

## Byelaw 4 Elections and Referenda

This Byelaw sets out the procedure for the conduct of Elections and Referenda. For the avoidance of doubt, this procedure covers elections for Elected Officers as set out in Byelaw 3.

### 1. Returning Officer

- 1.1. The Board of Trustees shall appoint an independent Returning Officer and a Deputy Returning Officer from Herts SU Staff to oversee free and fair Elections and Referenda at the Students' Union.

### 2. Elections Committee

- 2.1. The Elections Committee shall agree the dates and times of day of Voting.
- 2.2. Dates shall be set taking into account to term dates, Public Holidays and major Union events.
- 2.3. Each Electoral Officer shall be responsible for the conduct of the ballot as indicated by the Returning Officer.
- 2.4. The Deputy Returning Officer will, in conjunction with the Elections Committee, draft the "Supplementary Election Information" which will set out regulations governing the conduct of candidate's campaigns, hustling arrangements, the manifesto deadline, details of polling and any other regulations required to ensure the smooth running and fairness of the election process.

### 3. Publicity

- 3.1. The Elections Committee shall arrange for the publicising of all Elections and Referendums on all sites of the University.

### 4. Voting

- 4.1. The Elections Committee shall arrange for the publicising of all Elections and Referendums with the University.
- 4.2. Voting shall be carried out in electronic format.
- 4.3. Students who are unable to access the online ballot will be entitled to register a postal vote.

## 5. Complaints and Results

- 5.1. Any complaint on the conduct of the Election, Referendum or of any violation of the Byelaws shall be made in writing to the Deputy Returning Officer by close of Voting. Any violation that comes to light after the close of Voting will be dealt with in accordance with the Election's regulations.
- 5.2. If a complainant wishes to appeal a ruling made by the Deputy Returning Officer, this may be made in writing to the Returning Officer within 1 working day of receiving the Deputy Returning Officer's ruling.
- 5.3. Any candidate who is declared elected and against whom a complaint is lodged shall be deemed elected until a decision is made on the complaint.
- 5.4. All results of Elections and Referendums shall be reported by the next meeting of the Elections Committee. The Returning Officer and their nominees shall keep all papers pertaining to the Election or Referendum until this meeting, or for one calendar month or until the complaint is resolved, whichever is the longer period of time.

## 6. Nominations

- 6.1. Each candidate and three other ordinary members of the Union shall sign a nomination form.
- 6.2. No member of the Union shall sign more nomination papers than there are vacancies at the Election, nor may they sign a nomination paper for any Election in which they are not entitled to vote.
- 6.3. Any candidate may withdraw their nomination by informing the Elections Committee in writing before the commencement of Voting.

- 6.4. Under no circumstances shall the Elections Committee and/or Returning Officer, prior to the close of nominations, reveal to any person details of any nomination received.
- 6.5. The forename and surname by which the candidate is commonly known shall be used. In the event of any doubt or dispute the forename and surname as shown on their registration certificate shall be used.
- 6.6. In addition to the successfully nominated candidates, the ballot shall also include 'Re-open Nominations'. Re-open Nominations shall be treated as a candidate for each position.
- 6.7. Any member banned from the Students' Union for antisocial behaviour (including but not limited to unacceptable behaviour, violence, aggression, verbal or physical abuse and vandalism) will not be permitted to run in any Election or By-Election.
- 6.8. No member may stand for election having been previously disqualified from a Hertfordshire Students' Union Election.
- 6.9. No member may stand for election having previously had employment terminated by Hertfordshire Students' Union or the University of Hertfordshire or being subject to a live disciplinary warning from Hertfordshire Students' Union or the University of Hertfordshire.

## 7. Campaigning

- 7.1. Candidates shall comply with the rules contained within the Supplementary Election Information in force at the time of the Election.

## 8. Re-Open Nominations (RON) Campaign

- 8.1. Any full member wishing to run a Re-open Nominations campaign against any post should register this with the Chief Executive Officer within three days from the publication of the nominations. Only one Re-open Nominations campaign will be allowed for each post. If more than one full member registers to run a Re-open Nominations campaign against a post, the Deputy Returning Officer

will call a meeting and instruct all these members to form a group to run the campaign.

- 8.2. Re-open Nominations will be treated like any other candidate and as such will have a campaign budget equal to the other candidates, and will fall under the same disciplinary actions as the other candidates.

## 9. Winner Withdrawal

- 9.1. Where an Elected Officer resigns or is deemed ineligible to take up their post following election, the Deputy Returning Officer (on behalf of the Returning Officer) shall, in accordance with section 10, be permitted to return to the original ballot and elect the candidate with the highest votes once the votes of the withdrawn winner have been re-distributed, following the appropriate vote counting protocol.
- 9.2. This must be conducted before the start of the academic year. If the winner withdraws following the start of the academic year, a By-Election may take place in accordance with the Union's Byelaws.
- 9.3. If the candidate with the highest votes (following re-distribution) no longer wishes to hold the Elected Officer position, their votes will be further redistributed and the next candidate with the highest votes (following redistribution) shall be deemed elected.
- 9.4. If the candidate with the next highest votes also no longer wishes to hold the Officer position, a By-Election may take place in accordance with the Union's Byelaws.

## 10. Counting Procedures

- 10.1. Counting shall be by the Alternative Transferable Vote or Single Transferable Vote as appropriate, as defined by the Electoral Reform Society guidance.

## 11. Referenda

- 11.1. Any question, save those relating to private and confidential matters, employment matters or those for which alternative procedures are established in the Union's Articles of Governance or its Byelaws, may be put to a referendum, subject to the provision of section 4 of this Bye-Law.

## 12. Calling a Referendum

- 12.1. Subject to the provisions of this Byelaw, a referendum may be called in accordance with the Union's Memorandum and Articles of Association.

## 13. Petitioning for a Referendum

- 13.1. A petition for a referendum should be made in writing to the Chair of the Union's Board of Trustees or the Chief Executive Officer.
- 13.2. In case of a petition, the signatories to the petition shall:
  - 13.2.1. Provide proof that they are a UH student *and*;
  - 13.2.2. Provide a contact name, address and student ID number.
- 13.3. In order for the petition to be actioned, it must contain the above details of no fewer than 5% of the membership.
- 13.4. On receipt of a petition for a referendum, the Deputy Returning Officer shall take the necessary steps to organise the referendum.

## 14. Phrasing the Question

- 14.1. Phrasing the question to be put to a referendum shall be the responsibility of the Deputy Returning Officer, who shall consult with the Trustee Board on the matter. The phrasing shall ensure that responses can be gauged by a "Yes/No" vote.

## 15. Referendum Campaigns

- 15.1. The Union will fund up to £50 for each candidate to run their referendum campaign including room bookings. Use of Union facilities for referendum campaign activity shall be subject to the standard scale of charge(s) applicable.
- 15.2. The Deputy Returning Officer shall make a decision on the validity of the referendum campaign. The topic for referendum shall cover the generality of students (ultra-vires law). If the topic does not cover the generality of students then no funding will be given.

## 16. Notification of the Outcome of a Referendum

- 16.1. It shall be the responsibility of the Deputy Returning Officer to ensure that the outcome of the referendum is advertised to the Union's membership.

## 17. Questions of a Like Nature

- 17.1. No questions of like nature shall be put to a referendum within 12 (twelve) calendar months of a previous referendum.