

Bye Law 4: Elections

This bye-law contains all the rules, processes and job roles involved in our elections cycle. You should read this document if you are interested in standing for election or interested in how the Union’s elections work.

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Section 1 – General Provisions

1. Introduction

This bye-law sets out processes and procedures for the election, appointment, resignation and dismissal of our President, Vice Presidents and NUS delegates. This Bye Law complies with our Memorandum and Articles of Association.

2. Elected Positions

- a. The following positions will be elected through cross-campus ballot of all members:
 - i. President
 - ii. Vice President Education
 - iii. NUS Conference Delegates

- b. There shall be one Vice-President elected from each of the Faculties of UWS. Such officers will be elected via faculty wide ballots.

3. Candidates for President and Vice President positions

a. General Rules

- i. All candidates in elections must be Student Members of the Students' Union as defined in the Article [9].
- ii. All elections will be conducted by secret ballot, using the Transferable Vote System in accordance with the principles outlined by the electoral reform society.
- iii. As stated within the Education Act 1994 no candidate may be in a paid elected role for more than two years in total or stand in any election which would allow this to be so.
- iv. All candidates must be approved by the Candidate Approval Committee before their nomination is confirmed.
- v. All candidates must complete a Candidate Agreement form as part of their nomination. This confirms that they will uphold the Union's values and abide by the Election Rules, Code of Conduct, and any guidance issued by the Returning Officer or Depute Returning Officers. Failure to complete the Candidate Agreement will result in disqualification from standing in the election.
- vi. Re-Open Nominations will be a candidate in all elections.

b. Terms of Office

- i. The President and Vice President Education will remain in office for a term of one year, commencing from the 1st of July each year.
- ii. The Union's Board of Trustees shall decide when the elections for the VP Faculties shall take place and their terms of office will last until the end of the academic year.
- iii. The Presidents and Vice Presidents can serve for a maximum of two terms. Terms can be consecutive or non-consecutive.
- iv. Any President or Vice President who ceases to be a student member of the Students' Union whilst in their term of office will automatically be deemed to have resigned.

c. Multiple Candidacies

- i. Students may only hold one elected Students' Union position at a time.
- ii. Candidates may only stand for one position in any single election.
- iii. For clarity, positions on conference delegations are not considered elected officer roles.

4. Returning Officer

- a. The Returning Officer for the Students' Union shall be appointed by the Student Union's Board of Trustees.
- b. The Depute Returning Officer shall be the Chief Executive of the Students' Union. The Chief Executive has the authority to delegate this position to other staff of the Students' Union as required and appropriate. In the absence of a Chief Executive, an appropriate Students' Union manager will act as Depute Returning Officer.
- c. The Returning Officer will certify the results of the elections after the count has taken place.

5. Administration of elections

- a. Timetables for all elections will be published on the Students' Union website including all key dates at least seven clear days prior to the opening of nominations for each election.
- b. Candidate packs will be prepared for all positions which will include Role Descriptions for the post, expectations on candidates and office-bearers, remuneration (if applicable) and a copy of this Bye Law.
- c. The nomination process shall be conducted using the Union's website.
- d. The Nomination Period for any President or Vice President election shall not be less than twelve clear days and for any other election, not less than seven clear days.

6. Campaigning and Complaints

- a. All candidates and candidate supporters are subject to the Election Regulations in place for the specific election.
- b. Complaints regarding the conduct of any candidate, campaign or any other issue relating to the conduct of the election should be made using the Elections Complaint Form provided for such complaints on the Students' Union website.
- c. Complaints will be received by the Depute Returning Officer and will be considered by the Elections Committee (see [Section 3.2](#)), who may ask for further information or evidence from the complainant before making a ruling.
- d. If a ruling by the Elections Committee results in an updating of the Election Regulations, all candidates will be informed by email of the change at the earliest opportunity.
- e. If a complainant or a Candidate is not content with the ruling of the Elections Committee they may appeal directly to the Returning Officer in writing, detailing the nature of the appeal. Contact details for the Returning Officer will be provided in all correspondence to complainants or affected candidates.
- f. In considering any appeal, the Returning Officer may require further information from the Complainant, Candidates and witnesses.
- g. The ruling of the Returning Officer on any matter is final and binding on all parties.
- h. If a candidate still feels that they have been treated unfairly in the elections process, they may refer to the University's code of practice for information on further redress.

i. Organising the Elections

- i. The Election of all the above positions shall take place in the second term.
- ii. The Returning Officer will circulate guidance on the elections process when nominations open to all student members.

j. Promotion of Elections

- i. The Returning Officer should allocate publicity resources to each candidate within an election equally.
- ii. The Returning Officer shall organise opportunities for candidates to be questioned on their manifestos by the student body.

k. Publicity and Campaigning

- i. No Candidates may use their own materials or finance to forward their campaign
- ii. The use of Union facilities, offices or other rooms apart from those allocated for campaigning purposes is forbidden.
- iii. Union and University staff will remain neutral throughout election periods.
- iv. A Candidate is responsible for the actions of their campaign team.

Section 2 – Officer Roles and Responsibilities

7. General Duties

a. President and Vice President Education will:

- i. Be deemed to be “*major Students’ Union office holders*” for the purposes of section 22 of the Education Act.
- ii. Be champions of Equality and Diversity for all students
- iii. Provide overall political leadership of the Students’ Union
- iv. The President and Vice President Education will members of the Board of Trustees and will adhere to their roles and responsibilities as Trustees.
- v. Attend all meetings of the Trustee Board, Executive Committee, AGM / EGMS / All member meetings, University meetings and other meetings as appropriate.
- vi. Support the work of the Executive Committee
- vii. In conjunction with the rest of the Executive Committee, set the political direction of the Students’ Union.
- viii. Enact the policy of the Students’ Union which has been passed by the Unions democratic processes.
- ix. Attend all appropriate training, either in house or with external partners.
- x. To adhere to the terms of their employment contracts.

b. Vice Presidents of the Faculties will:

- i. Be champions of Equality and Diversity for all students
- ii. Attend all meetings of their School Boards, Executive Committee, AGM / EGMS / All member meetings, University meetings and other meetings as appropriate.
- iii. Attend all appropriate training, either in house or with external partners.
- iv. Support the work of the Executive Committee
- v. To adhere to the terms of their employment contracts.

- vi. In conjunction with the rest of the Executive Committee, set the political direction of the Students' Union.
- vii. Enact the policy of the Students' Union which has been passed by the Unions democratic processes.

8. Officer Remits

The remits below are overviews of the President or Vice President positions. Please view [Appendix 2](#) for the detailed job descriptions for each position.

a. The President Shall:

- i. Be the senior representative of the Students' Union and be ultimately responsible for the actions of the Students' Union, jointly with the Board.
- ii. Chair the Executive Committee, the Board of Trustees and any all-member meetings OR delegate when necessary and / or appropriate.
- iii. Approve the Annual Accounts on behalf of the Board of Trustees, with the Board's agreement
- iv. Represent members on matters of students support at a local, national and international level.
- v. Work collaboratively with the Chief Executive to provide strategic leadership of the Students' Union, upholding its vision, mission and values.
- vi. Act as the senior spokesperson of the Board of Trustees and Students' Union as a whole.
- vii. Represent the Student body and their interest to the University Senior Management team, University, Court, campus trade unions, University Staff and outside agencies.
- viii. Spearhead the sustainability, equality and diversity work of the Students' Union.
- ix. Lobby and campaign for change and improvement for all students at UWS.

b. The Vice President of Education Shall:

- i. Be the lead officer on matters relating to Education and the Learning Experience.
- ii. Hold the Union's second seat on the University Court for the duration of their time in office.
- iii. Deputise for the President in their absence.
- iv. Be a Trustee of the Students Union.
- v. Be responsible for the Academic Representation of members
- vi. Work with Student Representatives to improve the learning experience.
- vii. Empower students to enhance the quality of their learning and teaching experience.
- viii. Uphold the Union's commitment to equality, diversity and inclusion.
- ix. Campaign for change and improvement in their respective area.

c. Each Vice President of the Faculties Shall

- i. Be the lead officer on matters relating to the Student Experience within their Faculty.
- ii. Chair their Faculty Assembly.
- iii. Attend their Faculty Board
- iv. Work with Student Representatives to improve the learning experience within their Faculty.
- v. Uphold the Union's commitment to equality, diversity and inclusion.
- vi. Campaign for change and improvement in their Faculty.

9. Honorary Office Bearers

a. Returning Officer

- i. The Returning Officer shall not be a member of the Students' Union or a member of staff at the Students' Union and they will have the following duties:
 1. Shall be responsible for the operation and process of election in terms of the regulations set out in the Bye Laws and shall post the results of all elections within twenty-four hours of the count
 2. Shall have the right to appoint deputies
 3. Shall chair the Elections Tribunal
 4. Decisions of the Returning Officer shall be final.

b. Depute Returning Officers will:

- i. Deputise for the Returning Officer as directed by them in their absence. They shall not be Ordinary Members of the Students' Union.

10. Elected Officers Leaving Office

a. Elected officers can leave office if:

- i. They resign or die
- ii. They are removed from office as a President or Vice President as per Articles [26] and [29] of the Articles of Association.
- iii. If they fail a vote of confidence
- iv. The Board of Trustees of the Union dismisses the officer for breach of their contract of employment.
- v. For the avoidance of any doubt, in the event that the officer that leaves is the President or the Second Court Representative, the Board will ensure that appropriate arrangements are put in place to cover their ex-officio appointments on university committees, including their seat on the University Court, with the approval from UWS's Court Office.

11. Votes of Confidence

- a. Article 29.2.1 outlines that the members have the power to call votes of confidence in the President and Vice Presidents.

b. Requirements for Votes of Confidence

- i. A motion of no confidence can be called against the President or the Vice President Education by:
 1. A motion passed by a simple majority of all the membership voting in a ballot, provided at least 3% of the total membership cast a vote in the ballot.
 - a. This motion can only be triggered by a secure petition signed or agreed to by at least 150 members.
 2. A motion passed by a two-thirds majority of the membership voting in an all-student members meeting, provided at least 150 student members are present at the meeting.
- ii. A motion of no confidence can be called against the Vice Presidents of the Faculties by:
 1. **By Ballot:**

A motion is passed by a simple majority of students within the same Faculty, provided that at least 3% of that Faculty's membership cast a vote. This process must be triggered by a secure petition signed or agreed to by at least 150 students from that Faculty.

2. At a Faculty Assembly:

A motion is passed by a two-thirds majority of those voting at a Faculty Assembly, provided that at least 150 students from the relevant Faculty are present at the meeting.

12. Dealing with vacancies

a. Officer Vacancies

- i. If a President or Vice President leaves office during their term, the Board of Trustees shall take appropriate action to ensure that their duties are covered, either by:
 1. Allowing the runner up candidate to take over the position without a new election.
 2. The Board instructs the Returning Officer to conduct a by-election for the vacant position.
 3. Designating their responsibilities to the remaining President and / or Vice Presidents.

Section 3 – Election Committees

13. Candidate Approval Committee

- a. The Candidate Approval Committee (CAC) exists to ensure that any potential candidate can demonstrate their ability to represent student views confidently and clearly in a range of settings. This includes considering their understanding of student issues and relevant experience within the Students' Union or similar organisations.
- b. The CAC will meet after nominations have closed to confirm the candidates.
- c. **Selection of CAC members:**
 - i. The Membership of the CAC will be a minimum of six up to a maximum of ten individuals provided that the committee has the following attributes:
 1. Gender balanced to reflect the gender split of students at UWS
 2. Balanced to reflect the split of undergraduate and postgraduate students at UWS
 3. A minimum of one student from each campus
 4. A minimum of one student from each Faculty
 5. At least one student rep
 6. At least one society convenor.
 - ii. For the avoidance of doubt, provided that all of the conditions above are met, individuals on the committee may hold more than one attribute.
 - iii. The Quorum for the meeting shall be six members.
 - iv. The Union will recruit students to sit on the committee before the start of the election process.
 - v. Students who wish to sit on the CAC must complete an application before the deadline.
 - vi. The Union's board of Trustees will convene a subgroup to review the applications for those wishing to join the CAC and to interview those that apply.
 - vii. The Union may recruit more than ten students for the role, but only a maximum of ten students may be part of any sitting of the CAC.
 - viii. Members of the Candidate Approval Committee must complete the appropriate training before joining the Committee.

d. Meetings of the CAC

- i. It is the responsibility of the Depute Returning Officers to organise and publish the dates for the Candidate Approval Committee.
- ii. Meetings of the CAC may be conducted online or in person.
- iii. The meetings will be conducted in two parts:
 1. The first part will be a task designed to test the candidate's ability to represent student views confidently.
 2. The second part will be a question-and-answer session, where the candidate will demonstrate their knowledge of student issues, their experience within the Students' Union or similar organisations, and their understanding of the responsibilities of the role.

e. Rescheduling of CAC meetings

- i. If a candidate is unable to attend a CAC meeting and they give apologies at least 24 hours in advance, or they outline a sufficient reason to explain why they could not give apologies to indicate that they will not attend, the CAC will grant them one additional rescheduled meeting.
- ii. If a candidate is unable to attend and does not inform the panel that they will not be attended, the candidate will be deemed to have resigned from the election.

f. Decisions of the CAC:

- i. The CAC's members will decide if a candidate meets the criteria to be able to stand for election.
- ii. The CAC will make decisions by simple majority.
- iii. In the event of a tied decision, the CAC will allow the candidate to stand in the election.
- iv. Each CAC member must record their reasons for making the decision that they made, and this must be returned to the Depute Returning Officer.
- v. The Depute Returning Officers will publish the decisions of each meeting and their minutes at the end of each meeting.

g. Appealing a Decision of the CAC

- i. A candidate will have up to 24 hours to appeal a decision of the CAC.
- ii. The grounds for appeal shall only be that the decision taken was unfair.
- iii. If an appeal is received, the Returning Officer and the two Depute Returning Officers will be called for an appeal meeting.
- iv. The Appeal meeting will review the evidence of the case, specifically the minutes and any recording of the meeting to determine if the decision was fair or not.
- v. If the decision was fair, then the CAC's decision will stand, and the appeals process will come to an end.
- vi. If the appeal meeting decides the decision was unfair, they will overrule the CAC committee and allow the student to stand.
- vii. The decisions of the appeal meeting are final.

14. Elections Committee

- a. The remit of Elections Committee is to hear election complaints and make rulings on such complaints. They will take advice from the Depute Returning Officer.
- b. The Returning Officer or their nominee is responsible for convening the Elections Committee.

- c. Elections Committee will consist of four students, selected at randomly selected from Student Members, none of whom should have any connection to any Candidate. "Connection" means any relationship that could reasonably be seen to affect a student's impartiality. This includes (but is not limited to) being a close friend, flatmate, relative, campaign team member, society or club teammate, or having a declared conflict of interest with the Candidate. Different students may be involved in hearing different complaints in the same election.
- d. Any complaints to the elections committee must be received before the count if it is to do with a candidates conduct. A complaint may only be raised after the count if it is regarding the count process itself.
- e. The Elections Committee has the power to apply sanctions to candidates for breaches of Bye Laws, the Articles of Association or of Election Regulations.
- f. Sanctions available to the Committee include, but are not limited to, recall of election materials, suspension of campaigning for a period of time or disqualification from the election.
- g. For sanctions short of disqualification, the ruling of the Elections Committee will be communicated to the candidate (and the complainant where possible and appropriate), as soon as possible. This communication will include information on lodging an appeal.
- h. If the recommendation of the Elections Committee is that a candidate or candidates are to be disqualified from the election, this will automatically trigger an appeal to the Returning Officer. A Candidate may waive their right to an appeal, in writing to the Returning Officer. A Candidate (or Candidates) campaigns may be suspended until the appeal can be heard by the Returning Officer, but this will only be where it is deemed necessary by the Elections Committee.

Appendix 1 – Glossary of Terms

TERM	MEANING
ARTICLES	The Articles of Association of the Students Union of the University of the West of Scotland - the core constitutional document.
BYE-LAW	A document outlining the operational rules and procedures that implement the Union’s constitutional processes.
CANDIDATE APPROVAL COMMITTEE	The committee responsible for reviewing and approving candidates who wish to stand in an election.
CANDIDATE AGREEMENT	A mandatory document signed by all candidates, confirming they will uphold the Union’s values and follow the Election Rules, Code of Conduct, and guidance issued by the Returning Officer or Depute Returning Officers.
DEPUTE RETURNING OFFICER	Individual(s) appointed by the Board of Trustees to support the Returning Officer in the administration of the election.
ELECTION COMMITTEES	A collective term referring to both the Election Committee and the Candidate Approval Committee.
ELECTION COMMITTEE	The committee responsible for addressing election-related issues and determining outcomes where election rules may have been breached.
INVOLVED STUDENTS	Students who are actively engaged in Union activities such as societies, volunteering, or serving as student representatives.
MEMBERSHIP	All enrolled students at UWS that has not opted out of membership of the Students Union.
PRESIDENT AND VICE PRESIDENT EDUCATION	These are elected full-time positions, voted for by the entire student body. They serve on the Union Board of Trustees and represent students at the University Court. These roles are classified as “major union office holders” under Section 22 of the Education Act.
RETURNING OFFICER	The individual appointed by the Union’s Board of Trustees to oversee the conduct of elections in accordance with the Articles and Bye-Laws.
VICE PRESIDENTS OF FACULTIES	Refers to the Vice Presidents for each academic Faculty. These are part-time roles elected by students from their respective Faculties.

Document Control		
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19/05/2019	Initial Approval	V1.0
5/12/2023	Removed the Union chair from being elected by cross campus ballot.	V1.1
20/01/2025	No changes required apart from Board of Trustees requested spelling/errors be checked throughout i.e. SAUWS removed and replaced	V1.2
22/08/2025	Bye-law re-written to accommodate democracy review recommendations	V2.0
30/01/2026	Changes due to University Faculty restructure	V2.1

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