

Bye-Law 4: Elections

4.1. Purpose

- 4.2. This Bye-Law outlines the process of elections for elected representatives (excluding student group leaders) at Roehampton Students' Union ("the Union"). It details how complaints about elections are received and handled by the Union.

4.3. Application

- 4.4. These Bye-Laws apply to all elections conducted by cross-campus ballot including elections of Sabbatical Officers and other Student Officers of the Students' Union.
- 4.5. Student Group Elections shall be administered under Bye-Law 6.

4.6. Student Officers of the Students' Union

- 4.7. Elections for Sabbatical Officers of the Students' Union (as defined in Bye-Law 3) shall always be conducted by cross-campus ballot.
- 4.8. Elections for other Student Officers of the Students' Union (as defined in Bye-Law 3) shall be conducted by cross-campus ballot, except where an alternative method has been listed within Bye-Law 3.

4.9. Standing Eligibility

4.10. Sabbatical Officers

- 4.11. Candidates for the role of Sabbatical Officer of the Students' Union shall meet the Eligibility Criteria as defined in Schedule 2 of the Articles of Association. In addition, candidates:
- 4.11.1. Candidates may only run for one Sabbatical Officer position at a time.
 - 4.11.2. Must not have been previously removed from the Board of Trustees.

4.12. Part-Time Officers

- 4.13. Candidates for Part-time Officer roles shall be subject to the following criteria:
- 4.13.1. Candidates must be current full Student Members of the Students' Union at the time of the election, and must continue to be Student Members for the duration of their time in post.
 - 4.13.2. Candidates for College President and College Deputy President roles must be enrolled within that College.

4.14. The Returning Officer

- 4.15. The Board of Trustees will annually appoint an appropriately qualified Returning Officer and an appropriately qualified Deputy Returning Officer. The Returning Officer must not be a current Student Member or Associate Member of the Union.
- 4.16. The Deputy Returning Officer shall always be a member of Roehampton SU staff. The Deputy Returning Officer is responsible for the day-to-day administration and running of elections. The Returning Officer provides independent oversight, confirms election rules, and is the final decision-maker on complaint appeals.
- 4.17. The Returning Officer shall be responsible for the following:

- 4.17.1. Confirming and approving the election rules, regulations, and guidelines that govern the conduct of elections.
 - 4.17.2. Acting as the final interpreter of this Elections Bye-Law and any associated rules and guidelines.
 - 4.17.3. Verifying independently that elections have been delivered in a free and fair manner.
 - 4.17.4. Determining complaint appeals with their decision being final.
 - 4.17.5. Advising the Deputy Returning Officer on any matter referred to them, and taking any necessary actions within their authority as Returning Officer.
- 4.18. The Deputy Returning Officer shall be responsible for the day-to-day administration of elections, including:
- 4.18.1. Producing and managing the election timetable.
 - 4.18.2. Administering the nominations process and confirming the validity of nomination forms.
 - 4.18.3. Managing candidate communications, including publicising arrangements for balloting and the complaints procedure to all eligible Members.
 - 4.18.4. Delivering, or ensuring the delivery, of relevant and appropriate training to all election candidates.
 - 4.18.5. Making available information to potential candidates for each election outlining relevant rules and procedures.
 - 4.18.6. Seeking legal advice if they believe that statements made or the contents of publicity could leave the Union open to legal action.
 - 4.18.7. Ruling out of order any statement or content of any publicity which in their view is in breach of the Articles of Association, the law, or any other applicable rules and guidelines.
 - 4.18.8. Administering the ballot and ensuring all eligible Members are able to cast their vote.
 - 4.18.9. Running the count and submitting the count to the Returning Officer for verification.
 - 4.18.10. Publishing the results.
 - 4.18.11. Handling complaints regarding the conduct of candidates, their supporters and campaigns, and the administration of elections.
 - 4.18.12. Referring any matter to the Returning Officer where uncertain, including on the application of election rules, potential complaints issues, and appeals.

4.19. Complaints, Sanctions and Appeals

- 4.20. Detailed timescales and procedures for complaints, sanctions and appeals shall be set out in the election rules and regulations approved by the Board of Trustees annually, to allow for the operational flexibility required by the election timetable.
- 4.21. Complaints
- 4.22. Complaints regarding the conduct of candidates, their supporters and campaigns, and the administration of the elections shall be handled by the Deputy Returning Officer.
- 4.23. Where a complaint is complex or serious, the Deputy Returning Officer may seek advice from the Returning Officer but shall retain responsibility for the first-instance decision.

4.24. Complaints regarding the conduct of the Returning Officer shall be referred to the Board of Trustees. Any Trustee who is directly involved in the election in question must recuse themselves from the complaint process due to a conflict of interest.

4.25. Sanctions

4.26. Where the Deputy Returning Officer considers that a candidate may have breached this Bye-Law, or any other relevant Elections Rules and Regulations in place from time to time, they shall:

- 4.26.1. Notify the candidate in writing, setting out the nature of the alleged breach.
- 4.26.2. Give the candidate a reasonable opportunity to make representations within the timescales set out in the election rules and regulations, or as otherwise specified by the Deputy Returning Officer having regard to the election timetable.
- 4.26.3. Decide whether to impose a sanction which may include but is not limited to a formal warning, campaign suspension, disqualification, or take no action, taking the representations into account.
- 4.26.4. Notify the candidate in writing of the decision and the reasons for it.

4.27. Appeals

4.28. Any decision made by the Deputy Returning Officer under this section may be appealed to the Returning Officer. Appeals must be submitted within the timescale specified in the election rules and regulations, or within 24 hours of notification of the decision where no such timescale is specified.

4.29. The Returning Officer's decision on appeal shall be final.

4.30. Elections Process

4.31. The Deputy Returning Officer shall produce an election timetable that outlines:

- 4.31.1. The process for nomination.
- 4.31.2. Details for the submission of candidate statements.
- 4.31.3. Arrangements for the ballot.

4.32. The Deputy Returning Officer shall produce details of the arrangements for balloting and for complaints procedures and ensure that they are publicised to all Members eligible to stand, and/or vote.

4.33. Elections will be conducted in accordance with the rules outlined by the Electoral Reform Society for running elections by the Alternative Vote system for elections with one position available and the Single Transferable Vote system for elections with more than one position available.

4.34. The Deputy Returning Officer shall ensure that any additional details, or amendments to the arrangements, are publicised to all Members in a timely manner.

4.35. Nominations

4.36. Nominations forms will be available to all Members eligible to stand. Eligibility to stand is determined by Bye-Law 1 and the Standing Eligibility section above.

4.37. It is the responsibility of candidates to ensure that nomination forms are completed accurately and submitted before the deadline.

- 4.38. The Deputy Returning Officer shall have the responsibility for declaring a submitted nomination form valid.
- 4.39. When the Deputy Returning Officer is satisfied, all valid nominations shall be confirmed with the candidates and published.

4.40. Candidate Statements

- 4.41. Candidate Statements must be submitted by the date set out in the election timetable and must comply with any format requirements stipulated by the Deputy Returning Officer. A failure to submit a Candidate Statement by the date set out in the election timetable will see the candidate proceed without an official Candidate Statement published.
- 4.42. The Deputy Returning Officer will ensure that Candidate Statements are available to voters at the point of ballot.

4.43. Campaign Publicity

- 4.44. The Deputy Returning Officer will determine the allowance for publicity available to each candidate for each election.
- 4.45. The Deputy Returning Officer shall set out the maximum amount that candidates may spend on their own election campaign.
- 4.46. All candidates running for the same position shall have an equal publicity allowance.

4.47. Hustings

- 4.48. The Deputy Returning Officer may arrange a hustings for candidates in an election.

4.49. Withdrawal

- 4.50. Any candidate may withdraw from the election at any point by informing the Deputy Returning Officer in writing.

4.51. Voting

- 4.52. The Deputy Returning Officer will ensure that all eligible Members of the Union are able to cast their vote.
- 4.53. The Deputy Returning Officer shall determine the method of voting and publicise it appropriately.
- 4.54. Voters shall be able to express their preference for as few or as many candidates as they wish subject to the instructions on ballot papers and the method of election specified within the Elections Process section above.
- 4.55. Ballots shall bear the chosen name of each candidate, and of the position being contested.
- 4.56. The order of names on the ballot shall be decided by using an electronic system which ensures the order of names on the ballot is chosen at random.
- 4.57. There will be a facility for voting for "Re-Open Nominations".
- 4.58. For positions which require more than one candidate to be elected, if Re-Open Nominations receives the most votes, nominations must be re-opened for all positions.
- 4.59. Voting shall be by secret ballot.

- 4.60. Should the counting of votes result in a tie, the Deputy Returning Officer shall first order a recount. If the same result materialises, the Deputy Returning Officer shall determine the method by which the result is determined with reference to the Electoral Commission guidelines.

4.61. Voter Eligibility

- 4.62. All Student Members of the Students' Union are eligible to vote for Sabbatical Officers.
- 4.63. All Student Members who are enrolled within a particular College are eligible to vote for the College Presidents and Deputy President for that College.

4.64. Declaration

- 4.65. Results for the election shall be declared by the Deputy Returning Officer when the count for each post has been successfully completed.
- 4.66. A list of successful candidates will be published within one clear working day of the declaration of results, unless there is a reason to delay. In this case, a statement of explanation will be published on the Union's website.

4.67. By-Elections

- 4.68. If any Sabbatical Officer post falls vacant, the Board of Trustees shall determine if and when a cross-campus by-election should be called in accordance with Article 9.5 of the Articles of Association.