

Elections Policy and Procedure

Approval Date:	July 2024	Approval Authority:	LUSA Executive
Review Date:	July 2026	Contact Officer:	LUSA President

Purpose

1. The purpose of the policy is to:
 - 1.1. Ensure that the Lincoln University Students' Association (LUSA) elections are conducted fairly, efficiently, and democratically.
 - 1.2. Establish principles for how student association elections will be administered.
 - 1.3. Establish expectations for the conduct of student association elections.
 - 1.4. Encourage the maximum participation amongst its members.
2. This document sets out the administrative procedure to ensure that the Lincoln University Students' Association (LUSA) elections are conducted in a fair, efficient and democratic manner while encouraging maximum participation amongst members

Principles

3. LUSA recognises that freedom of speech and expression are a guaranteed part of fair and democratic elections, in accordance with relevant legislation.
4. All elections are to be free from harassment, intimidation or abuse and will be conducted in a manner that is free from undue interference including material produced by all candidates.
5. Nothing in this policy will contradict the LUSA Constitution, nor will anyone subject to this policy act in a manner which is inconsistent with the LUSA Constitution.

Definitions

6. In this policy, unless the context otherwise requires:
 - 6.1. Bi-election means an extraordinary election where a casual vacancy exists.
 - 6.2. Campaign period means the period from the opening of nominations to the close of voting.
 - 6.3. Campaigning means the process of actively or passively promoting a candidate standing for election on the LUSA Executive. This includes any attempt to persuade voters to vote for or not vote for a particular candidate.
 - 6.4. Casual vacancy means the situation where any Executive position is currently unoccupied, or where there is no person elected to fill a position following any election.
 - 6.5. Nominee means nominated candidate
 - 6.6. Voting period means any time during which voters are able to cast ordinary votes.

Roles and Responsibilities

7. **LUSA Executive**
 - 7.1. Is appointed by the LUSA Executive one (1) month before the opening of nominations, and will hold their position until the Executive has received an election report, normally within 20 working days of the close of voting.
 - 7.2. The LUSA Executive (Executive) assists the Returning Officer, as needed and where appropriate, to ensure the elections are conducted in a proper, fair and democratic manner.
 - 7.3. The Executive is responsible for setting critical dates of the nomination and election process.

7.3.1. No less than 21 days before elections commence.

7.3.2. Set by substantive motion.

7.4. Set the dates for any bi-election by substantive motion, provided it is satisfied:

7.4.1. Sufficient time remains to run an effective election so that it resembles a standard election timeframe.

7.4.2. Any elected officer would serve for a reasonable length of time.

7.4.3. The running of an election would not be unduly expensive.

7.5. No Executive or staff member may publicly support or oppose an election candidate visually (by wearing or distributing campaign materials physically, or online) or verbally (via statements, publications, public announcements) or any other means, unless they are an election candidate.

8. LUSA President

8.1. Manages any disputes and appeals received during the election process outside the Returning Officer's authority in accordance with Clause B5 of the Constitution.

8.2. Receives complaints against any party except for a candidate.

9. The General Manager

9.1. The General Manager is responsible for ensuring publicity for the elections is undertaken.

9.1.1. Post a notice calling for nomination for the LUSA Executive and circulate the notice through appropriate media.

9.1.1.1. The notice must specify the nomination dates no later than seven (7) days before nominations open.

9.2. Promote the elections and all candidates through any other appropriate media.

9.2.1. This publicity must include the date and time of elections and how to vote.

9.3. Update the LUSA website with all candidate statements and photographs once nominations have closed and until the close of voting. Extend this to other relevant social media.

9.3.1. Update the notice in the event that a candidate withdraws.

9.4. Coordinate an "election Q&A" session at least ten (10) days before voting commences.

9.5. Coordinate a "meet the candidates" event no more than five (5) days before voting commences.

10. The Returning Officer

10.1. Oversees the promotion and running of the election, and coordinates the nomination process.

10.2. If no Returning Officer is appointed, vacates the position, is absent, or incapacitated, the General Manager will hold the position of the Returning Officer until a new appointment is made.

10.3. Ensures that the online voting system meets the specifications and requirements laid down in the LUSA Constitution.

10.4. Manages complaints against candidates, disputes and appeals.

10.5. Is responsible for ruling on whether to disallow votes not submitted in the specified manner or that are not sufficiently clear.

10.6. Has sole discretion to allow the entry of a vote where a member believes that their name has been wrongly recorded as already voted.

10.7. Ensure an electoral roll is available at LUSA reception at least 7 days before the election begins, and is removed one day before voting begins.

10.8. In conjunction with the General Manager, ensure that LUSA's Candidates Information Sheet and the LUSA Executive Nomination Form are updated.

10.9. Inform candidates of the rules of the election.

- 10.10. Be available for candidates and all Lincoln University students to answer questions on the rules or organisation of the election.
- 10.11. Advise all Lincoln University students of their rights and the process on how to vote, at least 7 days before the election.
- 10.12. Post a daily notice listing open positions and the number of accepted nominations for each position.
- 10.13. Publicise all candidates running for positions, within 24 hours of nominations closing. This is to remain in place until the close of voting on election days.
- 10.14. Receive all nominations for the LUSA Executive until 9 days before the election dates.
- 10.15. On receipt of a nomination form from a candidate, ensure that the form is completed, and that:
 - 10.15.1. The prospective candidate is eligible to stand.
 - 10.15.2. The endorsers are eligible to endorse.
- 10.16. Notify all valid nominees and request a photograph and brief candidate statement, if it is not already provided.
- 10.17. If the requirements under the above clause (10.17) are not met, this is considered a refusal by the nominee to accept their nomination.
 - 10.17.1. Make the nominee aware of their right to appeal to the LUSA Executive through the President.
 - 10.17.2. Where a nominee appeals the eligibility of their nomination, their nomination is considered valid until the Executive determines otherwise.
- 10.18. The Returning Officer may not refuse to accept a nomination for any reason other than form or eligibility.
- 10.19. Announce the results of any election or poll within 24 hours of voting closing in the following order, and note in the announcement the number of votes cast for each candidate:
 - 10.19.1. Candidates.
 - 10.19.2. General population.
- 10.20. Voting must be available on no less than two consecutive days and no more than four days.
- 10.21. Confirm that the system meets the specifications and requirements laid down in the LUSA Constitution.
- 10.22. Check the voting form, ensuring the names and photographs of candidates are listed in alphabetical order by surname under the positions they are standing for. The positions are to be listed in the order as per Clause 16 of the Constitution.
- 10.23. Ensure the system allows all Lincoln University students to vote, and only vote once for each position.
- 10.24. Test that the secrecy of the ballot is maintained.
- 10.25. Test that on the ballot, in all elections and for each position, there is an option to vote "no vote" and "no confidence" in the candidates.
- 10.26. Inform the candidates to whom a complaint relates, and where appropriate any other party to the breach, of the complaint. They should be given a minimum of 24 hours to prepare their response.
- 10.27. Announce all affected election results as "provisional" until the complaint and any subsequent appeals are resolved.
- 10.28. When a complaint is upheld, apply either a restriction, limitation or penalty (including disqualification), taking into account:
 - 10.28.1. The seriousness of the breach.

- 10.28.2. The potential or actual effect the alleged breach may have or has had on the outcome of the election; and
- 10.28.3. The intention of the candidate in committing the breach; and repeated breaches of the rule by a candidate.

10.29. Disqualification may be appropriate in case of:

- 10.29.1. Damage to property.
- 10.29.2. Serious, or repeated harassment, intimidation or abuse of any persons.
- 10.29.3. Any attempt to undermine the integrity of the elections.
- 10.29.4. Serious or repeated deliberate or negligent breaches of the rules; or
- 10.29.5. Serious or repeated disregard for the instructions of the Returning Officer of the University and its officers.

10.30. Once the complaint and/or the appeal process are concluded, and determinations have been made, publicly notify the detail of the complaint and any responses, where appropriate.

10.31. Check that any appeal is signed by at least ten (10) Lincoln University students

10.32. Within 20 working days of the close of voting, complete the report for the LUSA Executive which contains, as a minimum:

- 10.32.1. A summary of the results.
- 10.32.2. A summary of issues, complaints and feedback that arose before, during and after the election.
- 10.32.3. Recommendations on improvements to the election process.
- 10.32.4. Any other matters relevant to the elections.

Candidates

11. Candidates must sign all forms provided by the Returning Officer, confirming they have read all rules relating to the election and agree to abide by them.
12. All candidates running for positions will be publicised within 24 hours of nominations closing, with the notice remaining until the close of voting on election days.
13. Candidate statements and photographs will be available on the LUSA Website and relevant social media from the close of nomination until the close of voting.
14. Where a candidate wishes to withdraw from an election they must deliver a signed written withdrawal to the Returning Officer, where the withdrawal will be accepted as final.
15. Candidates may not publicly promote their campaign on the University campus on the days that voting takes place.
16. Candidates may not display any campaign or promotional material, either online or on-campus, on the days that voting takes place.
17. Candidates are expected to participate in a “meet the candidates” event coordinated by the General Manager.

Nominations

18. Nominations open on a date set by the current LUSA Executive, remain open for a minimum of 7 days and close 9 days before the set election dates.
19. Nominations are to be received on the LUSA Executive Nomination Form.
20. Nominations will be extended for a further 7 days for any open position where there have been no accepted nominations.
 - 20.1. A bi-election is held 7 days after the original date of the election for those positions where nominations were extended, if a valid nomination is received.
 - 20.2. Where no valid nomination is received a casual vacancy will be created immediately when the

new Executive take Office, until a further bi-election occurs.

21. The identity of nominees remains confidential until nominations close.

Election Dates

22. The dates for elections are to be set by substantive motion of the LUSA Executive no less than 21 days before elections commence, ensuring:

22.1. Elections occur in the second semester of each academic year.

22.2. Voting is at least 7 days after the close of nominations.

22.3. Voting occurs no later than 2 weeks before the end of the second semester.

22.4. The stress on candidates and staff of a prolonged election period is minimised.

Bi-Elections

23. The LUSA Executive will set the date for a bi-election by substantive motion, provided it is satisfied:

23.1. Sufficient time remains to run an effective election.

23.2. Any elected officer would serve for a reasonable length of time.

23.3. The running of a bi-election would not be unduly expensive.

24. A bi-election may be run for the remainder of a term at the same time as the main LUSA election.

Voting

25. Must be available on no less than 2 consecutive days and no more than 4 days.

26. Will be administered through an online system ensuring:

26.1. All Lincoln University Students are able to vote, and only vote once for each position.

26.2. The ballot is secret.

26.3. There is an option for each position to vote 'no vote' and 'no confidence' in the candidates.

27. An electoral roll will be available outside the LUSA office and online at least 7 days prior to the election.

28. In the instance where a considerable number of the student population are proven to not gain access to voting then the returning officer retains the right to allow late votes or run a supplementary election.

Results

29. To be successful a candidate must have more votes than any other candidate, and more votes than the number of no-confidence votes.

30. In the event of an equal number of votes between the two highest polling candidates, another vote between the two candidates will be held within seven days of the results being announced.

31. The results of any election or poll will be announced to the candidates first, followed by the general population within 24 hours of voting closing. The number of votes cast for each candidate will be included in the notice.

Complaints against a Candidate(s)

32. Any Lincoln University student or LUSA Executive member may make a complaint to the Returning Officer alleging a breach of the rules by a candidate within 48 hours of the alleged breach.

33. Complaints will be examined having regard to the principles of natural justice and through a full, fair and impartial investigative process.

34. All reasonable steps will be taken to inform the candidates to whom the complaint relates, and where appropriate any other party to the breach, of the complaint. The candidate and other parties will be given a minimum of 24 hours to prepare their response.

35. All affected election results will be considered “provisional” until the complaint and any subsequent appeals are resolved.
36. If the complaint is upheld, the Returning Officer may impose a restriction, limitation, or penalty including disqualification.
37. The detail of the complaint and any responses may not be publicly notified by any party until the complaint and/or the appeal process are concluded, and determinations have been made.
38. In the event the Returning Officer disqualifies the highest polling candidate on the election, the next highest polling candidate will assume the vacant position.
39. In all circumstances, the right of appeal to the LUSA Executive exists, through the President.

Disputes and Appeals

40. Any disputes and appeals during the election process outside of the Returning Officer’s authority can be made to the President on behalf of the LUSA Executive within 48 hours of the breach, and managed in accordance with Clause B5 of the Constitution.
41. All appeals must be signed by at least ten Lincoln University students.
42. Any complaints against any party except for a candidate can be made to the President within 48 hours of the alleged breach.
43. No LUSA Executive member will vote on a determination in relation to an election they are interested.

Related Documents

44. The Constitution of the Lincoln University Students’ Association Incorporated.
45. USA Candidates Information Sheet.
46. LUSA Executive Nomination Form.

Review

47. This policy/ procedure is reviewed biennially by the LUSA Executive. The Executive may review the policy in the interim.
48. The LUSA Executive, by substantive motion, may alter the duration of any actions outlined in this policy or the constitution, provided that the first date for voting must be no less than 7 days after the call for nominations.

Schedule 1: Election activities

Event	Timeframe
Give notice of Elections	At least 21 days before voting.
Election Q&A Session	At least 10 days before voting
Nominations close	9 days before voting
Electoral Roll available at LUSA Reception	7 Days before voting
Notice of how to vote given to all LU Students	7 days before voting opens
Meet the Candidates	Within five days before voting
Electoral roll no longer available	1 day before voting
Voting Duration	No less than two days
Results announced	Within 24 hours of voting closes
Appeals	Within 48 Hours