



Edge Hill Students' Union Election By-Laws

Section One - General Principles

- 1.1 Elections are the mechanism for the union's members to elect their representatives.
- 1.2 We will elect people in a free and fair manner, in accordance with the regulations outlined in this by-law.
- 1.3 All regulations that apply to elections will also apply to referenda, unless otherwise specified in the constitution.

Section Two - The Returning Officer & Elections Committee

- 2.1 The Board of Trustees shall appoint a Returning Officer on an annual basis.
- 2.2 The Returning Officer shall be independent of the staff, officers, trustees, and student members of the union.
- 2.3 The Returning Officer will meet one or more of the following criteria:
 - Be an employee or Returning Officer of the National Union of Students.
 - Be a senior member of Edge Hill University's academic or administrative staff.
 - Be any other person agreed by the Board of Trustees, with the exception of those referred to in 2.2 of this by-law.
- 2.4 If the person appointed to be Returning Officer is unable to discharge their duties, the Board of Trustees may appoint an alternative, in accordance with the criteria outlined in 2.2 and 2.3. This person will have the same responsibilities and authority as the original appointee.
- 2.5 The Returning Officer will have overall responsibility for the conduct and administration of all cross-campus elections. However, responsibility for interpreting elections regulations will, in the first instance, be delegated to a designated Deputy Returning Officer.
- 2.6 The Deputy Returning Officer will be a member of Edge Hill Students' Union staff.
- 2.7 Responsibility for appointing the Deputy Returning Officer will be delegated by the



Board of Trustees to the Chief Executive of the union.

- 2.8 If the person appointed to be Deputy Returning Officer is unable to discharge their duties, the Board of Trustees or Chief Executive may appoint an alternative, in accordance with the criteria outlined in 2.6. This person will have the same responsibilities and authority as the original appointee.
- 2.9 The Deputy Returning Officer will convene an Elections Committee for cross-campus elections.
- 2.10 The Elections Committee shall be chaired by the Deputy Returning Officer and will include various Students' Union and/or University staff roles to ensure impartiality and expertise.
- 2.11 The Deputy Returning Officer will have sole responsibility for determining Elections Committee eligibility.
- 2.12 Members of the Election Committee will be required to demonstrate impartiality throughout any deliberation processes.
- 2.13 The Elections Committee will be responsible for assessing any alleged breach of election by-laws made against a candidate, in accordance with the procedures outlined in this by-law.
- 2.14 Any ruling of the Returning Officer will be deemed final.

Section Three - When Elections Should Happen

- 3.1 The Union's Officer team for any academic year will be elected via a secret, campus-wide ballot. Elections will be held at a time in the academic calendar deemed suitable by the Deputy Returning Officer.
- 3.2 The union's delegation to the annual NUS conference will be elected at a suitable time during the relevant academic year. Any such election is contingent on EHSU being affiliated to NUS and will be conducted in accordance with NUS regulations.
- 3.3 For any cross-campus election, a copy of the elections timetable and elections by-law must be available to the union membership at least 20 academic days before voting opens.

Section Four - Election of 'Major Union Officers'

- 4.1 All Elected Major Union Officer positions are open to any current Edge Hill University student who is a full member of the union.



- 4.2 Candidates must be a registered student at Edge Hill University or have successfully completed their studies within the prior 3 calendar months of the elections result.
- 4.3 Candidates must have completed the academic year by 1st July in the qualifying year or may be required to suspend their studies. Candidates may seek to take re-sit exams or assessments during the summer period (June, July and August), however may be expected to take annual leave to complete these. Candidates are required to have valid leave to remain in the UK on 1st July. Students who have been withdrawn from the university or found to have breached their visa conditions are not eligible to stand; any breaches up to and including 1st July in the qualifying year may result in disqualification.
- 4.4 The Students' Union may seek to corroborate eligibility information with the University Academic Registry and International departments.
- 4.5 Once elected, members shall commence their term in office on the 1st July and will remain in office until the following 30th June, unless they resign or are removed from office in accordance with the relevant procedures outlined in the union's constitution. Flexibility regarding the start date due to a student's course of study will be dealt with on a case-by-case basis.
- 4.6 In accordance with the 1994 Education Act, no member can hold office as an Elected Officer for more than two academic years.
- 4.7 A by-election held in accordance with the regulations outlined in this document may be called in the event of an Elected Major Union Officer role not being filled.
- 4.8 Members are not eligible to stand for more than one Major Union Officer position in any set of elections.

Section Five - Fit and Proper Candidate Procedure

- 5.1 All candidates will be subject to the 'Fit and Proper Candidate Test' prior to submitting a self-nomination. They must attend all mandatory sessions and return all mandatory information. Such sessions may take place online in order for all candidates to attend.
- 5.2 Should there be a question over the candidate's ability to meet the 'Fit and Proper Candidate Test', the Elections Committee will determine if the candidate may submit a self-nomination. This will be done in consultation with senior staff members of the University.
- 5.3 All potential candidates will be expected to abide by the Students' Union Code of Conduct and any other applicable policies as determined by the Students' Union. Failure to do so may result in a referral to the Elections Committee and/or the appropriate Edge Hill University procedures.



Section Six - Nominations Procedure

- 6.1 All nominees must submit their nomination information prior to the close of the designated period.
- 6.2 All candidates for Union Officer positions must submit nomination information that is informed by the student body and is in line with the 'Fit and Proper Candidate Test' in section five of this by-law. They will also be expected to adhere to the following criteria:
 - They must comply with the union's equality and diversity policy.
 - They must not refer to the personal conduct or character of a rival candidate.
 - They must not be factually incorrect or defamatory.
- 6.3 Nomination information which does not, at the discretion of the Deputy Returning Officer, meet these criteria, will be returned to the candidate for amendment.
- 6.4 Nominations for Elected Officer positions will be open for a minimum of ten academic days.
- 6.5 Nominations will not be accepted from two or more members seeking election jointly for a single post.
- 6.6 All candidates for Major Union Officer positions will be expected to attend an information session/candidates briefing in advance of voting opening.

Section Seven - Campaigning and Publicity

- 7.1 The Deputy Returning Officer may impose restrictions on the type and number of campaign materials that candidates can display, and when they may do so. Any such restrictions will be communicated in advance of voting opening.

- 7.2 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 specifically for the purpose of election-related communications.
- 7.3 The use of social networking sites will be considered word of mouth communication and candidates will be free to make use of them to the extent that they do not contravene any of the other regulations listed in this document.
- 7.4 Candidates must respect university regulations on the display of campaign materials at all times
- 7.5 It is neither permitted for any candidate to use the Students' Union's branding in their campaign materials unless specifically instructed they may do so, nor is it permitted for any candidate to suggest that their policies or nomination information are endorsed by the Students' Union.
- 7.6 While voting is open, there may be designated areas around campus where candidates and their campaign team are not permitted to campaign actively. These areas will be communicated to candidates prior to voting opening.
- 7.7 Candidates may not obstruct, deface or tamper with any other candidate's campaign material.
- 7.8 Any allegations of aggressive, offensive or malicious behaviour from candidates or students should be reported to the Deputy Returning Officer who may refer any incidents on through the appropriate Students' Union or University procedures.
- 7.9 Officers must not campaign while actively engaged on Union business and current Elected Officers must book annual leave from their duties through the usual channels to campaign on their own, or someone else's, behalf.
- 7.10 Candidates are not permitted to provide voters with electronic devices, such as mobile phones or tablets, on which to vote.
- 7.11 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.
- 7.12 Bribery of voters is not permitted in any circumstances. Any deliberation over what constitutes as bribery will be decided by the Elections Committee.
- 7.13 Candidates must not break any general union and university rules and regulations. This also includes the Law.
- 7.14 Any candidate found to be in breach of any of the above rules must, in the first instance, be dealt with through the Elections Committee and may face sanctions up to



and including disqualification from the elections and referral to the University disciplinary procedures.

Section Eight - Voting Procedure

- 8.1 All full members of the union will be able to vote in Major Union Officer elections.
- 8.2 The Students' Union shall publicise a list of candidates and candidate nomination information, no later than four academic days after the close of nominations.
- 8.3 Students vote using an online system that members can access using their university credentials.
- 8.4 Before being able to cast a vote online, voters shall see candidates' names and nomination information.
- 8.5 Voting will be by secret ballot and conducted in accordance with the rules for the operation of a Single Transferable Voting system as defined by the Electoral Reform Society.
- 8.6 A contingency plan will be in place should there be any fault with the online system.

Section Nine - Declaration of Results

- 9.1 The Deputy Returning Officer shall inform the candidates when the election results will be announced and how candidates or their agents may scrutinise those results.
- 9.2 A list of successful candidates will normally be posted on the Union website within one academic day following the declaration of results.
- 9.3 The results will be confirmed as final after one academic day has passed, providing no complaints about the count have been lodged with the Returning Officer via the Students' Union. In the event of a count-specific or administrative complaint being received, the results shall remain provisional until the complaint has been resolved.
- 9.4 The Returning Officer will send a written report of the result to the University Board of Governors and the Students' Union Board of Trustees.



- 9.5 Once the result of any election has been declared any digital records of the election should be retained by the Union or its agents for a period of three years and shall remain confidential unless required by the Returning Officer and/or the university exercising their responsibilities under the 1994 Education Act.

Section Ten - Alleged By-law Breaches

- 10.1 Formal allegations concerning the good conduct of a candidate should be submitted in writing to the Deputy Returning Officer who will refer it to the Elections Committee before the close of the ballot. The Elections Committee will resolve all complaints in the first instance
- 10.2 In the case of an alleged by-law breach, both the complainant and the accused party will receive acknowledgement/notification of the incident and a response to the allegation detailing the outcome of the Elections Committee in writing.
- 10.3 Should the accused party wish to appeal a sanction, this should be communicated in writing to the Deputy Returning Officer, who will be required to escalate it on their behalf.
- 10.4 In determining a resolution to the allegation, the Deputy Returning Officer, shall refer in the first instance to the decision of the Elections Committee. If the complaint cannot be resolved through the Elections Committee it shall be referred to the Returning Officer who, after hearing all appropriate evidence may make a recommendation to resolve the complaint.
- 10.5 The Elections Committee and Returning Officer reserve the right to consider allegations of a breach of by-laws as vexatious and may take disciplinary action accordingly.
- 10.6 The ruling of the Returning Officer on any allegation of a by-law breach shall be final.

Section Eleven - Election Vote Count and Administration Complaints

- 11.1 Any complaint concerning the vote count or administration of the Election should be received in writing by the Deputy Returning Officer within one academic day of the results being read. These will be escalated to the Returning Officer via the Students' Union. Under no circumstances may candidates contact the Returning Officer or members of the NUS election support team directly.
- 11.2 These complaints will be considered and determined by the Returning Officer within two academic days of such a complaint being lodged by any full union member or candidate.
- 11.3 The Elections Committee and Returning Officer reserve the right to consider



complaints as vexatious and may take disciplinary action accordingly.

- 11.4 The ruling of the Returning Officer on any complaint shall be final.

Section Twelve - By-Elections

- 12.1 If any Major Union Officer position falls vacant, the Chair of the Board of Trustees in consultation with the Chief Executive of the Union shall determine when a by-election shall be called.
- 12.2 There shall be no more than two by-elections held in any academic year.
- 12.3 By-elections shall comply with this election by-law with the exception of the following:
- A copy of the election timetable and election by-law will be made available to the Union membership at least 15 academic days before voting opens.
- 12.4 Once elected, members shall commence their term in office from the declaration of results (assuming no complaints are made) until the 30th June that academic year.
- 12.5 Following the Spring election, Major Union Officers will be expected to attend training and onboarding sessions. Failure to attend these or engage with the Students' Union in a meaningful way leading up to the required sessions may result in the role being considered vacant and included in a by-election.
- 12.6 Nominations for positions other than that of Major Union Officers must be open for a minimum of two academic days and will be set at the recommendation of the Deputy Returning Officer.