

### **Byelaw (11) - Election Regulations**

#### **Returning Officer**

1. The Returning Officer (RO) shall be appointed annually by the Trustee Board. The RO in conjunction with any appointed deputies shall be responsible for the good conduct and administration of all Union of Kingston Students (the Union) elections and shall be responsible for interpretation of the election regulations.
2. The RO shall not be an employee of Kingston University (KU) or hold office within the Union.
3. The RO may appoint deputies to support them in their duties. One of the designated duties of any deputies appointed by the RO will be to act as Deputy Returning Officer (DRO) who will carry out duties in accordance with the election regulations in the absence of the RO.
4. Any appointed deputies will not hold office within the Union at the time of election and appointed deputies may be employees of the Union or KU.

#### **Timing of Elections**

5. The RO shall ensure that election of the Student Officers takes place before the end of March each year. Once elected the Student Officers shall take office from July 1<sup>st</sup> of that year and shall serve for not more than 12 months.
6. A notice (including the dates) of elections for Student Officers shall be advertised at least 20 University days before the elections.

#### **Standing for Election**

7. The Student Officer roles available for election shall be as outlined in Article 70 of the Constitution, and shall include the following Full-Time positions:
  - i) Kingston Hill Officer.
  - ii) Knights Park Officer.
  - iii) Penrhyn Road Officer.
  - iv) Roehampton Vale Officer.
8. Members of the Union are eligible to stand for the Student Officer role associated with the campus that is identified as the primary location for the course of studies they are enrolled on and undertaking studies in at the time of standing for election.
9. In the case of members undertaking a joint honours course where studies at more than one campus could be identified, members will be eligible to stand for the student officer role at any campus identified as a location for studies for said joint honours course.
10. Members are only eligible to stand for one (1) identified Student Officer role at any time in any given election for Student Officers.
11. The following positions shall also be elected:
  - i) 3 Student Trustees in accordance with Article 43 of the Constitution.
  - ii) Those representatives that shall attend the National Union of Students (NUS) National Conference that the Union should deem it appropriate to send delegates to as representatives of the Union. The number and composition of any representatives shall be determined by the delegate entitlement for the Union as outlined by the NUS.
12. No member who has opted out of membership of the Union may stand for any position.
13. Re-open nominations (RON) shall be a candidate in all Union elections. In the event that RON receives the most votes for a position, the Union shall make arrangements to rerun the election.
14. Information on standing for election including the nomination process will be made available by the Union 20 University days before the election. The information shall contain a copy of the description of the role of each position in the election.

15. Members of the Union may stand for election upon submission of a nomination form by the advertised method before the closing date for receipt of nominations for the election in which they are looking to stand.
16. Nominations must reach the RO or appointed deputy not later than the advertised time on the day, 5 University days before the date of the commencement of the ballot for the election in which they are looking to stand.

#### **Student Networks (Liberation & Sections)**

17. Only members of the Union who self-define as within a liberation group that may exist within the Union may stand for an elected representative position within said liberation group for which an election is held.
18. Only members of the Union who fall within a section as defined by KU as a result of their registration as a student on a course of study can stand for an elected representative position within said section that may exist within the Union for which an election is held.

#### **Candidate Regulations and Guidelines**

19. The RO and/ or any appointed deputies will produce candidate regulations (no less than annually) based on the election regulations that will be issued to all candidates no later than 5 University days before the date of commencement of the ballot for the election in which the candidates are standing.

#### **Election Publicity**

20. The Union shall produce a list of candidates which shall be publicised within 48 hours of the close of nominations.
21. Candidates may produce a manifesto to a specification to be determined by the RO or appointed deputies, which must be submitted by the advertised deadline to the RO or appointed deputy.
22. Upon validation of all received nominations election candidates will be provided with information pertaining to running in the election, campaigning and election regulations.
23. The contents of the information provided to candidates shall be determined by the RO and/ or appointed deputies.
24. Candidates may produce elections publicity in line with elections regulations to utilise during the period they are standing for election. Candidates will have a budget for producing publicity materials for the election in which they are standing as outlined in the candidate regulations.

#### **Campaigning**

25. A 'Candidates Question Time' event shall be held on at least one main site, at a time and date to be determined by the RO and/ or any appointed deputies. The format and specification for 'Candidates Question Time' will be determined by the RO and/ or any appointed deputies.
26. Candidates cannot use any communication materials that are not sanctioned by the RO or any appointed deputies and outlined in the election regulations.
27. There shall be no campaigning within the same room/ vicinity as any official voting stations or designated voting areas.
28. Designated voting stations/ areas may be defined by the RO and any appointed deputies in the interest of preserving free and fair elections.
29. The Union shall publicise the location and arrangements of the Candidate's Question Time and voting stations/ areas, together with a list of candidates and manifestos.

### **Voting Procedures**

30. The RO and any appointed deputies shall ensure that all members of the Union have access to vote no matter their place or mode of study.
31. All members of the Union may vote upon completion of an appropriate identification process as decided by the RO and any appointed deputies.
32. Voting shall take place on the basis of an electronic vote through an appropriate electronic voting method as determined by the RO and any appointed deputies.
33. In the event of an electronic vote, the security of the voting system shall be assessed by the RO before its use. If they are confident in the security of the system, it shall be deemed to be secure and the decision of the RO shall be final.
34. In the event of a failure of the agreed electronic voting method or in the absence of an agreed electronic voting method then a paper voting system will be implemented/ utilised.
35. In the event of a paper vote, an official Union voting paper will be made available to each member who wishes to vote. Votes will be cast in sealed ballot boxes. Voting papers shall bear the name of each candidate and the role being contested.
36. In the event of a paper vote, a postal vote shall be granted to any full member of the Union who is unable to exercise their right to vote in person.
37. Voting shall be by secret ballot and shall be conducted according to the most recently published edition of the rules for the operation of the single transferable voting (STV) system as set by the Electoral Reform Society.
38. Where necessary the Union shall publicise the arrangements for postal voting at the earliest available appropriate opportunity.
39. The member must inform the RO or appointed deputy in writing that they wish to vote by post.
40. Postal votes will be accepted up until the close of an agreed postal voting period as agreed by the RO. The deadline for receipt of postal votes may fall after the close of ballot boxes.

### **Counting and Declaring Votes**

41. The RO or appointed deputy shall inform the candidates of the time and date of the count and the declaring of votes.
42. The RO may be assisted in the count by a number of individuals appointed by them. The count shall be conducted according to the most recently published edition of the rules for the operation of the single transferable voting (STV) system as set by the Electoral Reform Society.
43. Once the votes (or the electronic data pertaining to the votes) have been counted they should be kept for a min. period of six months in case of appeals against the result in line with data protection.
44. Results of the elections shall be declared by the RO or appointed deputy when the count for each post has been completed and any complaints received have been resolved to the satisfaction of the RO.
45. A list of successful candidates will normally be posted online within 1 University day of the declaration of results. The RO or appointed deputy will also send notification of the results to the Union Trustee Board, the NUS, the University Senior Management Team and the University Board of Governors.

### **Election Complaints**

46. Any challenge or complaint concerning the administration and good conduct of the election will be heard and determined by the RO within 48 hours of such a complaint being lodged by any full member.
47. Any complaint against the conduct or administration of the election should be received by the RO before the start of the count.
48. A challenge or complaint during or following the count, must only relate to the conduct of the count, and be lodged with the RO who shall resolve the complaint within 48 hours of it being lodged.
49. In determining a resolution to any received complaint, the RO after considering all the appropriate evidence may not uphold the complaint; or apply sanctions to specified candidate(s) if, in their view, a candidate(s) has breached election regulations. The ruling of the RO on any complaint shall be final with no further route of appeal.
50. The results will become official 48 hours after they have been posted provided that no complaint has been lodged with the RO within 48 hours. In the event of a complaint being received by the RO the results shall be suspended until the complaint has been resolved.

### **Vacancies for Positions**

51. If any post falls vacant then a bye-election shall be arranged by the Union. Nominations shall open no later than 3 University days after confirmation of the vacancy arising. All other election regulations apply.

### **Conduct of Candidates**

52. The Voting Representatives of the Union Meetings in conjunction with the RO shall approve election regulations (no less than annually) to be obeyed by all candidates to include:
  - i) Expenditure limits and availability of funding from the Union.
  - ii) Rules regarding conduct of candidates.
  - iii) Designated voting areas.
  - iv) Restrictions on election campaigning.
  - v) Social media rules.
  - vi) Any other rules deemed necessary for the proper and safe undertaking of any said elections.
53. In addition to the election regulations all candidates in any election must also obey the Union Member Conduct regulations as outlined in Byelaw 11.
54. The RO and any appointed deputies shall be responsible for the investigation of any breaches of the elections rules.
55. Any breach of these rules by a candidate shall be treated as a strict liability offence. A warning may be given by the RO or appointed deputy in the first instance for minor offences; however subsequent offences or serious breach of the elections regulations could result in instant disqualification. All final decisions shall be taken by the RO on the advice of any appointed deputies.
56. Candidates who run together for election in 'slates' or 'parties' shall be deemed, where appropriate to be jointly liable for any breaches of the elections regulations and shall thus be deemed to share in any sanctions applied.