

**Motion Name:** Clarifying the Elections Process role of Democratic Standards Committee during Elections

**Proposer Name:** Adam Michael

**Seconder Name:** Lu Macey

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***Background:***

1. Students' Union Elections are monitored by the Deputy Returning Officer, with an external Returning Officer to offer any final rulings (Byelaws 3.4, 3.5)
2. Election and Referenda Rules have historically set out by Democratic Standards Committee, who are democratically elected students (Byelaws 3.3, 3.8, 4.7, 10.8)
3. In reality the SU carries out rulings on elections via the Deputy Returning Officer, using the election rules, and the Returning Officer is consulted if there is a major rules breach which needs to be escalated
4. Bristol SU allows self-nomination in our elections, but the byelaws make reference to requiring nominees to have nomination support from their peers. This is an outdated and an unnecessary barrier to students hoping to stand in our elections
5. There is also confusion on the timeline of elections, the roles that students can stand for as well as what roles they can vote for

***Purpose:***

1. To clarify the role of the Democratic Standards Committee on how they set and approve election rules
2. To clarify the role of the Returning Officer and Deputy Returning Officer to align with current practices
3. To ensure a clear referral to the Appeals on Elections Complaints Procedure

***Actions:***

1. To change the relevant Byelaw 3 and clauses under Elections to reflect current practices for the Deputy Returning Officer and Returning Officer
  - a. **Original Text:** 4. The Returning Officer is the sole competent official to adjudicate on elections decisions except for appeals to their decisions.

**Byelaw 3, Clause 4 - new proposed wording:** The Returning Officer is the ultimate competent official to adjudicate election decisions except for appeals to their decisions. Their appointed Deputy will help deliberate and operationally

deliver election rulings

- b. **Original Text:** 6. The Returning Officer has the power to appoint deputies and other election officials from staff of the Union, Members and appropriate external people. Any external appointments must be notified to the Board of Trustees. All staff appointments must be authorised by the Chief Executive.

**Byelaw 3, Clause 6 - new proposed wording:** The Returning Officer has the power to appoint deputies and other election officials from staff of the Union, Members and appropriate external people. Any external appointments must be notified to the Board of Trustees. All staff appointments must be authorised by the Chief Executive. The Deputy shall serve as executive decision maker for most of Elections with the Returning Officer approving major decisions such as the disqualification of a candidate.

The Deputy shall make decisions for sanction breaches, with approval from the Returning Officer. The Returning Officer will have final say on disqualification of a candidate.

- c. **Original Text:** 8. The Returning Officer is responsible for producing the election or referendum regulations, which must be approved by the Democratic Standards Committee prior to the commencement of the election process. See Appendix 1 for current regulations.

**Byelaw 3, Clause 8 – New Wording:** The Returning Officer is responsible for setting the election or referendum regulations in consultation with Democratic Standards Committee (as defined in Byelaw 6). Sanctions will be determined by the Deputy Returning Officer and approved when necessary by the Returning Officer.

- d. **Original Text:** 11. Notice of elections must be given a minimum of seven days before nominations open. Nominations must open at least fourteen days before the opening of polling. Polling must be at least for one day and no more than ten days.

**Byelaw 3, Clause 11 - new wording:** Notice of elections must be given a minimum of seven days before nominations open. Nominations must be open for at least fourteen days before the opening of polling. Polling must be open for at least one day and no more than ten days. This will be amenable for any relevant by-elections that needs to take place outside of usual election periods.

- e. **A removal of Byelaw 3, Clause 15** (“Members require at least two and not more than five other Student Members to nominate them for a position.”)

2. To amend **Byelaw 10, Clause 8:**

**Original Text:** “In the event that a Student Member is found to have breached elections regulations, the Returning Officer may instigate sanctions as approved by the Democratic Standards Committee prior to the commencement of the election.”

**New wording:** “In the event that a Student Member is found to have breached elections regulations, the Deputy Returning Officer may instigate sanctions. Should a student wish to appeal these sanctions they may appeal to the Returning Officer.

- a. This specifically refer to appealing of any Election Rulings, rather than appeals of Code of Conduct breaches.
  - b. Should a student wish to appeal a decision regarding a Student Code of Conduct breach they must follow the process laid out in the Union’s Complaints Policy”
3. To clarify in Byelaw 10 regarding Student Appeals that the appeals process for Elections will be outlined in the Election Rules unless relevant to student member conduct (the purpose of the student appeal process)
  4. To amend Byelaw 8, clause 4 sections A and B:

**Original Text:** “In the situation that a Union Officer were to vacate their role, voluntarily or involuntarily, their roles and responsibilities are not to be left vacant once the legal procedure to terminate their contract is completed. Their replacement may take two forms:

a) If there are more than 6 months left of tenure: A Full-Time replacement, under the same paid conditions, is to be found via the process of a by-election, following all of the Union’s formal election rules.

b) If there are less than 6 month left, part-time replacements are to be put in place – this could take the form of the relevant Chairs of Networks, Faculty Representatives (in the case of the UG and PG Education Officers), the remainder of the Full-Time Officer team and/or Union staff. Undertaking this role would not result in an increase in pay for the other Full-Time officers, or SU Staff, and would not lead to those students holding part-time representation roles receiving the salary that the Full-Time Officer, had they remained in their post, would have received. However, holding these additional responsibilities, shall not incur a cost on those taking them on, and they shall be reimbursed for any costs associated with their role, as a Full-Time Officer would be.”

**New wording:** “In the situation that a Union Officer were to vacate their role, voluntarily or involuntarily, their roles and responsibilities are not to be left vacant once the legal procedure to terminate their contract is completed. Their replacement may take two forms:

a) If there are more than 9 months left of tenure: A Full-Time replacement, under the same paid conditions, is to be found via the process of a by-election, following all of the Union’s formal election rules laid out in Byelaw 3.

b) If there are less than 9 months left, part-time replacements are to be put in place – this could take the form of the relevant Chairs of Networks, Faculty Representatives (in the case of the UG and PG Education Officers), the remainder of the Full-Time Officer team and/or Union staff. Undertaking this role would not result in an increase in pay for the other Full-Time officers, or SU Staff, and would not lead to those students holding part-time representation roles receiving the salary that the Full-Time Officer, had they

remained in their post, would have received. However, holding these additional responsibilities, shall not incur a cost on those taking them on, and they shall be reimbursed for any costs associated with their role, as a Full-Time Officer would be.