

Election Regulations 2024/25

In order for all SUBU elections to be free and fair, there are a number of rules and regulations must be followed. Further information can be found in SUBU's Bye-Laws.

There are 6 guiding principles agreed by the Returning Officers to ensure fairness, equal opportunities and transparency for everyone involved.

It is the responsibility of the candidate to ensure that they take reasonable steps to understand the election rules before the election commences. Any reference to candidates equally applies to their campaign team and supporters.

All campaigns should act within the spirit of the election - if candidates are in any doubt about the interpretation of these rules, please contact the Deputy Returning Officer.

Returning Officers

The elections are overseen by a Returning Officer (RO) with the assistance of Deputy Returning Officer (DRO) who are responsible for the good conduct of this election and interpretation of the rules regulating the elections. They will also determine complaints about the election, candidates and campaigns. The RO and DROs are referred to as the 'Returning Officers' throughout this document and may be contacted by email at subudemocracy@bournemouth.ac.uk.

- **The RO** is an external, independent advisor, appointed to ensure that the election is run with third party scrutiny and expertise.
- **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.
- **The Independent Elections Adjudicator** is an external appeals body that is responsible for ruling on appeals.

Rules and regulations

Breaches of these rules may result in sanctions including disqualification.

1. Principles

- a. Candidates shall conduct themselves in accordance with the Election Regulations, Union and University Policy, and the law

- 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. Participation

- a. Only BU students are eligible to participate in any part of this election.
- b. 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.
- c. For the avoidance of doubt, Clubs and Societies may endorse candidates.

3. Expenses

- a. Each candidate has no more than £40 in Full Time Officer Elections and £20 in all other elections to spend on their election campaign. This will be reimbursed by SUBU after the election, upon the presentation of proof of spend.
- b. All campaign materials produced or primarily used in this election must be accounted for on your expenses form. Proof of each expense must be provided.
- c. Any products/services offered at a reduced price will be assigned a fair price by the Returning Officers to be deducted from your campaign budget. All sponsorships, gifts and discounts must be disclosed to the Returning Officers before accepting.

4. Campaigning and Pledges

- a. Candidates must submit their pledges prior to the pledge's deadline. Failure to do so could result in removal from the election.
- b. Candidates must not campaign in any form before campaigning has officially opened. This includes social media and promotion of pledges.
- c. Candidates must not run on a slate, including running on joint platforms, pledges or branding.
- d. Candidates must not split/pool resources with other candidates.
- e. Candidates are responsible for their own campaign material. Any material left unattended is done so at the candidate's own risk - this includes posters. The Students' Union will not deal with complaints about campaign material being removed, except in exceptional circumstances.
- f. All campaign materials must be thoroughly removed before the announcement of the election result.

- g. 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 stickers, Sellotape and chalk.
- h. Campaign materials that pose a health and safety risk will be removed.
- i. No campaigning may take place in campaign free zones, this includes the use of campaign materials. Campaign free zones include Libraries, Halls of Residence and in the vicinity of any SUBU elections stands.
 - i. The DRO shall determine what constitutes the vicinity of the election stands and shall be clearly indicated.
 - ii. Campaigning must not take place within Halls of Residence, unless the candidate is within their own flat.

5. Conduct

- a. Candidates should take time to understand the rules that apply to this election and consider any implications that could arise from cultural differences. E.g., cheating and coercion is seen as acceptable in some cultures. It is not acceptable here; the rules, and campaigning in good nature, are taken seriously.
- b. Candidates are encouraged to participate in healthy debate.
- c. It is strictly prohibited for candidates to supply electronic devices or to handle voter's devices.
 - i) Once a student has begun the process of voting, no candidate should make any attempt to speak to, influence, or interfere with them in any way.
 - ii) For the avoidance of doubt, 'helping' a voter or 'showing them how to vote' will be regarded as a breach of the rules. If a voter needs assistance, please direct them to subudemocracy@bournemouth.ac.uk. Any candidate seen 'helping' students to votes or it is subject to disciplinary action.

6. 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 will be considered. Complaints must have the following information:
 - i. Name and contact details of person making complaint (anonymous complaints will not be accepted)
 - ii. Name of person being complained about

- iii. Details of incident (including time and date)
 - iv. Details of any witnesses/ evidence
 - v. Details of which rule has been broken
 - vi. Details of the action requested
- e. Complaints may be submitted on the online complaints form:
<https://www.subu.org.uk/represented/dandc/regulationsandcomplaints/>
- f. The Deputy Returning Officer (DRO) shall review, determine and communicate the outcome of a complaint to the complainant and anyone to be sanctioned as soon as reasonably possible and no later than 2 days after the receipt of the complaint.
- g. The DRO shall have discretion as to the appropriate course of action in relation to any complaint. The actions of the DRO may be as follows:
- i. Take no action.
 - ii. Issue warnings to one or all candidates.
 - iii. Disqualify a candidate.
 - iv. Suspend or re-run the election (elections must not be suspended for longer than four working days); or
 - v. Take any other action which is deemed appropriate to uphold the fairness of the election, including but not limited to banning campaigning, or removing a candidate from the online voting site for a period of time.

7. Appeals

- a. A complainant appealing a decision of the Deputy Returning Officer (DRO) shall be referred to as the 'appellant' in this section.
- b. An appellant may appeal a decision made by the DRO. Appeals must be made within twelve hours of the DRO's decision being sent to the appellant. Any such appeal will be referred to the Returning Officer (RO).
- c. The outcome of the appeal shall be communicated to the appellant and anyone affected by the outcome of the appeal as soon as possible.
- d. 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.
- e. The request for an appeal must include the decision being appealed and the grounds for appeal. The appeal should be addressed to the DRO and sent to subudemocracy@bournemouth.ac.uk and may be made on one or more of the following grounds:
 - i. There was a material procedural irregularity or misinterpretation of the rules governing the election that led to the decision of the DRO being unfair; and/or
 - ii. the decision of the DRO was inappropriate or disproportionate to the nature and seriousness of the complaint.

- f. Evidence that was not presented to the DRO may not be presented to the RO, unless there are exceptional circumstances that warrant its inclusion. This is to be decided at the discretion of the RO.
- g. Where the RO determines that the grounds for appeal have not been met the appeal shall be unsuccessful and the RO shall uphold the DRO's decision.
- h. Where the RO determines that the grounds for the appeal have been met then the appeal shall be successful. The RO shall determine the action to take. Such action should be appropriate and proportionate, taking into consideration the seriousness of the complaint and the extent to which the DRO's course of action was reasonable in the circumstance.
- i. Actions taken by the RO in response to a successful complaint shall include one of the following:
 - i. Taking no further action, leaving the DRO's decisions/sanctions in place.
 - ii. Overturning the decision of the DRO and removing sanctions imposed by the DRO.
 - iii. Issuing a warning/clarification to one or all candidates.
 - iv. Disqualifying or reinstating a candidate.
 - v. Ordering the suspension of an election/count or allowing it to proceed.
 - vi. Ordering a recount.
 - vii. Voiding the election of a winning candidate.
 - viii. Confirming the election of a winning candidate; or
 - ix. Taking any action that is deemed appropriate and proportionate to the nature and seriousness of the complaint to uphold the fairness of the election.
- j. The RO shall provide a brief written statement with the reasons for its decisions, whether or not an appeal has been successful.
- k. An appellant may appeal a decision made by the RO. Appeals must be made within twelve hours of the RO's decision being sent to the appellant. Any such appeal will be referred to the Independent Elections Adjudicator (IEA).
- l. The outcome of the appeal shall be communicated to the appellant and anyone affected by the outcome of the appeal as soon as possible.
- m. Once an appeal has been launched any sanctions imposed as a consequence of the original complaint will be put on hold until the outcome of the appeal has been announced.
- n. The request for an appeal must include the decision being appealed and the grounds for the appeal.
- o. Appeals will only be heard on the grounds that:
 - i. There was a material procedural irregularity or misinterpretation of the rules governing the election that led to the decision of the RO being unfair; and/or
 - ii. That the decision of the RO was inappropriate or disproportionate to the nature and the seriousness of the complaint.

- p. Evidence that was not presented to the RO may not be presented to the IEA, unless there are exceptional circumstances that warrant its inclusion. This is to be decided at the discretion of the IEA.
- q. Where the IEA determines that the grounds for the appeal have not been met the appeal shall be unsuccessful and the IEA shall uphold the RO's decision.
- r. Where the IEA determines that the grounds for the appeal have been met then the appeal shall be successful. The IEA shall determine the action to take. Such action should be appropriate and proportionate, taking into consideration the seriousness of the complaint and the extent to which the RO's course of action was reasonable in the circumstance.
- s. Actions taken by the IEA in response to a successful complaint shall include one of the following:
 - i. Taking no further action, leaving the RO's decisions/sanctions in place.
 - ii. Overturning the decision of the RO and removing sanctions imposed by the RO.
 - iii. Issuing a warning/clarification to one or all candidates.
 - iv. Disqualifying or reinstating a candidate.
 - v. Ordering the suspension of an election/count or allowing it to proceed.
 - vi. Ordering a recount.
 - vii. Voiding the election of a winning candidate.
 - viii. Confirming the election of a winning candidate; or
 - ix. Taking any action that is deemed appropriate and proportionate to the nature and seriousness of the complaint to uphold the fairness of the election.

If you have any questions about the rules regulating the election, please contact the Deputy Returning Officer at subudemocracy@bournemouth.ac.uk