



**YORK ST JOHN
STUDENTS' UNION**

BYELAW 9: ELECTIONS

REVIEWED AND REVISED JULY 2018

BYELAW 9: ELECTIONS

1. General Regulations

- 1.1. The Trustee Board shall have overall responsibility for all elections and shall be empowered to rule on any matter relating to the conduct of elections.
- 1.2. For Executive elections, a Returning Officer, who shall not be a Member of the Union, employee of the Union, or a member of Union staff, will be appointed by the Trustee Board on an annual basis.
- 1.3. The Returning Officer may nominate at least one Deputy Returning Officer who can act on their behalf always with prior permission. The Trustee Board shall approve all Deputy Returning Officer appointments.
- 1.4. Elections shall be held by the Single Transferable Voting (STV) system. This is covered under section 9 of this Byelaw.
- 1.5. All elections shall provide the opportunity to vote for “Re-Open Nominations”, in preference to one or more candidates.
- 1.6. If insufficient nominations have been received to fill all vacancies at the close of nominations, the election shall proceed as normal for all other positions.
- 1.7. A by-election will be held to fill any vacancies.

2. Duties Of The Returning Officer

- 2.1. To appoint a Counting Officer, responsible for all matters relating to the counting of papers.
- 2.2. To decide any matter relating to the conduct of the election. This shall include the power to penalise or exclude candidates in respect of any breach of the election regulations and to postpone or nullify the result of an election in respect of any irregularity.
- 2.3. To ensure that the election is conducted in accordance with this Byelaw and any regulation specified by Election Committee.

3. Eligibility to Stand and Vote

- 3.1. All Full Members (except for those Full Members currently suspended) shall be eligible to stand as candidates for Sabbatical Officers and Part-Time Officers, except as specified within the Articles and the Byelaws.

4. Election Timetable

- 4.1. Voting closes on the date and at the time agreed by Elections Committee.
- 4.2. The duration of voting is determined by the Elections Committee and shall be a minimum of 3 days and a maximum of 5 days.

- 4.3. **28 days before voting closes:** Notice of the elections, including the posts available and the election timetable, must be displayed within the Union and on the website.
- 4.4. **28 days before voting closes, Nominations open:** The Elections Committee will ensure that nomination forms will be available for the advertised positions. Notice of elections shall include all relevant dates and times. A guide to elections shall accompany the nomination form.
- 4.5. **14 days before voting closes, Nominations close:** Candidates must return completed nomination forms. Late nomination forms will not be accepted. The candidates meeting and training will take place, convened by the Deputy Returning Officer or their alternative.
- 4.6. **3-5 days before voting closes:** Campaigning may begin. The Elections Committee will publish a list of candidates. During this time, unless express permission is given by the Returning Officer, no member of student staff standing as a candidate in the Sabbatical elections shall be available for work in the Students' Union. If a Sabbatical Trustee is standing for election then they should take the week of campaigning as annual leave.
- 4.7. **3-5 days before Voting closes:** Voting will be completed in accordance with sections 5, 6 and 7 of this Byelaw

4.8. Nominations

- 4.8.1. Nominations shall be made on a nominations form, which shall be approved by the Elections Committee.
- 4.8.2. If any nomination is deemed to be invalid, in accordance with the Constitution and Byelaws, the Deputy Returning Officer shall inform the person nominated within 1 day, and publish the details at the time of publishing nominations
- 4.8.3. Any Full Member may challenge the validity of a nomination, within 2 days following the publication of nominations, on the grounds that it does not comply with the Constitution and Byelaws. The Deputy Returning Officer shall rule on the challenge and their decision shall be final
- 4.8.4. Any candidate may withdraw from an election by writing to the Deputy Returning Officer.
- 4.8.5. Nominators may not withdraw their names after nomination forms have been submitted.
- 4.8.6. No member may be nominated to stand for more than one post in any single set of elections for either Part-Time Officer or Sabbatical Officer with the exception of NUS Delegate.
- 4.8.7. No Full Member may nominate more than one candidate for each position in an election.

4.9. Election Campaigns

- 4.9.1. No Committee of the Union as defined in the Byelaws of this constitution shall endorse any candidate for election to any of the posts in any written, published or oral form, whilst acting in any official capacity. This shall include on any nomination forms.
- 4.9.2. The Deputy Returning Officer shall determine regulations for campaign publicity, and arrangements for assistance towards the production of publicity.
- 4.9.3. The Deputy Returning Officer shall publish the photographs and nominations forms of all candidates.
- 4.9.4. Any complaints regarding the conduct of the election campaign shall be submitted in writing to the Deputy Returning Officer before the start of the count. The Deputy Returning Officer shall decide on any complaints, subject to Elections Committee.

5. Polling

- 5.1. Elections may be conducted by Physical or Electronic Voting. Electronic voting will be the preferred method of polling for all elections, unless the Deputy Returning Officer deems a Physical poll to be more appropriate
- 5.2. When deemed appropriate by the Deputy Returning Officer Physical Voting (Section 6) will be suspended and the rules for Electronic Voting (Section 7) will come in to action.

6. Physical Voting

- 6.1. Location: Polling stations shall be situated in the Union Building and other places as determined by the Elections Committee.
- 6.2. Duration: Polling stations shall be open for 3-5 days (at the discretion of the Elections Committee).
- 6.3. Polling Officers: Each polling station shall be staffed by at least one Polling Officer, who shall be responsible for ensuring the proper conduct of polling at her/his station. Polling Officers may appoint Assistant Polling Officers.
- 6.4. Polling: On production of their Identity Card, every Full Member shall be presented with the ballot papers to which s/he is entitled. The Polling Officer shall retain the Card until the votes are cast.
- 6.5. Ballot Papers: Shall specify the position, the name of each candidate, and slogan if submitted, in an order determined by lot, and shall explain the method of election. Ballot papers shall be numbered.
- 6.6. Polling Records: Each Polling Officer shall record the name and student number of every voter, alongside the number on the ballot paper. This record shall remain confidential subject to any complaints regarding the conduct of voting.
- 6.7. Election Statements: The Polling Officers shall have election statements of all candidates available at the polling station to assist voters with their decision making.

- 6.8. Canvassing: The Polling Officer shall ensure that there is no publicity relating to an individual candidate, or favouring/opposing a Referendum proposal, within an appropriate distance of the polling station as determined by the Deputy Returning Officer. There shall be no canvassing within an appropriate distance of the polling station determined by the Deputy Returning Officer.
- 6.9. Complaints: Any complaints regarding the conduct of polling shall be submitted in writing before the start of the count. The Deputy Returning Officer shall decide on any complaint. If the complainant is not satisfied with the response from the Deputy Returning Officer they have the right of appeal to the Elections Committee.

7. Electronic Voting

- 7.1. Location: Electronic Polling stations shall be situated on the Union website to be accessed from any location by voters.
- 7.2. Polling: Each Voting member will be required to log into the interface using their unique student identification username. Upon doing this they will then gain access to the online ballot paper. Each student will only be given access to the online ballot paper once.
- 7.3. Online Ballot Papers: Shall specify the position, the name of each candidate, photograph, slogan and a web-link to the candidates manifesto on the SU website, in a randomised order.
- 7.4. Election Statements: The Polling Officers shall display election statements of all candidates on the SU website.
- 7.5. Complaints: Any complaints regarding the conduct of polling shall be submitted in writing before the start of the count. The Deputy Returning Officer shall decide on any complaint. If the complainant is not satisfied with the response from the Deputy Returning Officer they have the right of appeal to the Elections Committee.
- 7.6. These rules only apply if the use of Electronic voting is agreed by the Elections Committee.

8. Regulations Governing Counting

- 8.1. The Counting Officer shall be responsible to the Deputy Returning Officer for the conduct of the count. They shall appoint Assistant Counting Officers, who shall not be candidates or have associated themselves with the campaign of any candidate as appropriate.
- 8.2. Each candidate shall be entitled to appoint a Full Member as a representative to attend the count on her/his behalf.
- 8.3. Only the Deputy Returning Officer, the Counting Officer, Assistant Counting Officers and candidates representative shall be entitled to attend the count. The Counting Officer shall be empowered to exclude any person who conducts themselves in a way that might interfere with the conduct of the count.
- 8.4. In considering complaints, or the reconciliation of voting papers and polling records, the Deputy Returning Officer shall be empowered to order the withdrawal of one or more candidates, or to exclude one or more ballot boxes from the count, or deem an election invalid and suspend the count.

- 8.5. Any ballot paper that is marked in any way other than to indicate a preference shall be deemed to be spoilt and invalid. Where a counting officer is unsure if a ballot is valid or not, they must ask the Deputy Returning Officer for a judgment on that ballot paper.
- 8.6. Re-Open Nominations shall be considered as a candidate for counting purposes and no other candidate shall be elected unless they obtain a higher vote than Re-Open Nominations.
- 8.7. Following the close of voting the count shall be held as soon as possible, and within at least 24 hours. Counting will continue for as long as necessary to reach a decision.

9. Single Transferable Voting System

- 9.1.1. All elections will be conducted using the Single Transferable Voting system.
- 9.1.2. The Counting Officer shall ensure that any elections under the Single Transferable Voting System are conducted in accordance with the rules laid down by the Electoral Reform Society.
- 9.1.3. The Counting Officer shall ensure that elections under the Single Transferable Voting system are conducted as follows:
 - Sort the voting papers according to first preferences, setting aside any invalid papers.
 - Count the voting papers, to determine the first preferences cast for each candidate and, hence, the total valid vote.
 - If a candidate has an overall majority of the valid votes cast at this stage, they shall be deemed elected.
 - If no candidate has an overall majority of the valid votes cast, the candidate with the least votes shall be eliminated and their transferable votes shall be identified.
 - The transferable votes of the eliminated candidate shall be distributed between the remaining candidates, at full value, according to the second preference indicated on the voting paper. Such voting papers shall be transferred to the remaining candidates in identifiable bundles.
 - If a candidate has a majority of the valid votes cast at this stage, they shall be deemed elected.
 - If no candidate has a majority of the valid votes cast, the procedure outlined above shall be repeated until an overall majority is achieved for one candidate, and that candidate shall be deemed elected.
 - Once the count has been completed, an election result sheet is published.