

## **Part-Time Officer By-election Regulations August 2023**

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

This document outlines the regulations for the Part-Time Officer By-election 2023, which includes **Part-Time Officers (Liberation Officers) and Faculty Reps.**

There are 6 guiding principles to ensure fairness and transparency for everyone involved.

**It is the responsibility of the candidate to ensure that they take reasonable steps to understand the election regulations before the election commences.**

Any reference to candidates equally applies to others campaigning on their behalf. All campaigns should act within the spirit of the election, if candidates are in any doubt about the interpretation of these regulations, please contact the Returning Officer.

Breaches of these rules may result in sanctions including disqualification.

### **1) Principles**

- a) The law, University Policies and Union Regulations are all in full force and shall apply to SUBU elections
- b) Students must be free to cast their vote without undue pressure or influence
- c) Candidates must treat other candidates, students, staff and members of the public with respect
- d) Candidates must not undermine the fair and democratic running of elections
- e) Candidates must not do anything to gain an unfair advantage
- f) Candidates must respect the campus environment and the community

### **2) Election Officers**

- a) This election is overseen by the Returning Officers who are responsible for the good conduct of the election and interpretation of the regulations of the elections. They will also determine complaints about the election, candidates and campaigns. They are the first point of contact, responsible for candidate engagement, day to day supervision and management of the election.
- b) Returning Officers- Returning Officer and Deputy Returning Officer
  - a) The elections are overseen by a Returning Officer (RO) with the assistance of Deputy Returning Officers (DRO). The RO and DRO 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).
  - b) The RO is an external, independent advisor, appointed to ensure that the election is run with third party scrutiny and expertise.
  - c) The DRO 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.
  - d) Independent Election Adjudicator
    - (1) An external appeals body that is responsible for ruling on appeals and late complaints

### **3) COVID-19 Regulations**

- a) In order to ensure the safety of all candidates, voters and the wider BU community during these elections, certain COVID specific regulations must be followed.
- b) The Returning Officers reserve the right to make amendments to these rules, or provide further guidance, in the potentiality that there is a vast change in national guidance. If this does happen the Returning Officers shall communicate this with all candidates and shall be publicised to the wider student body.

#### **4) Roles, Voting and Participation**

- a) Once the nomination period has closed no new nominations can be added to the election.
- b) Voting shall take place on the SUBU website via secret ballot using Alternative Vote for single-seat and Single Transferable Vote for multi-seat positions.
- c) Those who are elected shall take up their role from for the remainder of the 2023/24 academic year.
- d) In order to be eligible to contest one of the roles you must be eligible at the point of election and for the remainder of the 2023/24 academic year.
- e) There shall also be a 're-open nominations' candidate for all roles.
- f) Should there be a tie the Returning Officer for the election shall conduct a coin toss to determine the outcome.
- g) Part-Time Officers and Faculty Reps only:
  - a) There are 4 Part-Time Officer positions and 3 Faculty Rep Positions available. The roles are as follows:
    - (1) Asian, Arab and Ethnic Minority Officer (Liberation)
    - (2) Black Students Officer (Liberation)
    - (3) Disability, Accessibility and Neuro-Diverse Officer (Liberation)
    - (4) Trans, Non-Binary, Intersex and Gender Identity + Officer (Liberation)
    - (5) Bournemouth Business School Rep
    - (6) Faculty of Media and Communication Rep
    - (7) Faculty of Health and Social Sciences Rep
  - b) Liberation Officer Particulars:
    - (1) In order to be eligible to vote or stand for a Liberation Officer you must be a Student Member of the Union and self-define as a part of the Liberation Group that the position represents.
  - c) Faculty Reps Particulars:
    - (1) In order to be eligible to vote or stand for a Faculty Rep role you must belong to the relevant Faculty.
  - d) For the avoidance of doubt candidates can only contest one Part-Time Officer position. They may also contest a Faculty Rep position.

#### **5) Expenses**

Candidates shall have £20 to spend on their election campaign. This must cover all materials purchased or primarily used during the campaign. This will be reimbursed by SUBU after the election, upon the presentation of proof of spend. Any products or services offered at a reduced price will be assigned a fair price by the Returning Officers.

## 6) Conduct and Campaigning

- a) Offensive language of any kind will not be tolerated.
- b) Candidates are encouraged to participate in healthy debate but should only criticise manifesto points and not candidates personally.
- c) Campaigners must not cheat, lie or defame other candidates or campaigners.
- d) It is strictly prohibited for candidates to supply electronic devices or to handle voter's devices.
- e) 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.
- f) Clubs and Societies may not endorse specific candidates for any Clubs and Societies roles.
- g) Candidates must not campaign in any form before campaigning has officially opened. This includes social media.
- h) Candidates must not run on a slate, including running on joint platforms, manifesto promises or branding.
- i) Candidates must not split/pool resources with other candidates.
- j) 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.
- k) All campaign materials must be thoroughly removed before the announcement of the election result.
- l) Candidates must only use white tac or cable ties to secure items and no campaign material which is deemed to be semi-permanent by the Returning Officers may be used, this includes but is not limited to, blue tac, stickers, cellotape and chalk.
- m) Campaign materials that pose a health and safety risk will be removed.

## 7) Complaints and recounts

- a) Candidates or their campaign team may request a recount within thirty minutes of the result being announced.
- b) All complaints will be investigated by the Returning Officers and dealt with in a reasonable and proportionate manner.
- c) 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)
- d) Only complaints made in writing via the online complaints form will be considered:  
<https://www.subu.org.uk/represented/dandc/regulationsandcomplaints/>
  - (1) Complaints must have the following information:
    - (a) Name and contact details of person making complaint (anonymous complaints will not be accepted)
    - (b) Name of person being complained about
    - (c) Details of incident (including time and date)
    - (d) Details of any witnesses/ evidence
    - (e) Details of which rule has been broken
    - (f) Details of the action requested

- e) 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.
- f) The range of decisions that the Returning Officers may take includes (but is not limited to):
  - (1) Allowing the election to continue/take no action;
  - (2) Disqualify or suspend a candidate;
  - (3) Suspend or cancel an election for a particular post;
  - (4) Suspend or cancel an entire election;
  - (5) Issue a clarification and/or guidance to one or all candidates;
  - (6) Issue a warning to one or all candidates;
  - (7) 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.
- g) 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.
- h) 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.
- i) 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:
  - (1) 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
  - (2) the decision of the Returning Officers was inappropriate or disproportionate to the nature and seriousness of the complaint.
- j) 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. xi) 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)
  - (1) removing any penalties/sanctions imposed by the RO;
  - (2) issuing a warning to candidates/campaigners;
  - (3) disqualifying or suspending a candidate/campaigner;
  - (4) reinstating a candidate/campaigner;
  - (5) confirm that an election should be re-run; and voiding the election of a winning candidate.
- xii) 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 viewed here: <https://www.subu.org.uk/support/subu/constitutionbylaws/>

