

6. DEMOCRACY AND ELECTIONS BYELAW

This Byelaw describes the process of Elections, Officerships, and Byelaws, as well as the inter-relationships between the democratic bodies of the Union.

Capitalised terms used but not defined in these Byelaws shall have the meaning given to them in the Articles of Association of the Union adopted with effect from 2 January 2023.

PREAMBLE

1. The Union consists of two principle bodies charged with the development, compliance and direction of its work. These are the Board of Trustees and the Union Assembly.
 - 1.1. The Board of Trustees is responsible for the financial, strategic and long-term development of the Union as an organisation. Its terms of reference are detailed in the Board of Trustees Byelaw.
 - 1.2. The Union Assembly is the representative body of the Union and is responsible for the expression of student opinion through debate and policy making, to inform the priorities, positions and advocacy work of the Union. Its terms of reference are detailed in the Union Assembly Byelaw.
2. The relationship between the Board of Trustees and the Union Assembly is such that:
 - 2.1. the Board of Trustees is concerned with the Union as a charity and is responsible for ensuring that the Union has systems and resources in place to support a functioning and vibrant democracy and within this, a Union Assembly;
 - 2.2. the Union Assembly is concerned with the political work of the Union and responsible for the faithful representation of students' views and priorities to the Board of Trustees, via the Full Time Officers, as the Board of Trustees seeks to fulfil its charitable objects;
 - 2.3. policy statements which support the achievement of the Unions objectives are Union Assembly's business, but may also have financial, physical and personnel elements which are the responsibility of the Board of Trustees; and
 - 2.4. if the political decisions of the Union Assembly carry major resource implications the approval of the Board of Trustees may also be required.
3. The work of these bodies is supported by their sub-committees, the Full Time Officer Group and the Union staff team.
4. The wider democratic activity across the Union is devolved to Junior Common Room, Student Group and Club Executives, Academic Representative and the PG Board.

DEMOCRACY COMMITTEE

5. There shall be a Democracy Committee, that shall be a sub-committee of Union Assembly, who shall be responsible for:
 - 5.1. the general maintenance of the Byelaws in order to ensure congruency across the governing documents and correct minor textual errors, ensuring amendments of this nature are submitted directly to the Union Assembly for approval;
 - 5.2. developing student democracy, ensuring that the rules and procedures are fair and accessible to all members, and will be likely to maximise participation;
 - 5.3. co-ordinating Referenda, alongside the Deputy Returning Officer or their nominee, in line with the procedures as laid out in the Referenda Byelaw; and
 - 5.4. producing and making available proxy voting arrangements for each Student Members' Meeting.

DEMOCRACY COMMITTEE MEMBERSHIP

6. The members of the Democracy Committee shall be:
 - 6.1. a member of the Full-Time Officer Group; and
 - 6.2. up to eight JCR Officers, being those responsible for or appoint as a democracy officer, and a PG Board executive.

ELECTIONS

7. Procedures specified in this Byelaw shall govern the running of all Union elections.
8. By principle, all Union elections shall be: fair, open, democratic, accessible and transparent.
9. All Union elections will follow this election sequence:
 - 9.1. Notice of elections;
 - 9.2. Nominations;
 - 9.3. Official Candidate Briefing;
 - 9.4. Campaign period opens;
 - 9.5. Candidates' Speeches;
 - 9.6. Polling Period;
 - 9.7. Count; and
 - 9.8. Publication of Results.

10. Re-open Nominations is the alternative option to candidates on the ballot (RON). RON shall appear as an option on the ballot in all elections and should RON be the elected option, then the post in question shall remain vacant until a by-election is held.

RETURNING OFFICERS

11. The Returning Officer shall be a suitably qualified legal body external to the University, appointed annually by the Board of Trustees.
12. The Returning Officer shall have overall responsibility for overseeing the process of elections within the Students' Union.
13. The Deputy Returning Officer shall be a suitably qualified member of Union staff, appointed by the Trustee Board.
 - 13.1. The Deputy Returning Officer shall be responsible for the day-to-day planning of the elections process, producing guidance/information, briefing and training candidates, administering elections, fielding questions, and referring election complaint appeals to the Returning Officer for rulings to be made.
 - 13.2. The Deputy Returning Officer will have the delegated powers from the Returning Officer to issue formal rulings and warnings, in the first instance, to those taking part in the election in relation to breaches of the election rules.
 - 13.3. The Deputy Returning Officer will assume the responsibilities of the Returning Officer in smaller internal Union elections in which the Returning Officer would not be involved, for example, Student Group elections.

ELECTED POSITIONS

14. The following categories of officer shall be elected by Cross Campus Ballot:
 - 14.1. Full Time Officers;
 - 14.2. NUS Conference Delegates as defined by the NUS; and
 - 14.3. Student Trustees
 - 14.3.1. There shall be at least one undergraduate student trustee and one postgraduate student trustee.
15. The following categories of officer shall be elected by restricted ballot (collegiate):
 - 15.1. JCR Executive as set out in the JCR Terms of Reference; and
 - 15.2. The Postgraduate Board Chair, as set out in the Postgraduate Board Terms of Reference.
16. Student Group Executive Officers, with the exception of JCR and PG Board Officers, will be elected in accordance with the procedures set out in the Student Groups Byelaw under the supervision of the Deputy Returning Officer.

TIMING AND NOTICE OF ELECTIONS

17. Elections for the following Officers and delegates will ordinarily be in week 8 of Michaelmas Term:
 - 17.1. JCR Executive Officers
 - 17.2. PG Board Officers
 - 17.3. NUS National Conference Delegates
 - 17.4. Student Trustees (2)
18. Elections for the following Officers will ordinarily be in week 18 of Lent Term:
 - 18.1. Full Time Officers
 - 18.2. Student Trustees (2)
19. There shall be at least five working days' notice of elections given before nominations open.
20. By-elections shall be run concurrent to other scheduled elections if necessary.
21. Unless the Trustee Board determines otherwise, any vacancies arising in any term shall to the fullest extent possible be the subject of an election held in the eighth week of the term in which the vacancy arises or the following term (if the vacancy arises at any time after the fourth week of term).

NOMINATIONS

22. Nominations for all elections must be open for at least 5 working days.
23. All Members of the Union are eligible to stand for a position in the Union elections, with the exception of where candidacy criteria and electorates have been agreed regarding college or self-defining electorates.
24. Full Time Officers may only stand for election to:
 - 24.1. Full Time Officer; and
 - 24.2. NUS National Conference Delegates.
25. Members cannot nominate for two or more posts that they cannot hold (if elected) concurrently. For the avoidance of doubt, the following rules apply:
 - 25.1. A member cannot hold a Union Assembly position and the role of Student Trustee.
 - 25.2. A member cannot hold multiple positions on Union Assembly.
 - 25.3. A member cannot hold a Full-Time Officer post and any other position on Union Assembly or Trustee Board.
 - 25.4. Any position can be held concurrently with the post of NUS National Conference Delegate.

26. Any Full Time Officer who takes part in an election whilst holding the post of a Full Time Officer should be required to take annual leave whilst campaigning, and will not be allowed to use the facilities afforded to them by their post to assist in a campaign.

CO-OPTION

27. Where no candidates stand for a position, members may be co-opted into position by the Union Assembly, or in the case of JCR and PG Board, by their own executive bodies, and in the case of Liberation and Campaign Officers, where available by their respective forum/assembly.
28. Co-opted officers do not receive a vote, and the position must be put up for election at the next available opportunity.
29. In the event of a vacancy or the removal of a Full Time Officer and/or Student Trustee, those posts shall to the fullest extent possible be the subject of an election held in the eighth week of the term in which the vacancy arises or the following term (if the vacancy arises at any time after the fourth week of term).
30. If a Full Time Officer vacancy arises before the commencement of the academic year, then a by-election will be held, if it happens during term time then the post will not be filled.
31. If a Student Trustee vacancy occurs, a by-election shall be held in term time.

TERMS OF OFFICE

32. Office tenure is based upon an individual's membership status. If an officer ceases to hold full member status of the Students' Union, their office tenure will end.
33. The term of office for Full Time Officers will be one year period, commencing on the 1st July until the 30th June, unless otherwise specified by the Trustee Board,
34. The term of office for the Student Trustees will be 12 month, commencing either on the 1st July until the 30th June or the 1 January until 31 December, unless otherwise specified by the Trustee Board.
35. The term of office for all other elected roles shall be:
- 35.1. JCR executives (1st January to 31st December):
 - 35.2. LCOs (1st July to 30th June):
 - 35.3. PG Board;
 - 35.4. Student Group and Club Execs (as determined by that Group/Club Terms of Reference): and
 - 35.5. Academic Reps appointed at the start of the academic year for that academic year.

ELECTIONS CAMPAIGNING & CONDUCT

36. The Deputy-Returning Officer shall submit a set of campaigning rules and regulations to the Board of Trustees for approval each academic year, after consultation with Democracy Committee.

37. These rules should be adhered to by candidates and used by the Returning and Deputy Returning Officers to make decisions on elections issues.
38. Student Media Groups shall ensure that they give impartial coverage of elections.

POLLING & COUNT

39. The polling period will be open for a minimum of 24 hours. This can be extended at the discretion of the Returning Officer and Deputy Returning Officer.
40. Elections counts shall be conducted by the Deputy Returning Officer with support as appropriate.
41. The results will be sent to the Returning Officer to confirm. This confirmation may take place after the announcement of results.
42. Election counts should ordinarily take place and results be published within 2 working days of a poll's closure.

ELECTIONS COMPLAINTS AND APPEALS

Complaints

43. In the first instance, complaints about election conduct and process should be given in writing to the Deputy Returning Officer. If the complaint is regarding the Deputy Returning Officer, notification should be given in writing to the Returning Officer.
44. Complaints shall either relate to:
 - 44.1. breaches of the elections rules and regulations; and/or
 - 44.2. an irregularity in process; and/or
 - 44.3. activity by person(s) that could reasonably be viewed to have damaged the integrity of the vote.
45. The Deputy Returning Officer shall investigate and arbitrate on all complaints in the first instance.
46. Complaints may be fed into the Union's and/or University disciplinary processes if they are considered not to be an election matter first and foremost.
47. The Deputy Returning Officer can decide to take action based on the outcome of a decision. These actions shall take immediate effect and can include the removal of candidates.
48. If the Deputy Returning Officer believes an offence to have fundamentally damaged the integrity of a vote, then they may also call for the election to be re-run as soon as is considered reasonably practical.

49. All complaints about election conduct must be received before the count begins and no later than one hour after the close of voting.

Appeals

50. Candidates shall have a right to appeal on decisions/rulings made by the Deputy Returning Officer.
51. Appeals shall be submitted in writing to the Deputy Returning Officer who shall refer the matter through to the Returning Officer. The Returning Officer shall consider the evidence and make a formal ruling on the appeal.

Appeal to University

52. If an individual has a complaint over how the Union has managed the election process in relation to their duties under section 22 of the Higher Education Act of 1994, these shall be set out in writing to the University to investigate.

OFFICERSHIPS

53. The Liberation and Campaign Officers of the Students' Union are:

53.1. Liberation & Campaigns Officers:

- 53.1.1. LGBTQAI+ Officer
- 53.1.2. Political Lead of the Accessibility Community
- 53.1.3. Women's+ Officer
- 53.1.4. Chairperson of the BAME Committee
- 53.1.5. International Students' Officer

54. The role descriptions for the Liberation and Campaign Officers shall be laid out in an appendix to this Byelaw. Amendments to these role descriptions are subject to the approval of the Union Assembly and the Liberation and Campaign Byelaw.

55. Student Groups are permitted to create their own Executive Committee officer roles, subject to the provisions as laid out in the Student Groups Byelaw.

BYELAW GOVERNANCE

56. The Democracy Committee shall be responsible for the general upkeep of the Byelaws, and may submit changes and amendments of this nature directly to Union Assembly and the Board of Trustees for approval.
57. Changes to Byelaws must be agreed by a simple majority vote of both the Union Assembly and the Board of Trustees.

58. In the event that Union Assembly and the Board of Trustees do not agree, both bodies should seek to engage to resolve the disagreement. Ultimately, the Board of Trustees are responsible for the legal and efficient functioning of the Union and would not override decisions within the democracy unless those decisions represented significant financial, legal or reputational risk.
59. As such, the Board of Trustees has the ultimate power to veto any changes to Byelaws within the self-imposed confines noted above.
60. Substantive Byelaw changes shall be submitted to the Union Assembly, who may liaise with the proposer to ensure congruency before approval and sending to Board of Trustees for final approval.
61. The Trustees and Union Assembly shall have the power from time to time to jointly make, repeal or amend Byelaws as to the management of the Union and its working practices provided that such Byelaws shall not be inconsistent with these Articles.
62. Any proposed changes to the Articles of Association must either go to Referenda (as detailed in the Referenda Byelaw) or a Student Members' Meeting (as detailed in the Student Members' Meeting Byelaw).
- 62.1. Article change proposals will come as a result of a petition or proposal from Students, Union Assembly to the Board of Trustees.
- 62.2. Proposals must be published to the membership to consider amendments to those proposals for a minimum of seven days.
- 62.3. The Board of Trustees shall consider any proposed amendments from the membership to the proposals and may adopt or reject those amendments to form the final proposals to membership.
- 62.4. Democracy Committee shall produce the referendum question, approve Yes and No campaign leads, and the timing of the referendum.
- 62.5. After referendum, and proposed changes must be approved by University Governing Council and the Charity Commission before they can be implemented.

VERSION:	2025:1
APPROVED BY UNION ASSEMBLY:	May 2025
APPROVED BY TRUSTEE BOARD:	
DATE OF NEXT REVIEW:	May 2026