

# University of Buckingham Students' Union Election Procedures

1. The Students' Union will nominate a full time member of staff to server as the Deputy Returning Officer (DRO). The line manager of the DRO will act as the Returning Officer
2. All full elections will be held in accordance with the Election Timetable. Any casual vacancy arising before or during the seventh week of the first term of office of an Executive will be filled by election. After that time the post will remain vacant and its duties distributed between members of the Executive.
3. On the appointed date in accordance with the Election Timetable the DRO will issue a Notice of Election setting out the date of election and calling for nominations by the due date.
4. Provided that no student 'On Stop' may take any part in the election or the electoral process, any student may stand for election to elected office within the Student Union. All nominated candidates must be held in "good standing" by the Students' Union and University alike. Nominations for office shall be made by a Nominator and a number of further students who shall together be known as Assenters. No student may subscribe more than two Nomination Papers in any election. The DRO shall be responsible for ensuring compliance with these Rules and shall check eligibility of all students.
5. On the appointed date in accordance with the Election Timetable Nominations will close. No nomination may be accepted after that time and date.
6. On the appointed date in accordance with the Election Timetable a Statement of Persons duly nominated will be issued by the DRO. The decision of the DRO shall be final and shall not be liable to challenge. Persons duly nominated will be subject to an advisory interview to discuss the strategy of the Students' Union and to ensure that the Candidate holds the same values and ideals as the Union. Candidates will be bound by the Election Rules, and will then be permitted to campaign for election from the publication of the statement of persons nominated.
7. On the appointed date in accordance with the Election Timetable' the DRO will issue a Notice of Poll setting out the date and time for polling. The polling day will be the appointed day and the Poll will be conducted by online ballot.
8. The vote will be held online. A Moodle page will be used for the election and will be open and visible to students from the start of the election. The DRO will be responsible for the set up and management of this online platform. All electrical devices will be viewed as a ballot box. This means that candidates must not approach or watch a voter as they cast their vote. Any student that cannot access Moodle may visit the Students' Union office in order to cast their vote.
9. The DRO will, at the conclusion of the counting of votes, declare the number of votes cast for each candidate for each position and will declare the candidate with the greater number of votes elected. In the event of a tie the Returning Officer will draw lots amongst the candidates and rule in favour of the person who draws the lot.

**10.** The DRO will publish a Ballot Account

**11.** All Candidates will provide an account of their election expenses supported by receipts to the DRO within 24 hours of the Declaration of the Result. “Election expenses” means money expended on leaflets, posters, telephone calls, texts, postings on social media etc. Election expenses may not include corrupt expenditure such as that spent on bribes or treating. The maximum expenditure allowed for a candidate in an election will be advised to Candidates by the DRO. No refunds of election expenditure will be permitted. No Candidate may receive funds from outside the University towards their election expenses.

## **Election Timetable**

**OCTOBER 11 - NOMINATIONS OPEN**

**OCTOBER 25-27 - INTERVIEWS & SUITABILITY CHECK**

**OCTOBER 27 - NOVEMBER 10 CAMPAIGNING BEGINS**

**NOVEMBER 10 -12 - VOTING OPEN**

**NOVEMBER 12 - RESULTS**

## Core Rules

Any breach of these rules will result in sanctions and/or disqualification. These rules should be considered as fundamental in ensuring the elections are free and fair.

### Conduct

1. Campaigners should not undertake campaigning activity which others could not also reasonably do.
2. Campaigners must take reasonable steps to ensure that their supporter's actions comply with the campaign rules at all times and must be able to demonstrate this in the event of a complaint against them.
3. Campaigners may only alter, move or remove their own campaign materials.
4. Campaigners may only use mailing lists where lawful to do so. In most cases, this will require the consent of the members on the list to use their details. – This mostly applies to WhatsApp groups and other social media.
5. Campaigners must allow voters to cast their ballot freely and must not communicate with voters in any way once they have begun to complete their ballot.
6. Campaigners must not exceed their agreed election expenses.
7. Candidates and Assenters must not make false and malicious personal statements regarding another Candidate.
8. Candidate and Assenters must not or attempt to bribe, treat or threaten, coerce or unduly influence any voter to give or withhold their vote to any candidate.
9. Candidates or their agents must not or attempt to coerce or unduly influence, whether by fear or favour, any potential or actual candidate into standing, not standing, or withdrawing from election.

## Budget

1. Campaigners must not exceed their budget limits.
2. All campaigners must submit a written list of all campaign costs with corresponding receipts to the Deputy Returning Officer (DRO) no later than 24 hours after polls close. If candidates do not spend any money during the course of their campaign this must be made clear on the submission.
3. Items freely and readily available to all campaigners can be used without itemisation. The Returning Officer will take sole responsibility for the interpretation of these rules. Interpretation will be in the interest of the electorate above all others. These rules are in addition to general union and University rules and regulations and the Law.

## Guidance

In addition to the core rules, the Students' Union has provided guidance to candidates to ensure the smooth running of the election and to boost engagement. The Students' Union election guiding principles are:

1. Candidates must treat other candidates, students and members of the public with respect. This includes engaging in healthy debate and not to campaign negatively.
2. Candidates' campaigns should be fully transparent and accountable to the union.
3. Candidates must not do anything to gain an unfair advantage.
4. Candidates must not undermine the fair and democratic running of elections.
5. Every electronic device will be deemed a ballot box.
6. Candidates shall be responsible for the actions of their campaign teams.
7. Candidates must not break any general Union and University rules and regulations. This also includes the Law.

## Election complaints

Any full member of the Students' Union can submit an election complaint if they believe a candidate's behaviour during an election is in breach of the Students' Union election guiding principles and Core Rules above.

### How to submit a complaint

In the first instance, your complaint can be made in an "informal" manner to the DRO who will give you the opportunity to take it forward.

Complaints will only be accepted using the official complaint form. Please send all completed forms to Students' Union. The deadline for complaints is 1 hour after the close of voting. No complaints will be accepted after this time.

### What happens next?

Complaint forms will be taken forward for consideration by the DRO. They will decide whether to accept (uphold) or reject your complaint, and you will be notified of this in writing.

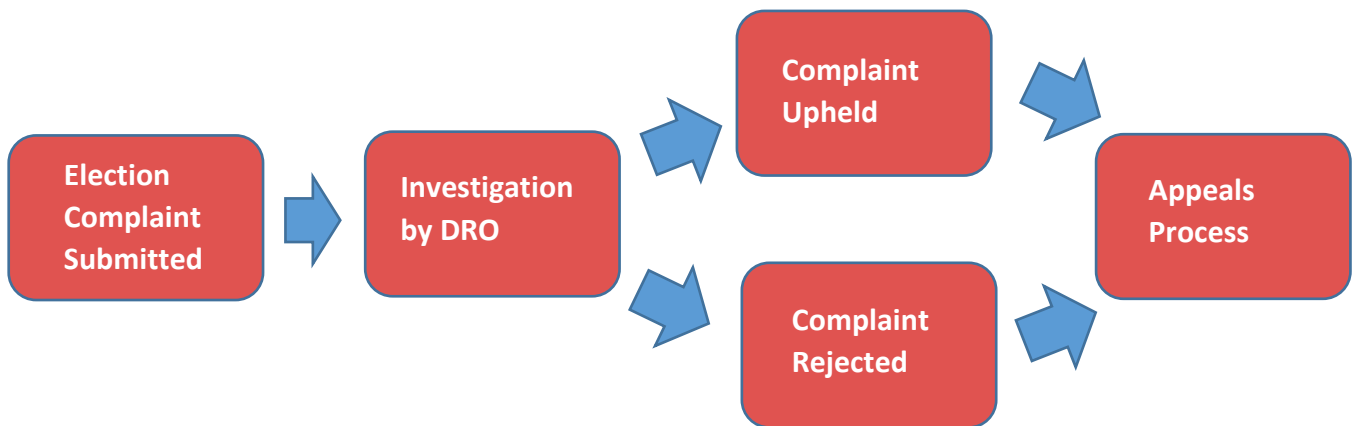
All sanctions in upheld cases are completely at the DRO's discretion and will be handled in case by case basis. All sanctions will be considered carefully and weighed against the severity of the offence.

If a sanction can be applied that redresses the balance within the election, then it should be (e.g. resetting votes if it can proven where the impact was). Any sanction should aim to redress the balance of the election, not to punish the electorate, and must be proportional to the offence.

### What information should a complaint contain?

To help the DRO consider your complaint, please make sure that it is factual and contains clear evidence about your complaint. Any complaints comprising of hearsay or activity that does not directly affect you are unlikely to be successful. We have prepared an example of a complaint that would be upheld for information.

The Returning Officer reserves the right to consider complaints as vexatious and may take disciplinary action accordingly.

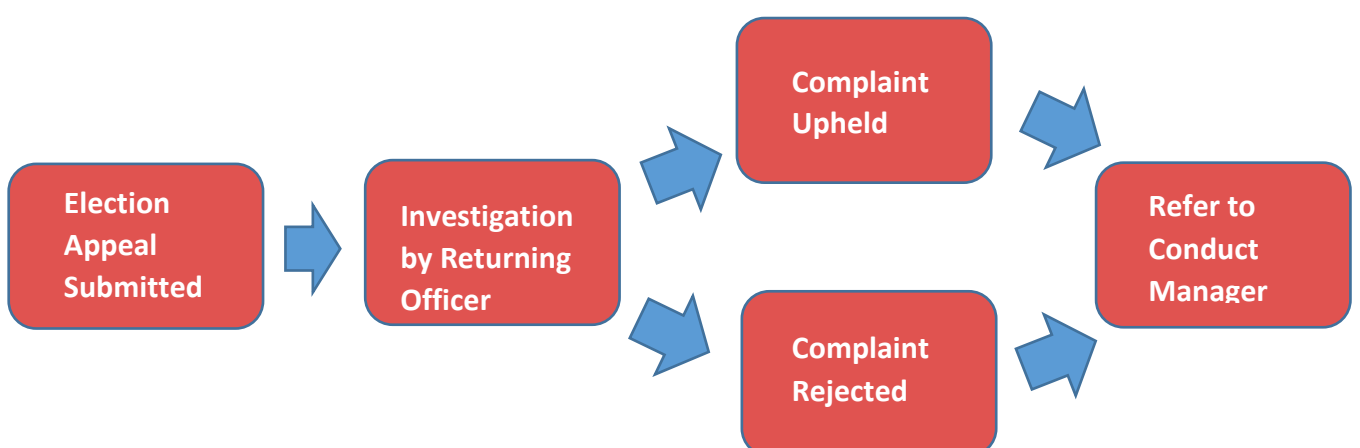


## Appeals

If a student is dissatisfied with the outcome of the complaint, they may be able to request the opportunity to appeal. A request for an appeal should be on the following grounds, including but not confined to:

- A review of the procedures followed at the complaint stage.
- A consideration of whether the outcome was reasonable in all the circumstances.
- New material evidence which the student was unable, for valid reasons, to provide earlier in the process.

The appeal stage will not usually consider the issues afresh or involve a further investigation.



## Definitions

### Complaint

The formal complaints process is triggered when:

- The student declines to engage with informal resolution and initiates the formal process in line with your procedures.
- Informal resolution was attempted, but the student remains dissatisfied and initiates the formal process in line with your procedures.
- The issues raised are complex and will require detailed investigation.

### Appeal

The formal appeals process is triggered when the student wishes to appeal against the decision by the DRO. A request for an appeal should be on the following grounds, including but not confined to:

- A review of the procedures followed at the complaint stage.
- A consideration of whether the outcome was reasonable in all the circumstances.
- New material evidence which the student was unable, for valid reasons, to provide earlier in the process. The appeal stage will not usually consider the issues afresh or involve a further investigation.