

## **The Cardiff Met SU Election Rules**

### **Rule 1**

Candidates are expected to maintain the principles of a fair and free election.

### **Rule 2**

All candidates must abide by the law, University, and union policies.

### **Rule 3**

Candidates are expected to run campaigns maintaining respect for both other candidates and the process.

### **Rule 4**

Candidates should only engage in campaign activity that is accessible to all candidates.

### **Rule 5**

All official SU and University resource must remain impartial to election activity.

### **Rule 6**

All election financial procedures must be adhered to.

### **Rule 7**

Campaigning may only take place as specified in the nominations pack and/or on the website.

## **General Regulations**

1. The rules will be interpreted and enforced by the Returning Officer Team. The Returning Officer Team are responsible for the good conduct and administration of elections and have the power to govern and interpret all matters relating to elections in accordance with the Rules. Rulings of the Deputy Returning Officer are subject to appeal by the Returning Officer and any decision made by the Returning Officers are final and will be clearly communicated to candidates involved.
2. Where rules or regulations refer to 'candidates' this encompasses any member participating in election activity on behalf of a candidate. The candidate is held responsible for all actions related to their election activity.
3. The Deputy Returning Officer has the responsibility for running the day-to-day operations of the elections.
4. The Returning Officer is external to the SU, and has final say on appeals, as well as having the opportunity to make decisions on running day to day operations if required.

## **Election process**

1. Nominations
2. Post-Voting Declaration

### 3. The Count

#### **Nominations**

1. All nominations must be submitted before the deadline as set out on the Election webpage of the SU and must be submitted through the online form on the webpage.
2. Only Cardiff Met SU members can nominate themselves in the election, and they need to be enrolled at the Cardiff Met University at the point of candidate briefing.
3. To be eligible to run in the election, you need to be a current Cardiff Met University student, studying in Cardiff City.
4. A completed nomination will consist of a completed online nomination form. We highly encourage the candidates to include a manifesto and a picture to help distinguish themselves in the election. Please note the manifesto deadline will be after the nomination deadline, allowing you to make changes post nomination deadline. Nominations are not required to include supporting proposers.
5. Candidates must nominate themselves under the name they are registered with the University or by an alternative name by which they are commonly known. Such an alternative name must be clearly specified on the nomination form and the Returning Officers retains the right to deem alternative names inappropriate if seen as offensive.

#### **Post-Voting Declaration**

1. After the close of voting and prior to the vote count, all candidates would be asked to sign a declaration confirming they agree the election happened free and fair, and are not aware of any rule-breaking that they wish to report, which could change the outcome of the election

#### **The Count**

1. During the SU election, before the count can begin, there must first be scrutiny in the first hour after voting closes of Declarations of Candidates' Expenditure, and sign the post-voting declaration.
2. Once all deliberations have been completed, the count may begin. The Returning Officer, Deputy Returning Officer, and Clerk to the University Governors Board or their representative shall be present for count.
3. The SU uses non-transferable voting system, meaning candidate with the most votes in wins.

#### **Regulations of the rules**

##### **Rule 1: Candidates are expected to maintain the principles of a free and fair election.**

1. A free and fair election is defined as the will of the electorate as expressed in genuine, free and fair elections on the basis of universal, equal and secret participation.

2. Corrupt practices within the election will not be tolerated and may lead to penalties or disqualification from the election. Corrupt practices are defined as, but not limited to:

- a) Giving money or any gift to a voter in order to secure votes.
- b) Giving, providing or paying, wholly or in part, for any food, drink or entertainment for any voter in order to secure votes.
- c) Use of or threatening to make use of any force, violence, or restraint toward anyone in relation to the election, either by a candidate or someone acting on the candidate's behalf.
- d) Falsification of any document or information that is a requirement of the election procedures.
- e) Any other serious misconduct or behaviour that undermines the conduct of the elections as determined by the Returning Officers, including, but not limited to, discriminatory behaviours and online harassment.

3. Candidates should at all times adhere to the relevant data protection regulations and not use any email lists which may compromise this. For the avoidance of doubt, University mailing lists or SU mailing lists may not be used.

4. SU Sport Clubs and SU Societies may endorse and promote candidates in the election, but to do so needs to be discussed and approved by their committee. Sports Clubs and Societies are encouraged to ask the SU to ask all candidates to attend their meetings / events to speak directly with members.

**Rule 2: All candidates must abide by the law, University, and union policies.**

1. Any activity that is illegal or against regulations of the Cardiff Met University or SU areas/buildings is deemed to be in breach of the election rules. Candidates unsure must ask relevant building management to confirm what is appropriate.

2. Candidates may be subject to action from the Returning Officers.

**Rule 3: Candidates are expected to run campaigns maintaining respect for both other candidates and the process.**

1. Debate within the election is welcomed and encouraged but should be related to matters of the election and the candidate's suitability to represent the student body and not that of an individual's identity, appearance, belief system, or any protected characteristic.

2. All rules and regulations apply to any member participating in a candidate's election or campaign activity.

3. Candidates are held responsible for the actions of any member participating in their election or campaign activity.

**Rule 4: Candidates should only engage in campaign activity that is accessible to all candidates.**

1. Innovative campaign activity and candidates being creative to stand out is welcomed and encouraged. This may be a fun video or other niche way of getting your message out to students.
2. All campaigns must be conducted in a way that maintains a free and fair election.
3. Candidates may not use personal favours to reduce the cost associated with any campaign activity; market value cost must be associated with all campaign activity. Please see the election financial procedures for further information.

**Rule 5: All official SU and University resource must remain impartial to election activity.**

1. SU staff and University staff who are not members of the SU are not permitted to support specific candidates in elections and must remain neutral.
2. Postgraduate Research (PGR)/PhD Students, or any other student acting in the capacity of a tutor or demonstrator, cannot in their role as seminar leaders/lecturers, etc. support or campaign on behalf of a candidate.
3. Sabbatical officers are required to take annual leave to campaign physically should they be running in the elections and care to not use any SU resources, including official online accounts, nor online campaign while working, or otherwise benefit from their current position as a Sabbatical Officer.
4. From the announcement of the election dates to the announcement of the result, the SU shall ensure neutrality in the election.
5. It is suggested that at least one debate/Q&A session between all candidates takes place, facilitated by the SU.
6. Candidates are allowed to use the SU logo in their promotional materials. No other corporate or charity logos are allowed, including the Cardiff Met University logo.

**Rule 6: All election financial procedures must be adhered to.**

**Financial Procedures:**

1. All campaign expenses incurred by a candidate must be recorded on a Candidates' Expenses Form with all receipts included and must be emailed to [okucerak@cardiffmet.ac.uk](mailto:okucerak@cardiffmet.ac.uk) before the close of voting
2. Candidates may only spend a total of £75 in their election campaign; all of this (pending audit of the expenses form) will be reimbursed.
3. Every reasonable expense must be incorporated into this budget including but not limited to; blue tack, Cellotape, rope, and online advertisements.
4. Anything used in a campaign must be accessible to all candidates regardless of financial ability.
5. Candidates may use and/or create their own website and social media pages to promote their campaign. Any costs incurred for this must be recognised in the campaign budget.
6. After the close of voting all candidates are required to perform a reasonable clean-up of both campuses they campaigned on.

## **Rule 7: Campaigning may only take place as specified in the nominations pack and/or on the website.**

1. Physical campaigning is defined as, but not limited to, distributing print media, use of banners, T-shirts, talking to students, and all other written materials.

2. Digital media campaigning includes all materials shareable on social media and websites. This may include, but is not limited to, social media content, or videos to promote the candidates.

3. Prospective candidates, i.e., candidates that have submitted the election paperwork but haven't attended candidate briefing yet, may only release their manifesto once their candidacy and manifesto have been confirmed to be following rules 1-7 by the Returning Officers, and all candidates have been announced by the Returning Officers. This does not limit the prospective candidate to announce their intent of running in the election on social media.

4. Campaigning cannot occur in the following places:

- Student Services (To avoid any confusion, this is the second floor of A Block on Llandaff Campus and the ground floor of A Block between the library and B Block corridor on Cyncoed Campus).
- You are able to place campaign materials in the IT suites on both campuses, however you may not actively campaign in these spaces
- You are not able to campaign in the halls of residence

## **Complaint Regulations**

1. All members are entitled to lodge a complaint should they feel any of the 7 rules have been breached.

2. All complaints must be lodged through the elections complaint form and refer to which rule has been breached as well as evidence. The regulations of the rule in question should also be referenced. The Returning Officers will consider no other form of complaint.

3. Complaints relating to any part of the campaign must be submitted before the count and should be submitted as soon after the alleged infraction as possible.

4. All complaints must be received prior to the signing of post-voting declaration. Any complaint submitted past this time will only be considered only if there is evidence the actions reported have had a severe impact on the outcome of the election.

5. The Returning Officers shall make rulings as soon as possible

6. The Returning Officers may also act without receipt of a complaint if they deem it necessary.

7. Levels of Misconduct – There are 3 levels of misconduct in the election based on severity of the misconduct, which result in different penalties given the candidate is found in breach of the election rules. They are expanded on at the end of the rules under "Levels of Misconduct and Penalties"

8. Ignorance of any rules will not be accepted as an acceptable excuse for rule breaks.
9. Any ruling of Deputy Returning Officer shall be subject to appeal to the Returning Officer.
10. Ruling of the Returning Officer are final and have no further right of appeal.

## **Levels of Misconduct and Penalties**

### Level One Misconducts:

- a) Use of inappropriate material
- b) Minor Anti-Social behaviour

### Level Two Misconducts:

- a) Repeat Level One Misconducts
- b) Misuse of the SU or the University resource to gain unfair advantage over other candidates
- c) Campaigning outside of the given timeframe, and gaining an unfair advantage
- d) Using threatening or abusive language
- e) Intentionally damaging property of candidates, or other members of the SU community

### Level Three Misconducts:

- a) Repeat Level Two Misconducts
- b) Behaving in a violent, indecent or threatening manner
- c) Engaging in deception towards the Returning Officers
- d) Engaging in a way which compromises health and safety of others
- e) Behaving in a discriminatory way
- f) Harassing a member of the SU community
- g) Exchanging money or goods in return for votes
- h) Not complying with the Election Financial Procedures

The Returning Officers reserve the right to escalate the offense to a higher level if the impact and severity of the misconduct on the election outcome becomes too significant. If a misconduct is not provided above, then the Returning Officers will assess the severity of the impact on the election and in their ruling provide the level of misconduct in the outcome.

#### Level One Penalties:

- a) A written reprimand

#### Level Two Penalties:

- a) A written reprimand
- b) A Fine of no more than £25 which will be taken out of the campaigning budget. If this will take candidate over the campaign budget, they need to inform the Deputy Returning Officer immediately and provide evidence of everything they spent to the point the outcome is given to them. They will not be disqualified but no additional spend will be allowed. Any additional spending will automatically disqualify the candidate.

#### Level Three Penalties:

- a) Immediate suspension from the election
- b) Referring the case to SU and/or University Disciplinary processes

The Returning Officers may impose combination of the outcomes available to them.

#### **Rights of Appeal**

- 1) A student can appeal against the decision of a Deputy Returning Officer, but only if there are valid grounds to appeal. Possible grounds for appeal are:
  - a) The Election Complaints Regulations were not followed
  - b) The Penalty imposed was unreasonable, that is in one which no reasonable person, properly advised, would have imposed under the Election Complaints Regulations
- 2) An appeal against the outcome of complaints regulations must be submitted to the SU election website, no longer than as soon as possible following the outcome of a complaint.
- 3) Upon receipt, the Returning Officer will be notified and conduct an appeal hearing
- 4) If the appeal is upheld, the Returning Officer can remove any/all penalties or impose a different sanction.
- 5) Outcome shall be communicated to all parties as soon as possible following the appeal hearing.