

## **Bye-Law 1: Democratic Processes**

1.1 In accordance with the Articles of Association, this Bye-Law must include details of the composition and processes for the following:

- 1.1.1 Referenda
- 1.1.2 Annual Student Meetings
- 1.1.3 Student Council
- 1.1.4 Student Officer Committee

### **Referenda**

1.2 A referendum may be called on any issue by:

- 1.2.1 A resolution of the Trustees
- 1.2.2 A resolution of the Student Officer Team
- 1.2.3 A Majority vote of Student Council; or
- 1.2.4 A secure petition signed by at least 5% of the Student Members.

1.3 Referenda shall be conducted in accordance with these Articles and the Bye-laws.

1.4 Subject to Article 31.3 in the articles of association, the student members may set policy by referenda. Policy set by referenda may overturn Policy set by the Student Council and Policy set by the Student Members at a Annual Student Members' Meeting.

1.5 Subject to Articles 17.2 a resolution may only be passed by referendum if at least 10% of the Student Members cast a vote in the referendum and a majority of the votes cast are in favour of the resolution.

1.6 Referenda shall be conducted in accordance with the Articles of Association and Bye-Law: Elections. A general meeting must be held for the purpose of debate, but not to vote, in accordance with following conditions:

1.7 The meeting shall be chaired by the Chair of Student Council or in their absence by a Deputy Chair or ordinary member appointed to do.

1.8 The Returning Officer shall be responsible for choosing the venue or venues to be used for the general meeting.

- 1.9 A general meeting shall be called by at least 7 clear days' written notice. The notice calling a general meeting shall specify the place, day and time of the meeting and the business to be transacted.
- 1.10 Every ordinary member shall have the right to attend and speak at general meetings.
- 1.11 Should a referendum be held in which only a subset of the membership shall be eligible to vote, the same rules apply in the Bye-Law: Elections.
  - 1.11.1 Only ordinary members of the relevant subset of the membership will be eligible to vote in the referendum
  - 1.11.2 Only ordinary members eligible to vote in the referendum will have the right to attend and speak at the general meeting for that referendum.
  - 1.11.3 A turnout requirement proportionate to the number of students who are part of, or who self-identify into the respective subset of the membership shall be determined by the Returning Officer.
- 1.12 A referendum of a subset of the membership may be called where only the following students are available to vote:
  - 1.12.1 Self-defining LGBT+ students
  - 1.12.2 Self-defining women students
  - 1.12.3 Self-defining disabled students
  - 1.12.4 Self-defining ethnic minority students
  - 1.12.5 Mature Students
  - 1.12.6 International students
  - 1.12.7 Postgraduate students
- 1.13 A referendum of a subset of the membership may be called by Student Council on recommendation from the relevant caucus or assembly.

## **Annual Members Meeting**

1.14 Student Members Meetings shall be held in accordance with constitution and the Bye-Law 2: Code of Conduct for Union Meetings.

1.15 At least one Annual Members Meetings shall be held per term.

## **Quorum**

1.16 No decision shall be made at any Student Members Meeting unless a quorum is present. Fifty persons entitled to vote upon the business to be transacted, each being a Member, shall be a quorum.

1.17 If such a quorum is not present, the meeting shall continue that day but no resolution may be put to vote. The chair may use the meeting to gauge student opinion. Any resolution due to be put to a vote at that meeting will be put to the Student Council.

1.18 In cases where the meeting is split over multiple locations the quorum is counted as the total number of voting members present at all locations.

## **Votes of Members**

1.19 A resolution put to the vote of a student members meeting shall be decided on a show of hands and every member shall have one vote.

1.20 Every resolution shall be decided by a simple majority of the votes cast unless the constitution or this bye-law provides otherwise.

1.21 Every resolution shall have the options of 'For', 'Against' and 'Abstain.'

## **Chair**

1.22 The Student Council Chair shall preside as Chair of the meeting.

1.23 In the absence of the Student Council Chair the members present and entitled to vote shall nominate one of the members to chair the meeting.

## **Adjournment**

1.24 The Chair may, with the consent of a meeting at which a quorum is present, adjourn a meeting or agenda item from time to time and from place to place, but no business shall be transacted at an adjourned meeting other than business which might properly have been transacted at the meeting had the adjournment not taken place. When a meeting is adjourned at least seven clear days' notice shall be given specifying the time and place of the adjourned meeting and the general nature of the business to be transacted.

## **Business**

- 1.25 An Agenda for Student Members Meetings should be prepared and circulated in advance of the meeting.
- 1.26 The business to be conducted at Student Members Meetings may include but is not limited to:
  - 1.26.1 Questions for SU Representatives (e.g. Trustees, Student Officers and CEO);
  - 1.26.2 Discussion and voting on referenda or policy;
- 1.27 Relevant issues to student experience, and;
- 1.28 Any other business, to allow for questions from the floor.

## Student Council

- 1.29 The Student Council shall have the following powers;
  - 1.29.1 To represent the voice of Students.
  - 1.29.2 To delegate any of its powers.
  - 1.29.3 To, subject to the Articles of Association and these Bye-Laws, determine Union Policy not determined by a Referendum.
  - 1.29.4 To, for the purpose of accountability, receive and consider regular reports from the Trustee Board and the Student Officer Committee on the general affairs of the Union and on actions taken by the Committee since previous Student Council Meetings.
  - 1.29.5 To make final decisions on the provisional decisions made by the Student Officer Team.
  - 1.29.6 To pass a motion of censure or commendation on any member of the Trustee Board, Student Officer Team, member of the Democratic Procedures Committee or member of Student Council, including the Chair of Council.
  - 1.29.7 To make, repeal and amend these bye-laws jointly with the Trustees.
  - 1.29.8 To co-ordinate representations made on behalf of the members through various Committees, University Committees, and any working groups created by Council.
  - 1.29.9 Receive a quarterly report from the Trustees.
- 1.30 Student Council shall consist of:
  - 1.30.1 The Chair, who shall only have a casting vote, and whose sole duties and powers, shall be to chair the Meetings of Council and prepare in conjunction with the Chief Executive or Designated staff, the agenda for such meetings.
  - 1.30.2 Members of the Student Officer Team.
  - 1.30.3 All Course Reps.
  - 1.30.4 One Representative of each ratified club, society or group of the Union elected by and from members of the club, society or group.
  - 1.30.5 All members of the Students' Union (non-voting).
  - 1.30.6 Union Staff to the agreement of the Chief Executive or Chair (non-voting).
- 1.31 Business shall not be conducted by the Student Council:

- 1.31.1 Unless over 20 representatives are present at a meeting.
- 1.31.2 Policy passed more than two academic years earlier shall be presented to a meeting of the Student Council during the first semester and shall lapse in the absence of a decision to renew all or part of the policy.
- 1.32 Meetings of Student Council shall be conducted in accordance with Bye-Law 2: Code of Conduct for Union Meetings.
- 1.33 Voting during Student Council meetings shall be by a show of hands or Secret ballot as directed by the chair.
- 1.34 The Student Council will meet every month during term time. This will normally involve 5 meetings between November and March and a final meeting in April or May.

## **Student Officer Committee**

1.35 The Student Officer Committee shall include Student Officers both Full-Time and Part-Time as voting members, in accordance with Bye Law 3: Student Officer Job Descriptions, and the Chief Executive or relevant staff member as a non-voting member.

1.36 The Student Officer Committee shall be conducted in accordance with Bye Law: Code of Conduct for Union Meetings and meetings shall meet at least once a calendar month during term time.

1.37 The Student Officer Committee shall be responsible for:

1.37.1 Representation and campaigning work;

1.37.2 The implementation and interpretation of Union Policy;

1.37.3 Coordinating action requested by Student Council;

1.37.4 Any other duties set out in the Articles of Association or these Bye Laws  
The Student Officer Committee may create ad hoc sub-committees to which they can delegate issues for examination and report.

## **Elections**

These are the rules governing the election of all Student Officers, Course Representatives, Union Council Representatives and delegates to the NUS National Conference.

### **The Returning Officer**

2 The Returning Officer shall be appointed annually by the Chair of the Students' Union Trustee Board.

2.1 The Returning Officer should be independent of the Students' Union.

2.2 The Returning Officer / Deputy Returning Officer shall act as adjudicator in all disputes or complaints concerning elections.

### **Elections Officer**

2.3 The Student Officer Committee will appoint an Elections Officer, usually from the serving Full Time Officers.

2.4 The Elections Officer will chair the Elections Committee and nominate a Vice-Chair.

2.5 The Elections Officer will chair Hustings, the candidates' briefing and also the elections results event.

2.6 The Elections Officer will monitor the candidates' use of online social media and report any breaches to the Elections Committee.

2.7 The Elections Officer will provide students with information about the elections and be the first point of contact for enquiries about the Officer positions.

2.8 The Elections Officer will remain independent of all candidates' campaigns.

### **Deputy Returning Officer**

2.9 The Returning Officer shall appoint a Deputy Returning Officer, who will be a member or a staff member of the Students' Union.

2.10 The Deputy Returning Officer will organise and oversee the day to day running of the elections and support the Elections Officer.

2.11 The Deputy Returning Officer will provide staff with information about the elections and be the first point of contact for staff enquiries.



2.12 The Deputy Returning Officer will remain independent of all candidates' campaigns.

### **Elections Committee**

2.13 There must be an Elections Committee in place for every election held by the Students' Union to agree the details of the elections consider any complaints and ensure fair play.

2.14 When an election is called, the Executive must form the elections committee.

2.15 The Elections Committee has the power to deliver warnings, sanctions or alternatively disqualify candidates.

2.16 The Committee will be chaired by the Elections Officer.

2.17 The Committee will consist of the Returning and Deputy Returning Officers and at least two students.

2.18 The Elections Committee will meet daily in the four days prior to and including voting day.

2.19 In the event of a split vote in the Elections Committee, the Returning Officer has the final casting vote.

2.20 Quoracy of the Elections Committee: 3 members.

### **Timetable**

2.21 The Elections timetable will be set at the beginning of each academic year through the Elections Committee.

2.22 Elections for minor officer holders and NUS delegates should run concurrently.

2.23 The Elections Officer is responsible for ensuring that a timetable is produced for the elections ensuring that there are clear deadlines relating to: the opening and closing of nominations, candidates' training, campaigning, voting and announcement of results.

### **Candidates**

2.24 All candidates shall be current members of the University of Suffolk Students' Union who are enrolled on a programme of study at the University of Suffolk.

- 2.25 Officer trustees and student trustees will be eligible to hold post for a maximum of two years (subject to their re-election for a second term of office).
- 2.26 There is no restriction on the number of years that a student may hold other committee positions.
- 2.27 Each candidate will have access to the Candidates' Information Pack, including a full copy of the Elections Regulations. The Election Regulations will be made available online during the election period.
- 2.28 A meeting of all candidates standing will be arranged and chaired by the nominated Elections Officer after nominations have closed.

### **Nominations**

- 2.29 Nominations must be made on an official nominations form, available from all Students' Union offices and online.
- 2.30 Nominations must be submitted by hand to the Students' Union reception at the Ipswich Waterfront Campus or self-nomination through online processes outlined by the Deputy Returning Officer.
- 2.31 Nominations shall require proof of date and time submitted, the office for which the candidate is standing and the names, addresses, telephone numbers, student numbers, course, year and signatures of the candidate together with a proposer and a seconder (both of whom must be full members of the Students' Union).
- 2.32 Nominations shall be open for at least two calendar weeks, and must open at least two weeks before the voting period begins.
- 2.33 The Returning Officer will make arrangements for the submission and verification of all nominations.

### **Publicity**

- 2.34 No printed publicity material (i.e. T-shirts, flyers, posters) shall be worn or displayed until a given date after the nomination process has closed.
- 2.35 Campaigning on Social Media may commence after the Candidates' Briefing, which shall be held after the nominations process has closed.
- 2.36 All publicity material shall be approved by the Student's Union Elections Officer prior to use to ensure it adheres to SU policy. Publicity material will not be approved if it:

- 2.36.1 Refers to any individual Students' Union member or staff member (past or present) by name other than him or herself
- 2.36.2 Contains factual inaccuracies
- 2.36.3 Contains opinion expressed as fact
- 2.36.4 Advocates discrimination
- 2.36.5 May be prejudicial to the fair running of the elections.
- 2.37 All publicity material must display the Students' Union logo or official stamp.
- 2.38 Publicity material shall not be displayed in SU offices.
- 2.39 SU will provide dedicated spaces on all campuses for the display of campaign material.
- 2.40 In all other areas candidates shall check that the Deputy Returning Officer has gained permission from the relevant authority before displaying publicity.
- 2.41 SU will print publicity materials as approved by the Returning Officer.
- 2.42 Flyer and poster designs shall be approved by the Elections Committee prior to campaigning to ensure equity and legality of each candidate's campaign.
- 2.43 Candidates must not site posters or flyers in such a way as to cause damage to the University or SU premises (or on fire exits).
- 2.44 Campaigners must ask permission from lecturers before any 'lecture shouts'.
- 2.45 Posters / flyers may be displayed in the public areas of halls of residence and in the windows of students who have given their expressed consent to do so.
- 2.46 Any candidate or candidate's supporter or agent found to have defaced or removed another's posters / flyers will incur a warning or may be disqualified from the elections (see 15)
- 2.47 Candidates are responsible for the actions of their supporters: a candidate's ignorance of their supporter's breach of the rules is not a defence.
- 2.48 Permanent staff of the Students' Union will act impartially and will not assist any candidate in their campaign.
- 2.49 Student staff employed by the Students' Union are not allowed to campaign whilst at work or whilst wearing the SU uniform.

2.50 Full time elected Officers are not permitted to campaign for re-election whilst carrying out their Officer duties.

2.51 Candidates will have space on the official SU website to display electronic versions of their posters, manifesto and any other material agreed by the Elections Committee.

2.52 Candidates are allowed to use specified social media to promote their campaign but must make a nominated individual from the elections committee an 'administrator' of their pages for monitoring reasons.

2.53 Further guidelines shall be considered by the Returning Officer.

### **Manifesto**

2.54 All candidates must submit a manifesto containing their pledges to members if elected.

2.55 All candidates' manifestos shall be published by the SU through current and relevant media.

2.56 The SU shall be responsible for ensuring candidates have a question time where members of the SU can ask questions.

### **Candidates' Briefing**

2.57 All candidates must attend a briefing to be held after the end of the nominations period. If any candidate does not attend, they risk disqualification from the elections.

2.58 This briefing will include making candidates aware of the responsibilities they would be undertaking as trustees, and ensuring that they are eligible to become Trustees.

2.59 Candidates may bring up to one student supporter (campaign agent) to the briefing.

2.60 Candidates and their agent will be given an opportunity to put direct questions to the Deputy Returning Officer and Elections Officer about campaigning, the voting process and rules.

### **Hustings ('Question Time')**

2.61 Each Hustings event will start promptly at the time advertised.

2.62 Hustings will be chaired by the Elections Officer.

2.63 Candidates must attend all advertised Hustings events. If they do not attend without a reason acceptable to the Elections Committee, they may be disqualified from the elections.

- 2.64 The date/s of voting shall be determined by the Elections Committee and published in advance of the elections in question.
- 2.65 Voting stations will be located at each campus, the location of which will be publicised prior to voting.
- 2.66 The Representation and Democracy Coordinator shall be responsible for arranging staffing of the Voting Stations and any other related elections duties.
- 2.67 Full or Honorary members of the Students' Union are eligible to vote in SU elections. University and Students' Union staff are not eligible to vote.
- 2.68 In any election where only one position is available shall be conducted under the Alternate Vote System.
- 2.69 In any election where multiple positions are available shall be conducted under the Single Transferable Vote System.
- 2.70 Both systems shall be run under the guidance of the rules set by the electoral reform society.
- 2.71 RON (re-open nominations) shall be a 'candidate' in each election.
- 2.72 The Returning Officer shall publicise arrangements for those not able to vote in person.
- 2.73 The Elections Officer shall be responsible for ensuring that the ballot is accessible to the membership for a reasonable period of time.

### **Rules context**

- 2.74 The elections shall be run using those rules set by the Returning Officer but candidates shall be made aware that these are not exhaustive but for the purposes of the elections law, University policy and Union policy are a compulsory rule.
- 2.75 The SU staff shall convene a count team.
- 2.76 The count shall commence following the resolution of any complaints.
- 2.77 Each candidate shall have the opportunity to send an observer to view the count.
- 2.78 The count should take place within 24 hours of the completion of the vote.
- 2.79 Votes will automatically be recounted for a position should candidates for that position have a total count differential of 3% or less of the total votes cast for that position.

- 2.80 In the event of a tie, there shall be two recounts. In the event of a tie after the two recounts, a further ballot for that position only shall be run within five working days.
- 2.81 The candidate with the highest number of valid votes shall be elected to office.
- 2.82 The Returning Officer may request a recount should he / she deem that foul play or procedural irregularities may have occurred. Recounts will not be carried out under any other circumstances.
- 2.83 After the count, the Returning Officer will seal up the ballot papers and these shall be kept in a secure location for a period of five working days, during which time any challenge to or complaints about the count should be made.

### **Complaints and Breach of Conduct**

- 2.84 In the first instance all complaints should be made to the Returning Officer or Deputy Returning Officer, who will reply to the complainant within three working days.
- 2.85 Anonymous complaints will not be considered. The complainant must provide their full name and email address and give comprehensive details of the complaint.
- 2.86 Any complaint relating to the election must be made before the count commences. Once the count has commenced, no complaints will be considered unless they relate specifically to the count. Complaints about the count must be made verbally to the Returning Officer or Deputy Returning Officer at the count.
- 2.87 If the Returning Officer or Deputy Returning Officer believes that there may be grounds for a complaint or a breach in conduct, the person / persons involved will be given the opportunity to make written representations to the Elections Committee.
- 2.88 The Elections Committee has four options after considering a complaint / breach of conduct:
- 2.88.1 Take no action;
  - 2.88.2 Issue a warning. A second breach of the regulations will result in disqualification from the elections;
  - 2.88.3 Immediate disqualification from the elections;
  - 2.88.4 Suspend the elections.
- 2.89 A proven malicious / false complaint from a candidate (or their campaigner) will be treated as a breach of election conduct.

- 2.90 The decision of the Elections Committee will be communicated to all parties verbally and via email.
- 2.91 Appeals will be dealt with by the Students' Union Chief Executive and a senior member of University staff not previously involved in the elections process.

### **Rules relating to By-Elections**

- 2.92 By-elections shall be run in Semester 1 of each academic year to elect Executive Officers for roles that were not filled at the general election, as well as to elect the ordinary reps to Students' Union Council.
- 2.93 The Returning Officer will also be responsible for ensuring their good conduct.