

## Election Regulations 2020

In order for all SUBU elections to be free and fair there are a number of rules and regulations must be followed.

There are 6 guiding principles agreed by the Returning Officers to ensure fairness, equal opportunities and transparency for everyone involved.

**It is the responsibility of the candidate to ensure that they take reasonable steps to understand the election rules before the election commences.** Any reference to candidates equally applies to their campaign team and supporters. All campaigns should act within the spirit of the election, if candidates are in any doubt about the interpretation of these rules please contact the Returning Officers.

**Breaches of these rules may result in sanctions including disqualification.**

### 1. Principles

- 1.1. The law, University Policies and Union Regulations are all in full force and shall apply to SUBU elections*
- 1.2. Students must be free to cast their vote without undue pressure or influence*
- 1.3. Candidates must treat other candidates, students, staff and members of the public with respect*
- 1.4. Candidates must not undermine the fair and democratic running of elections*
- 1.5. Candidates must not do anything to gain an unfair advantage*
- 1.6. Candidates must respect the campus environment and the community*

### 2. Key Staff

#### 2.1. Returning Officers

The elections are overseen by a Returning Officer (RO) with the assistance of Deputy Returning Officers (DRO's) who are responsible for the good conduct of this election and interpretation of the rules regulating the elections. They will also determine complaints about the election, candidates and campaigns. The RO and DROs are referred to as the 'Returning Officers' throughout this document and may be contacted by email at [subudemocracy@bournemouth.ac.uk](mailto:subudemocracy@bournemouth.ac.uk).

- 2.2. The RO is an external, independent advisor, appointed to ensure that the election is run with third party scrutiny and expertise.
- 2.3. The DRO(s) is the first point of contact, responsible for candidate engagement, day to day supervision and management of the election. The RO will be consulted by the DRO whenever they see necessary throughout the process.
- 2.4. The Independent Elections Adjudicator is an external appeals body that is responsible for ruling on appeals.

## **Guidelines**

### **3. Participation**

- 3.1. Only BU students are eligible to participate in any part of this election.
- 3.2. Candidates and supporters of candidates who have an official role within SUBU or BU, whether this be permanent staff, student staff, volunteers (including trustees and Part-Time Officers) may continue to act in this role but must not abuse their position including: endorsing candidates in an official capacity, campaigning while on duty or utilising resources that others do not have access to. For the avoidance of doubt Clubs and Societies may endorse candidates.

### **4. Expenses**

- 4.1. Each candidate has no more than £50 in Full Time Officer Elections and £20 in all other elections to spend on their election campaign. This will be reimbursed by SUBU after the election, upon the presentation of proof of spend.
- 4.2. All campaign materials produced or primarily used in this election must be accounted for on your expenses form. Proof of each expense must be provided.
- 4.3. Any products/services offered at a reduced price will be assigned a fair price by the Returning Officers, to be deducted from your campaign budget. All sponsorships, gifts and discounts must be disclosed to the Returning Officers before accepting.

### **5. Campaigning**

- 5.1. Candidates must not campaign in any form before campaigning has officially opened. This includes social media.
- 5.2. Candidates must not run on a slate, including running on joint platforms, manifesto promises or branding.
- 5.3. Candidates must not split/pool resources with other candidates.
- 5.4. Candidates are responsible for their own campaign material. Any material left unattended is done so as the candidate's own risk, this includes posters. The students union will not deal with complaints about campaign material being removed, other than in exceptional circumstances.
- 5.5. All campaign materials must be thoroughly removed before the announcement of the election result. For this reason stickers and chalk must not be used throughout campaigning.
- 5.6. Campaign materials that pose a health and safety risk will be removed.
- 5.7. No campaigning may take place in campaign free zones, this includes the use of campaign materials. Campaign free zones include Libraries, Halls of Residence and in the vicinity of any SUBU elections stands.

(a) The RO shall determine what constitutes the vicinity of the election stands and shall be clearly indicated.

(b) Candidates may campaign in halls of which they are a current resident, and may only campaign with they are within their own flat.

## 6. Conduct

6.1. Offensive language of any kind will not be tolerated.

6.2. Candidates are encouraged to participate in healthy debate but should only criticise manifesto points and not candidates personally.

6.3. Campaigners must not cheat, lie or defame other candidates or campaigners.

6.4. It is strictly prohibited for candidates to supply electronic devices or to handle voter's devices.

6.5. Once a student has begun the process of voting no candidate should make any attempt to speak to them or influence them in any way.

6.6. For the avoidance of doubt 'helping' a voter or 'showing them how to vote' will be regarded as a breach of the rules. If a voter needs assistance please direct them to [subudemocracy@bournemouth.ac.uk](mailto:subudemocracy@bournemouth.ac.uk) . Any candidate seen 'helping' students to votes it is subject to disciplinary action.

## 7. Complaints and recounts

7.1. Candidates or their campaign team may request a recount within thirty minutes of the result being announced.

7.2. All complaints will be investigated by the Returning Officers and dealt with in a reasonable and proportionate manner.

7.3. Complaints should be made as soon as possible, and no later than one hour prior to the commencement of the count. Complaints made after this time will be considered in line with the Union's Bye-Laws (Bye-Law 3, Clause 12)

7.4. Only complaints made in writing will be considered. Complaints must have the following information:

- i. Name and contact details of person making complaint (anonymous complaints will not be accepted)
- ii. Name of person being complained about
- iii. Details of incident (including time and date)
- iv. Details of any witnesses/ evidence
- v. Details of which rule has been broken
- vi. Details of the action requested

Complaints may be submitted on the online complaints form

<https://www.subu.org.uk/represented/dandc/regulationsandcomplaints/>

- 7.5. The Returning Officer shall review, determine and communicate the outcome of a complaint to the complainant and anyone to be sanctioned no later than 12pm the following working day after receipt of the complaint. This may only be departed from where complaints are of a complex nature, at the sole discretion of the RO.
- 7.6. The range of decisions that the Returning Officers may take includes (but is not limited to):
- a) Allowing the election to continue/take no action;
  - b) Disqualify or suspend a candidate;
  - c) Suspend or cancel an election for a particular post;
  - d) Suspend or cancel an entire election;
  - e) Issue a clarification and/or guidance to one or all candidates;
  - f) Issue a warning to one or all candidates;
  - g) Take any other action that is deemed appropriate to uphold the fairness of the election, which may include eliminating a candidate from the e-voting site for a period of time or removing campaign materials.
- 7.7. To ensure that there is an impartial, external route of appeal for the handling of complaints about the election or candidates, an appeal can be made to the Independent Elections Adjudicator (IEA). The role of the IEA is limited to being responsible for hearing and determining the outcome of appeals against the decisions of the Returning Officers.
- 7.8. Once an appeal has been launched any sanctions imposed as a consequence will be placed 'on hold' until the outcome of the appeal has been announced.
- 7.9. An individual can appeal a decision of the Returning Officers about conduct during an election within 12 hours of receiving their decision. The appeal should be addressed to the Independent Elections Adjudicator and sent to [subudemocracy@bournemouth.ac.uk](mailto:subudemocracy@bournemouth.ac.uk) and may be made on one or more of the following grounds:
- i. that there was a material procedural irregularity or misinterpretation of the rules governing the election that led to the decision of the Returning Officers being unfair; and/or
  - ii. the decision of the Returning Officers was inappropriate or disproportionate to the nature and seriousness of the complaint.
- 7.10. No new evidence or elements to the complaint made be introduced upon appeal to the IEA unless there are exceptional circumstances, and only then at the discretion of the IEA.
- 7.11. If the appeal is successful, the IEA may overturn the decision of the Returning Officers and then determine what actions should follow, to ensure a reasonable and proportionate outcome. This may include (but is not limited to):
- (a) removing any penalties/sanctions imposed by the RO;

- (b) issuing a warning to candidates/campaigners;
- (c) disqualifying or suspending a candidate/campaigner;
- (d) reinstating a candidate/campaigner;
- (e) confirm that an election should be re-run; and voiding the election of a winning candidate.

7.12. SUBU's Bye-Law 3 contains the full rules of elections and processes for complaints and appeals, and should be consulted in full prior to a complaint or appeal being submitted so as to ensure that your complaint or appeal complies with the rules and can be reviewed.

*If you have any questions about the rules regulating the election, please contact the Returning Officers at [subudemocracy@bournemouth.ac.uk](mailto:subudemocracy@bournemouth.ac.uk)*