OU Students Association By-Election Rules 2019

1. Eligibility
Only full members of the Association, who meet the definition detailed by clauses 12.1 and 12.3 of our Constitution below, can stand for election:

12.1 Each and every registered student, aged 18 or over, who has not opted out by notifying the Chief Executive of their wish not to be a Member of the Association;

12.3 Any student who has achieved their registered qualification and applied for and been granted extended membership to cover a gap in registered student status not exceeding twenty-four months.

Candidates must not have been expelled from membership following a disciplinary decision of the Association.

Candidates for all roles must be based in the UK, Republic of Ireland or continental Europe.

2. Role-specific eligibility
Candidates for Student Trustee positions must not be disqualified from acting as a Charity Trustee or Company Director.

Candidates for the Association Officer roles Vice-President Community must not be disqualified from acting as a Company Director.

Please refer to the Charity Commission for details of disqualification criteria from serving as a Charity Trustee (https://www.gov.uk/guidance/automatic-disqualification-rules-for-charity-trustees-and-charity-senior-positions). Please be aware that we will carry out eligibility checks on all candidates for these positions and successful candidates will be required to sign the Charity Commission’s
declaration of eligibility and responsibility. It is an offence under Section 60(1)b of the Charities Act 2011 to knowingly or recklessly provide false or misleading information.

Candidates for Faculty Association Representative roles can only stand for election for their home Faculty. Open Degree students may also stand for election representing a particular Faculty, if the majority of their study is within that Faculty and they are currently studying with that Faculty.

Candidates for Area Association Representative roles can only stand for their home Nation/Region where they currently reside.

3. Roles available

<table>
<thead>
<tr>
<th>Role</th>
<th>Positions Available</th>
</tr>
</thead>
<tbody>
<tr>
<td>Association Officers</td>
<td>1 position in total:</td>
</tr>
<tr>
<td></td>
<td>✓ Vice President Community.</td>
</tr>
<tr>
<td>Student Trustees</td>
<td>3 positions in total.</td>
</tr>
<tr>
<td>Faculty Association Representative</td>
<td>1 position in total, University Faculty:</td>
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<tr>
<td></td>
<td>✓ Business and Law (FBL);</td>
</tr>
<tr>
<td>Area Association Representative</td>
<td>1 position in total;</td>
</tr>
<tr>
<td></td>
<td>✓ Republic of Ireland.</td>
</tr>
</tbody>
</table>

Candidates are allowed to stand for up to two roles. Candidates can be elected to a position on both the Central Executive Committee and the Board of Trustees, but not to two separate roles on the Central Executive Committee.

Further details on all roles, including role descriptions and summary information can be found on the Association by-elections website.

4. Timetable

These are the key dates that all candidates should note and bear in mind. Times are all GMT UK.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date (2019)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominations Open</td>
<td>7th Feb</td>
</tr>
<tr>
<td>Nominations Close</td>
<td>18th Feb</td>
</tr>
<tr>
<td>Profiles Live and Election Forums Open</td>
<td>22nd Feb</td>
</tr>
<tr>
<td>Voting Opens</td>
<td>27th Feb</td>
</tr>
<tr>
<td>Voting Closes</td>
<td>11th March</td>
</tr>
<tr>
<td>Results Announced on oustudents.com</td>
<td>13th March</td>
</tr>
<tr>
<td>Online Induction for Elected Reps (Timing TBC)</td>
<td>15th March</td>
</tr>
</tbody>
</table>

5. Nomination form

In order to stand for election, candidates must complete fully a self-nomination form via the online voting portal at www.ersvotes.com/oustudents. Candidates should recognise that the completed nomination form will act as their candidate profile throughout the process.
Eligibility will be checked using the details provided and it is up to candidates to ensure that this is complete and accurate. Inaccurate information may lead to a candidate’s nomination being rejected by the system.

Candidates must submit a manifesto of no more than 500 words a brief video and photograph as part of the nomination form. This is a limit and not a target, but please be aware that additional words will be deleted. Manifestos will not be proof-read for the accuracy of spelling and grammar, but we will remove inappropriate wording. A manifesto gives the candidate an opportunity to tell voters why they are standing and why voters should vote for them.

Candidates are also required to upload a photograph of themselves as part of the nomination form and a short video (no longer than 3 minutes). The photograph should be an appropriate portrait photograph. We are happy for candidates to interpret ‘video’ in a number of ways and encourage creativity. The ‘video’ could be live action, a voice over/audio only or a PowerPoint presentation. Candidate videos should be appropriate and must not breach any of the campaign rules.

Extra guidance and support on standing, writing a manifesto and creating your video is available in the ‘Candidate Zone’ on our website.

Once a candidate has submitted their nomination form, they are free to announce their own candidacy and begin their election campaign.

6. Campaigning

We ask that candidates keep three key principles in mind when campaigning:

i) **Be Fair**: Don’t break the rules. Don’t pressurise voters. Only do what others have an equal opportunity to do. Keep in mind the [7 Nolan principles of public life](#) which are a good framework for how you should seek to act during and after the process.

ii) **Have Respect**: Campaign positively.

iii) **Be Positive**: Enjoy it and get creative about the opportunity that lies ahead and why you want to do it. Your enthusiasm will rub off on voters.

7. Campaigning rules

Candidates…

- Must promote their own candidacy for the elections. Get creative, use the means available to you to let other students know that you’re standing and why they should vote for you. Make use of social media and the Students
Association’s official Elections discussion forums in order to campaign and to engage with voters.

✓ Must not make use of personal connections or funding, commercial relationships or resources available to them by way of their position to gain an advantage over other candidates.

✓ Must not discuss their candidature during their official duties. Anyone who currently holds a role within the Association may continue to act in that capacity during the process.

✓ Must refrain from running or encouraging negative and personal campaigns. Debate is encouraged and so this does not prevent candidates or voters from critiquing other manifestos or campaign ideas, but comments should be kept to the detail and not the person, offering alternative opinions and ideas in a positive manner.

✓ Must understand that candidates will be held responsible for the actions taken by others on their behalf.

✓ Must not utilise external media coverage of the elections, candidates without approval by the Returning Officer prior to publication.

✓ Must respect that every student has the right to vote confidentially and freely. Candidates must not help students during the process of voting, assistance will be available through the Association and the online voting portal.

✓ Ensure their campaigns are not wholly endorsed or wholly dismissed by a decision or official representative of the Executive, Board of Trustees, Subsidiary of the Association, Association staff team or advisor, University staff, Society or Group, Commercial or Political organisation. This is the responsibility of both the candidate and the aforementioned bodies.

✓ Must not form group slates or joint campaigns with other candidates regardless of roles sought.

✓ Must not endorse or reject other candidates for different roles as part of their campaign.

✓ Not spam voters or official Association websites or media channels. Campaigning does mean a degree of self-promotion and messaging will be tolerated, but candidates should be mindful not to go overboard with such activities (guidance for campaigning is available through the Association website).
✓ Allow other candidates the opportunity to campaign and not attempt to block or interfere with such activity.

✓ Not block, alter or re-interpret official communications, images or publications from the Association about the Elections.

✓ Obey relevant laws and University codes of practice and generally act in a manner with the decency befitting the role they are running for.

✓ Be respectful of each other, current Executive members or Trustees, Association staff, University staff and the reputation of both the Association and the University generally.

Voters must…

✓ Voters are also reminded to behave responsibly and fairly during the period in line with our anti-bullying and harassment procedures and other applicable codes.

✓ Be respectful of each other, current Executive members or Trustees, Association staff, University staff and the reputation of both the Association and the University generally.

The Returning Officer reserves the right to deal with any other inappropriate behaviour in line with the spirit of these rules.

8. Withdrawing from the process
Candidates may withdraw at any point in the process by informing the Returning Officers on oustudents-elections@open.ac.uk.

9. Hustings
Following the close of the nominations process on Monday 18 February 2019 all eligible candidate profiles will be uploaded to the online voting portal and made public on Friday 22 February 2019. All voters and other candidates will be able to read the profiles and manifestos. Videos, photographs and transcripts will be uploaded as soon as possible on or after this date.

10. Voting
For the avoidance of doubt, candidates are also able to vote.

Voting (from 27 February 2019) is open to all Association members who meet the criteria listed in Paragraph 12 of our Constitution which is available to view on the Association’s website.

Voting will be held online via the ERS online voting portal. Eligible students will receive voting information in due course via direct email from the Association and from our election partners Electoral Reform Services (ERS) Ltd. When casting votes
on the online portal, students rank candidates in order of preference and can rank as many or as few of the candidates as they wish.

Any voter not in receipt of a voting email should email oustudents-elections@open.ac.uk.

There will be a facility for voting for ‘re-open nominations’ for all single-position roles (the Association Officers, Faculty Association Reps, and Area Association Reps). It will not be present for multi-position roles (student Trustees).

Voters can vote in all elections for the Association Officers, Trustees, and Faculty Association Reps.

Voters can only vote for the Area Association Rep that represents their home Nation/Region.

All votes will be counted following the close of voting and conducted using the rules laid down by Electoral Reform Services Ltd for running elections by the Single Transferable Vote system.

The election count will run in the following order:
- Vice President Community
- Student Trustees
- Faculty Association Representative, Faculty of Business and Law
- Area Association Representative, Republic of Ireland

11. Results
Results will be announced live on Wednesday 13 March on the Association website soon afterwards.

12. Discipline, Moderation and Complaints
A number of OU Students Association staff and student volunteers have been appointed to work together as forum moderators for the duration of the period. Their role is to act on behalf of the Returning Officer to help facilitate a successful, fair and positive election.

The OU Students elections email inbox will be monitored throughout the period by staff supporting the elections process. Please be aware that we anticipate a high volume of email traffic but we will endeavour to respond to emails as soon as we can.

Any complaints about candidate conduct or the elections process should be raised in a timely manner and no later than one hour after the close of voting.

All complaints must be substantiated with evidence and explicitly state which rule(s) has been broken.
Action will be taken where complaints are upheld by the Returning Officers. Such action could include:

- Informal warning
- Formal warning, which may also be published on our official channels
- Candidate or voter asked to issue an apology or retraction, which may also be published on our official channels
- Percentage of votes/number of voters docked
- Disqualification of a candidate or a voter
- Referral of the matter to the Association’s disciplinary procedures
- Referral of the matter to the University’s disciplinary procedures

Decisions by the Returning Officer are final and not subject to appeal. The Returning Officer reserves the right to consider complaints as vexatious and may take action accordingly. The Returning Officer has a student Elections Review Group that they may call upon for assistance to support their decision making at their own discretion.

The Returning Officers for these elections are Beth Metcalf, Head of Volunteering and Sam Harding, Head of Student Voice. Complaints should be sent via email only to oustedents-elections@open.ac.uk.

END
OU Students Association, 2019