

**Byelaw: Elections**  
**Approved: Trustee Board 5<sup>th</sup> November 2018**

<b>General regulations</b>	<p>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 the elections.</p> <p>1.2 Under the 1994 Education Act, the University of Salford retains legal responsibility for the good governance of Trustee Board elections. Students may request that the University review a Trustee Board election once all internal Union procedures have been completed.</p> <p>1.3 The Trustee Board will appoint a Returning Officer. For Trustee Board elections this should normally be a staff member from the National Union of Students' (NUS) or a senior union staff member from another Union. Senior Union staff members may act as Returning Officer for non Trustee board elections.</p> <p>1.4 The Returning Officer will have the power to:</p> <ul style="list-style-type: none"> <li>a) Oversee the fair conduct of the elections in accordance with these regulations.</li> <li>b) Rule on the validity of any complaints arising from the conduct of candidates during the election</li> <li>c) Disqualify or penalise candidates</li> <li>d) Issue directions to candidates during the elections</li> <li>e) Rule on any other matters arising from these regulations.</li> </ul> <p>1.5 The Returning Officer shall appoint Deputy Returning Officers who shall be drawn from members of the Union's staff team.</p> <p>1.6 The Deputy Returning Officers may appoint other election officials as required.</p> <p>1.7 Deputy Returning Officers will have full delegated authority to act on the Returning Officer's behalf during the election period.</p> <p>1.8 A timetable for each set of elections will be agreed by the Trustee Board and publicised by the start of the academic year. All timetables shall include ample time for the production of candidate publicity, and for the compilation of student data to enable online voting.</p> <p>1.9 A guidance document for each election will be created by the Returning Officer and Deputy Returning Officers. Student Trustees and Sabbatical Officers must not be involved in the development and creation of the guidance document</p> <p>1.10 Should the need arise, By-Elections for elected Union positions will be held as soon as possible after the vacancy arises. The Returning Officer will have delegated authority from the Trustee Board to approve a timetable for the election</p>
<b>Eligibility and nominations</b>	<p>2.</p> <p>2.1 All candidates for election shall be Members of the Students' Union,</p> <p>2.2 A serving Sabbatical Trustee is only eligible to stand for re-election to their current sabbatical post or the position of president providing that they have served no more than one term of office.</p> <p>2.3 Members of the Union are only eligible to stand for a Sabbatical Officers position whose remit covers the School the University considers them to be a part of or the position of Union President.</p> <p>2.4 Where the student believes they should be eligible to stand for another position they must make a submission to the Returning Officer whose ruling will be final.</p> <p>2.5 Nominations shall be submitted in a format agreed by the Deputy Returning Officers</p>

	<p>2.6 All candidates shall receive descriptions of the duties of the office to which election is sought.</p> <p>2.7 Candidates for Trustee Board positions must confirm their eligibility to hold Trustee status.</p> <p>2.8 In the event that the number of nominations does not exceed the number of vacant positions after nominations have been extended the Returning Officer shall declare elected any validly nominated candidates.</p>
<b>Candidates' meetings</b>	<p>3.</p> <p>3.1 At the close of nominations a candidates' meeting will be held to brief the candidates on the election regulations and outline the conduct expected of them throughout the election.</p> <p>3.2 The Union will organise a candidates' debate for the Sabbatical Officer posts. The event will take place at a time and location and in a format agreed with the Deputy Returning Officers.</p>
<b>Publicity</b>	<p>4.</p> <p>4.1 All election publicity is to bear the name of the candidate. No election publicity shall explicitly criticise other candidates nor mention or feature any Union staff member.</p> <p>4.2 If in the opinion of a Deputy Returning Officer any materials display expletives, offensive material or any discrimination in respect of race, nationality, gender, sexual orientation, religion, disability, age or political belief, such materials may not be produced by or on behalf of a candidate.</p> <p>4.3 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.</p>
<b>Expenditure</b>	<p>5.</p> <p>5.1 The Deputy Returning Officers shall set an expenditure limit for each election. Candidates may not spend more than this during their campaign.</p> <p>5.2 The Deputy Returning Officers may provide an allowance to candidates to spend on their campaign.</p> <p>5.3 Campaign expenditure is defined as expenditure in pursuit of promoting a candidature.</p> <p>5.3.1 Any expenditure must be both that which all candidates have had the opportunity to carry out, and must be replicable by all other candidates in a given election.</p> <p>5.3.2 "Labour Costs" are not counted. Hire, delivery, materials production and materials or distribution of consumables is counted.</p> <p>5.4 All receipts and accounts for election expenses incurred by a candidate shall be presented to one of the Deputy Returning Officers before the close of voting.</p> <p>5.5 Where a cost incurred cannot be verified by a receipt, the Deputy Returning Officers will apply a fair cost, based on relevant market values.</p>
<b>Voting</b>	<p>6.</p> <p>6.1 The Trustee Board shall approve the general arrangements for online voting on an annual basis.</p> <p>6.2 Single vacancy elections shall be conducted under the Alternative Voting System whilst multi vacancy elections shall be conducted under the Single Transferable Voting System and counted in accordance with rules laid down by the Electoral Reform Society.</p> <p>6.3 The Trustee Board shall be responsible for approving the appointment of a provider of online voting. Eligibility for receiving a vote in an election will include students registered on all levels at the University by a date determined by the Returning Officer before the election.</p>

	6.3.1	The Returning Officer will set out who is ineligible to vote due to their status within the University or the inability to capture their data in time to process it for use in the ballot.
<b>Count</b>	7. 7.1 7.2 7.3 7.4 7.5	<p>Counting shall take place as soon after the close of voting as is practicable and the result declared at the end of the count.</p> <p>In single vacancy elections, “Re-Open Nominations” shall be considered as a candidate. No other candidate will be elected unless s/he obtains a vote higher than “Re-Open Nominations”.</p> <p>Complaints about the conduct of the count should be made to Returning Officer who may order the process to be suspended whilst the complaint is considered. The Returning Officer shall follow due process in considering complaints relating to the count.</p> <p>On completion of the count, results will be announced in a suitable venue to all candidates and published on the Union’s website.</p> <p>If, in any election, the Returning Officer deems a vote to be tied at any stage of the counting process, it shall be resolved by the toss of a coin. “Heads” shall be allocated to the candidate listed first out of the tied candidates.</p>
<b>Terms of Office</b>	8. 8.1 8.2 8.3 8.4 8.5 8.6	<p>The terms of office for members of the Trustee Board shall be as set out in the Students’ Union Constitution and as detailed in the strategy and guidance document on being a Trustee.</p> <p>Those elected to the delegation to the National Conference of the National Union of Students of the United Kingdom shall take office on the day following the declaration of the results and relinquish office on the day following the end of the conference to which they are elected.</p> <p>The election for the post of President shall include delegate status to NUS Annual Conference when in office the following year.</p> <p>Terms of office for other elected positions shall be as specified in the relevant bye-law or guidance document.</p> <p>Those elected to a sabbatical post shall be required to sign and complete a document detailing the full terms of office as approved by the Trustee Board from time to time together with a contract of employment as specified in the Constitution</p> <p>Should the need arise, by-elections for vacant positions shall be held as soon as possible following the vacancy. The Returning Officer shall have delegated authority from the Trustee Board to set the timetable for the election.</p>
<b>Conduct in elections</b>	9. 9.1 9.2 9.3	<p>All candidates and their campaign teams are expected to demonstrate respect for the positions, opinions and rights of the other candidates and of students.</p> <p>The Deputy Returning Officer, in conjunction with the Returning Officer, will provide rules on acceptable conduct in elections which candidates must abide by.</p> <p>Candidates should adhere to the principle that they must only do what other candidates have an equal opportunity to do, subject to specific points referenced below.</p> <p>As well as the election rules, rules governing conduct still exist in the union, in the wider university, and in the law. These rules are also considered as election rules and breaches of these rules by candidates or by any other person on their behalf could result in the returning officer penalising candidates. .</p>

	<p>9.4 Where there is a question as to the extent to which it is reasonable to believe that the use of a tactic or resource is open to all, the Returning Officer shall rule</p> <p>9.5 Committees, student activity groups and other bodies of the Union shall not use funds to campaign on behalf of candidates.</p> <p>9.6 Official Union publications may, with the approval of the Returning Officer, advertise elections and give information concerning candidates providing that fair and equal access is given to all candidates.</p> <p>9.7 Candidates are responsible for the actions of their supporters during an election campaign and the Returning Officer shall be empowered to discipline any candidate who themselves or through their supporters are responsible for breaking any of the Election Regulations.</p> <p>9.8 Candidates can use social media to promote themselves during an election but are advised to familiarise themselves with the University's policy on the acceptable use of its ICT network and facilities. In particular candidates and their supporters must not send unsolicited campaigning emails or messages to students where they have not received express permission from the recipient to utilise their contact details for that purpose.</p> <p>9.9 Candidates who are also current Sabbatical Officers must not use their position and the benefits it may afford to promote their candidacy. For the avoidance of doubt, Sabbatical Officers must abide by the principle that campaigning activity must be replicable and accessible to all other candidates.</p> <p>9.10 Sabbatical Officers eligible to run for re-election may only feature in Union publicity or promotion that has been pre-planned during the 'purdah' period of six calendar weeks before the opening of voting in Sabbatical Officer elections, regardless of whether or not they intend to stand. Any new requests for promotional material or publicity that has not been previously planned will not be permitted.</p> <p>9.10.1 Where there is a question as to whether or not an activity would fall under the 'purdah' period the Returning Officer shall rule</p>
<b>Unacceptable behaviour</b>	<p>10. Unacceptable behaviour during elections shall include, but is not limited to:</p> <p>a) Bribery of voters or election officials</p> <p>b) Threatening behaviour or harassment of voters, candidates or election officials</p> <p>c) Falsification of any document or information that constitutes a requirement of the election procedures.</p> <p>d) Preventing free and confidential voting by voters, including the improper use of electronic devices</p> <p>e) Any other serious misconduct or behaviour that undermines the conduct or integrity of the elections as determined by the Returning Officer.</p>
<b>Complaints</b>	<p>11. All complaints about the conduct of the elections, other than the counting process should be made prior to the commencement of the count. The start of the count may be delayed in order for outstanding complaints to be addressed by the Returning Officer.</p> <p>11.1 All complaints about the conduct of candidates or their supporters must be submitted in writing.</p> <p>11.2 If necessary the Deputy Returning Officer will investigate such complaints. If appropriate the Returning Officer shall have the power to suspend the election process at whatever point it has reached pending further investigation prior to taking action in accordance with these regulations.</p> <p>11.3 The Deputy Returning Officers will make a recommendation to the Returning Officer on the action to take.</p>

	<p>11.4 The Deputy Returning Officers shall normally make judgements on the balance of probabilities, the standard of proof “beyond all reasonable doubt” need not be observed.</p> <p>11.5 The Returning Officer will, on considering the recommendation of the Deputy Returning Officer rule upon the complaint and may:</p> <ul style="list-style-type: none"> <li>a) Dismiss the complaint and take no further action</li> <li>b) Dismiss the complaint but warn the candidate(s) in question over future conduct.</li> <li>c) Uphold the complaint. If the Returning Officer believes one or more candidates have gained an electoral advantage through a breach of the regulations or is found to have engaged in unacceptable behaviour, they may impose penalties at their discretion including disqualification of the guilty candidate(s).</li> </ul> <p>11.6 If a decision to disqualify a candidate is made, the election shall continue however the Returning Officer must publicise the disqualification of the candidate, and notify voters that any first preference votes cast for that candidate will not count.</p> <p>11.7 Following the decision of the Returning Officer, candidates may request that the University review the election to ensure it has been conducted in accordance with due process. Candidates or students wishing to do this must do so in writing to the University’s Registrar within 10 working days of the conclusion of the election.</p>
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