

1. Purpose of policy

The following policy is intended to set out the process for the conduct of elections for membership of Council in accordance with Division 3A, Section 15 and Section 20A of the University of the Sunshine Coast Act 1998 (Qld)

2. Policy scope and application

This policy applies to members of the University's full-time and part-time academic staff, members of the University's full-time and part-time general staff, and to all students of the University.

3. Definitions

Please refer to the University's Glossary of Terms for policies and procedures. Terms and definitions identified below are specific to these procedures and are critical to its effectiveness:

Act means the University of the Sunshine Coast Act 1998 (Qld)

Student means a student who is currently enrolled in an award program of the University.

4. Elected members on University Council

4.1 In accordance with Section 15 of the Act, there will be five elected members on the University Council.

4.2 The elected members are:

- (a) 2 members of the University's full-time and part-time academic staff
- (b) 1 member of the University's full-time and part-time general staff
- (c) 2 students, other than persons who are employed by the University in either a full or part time capacity.

4.3 For the purposes of Council elections, staff who are employed by the University on a casual basis, or as sessionals, are not considered to be full-time or part-time staff. Therefore, staff who are employed at USC as casuals or sessionals are not eligible to be Council members in the categories limited to full-time and part-time staff.

4.4 Each elected member is to be elected by a Council election.

5. Eligibility

5.1 A person is eligible to be nominated as a candidate, or nominate a candidate, in an election for a particular class of elected members mentioned in paragraph 4.2 (a) to (c) only if the person:

- (a) is an eligible person for the class of elected members
- (b) otherwise meets any requirements under the election policy for eligibility to be nominated.

5.2 A person is eligible to vote in an election for a particular class of elected members mentioned in paragraph 4.2 (a) to (b) only if the person:

- (a) is an eligible person for the class of elected members
- (b) otherwise meets any requirements under the election policy for eligibility to vote.

5.3 In a Council election for an elected student member, all students are eligible to vote.

5.4 The Returning Officer is responsible for determining the eligibility of nominators, nominees and voters in conjunction with the Director, Human Resources and Director, Student Services and Engagement.

5.5 The Returning Officer will request the Director, Human Resources and Director, Student Services and Engagement to produce electoral rolls to support the conduct of academic staff, general staff and student elections to Council.

5.6 Anyone wishing to determine their eligibility to nominate, be nominated or vote in a Council election is entitled to view the relevant electoral roll and may organise to do so by contacting the Returning Officer.

APPROVAL AUTHORITY

Council

RESPONSIBLE OFFICER

Vice-Chancellor and President

DESIGNATED OFFICER

Council Secretary

FIRST APPROVED

18 October 2016

LAST AMENDED

31 May 2018

EFFECTIVE START DATE

1 June 2018

REVIEW DATE

22 May 2023

STATUS

Active

RELATED DOCUMENTS

Conflict of Interest - Governing Policy
Governance Framework - Governing Policy
Staff Code of Conduct - Governing Policy

RELATED LEGISLATION / STANDARDS

University of the Sunshine Coast Act 1998

6. Election timeline

6.1 Not more than three months prior to the expiration of the term of office of an elected member, the Returning Officer will conduct an election in accordance with this policy.

6.2 In the conduct of an election the following intervals must be allowed:

(a) between the date of publication or display of the notice of election and the date for the close of nominations - not less than 14 days and not more than 28 days

(b) between the date for the close of nominations and the date of voting commencing - not more than 14 days

(c) between the date of voting commencing and concluding - not less than 14 days and not more than 28 days.

7. Returning Officer

7.1 The Council Secretary will be the Returning Officer for Council elections, unless Council requests otherwise.

7.2 The Returning Officer for Council elections:

(a) will coordinate and oversee the conduct of elections

(b) must maintain an attitude of impartiality in relation to candidates

(c) will be the arbiter of any issue which arises as a result of the conduct of any election held under this policy and will determine how to resolve the matter

(d) is not permitted to nominate, be nominated or vote in Council elections

(e) will also be the Returning Officer for the election of the Chancellor/Deputy Chancellor, unless Council requests otherwise.

8. Nominations for candidature

8.1 Where a vacancy for an elected position exists, an official call for nominations for that position will be made within the timeframe prescribed under this policy.

8.2 The Returning Officer will email the relevant electorate advising that a call for nominations is made.

8.3 The call for nominations will directly link relevant parties to the Council elections section of the relevant electronic platform, where the following information will be available:

(a) the qualifications for candidature

(b) the form of the nomination

(c) a date and time at which nominations close.

8.4 The Returning Officer will not accept a nomination unless:

(a) the nomination is in the form specified in the official call for nominations

(b) the nominee is eligible to be nominated as a candidate for a particular class of elected members

(c) the nomination is signed by two persons who are eligible to vote at the election in respect of which nomination is made

(d) the person nominated has consented to stand for election by a note in writing given to the Returning Officer before the date and time specified in the notice of election for the close of nominations or by a notation to that effect on the nomination form

(e) the nomination is received by the Returning Officer before the date and time specified in the notice of election for the close of nominations.

8.5 To ensure that voters are not improperly influenced in voting or subject to excessive or unsolicited campaigning messages, and that no candidate obtains an unfair advantage, any evidence of inappropriate behaviour by a candidate may result in the Returning Officer disqualifying them. The requirements for student and staff behaviour are set out in the Student Charter and the Staff Code of Conduct – Governing Policy.

8.6 If, following the close of nominations, the number of nominations does not exceed the number of persons to be elected, the Returning Officer will declare the person(s) nominated to be elected.

8.7 Where the number of nominations is less than the number of persons to be elected, the Returning Officer must declare an appropriate number of casual vacancies, which will be dealt with in accordance with provisions contained in the Act.

8.8 If, following the close of nominations, the number of nominations exceeds the number of persons to be elected, an electronic ballot will be held.

9. Voting

9.1 In line with the University's commitment to adopting sustainable work practices, voting in Council elections will be conducted electronically.

9.2 The Returning Officer may permit voting to be conducted by an alternative method if considered more practicable to do so.

9.3 To protect the integrity of the elections process, in determining which online voting system to use, the Returning Officer will thoroughly research a software product before recommending it to Council for approval. The system must allow for the voting to be conducted by secret ballot.

9.4 The Returning Officer is responsible for entering into the software system the information required to facilitate the online voting process.

9.5 The Returning Officer will email each member of the relevant electorate a link to the online voting system, where they may log in and vote, anonymously.

9.6 A member of the electorate who is entitled to vote, but is unable to vote electronically, may apply to the Returning Officer in writing to lodge a postal vote.

9.7 An eligible voter may only cast one vote in an election and cannot vote on behalf of another.

9.8 The Returning Officer will decide on the appropriate course of action in the event that voting is interrupted due to a technological issue.

10. Counting of Votes

10.1 The Returning Officer will advise Council of the method of vote counting to be used where a Notice of a Council Election has been issued.

10.2 The Returning Officer will oversee the electronic counting of the votes.

10.3 Each candidate in a Council election will be entitled to appoint a scrutineer to liaise with the Returning Officer to confirm the integrity of the vote counting process.

10.4 The Returning Officer will manually add any postal votes to the final count in the presence of the nominated scrutineers.

10.5 The result of the Council election must be ascertained by the Returning Officer as soon as practicable after the date and time for the return of voting papers in the election.

10.6 Following the electronic counting of votes, a report will be generated through the software package and a copy filed for auditing purposes. A summary of any postal votes added to the final count will be appended to the Report.

11. Declaration of Election

11.1 Within two working days of determining the result of an election the Returning Officer must declare the result of the election by:

(a) giving written advice of the outcome to each candidate

(b) emailing the relevant electorate advising of the outcome and placing the outcome on the Council Elections section of the relevant electronic platform.

12. Complaints

12.1 Complaints about the conduct of an election, held under this policy, will be made in writing to the Returning Officer, who will review all of the available facts and decide on the appropriate course of action. Where the complaint is regarding the conduct of the Returning Officer, the complaint will be referred to the Vice-Chancellor and President.

12.2 An election result conducted under this policy will not be deemed to be invalid because a person who was entitled to nominate, be nominated or vote did not receive notice of the election or an invitation to vote.

12.3 Council will be informed of the outcome of any complaints made under this policy.

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