

Byelaw 5 - Elections

This byelaw outlines the process of elections for elected representatives (excluding committee members of student groups) at The University of Central Lancashire Students' Union (The "Union"). It details how complaints about elections are received and handled by the Union.

The Returning Officer

501 The Returning Officer:

- a) Will not be a member of the Union, and who shall be independent of the Union, shall be appointed annually at the Annual Student Members' Meeting.
- b) Will be responsible for the good conduct and administration of all Union elections and shall have the sole responsibility for the interpretation of the election regulations.
- c) Will appoint a Deputy Returning Officer(s), who will normally be a suitably qualified employee of the Union to act on his or her behalf.
- d) Will propose an election timetable that ensures the timely election of Students' Union Representatives, School Representatives and others as may be required from time to time.
- e) Will arrange a by-election if needed to fill any vacant positions.
- f) Will take all reasonable steps to ensure that all members of the Union have access to vote in appropriate elections.
- g) Will publish detailed rules concerning the conduct of the election, conduct of candidates, permitted campaigning activities, campaign publicity, campaign expenses and Union facilities available to candidates.
- h) Will ensure that the Union rules relating to the conduct of campaigns, campaign publicity, campaign expenses and union facilities available to candidates are regularly updated and recommend amendments to Byelaws and policy to ensure the good conduct and administration of all Union elections.
- i) Will prepare a written Annual Report for the University Head of Legal Administration and the Union Board of Trustees confirming that all elections and by-elections have been fairly and properly conducted.

The Election Process

502 Elections shall take place by cross campus ballot or a secure online election open to all student members of the Union.

503 Students must be enrolled as a student from 12 months after the role begins and must identify with the specified parameters of the role.

- 504 The following will be available from the Union or available as documents able to be downloaded from a prominent location on the Union's website www.uclansu.co.uk or another secure website designated for the purpose by the Returning Officer 10 working days prior to the opening of the election:
- a) The election timetable.
 - b) The list of positions available.
 - c) The election Byelaws and election rules.
 - d) Any additional resources which the Returning Officer sees fit to disclose.
- 505 The Union reserves the right to amend the election rules as appropriate to maintain a free and fair election.
- 506 The Returning Officer shall produce a list of candidates which shall be displayed on the Union's website www.uclansu.co.uk or another website designated for the purpose by the Returning Officer within two University working days of the close of nominations. Candidates must produce a manifesto of a length and format to be determined by the Deputy Returning Officer, which must be provided to the Deputy Returning Officer at a time they may specify.
- 507 Reopen nominations (RON) shall be a candidate in all Union elections.
- 508 Voting shall be by secret ballot and shall be conducted according to the rules for the operation of the Alternative or Single Transferable Voting (STV) system as set by the Electoral Reform Society.
- 509 All student members of the Union may vote if they have their identity and entitlement to vote validated by a secure website or similar designated for the purpose by the Returning Officer.

The Count

- 510 The Returning Officer:
- a) Shall inform the candidates in good time of when the count will take place, how candidates or their agents may scrutinise the count and when results will be announced.
 - b) Announce a provisional list of successful candidates to be posted on the Union's website www.uclansu.co.uk or another website designated for the purpose by the Returning Officer within 24 hours of the declaration of results.
 - c) Will confirm the provisional list of successful candidates as final after 24 hours have passed providing no complaints have been lodged with the Returning Officer. In the event of a complaint being received, the results shall remain provisional until the complaint has been resolved in

accordance with the timescales set out in Complaints Section (513 – 516) of this byelaw.

- 511 In the unlikely event that a tie occurs, both candidates or a nominated person of the candidate will be invited to a 'coin-toss' to break the tie. The person first alphabetically by first name will be assigned heads.
- 512 Once the result of any election has been counted and declared ballot papers, and/or any digital records should be retained by the Union or its agents for a period of six months and shall remain confidential unless required by the Returning Officer and/or the University exercising their responsibilities under the University of Central Lancashire Students' Union Memorandum and Articles of Association, the Byelaws of the Union or the Code of Practice Relating to the Operation of the University of Central Lancashire Students' Union.

Complaints about Election Administration, Good Conduct of the Election, Count or Declaration of Results

- 513 Any complaint concerning the administration or good conduct of the election should:
- a) Be received through the stipulated method of communication by the Deputy Returning Officer within one hour of the end of the election (close of the ballot).
 - b) Normally be heard and determined by the Returning Officer or Deputy Returning Officer prior to the commencement of the count and otherwise no later than two University working days of such a complaint being lodged by any member.
- 514 Should a member have a complaint about the election or the count, this should be addressed to the Returning Officer within an hour of the end of the election (close of ballot).
- 515 In determining a resolution to any complaint, the Returning Officer, after hearing evidence, shall decide whether or not to uphold the complaint. Action that can be taken if the complaint is upheld may include but is not limited to; halting elections for specified post(s); referring a matter to be dealt with by the Union or University disciplinary procedures or disqualifying specified candidate(s) if, in their view, a candidate has breached election regulations, byelaws or Union policy or rules published by the Returning Officer.
- 516 The ruling of the Returning Officer on any complaint shall be final.