

Bye-Law 1: Democratic Processes

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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 Student members have the power to establish policies through referendums, except where Article 31.3 in the Articles of Association says otherwise. Policies created through referendums can overturn policies set by the Student Council and those set by the Student Members during an Annual Student Members' Meeting.

1.5 Subject to Article 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.

1.7 A general meeting must be held for the purpose of debate, but not to vote, in accordance with following conditions:

- 1.7.1 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.
- 1.7.2 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.
- 1.7.3 Every ordinary member shall have the right to attend and speak at general meetings.
- 1.8 Should a referendum be held in which only a subset of the membership shall be eligible to vote, the same rules apply as in the Bye-Law: Elections.
- 1.8.1 Only ordinary members of the relevant subset of the membership will be eligible to vote in the referendum
- 1.8.2 Only ordinary members eligible to vote in the referendum will have the right to attend and speak at the general meeting for that referendum.
- 1.8.3 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.
- 1.9 A referendum of a subset of the membership may be called by Student Council

Annual Members Meeting

- 1.10 Annual Student Members Meetings shall be held in accordance with the rules of the Union.
- 1.11 At least one Annual Members Meetings shall be held per year.

Quorum

- 1.12 For the Annual Members meeting a quorum of 50 members must be present for the meeting to go ahead.

Votes of Members

1.13 Every resolution shall be decided by a simple majority of the votes cast unless the Articles or this Bye-Law provides otherwise.

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

Chair

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

1.16 The Student Council Chair shall be elected at the first council of the academic year. A Deputy Chair will also be elected at this meeting.

1.17 All members shall be eligible to stand for the position of the Chair or Deputy Chair unless they hold either a Part Time Officer role or Full Time Officer role at the Union.

1.18 The Deputy Chair will assume the role of Chair in the absence of the Chair, and if both are unavailable, an election to appoint a temporary replacement will be held at that council meeting.

Business

1.19 An Agenda for Student Members Meetings should be prepared and circulated in advance of the meeting.

1.20 The agenda shall include...

1.20.1 Ratification of minutes of the previous annual Student Members' meeting;

1.20.2 Receiving the report of the Trustees on the Union's activities since the previous annual Student Members' meeting;

1.20.3 Receiving the accounts of the Union for the previous financial year;

1.20.4 Approving the list of affiliations of the Union;

1.20.5 Open questions to Student Trustees by the Student Member;

1.20.6 Questions for SU Representatives (e.g., Trustees, Student Officers);

1.20.7 Discussion and voting on referenda or policy;

1.20.8 Any other business.

Student Council

1.21 The Student Council shall have the following powers:

1.21.1 To represent the voice of Members;

1.21.2 To delegate any of the decisions within its remit to another defined democratic group;

1.21.3 To, subject to the Articles of Association and these Bye-Laws, determine Union Policy not determined by a Referendum;

1.21.4 To, for the purpose of accountability, receive and consider regular reports from the Student Officer Committee on the general affairs of the Union and on actions taken by the Committee since previous Student Council Meetings;

1.21.5 To make final decisions on the provisional decisions made by the Student Officer Team;

1.21.6 To pass a motion of censure or commendation on any student member of the Trustee Board, Student Officer Team, member of Student Council, including the Chair of Council;

1.21.7 To make, repeal, and amend these Bye-Laws, jointly with the Trustees, and they will take effect once approved by the Trustee Board;

1.21.8 To co-ordinate representations made on behalf of the members through various Committees, University Committees, and any working groups created by Council.

1.22 Student Council shall consist of:

1.22.1 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 the agenda for such meetings;

1.22.2 All members of the Students' Union;

1.22.3 Union Staff can attend as non-voting observers unless the chair or 50% majority decides otherwise (non-voting).

1.23 The Student Council can only conduct business when there are 20 or more voting representatives at the meeting. The Chair can vote only in the case of a tied vote.

1.24 Policies that were approved over two academic years ago must be brought to a Student Council meeting held in the final semester, and if there's no decision to renew some or all of the policy, it will automatically expire.

1.25 Meetings of Student Council shall be conducted in accordance with Bye-Law 2: Code of Conduct for Union Meetings.

1.26 The council will meet at least five times a year.

Student Officer Committee

1.27 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 or relevant staff members to provide structural support.

1.28 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.

1.29 The Student Officer Committee shall be responsible for:

1.29.1 Representation and campaigning work;

1.29.2 The implementation and interpretation of Union Policy;

1.29.3 Coordinating action requested by Student Council;

1.29.4 Any other duties set out in the Articles of Association or these Bye-Laws;

1.29.5 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 must be an independent individual separate from both the Students' Union and the institution.

2.2 In all matters related to disputes or complaints concerning elections, the role of adjudicator shall be assumed by the Returning Officer.

Deputy Returning Officer

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

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

Candidates

2.5 All candidates shall be current members of the University of Suffolk Students' Union.

2.6 Full Time Officers 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).

2.7 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.

2.8 A meeting of all candidates standing will be arranged after nominations have closed.

Nominations

2.9 Nominations must be made through the University of Suffolk Student Union Website.

2.10 The Deputy Returning Officer will oversee the organisation of nomination submission and verification processes.

2.11 Campaigning can begin after the Candidates' Briefing.

Publicity

2.12 No printed publicity material (i.e. T-shirts, flyers, posters) shall be worn or displayed publicly until the completion of the candidate briefing.

2.13 Campaigning on social media may commence after the Candidates' Briefing.

2.14 Publicity material shall not be displayed in SU offices.

2.15 Any candidate or candidate's supporter found to have defaced or removed another's posters/flyers will incur a warning or may be disqualified from the elections.

- 2.16 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.
- 2.17 Permanent staff of the Students' Union will act impartially and will not assist any candidate in their campaign.
- 2.18 Student staff employed by the Students' Union are not allowed to campaign whilst at work or whilst wearing the SU uniform.
- 2.19 Elected Officers in full time positions are prohibited from engaging in re-election campaigns while fulfilling their official duties.
- 2.20 Further guidelines shall be considered by the Returning Officer.

Manifesto

- 2.21 All candidates must submit a manifesto containing their pledges to members if elected.
- 2.22 All candidates' manifestos shall be published by the SU through current and relevant media.
- 2.23 In the nomination information there will be guidance on both creating manifestos as well as a deadline for submission of manifestos.

Voting

- 2.24 Full members of the Students' Union are eligible to vote in SU elections. University and Students' Union staff are not eligible to vote.
- 2.25 In any election where only one position is available, this shall be conducted under the Alternate Vote System.
- 2.26 In any election where multiple positions are available, this shall be conducted under the Single Transferable Vote System.
- 2.27 Both systems shall be run under the guidance of the rules set by the Electoral Reform Society.
- 2.28 RON (re-open nominations) shall be a 'candidate' in each election.

Rules context

2.29 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 the Law, University policy and Union policy are a compulsory rule.

2.30 The count shall commence following the resolution of any complaints.

2.31 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 2 weeks.

2.32 The candidate with the highest number of valid votes shall be elected to Office.

2.33 The Returning Officer may request a recount should they deem that foul play or procedural irregularities may have occurred. Recounts will not be carried out under any other circumstances.

Complaints and Breach of Conduct

2.34 In the first instance all complaints should be made to the Deputy Returning Officer, who will reply to the complainant within 24 hours.

2.35 Anonymous complaints will not be considered. The person making the complaint must provide their complete name and email address, along with thorough details of the complaint. Please rest assured that all complaints will be handled with the utmost confidentiality.

2.36 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.

2.37 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 Returning Officer and Deputy Returning Officer.

2.38 The Returning Officer has four options after considering a complaint/breach of conduct:

2.38.1 Take no action;

2.38.2 Issue a warning. A second breach of the regulations will result in disqualification from the elections;

2.38.3 Immediate disqualification from the elections;

2.38.4 Suspend the elections.

2.39 A proven malicious/false complaint from a candidate (or their campaigner) will be treated as a breach of election conduct.

2.40 The decision of the Returning Officer will be communicated to all parties verbally and via email.

Rules relating to By-Elections

2.41 By-elections shall be run no later than the end of Semester 1 of the following academic year.

2.42 The Returning Officer will also be responsible for ensuring their good conduct.