a joint campaign, hereafter called a slate. Candidates running a slate may endorse other candidates on their election material.

f) Candidates or their supporters who have an official role inside CUSU, the University or an external organisation may continue to act in this capacity but they must not abuse their position for any purpose related to the election.

g) Any Sabbatical Officer wishing to campaign must do so in their own time.

h) A member may campaign on behalf of 'Re-Open Nominations' but shall be considered a candidate for the purposes of the election regulations.

i) Candidates are encouraged to campaign across campuses, but CUSU and the University reserve the right to limit the locations where campaigning may take place, where there is a possibility that students may be disrupted.

j) Candidates or their supporters shall not campaign in the Library.

k) If candidates and their supporters wish to campaign in Halls, they will have to sign in at the reception.

l) Candidates and their supporters must campaign within a distance of the voting booth that allows the voters to vote confidentially and freely. This distance will be determined by the Returning Officer/Deputy Returning Officer. Once a voter has started completing their ballot (electronic or paper) a candidate or their supporter should not communicate with them in anyway.

m) Endorsements of a candidate by a sport club or society should be made by the normal decision making process of the group.   A decision of the full committee or a vote of group members is recommended.

n) Societies and sports clubs must not use their own funds to campaign for candidates.

6. Expenditure and publicity

a) Campaign expenditure is defined as expenditure in pursuit of promoting a candidature.

b) Candidates should ensure they do not exceed their allocated maximum publicity budget (as set out in the election guidelines) or use anything that isn't in the free and fair usage policy.

c) All receipts and accounts for election expenses incurred by a candidate shall be submitted to the Returning Officer; failure to do so may result in disqualification.

d) All campaigning publicity must meet the requirements set by the election guidelines and must be approved by the Returning Officer.

e) Official CUSU and University publications may, with the approval of the Returning Officer or Deputy Returning Officer, advertise the elections and give information concerning candidates provided that all candidates are offered an equal chance to participate.

7. Complaints and disciplinary action

a) The Returning Officer or Deputy Returning Officer (General Manager) may consider objections and complaints at any time during the election and need not necessarily wait until voting has been completed. The Returning Officer's decision shall be final and binding.

b) Objections to the procedure, result or any other aspect of CUSU elections must be made in writing to the Returning Officer or Deputy Returning Officer (General Manager) not later than five working days after the results have been published, and objections raised after this time will not be considered.

c) Any attempt to disrupt an election will be brought to the attention of the Returning Officer.

d) A candidate, or someone acting on their behalf, may be subject to disciplinary procedures, including disqualification if they breach any CUSU or University policy or regulation. Specific breeches for elections include: :

   i)   Disrupting elections.
   ii)   Dishonest conduct.
   iii)   Bringing CUSU into disrepute.
   iv)   Responsibility for corrupt practice (as defined by the Returning Officer).
   v)   Acting to threaten, intimidate, deceive, coerce, collude, conspire or use force to interfere with the election process.
   vi)   Falsify, defacing or destroying any election material.
   vii)   Artificially creating an advantage that any other candidate cannot reasonably (as determined by the Returning Officer) replicate.
   viii) Interfering in a vote or voting process.
   ix)   Bribing, or attempt to bribe, any voter or election official in any way. This includes offering drinks, food or anything with a financial value.
   x)   Acting in a way which is deemed as offensive, or publish offensive material. This can be due to one or more of the

following: racism, sexism, homophobia, transphobia or anything else that the Returning Officer confirms as offensive.

xi) Falsifying of any document or information that constitutes a requirement of the election procedures.

xii) Preventing free and confidential voting, including the improper use of electronic devices.

xiii) Demonstrating any other serious misconduct or behaviour that undermines the conduct or integrity of the elections as determined by the Returning Officer.

e) The Returning Officer shall be empowered to discipline any candidate who personally or through their supporters are responsible for breaking any of the election regulations or guidelines.

f) The Returning Officer shall make sure that all complaints are addressed in a professional manner and that complainants receive a written response within a reasonable timeframe.

g) The Returning Officer shall normally make judgements on the balance of probabilities, the standard of proof "beyond all reasonable doubt" need not be observed.