

# ELECTIONS POLICY 2022

The Vice-Chancellor as delegate of the Senate of the University of Sydney, adopts the following policy.

Dated: 1 January 2022

Last amended:

Signature:

Position: Vice-Chancellor

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## PART 1 - PRELIMINARY

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### 1 Name of policy

This is the Elections Policy 2022.

### 2 Commencement

This policy commences on 1 January 2022.

### 3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University, staff, students, and affiliates.

### 4 Statement of intent

This policy:

- (a) establishes principles for the conduct of elections at the University; and
- (b) supports the University's values of respect, integrity, inclusion and diversity, and openness and engagement.

**Note:** See the [Strategic Plan](#).

### 5 Application

(1) This policy applies to:

- (a) the University, staff, students and affiliates; and
- (b) elections for any of the following governing bodies:
  - (i) Academic Board;
  - (ii) faculties;
  - (iii) faculty boards;
  - (iv) University schools;
  - (v) University school boards.

(2) This policy does not apply to:

- (a) Senate elections; or
- (b) elections conducted by student associations.

**Note:** See [Student Associations Policy 2020](#).

## 6 Definitions

<b>Academic Board Rule</b>	means the <a href="#">University of Sydney (Academic Board) Rule 2017</a> .
<b>academic staff member</b>	means a person who is employed by the University as a member of its academic staff, other than a casual member, and who is not a member of the University's professional staff.
<b>allocated position</b>	means a position allocated to be filled by a member of a particular group.
<b>Board of Interdisciplinary Studies</b>	has the meaning given in the <a href="#">University of Sydney (Governance of Faculties and Schools) Rule 2016</a> , which at the date of this policy is:  means the board of that name established by, and with the responsibilities and functions specified in, Part 8 of this Rule.
<b>Board of Interdisciplinary Studies courses</b>	means the award courses of the Board of Interdisciplinary Studies, listed in the resolutions of Senate, which at the date of this Rule are: <ul style="list-style-type: none"> <li>• the Bachelor of Advanced Studies;</li> <li>• the Bachelor of Advanced Studies (Honours);</li> <li>• the Bachelor of Advanced Studies (Media and Communications); and</li> <li>• Master of Advanced Studies.</li> </ul>
<b>candidate</b>	means a person deemed eligible for election by the Returning Officer.
<b>casual vacancy</b>	means a vacancy that arises when an elected member is no longer able to complete their elected term due to circumstances including, but not limited to: <ul style="list-style-type: none"> <li>• the person ceasing to continue in the capacity in which they were elected;</li> <li>• for student members, suspending their candidature;</li> <li>• resignation; or</li> <li>• death.</li> </ul>
<b>clinical school</b>	has the meaning given in the <a href="#">University of Sydney (Governance of Faculties and Schools) Rule 2016</a> , which at the date of this policy is:  means a clinical school within the University of Sydney Medical School in the Faculty of Medicine and Health, established consistently with Part 5 of this Rule.

<b>Dean</b>	<p>means, as appropriate:</p> <ul style="list-style-type: none"> <li>• any Executive Dean;</li> <li>• any Dean of a faculty; or</li> <li>• any Head of School and Dean of a University school.</li> </ul>
<b>enrolled student</b>	<p>has the meaning given in section 50(1) of the <a href="#">University of Sydney By-Law 1999 (NSW)</a>, which at the date of this policy is:</p> <p style="padding-left: 40px;">means a person (other than a person who is an academic staff member) who is enrolled as a student in an award course at the University.</p>
<b>fixed term staff member</b>	<p>has the same meaning given clause 24 of the <a href="#">Enterprise Agreement</a>, which at the is date of this policy is:</p> <p style="padding-left: 40px;">means Full-time or Part-time employment for a specified term or other ascertainable period under a contract that contains a starting date and an end date and/or a contingency relating to a specified task or project and/or the continuation of a funding source, upon which the contract will come to an end. A Fixed Term contract may be terminated before the specified end date or occurrence of the contingency in accordance with the terms of this Agreement.</p>
<b>GOFUS Rule</b>	<p>means the <a href="#">University of Sydney (Governance of Faculties and Schools) Rule 2016</a>.</p>
<b>governing body</b>	<p>means, as appropriate:</p> <ul style="list-style-type: none"> <li>• the Academic Board;</li> <li>• any faculty;</li> <li>• any faculty board;</li> <li>• any University school; or</li> <li>• any University school board.</li> </ul>
<b>notice period</b>	<p>means a notice issued by the Returning Officer consistently with clause 13, at least 28 days before voting commences.</p>
<b>professional staff member</b>	<p>means a person who has been employed by the University as a member of its professional staff, and who is not a member of the University's academic staff.</p>
<b>school</b>	<p>means a school within a faculty, established and constituted consistently with the provisions of the <a href="#">University of Sydney (Governance of Faculties and University Schools) Rule 2016</a>.</p>
<b>semester</b>	<p>has the meaning given in the <a href="#">Learning and Teaching Policy 2019</a> which at the date of this policy is:</p> <p style="padding-left: 40px;">means the main block of teaching in a teaching period.</p> <p><b>Note:</b> For further detail see Part 3 of the <a href="#">Learning and Teaching Policy 2019</a>.</p>

## PART 2 – ALL ELECTIONS

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### 7 General principles

- (1) Elections must:
  - (a) be fair and transparent; and
  - (b) provide for an appropriate diversity of representation.
- (2) Elections will be conducted:
  - (a) in the manner set out in this policy;
  - (b) using a secret ballot;
  - (c) using the optional preferential voting system;
  - (d) where possible, electronically.
    - (i) If elections cannot be conducted electronically, the Returning Officer will determine an alternative mechanism, consistently with the principles stated in this policy.
- (3) University staff and students participating in elections must comply with the University's rules, policies and procedures, in particular the:
  - (a) [Staff and Affiliates Code of Conduct 2021](#);
  - (b) [Student Charter 2020](#);
  - (c) [Bullying, Harassment and Discrimination Prevention Policy 2015](#); and
  - (d) [University of Sydney \(Student Discipline\) Rule 2016](#).

**Note:** See the [Policy Register](#).

### 8 Returning Officer and the University Governance Office

- (1) The University Governance Office will administer all elections conducted under this policy, under the direction of the Returning Officer.
- (2) The Returning Officer:
  - (a) is the Secretary to Senate;
  - (b) may appoint administrative staff to conduct any aspect of the election process; and
  - (c) will approve the electronic ballot software to manage elections.
    - (i) Before approving the electronic ballot software, the Returning Officer must be satisfied the software is fit for the purpose of conducting elections in the manner set out in this policy.
- (3) The Returning Officer and staff administering any part of the election process are ineligible to:
  - (a) vote;
  - (b) nominate a candidate for election; or
  - (c) stand as a candidate for election.

- (4) Any determinations made by the Returning Officer under this policy will be final.

## **9 Staff eligibility to vote and be elected**

- (1) Academic staff elect academic staff members.
- (2) Professional staff elect professional staff members.
- (3) Full-time and part-time academic and professional staff are eligible to vote and be elected.
- (4) Fixed term academic and professional staff are eligible to vote and be elected.
- (5) Casual staff members are not eligible to vote or be elected.
- (6) Affiliates are not eligible to vote or be elected.
- (7) Academic staff members:
  - (a) of faculties and University schools are eligible to elect staff members from their own faculty;
  - (b) who are not listed under a particular school or, as appropriate, discipline:
    - (i) constitute their own electorate; and
    - (ii) are eligible to vote and be elected by members of their electorate to an unallocated position on a governing body.
- (8) A staff member who is not on the electoral roll at the time the electoral roll is generated for a particular election is not eligible, for that election, to:
  - (a) vote; or
  - (b) be elected, even if their employment status changes during the period the election is conducted.
- (9) A staff member who already holds office in another capacity on the same governing body may not be elected or further appointed to it.
- (10) A staff member who is nominated for election to a governing body may not be further nominated to it in another capacity.

## **10 Student eligibility to vote and be elected**

- (1) A student must be currently enrolled in an award course at the University to:
  - (a) be on the electoral roll;
  - (b) vote; or
  - (c) be elected.
- (2) Undergraduate students elect undergraduate student members.
- (3) Postgraduate students elect postgraduate student members.
- (4) Where such positions are specified, higher degree by research students elect higher degree by research student members.
- (5) Where the elected position is not specified as an undergraduate, postgraduate or higher degree by research position, all students are eligible to vote unless they are prohibited by this policy.

- (6) A student who does not appear on the electoral roll at the time the electoral roll is generated is not eligible, for that election, to:
  - (a) vote; or
  - (b) be elected, even if their enrolment status changes during the period the election is conducted.
- (7) A student who holds office in another capacity on the same governing body may not be elected or further appointed to it.
- (8) A student who is nominated for election to a governing body may not be further nominated to it in another capacity.

## **11 Electoral rolls**

- (1) The Provost's Office will provide the Returning Officer with a list of schools within each faculty before the end of semester one each year.
- (2) Before issuing a notice of an election, the Returning Officer will determine the applicable electoral rolls based on:
  - (a) the University's electronic records; and
  - (b) information provided by the Provost's Office under subclause 11(1).
- (3) An electoral roll will not be invalidated because of any error, omission, or mistaken entry.
- (4) The Returning Officer will, in their absolute discretion, determine any queries or disputes about the eligibility of any person to be included on any electoral roll.

## **12 Timing of elections**

- (1) Elections and the associated notice period must take place during a semester.
- (2) Elections for staff positions will be held in the second semester of every year as required to align with the completion of the previous terms of office.
- (3) Elections for student positions will be held in the second semester of every year.

## **13 Notice of election and nominations**

- (1) The Returning Officer will:
  - (a) determine the dates on which an election will be held; and
  - (b) at least 28 days before voting commences:
    - (i) issue the notice of election to each member of the relevant electorate; and
    - (ii) invite nominations from potential candidates.
- (2) The notice must contain the following information:
  - (a) that an election is to be held to fill the relevant positions;
  - (b) details of the positions to be filled;
  - (c) the allocation for each position;



- (d) the terms of office;
  - (e) the number of vacancies to be filled;
  - (f) a date for the submission of nominations which must be at least 14 days after the date of the notice of election;
  - (g) the dates on which voting will open and close;
  - (h) the method by which voting will be conducted;
  - (i) an electronic link to the nomination form; and
  - (j) references and links to relevant policies and procedures.
- (3) Nominees must submit their electronic nomination form to the Returning Officer by the date specified on the notice of election.
- (4) The Returning Office may deem a nominee ineligible for election if they submit a nomination form:
- (a) that is improper or incomplete; or
  - (b) after the date for submission specified on the notice of election.
- (5) A candidate may withdraw their nomination at any time.

#### **14 Conduct of ballot**

- (1) If upon the close of nominations, the number of eligible candidates:
- (a) does not exceed the number of positions to be filled, the Returning Officer will declare such candidate or candidates elected; or
  - (b) exceeds the number of positions to be filled, the Returning Officer will run an election using an electronic ballot.
- (2) The Returning Officer will conduct the electronic ballots secretly using the approved electronic ballot software.
- (3) The order in which candidates' names appear on the ballot for the election will be determined by an electronic randomiser, a function of the electronic ballot software.
- (4) The Returning Officer will send electronic notification of the ballot to each member of the relevant electorate containing:
- (a) instructions for:
    - (i) accessing the electronic ballot;
    - (ii) using the electronic ballot software;
    - (iii) voting; and
    - (iv) returning the ballot;
  - (b) the positions for which the ballot will be conducted;
  - (c) the date and time by which votes may be cast; and
  - (d) any other information which the Returning Officer deems appropriate.
- (5) The Returning Officer must:
- (a) specify a date for the close of ballot; and
  - (b) provide voters with at least 14 days to record a vote before the close ballot.



- (6) To cast a formal vote, voters:
  - (a) must:
    - (i) only vote once;
    - (ii) lodge their ballot before the close of ballot;
    - (iii) use the electronic ballot software; and
    - (iv) place the number 1 against a candidate's name; and
  - (b) may number some or all of the remaining candidates in order of preference.
- (7) Voters must not:
  - (a) vote on behalf of any other voter;
  - (b) vote in substitution for any other voter;
  - (c) allow another person to vote on their behalf; or
  - (d) allow another person to vote in substitution for them.
- (8) The Returning Officer may arrange for reasonable assistance to be provided to a voter if satisfied that the voter is unable to vote without it.
- (9) The electronic ballot software must not:
  - (a) record votes after the close of ballot;
  - (b) permit informal votes, including but not limited to:
    - (i) duplicate preferences; or
    - (ii) recording preferences following an interruption in the sequence of ranking;
  - (c) permit postal votes or voting by polling booth; or
  - (d) subject to subclause 14(10), permit voters to recall or recast their vote.
- (10) A voter wishing to recall or recast their vote must contact the Returning Officer before the close of ballot.
  - (a) Failure to do so will result in the vote being counted, provided the vote is valid.
- (11) In the event of temporary breakdown or technical fault of the electronic ballot software during the polling period, the Returning Officer will determine whether an extension of the polling period is necessary.
- (12) In the event of a major technical failure of the electronic ballot software, the Returning Officer may choose to run the election:
  - (a) at a later date; or
  - (b) using other means.

## **15 Election results**

- (1) The Returning Officer is responsible for counting all formally recorded votes after the close of ballot, by means of the electronic ballot software.
- (2) Votes will be counted electronically after the close of ballot.

- (3) The Returning Officer will:
  - (a) review and verify the election results;
  - (b) determine, in the following sequence:
    - (i) allocated positions; and
    - (ii) any remaining places;and
  - (c) declare the results to the candidates and the electorate as soon as practically possible.
- (4) The Returning Officer may withdraw, cancel, or revoke any election which has been called in error or for any other reason deemed appropriate.
- (5) In the event of any procedural irregularity, the Returning Officer may authorise that any election, conduct, or results are valid, if they are of the opinion the irregularity would not have affected the election result.
- (6) If requested by the candidate, the Returning Officer will provide relevant information to an appointed scrutineer to confirm the integrity of the voting process.

## **16 Casual vacancies**

- (1) If a casual vacancy occurs in the first six months of member's term, the candidate with the next highest number of votes in the election will be appointed as replacement.
- (2) If a casual vacancy occurs at any point after the first six months of a member's term:
  - (a) for Academic Board positions other than the position specified in subclause 16(2)(b), the Chair of the Academic Board on recommendation from the relevant faculty board or University school board;
  - (b) for the Board of Interdisciplinary Studies position on the Academic Board, the Chair of the Academic Board on recommendation of Chair of the Board of Interdisciplinary Studies; or
  - (c) for faculty, faculty board, University school, or University school board positions, the Dean;

will appoint a replacement as soon as practically possible, and will take into account the need to achieve an appropriate and equitable representation of the electorate's diversity.

- (3) Members appointed to fill casual vacancies must be eligible members of the same electorate as the former member.
- (4) A member who fills a casual vacancy will hold office until completion of the former member's elected term.

## 17 Recordkeeping

- (1) The Returning Officer will maintain appropriate records of elections conducted under this policy, consistently with the [Recordkeeping Policy 2017](#).
- (2) Faculties and University schools will maintain appropriate records of elections within their faculty or University school, consistently with the [Recordkeeping Policy 2017](#).

## PART 3 – ACADEMIC BOARD ELECTIONS

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### 18 Academic staff members

- (1) The University Governance Office will publish the allocation of each faculty and University school's academic staff member entitlement on the University's website.  
**Note:** See Schedule 1 to the [Academic Board Rule](#) for the academic staff member entitlement for each faculty and University school.
- (2) Each school (other than a clinical school) must be represented in the allocation of the faculty or University school.
- (3) Academic staff members of faculties and University schools are entitled to elect representatives from their own electorate.
- (4) If there are insufficient nominees to fill available places:
  - (a) the nominees will be declared elected unopposed; and
  - (b) the faculty board or University school board may nominate eligible staff members of the relevant electorate to fill the vacant positions.
- (5) When nominating to fill vacant positions, the faculty board or University school board must take into account the need to achieve an appropriate and equitable representation of the electorate's diversity.
- (6) Subject to subclause 18(2), the faculty or University school may amend their respective allocation by:
  - (a) resolution of the faculty board or University school board; and
  - (b) notifying the Returning Officer before notice of the election is given.

### 19 Student members

- (1) The University Governance Office will publish the allocation of each faculty and University school's student member entitlement on the University's website.  
**Note:** See Schedule 1 to the Academic Board Rule for the student member entitlement for each faculty and University school.
- (2) The allocation of each faculty and University school must include at least one undergraduate student and one postgraduate student.
- (3) Students of faculties and University schools are entitled to elect student members of the Academic Board from their own faculty or University school.

- (4) Students enrolled in Board of Interdisciplinary Studies courses are entitled to elect a student member of the Academic Board from their own electorate.
- (5) If there are insufficient nominees to fill available places:
  - (a) the nominees will be declared elected unopposed; and
  - (b) the Chair of the Academic Board, after consultation with the relevant Dean or Chair of the Board of Interdisciplinary Studies, may nominate students from the relevant electorate to fill the vacant positions.
- (6) When nominating to fill vacant positions, the Chair of the Academic Board must take into account the need to achieve an appropriate and equitable representation of the electorate's diversity.
- (7) Subject to subclause 19(2), the faculty or University school may amend their respective allocation by:
  - (a) resolution of the faculty board or University school board; and
  - (b) notifying the Returning Officer before notice of the election is given.

## **20 Election of the Chair of the Academic Board**

- (1) The election for the position of Chair of the Academic Board must be held and finalised before 31 December of the year preceding the commencement of a new Chair's term of office.
- (2) The electorate for election of the Chair of the Academic Board will consist of:
  - (a) all incoming elected staff members;
  - (b) all incoming student members;
  - (c) all incoming nominee members; and
  - (d) all ex-officio members.
- (3) A Chair is eligible for re-election, provided that no person may serve as Chair for more than three, full, consecutive terms.
- (4) If the office of Chair of the Academic Board becomes vacant on or after the last six months of the Chair's term, the vacancy must be filled by the Deputy Chair.
- (5) If the office of Chair of the Academic Board becomes vacant before the last six months of the Chair's term, a new Chair must be elected as soon as possible, by the electorate specified in subclause 20(2).

## **21 Re-election or re-nomination in the same category**

- (1) Elected academic staff and student members of the Academic Board are eligible to be re-elected in the same category provided that:
  - (a) they meet the eligibility criteria for that category at the time of their nomination; and
  - (b) they may not be appointed or elected to serve more than 12 consecutive years of office (unless the Academic Board resolves to the contrary in relation to that person).

- (i) Any such resolution must specify the duration of the extended period of eligibility which is to be granted.
- (ii) The office of Chair of the Academic Board is exempt from subclause 21(1)(b).

## **PART 4 – FACULTY, UNIVERSITY SCHOOLS, FACULTY BOARD AND UNIVERSITY SCHOOL BOARD ELECTIONS**

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### **22 Staff members**

- (1) The University Governance Office will maintain the allocation of each faculty and University school's staff member entitlement on the University's website.  
**Note:** See the GOFUS Rule for the staff member entitlement for each faculty board and University school board.
- (2) In faculties containing schools or disciplines, each discipline or school (other than a clinical school) must be represented in the faculty board allocation.  
**Note:** The term discipline does not refer to a sub-unit within a school, even if named or described as such.
- (3) Elected staff members on the faculty board will be elected by the relevant electorate within their faculty.
- (4) If there are insufficient nominees to fill available places:
  - (a) the nominees will be declared elected unopposed; and
  - (b) the Chair of the relevant body may nominate staff members to fill the vacant positions.
- (5) When nominating staff members to fill vacant positions, the Chair must take into account the need to achieve an appropriate and equitable representation of the electorate's diversity.
- (6) Subject to subclause 22(2), the faculty or University school may amend their respective allocation by:
  - (a) resolution of the faculty board or University school board; and
  - (b) notifying the Returning Officer before notice of the election is given.

### **23 Student members**

- (1) The University Governance Office will publish the allocation of each faculty and University school's student member entitlement on the University's website.  
**Note:** See the GOFUS Rule for the student member entitlement for each faculty, faculty board, University school and University school board.
- (2) If there are insufficient nominees to fill available places:
  - (a) the nominees will be declared elected unopposed; and
  - (b) the Dean may nominate students from the relevant faculties to fill the vacant positions.

- (3) When nominating to fill vacant positions, the Dean must take into account the need to achieve an appropriate and equitable representation of the electorate's diversity.
- (4) The faculty or University school may amend their respective allocation by:
  - (a) resolution of the faculty board or University school board; and
  - (b) notifying the Returning Officer before notice of the election is given.

## 24 Re-election or re-nomination in the same category

Elected members are eligible to be re-elected in the same category provided that:

- (a) they meet the eligibility criteria for that category at the time of their nomination; and
- (b) they may not serve more than three, full consecutive terms in the same category.

## PART 5 – RESCISSIONS AND REPLACEMENTS

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This document replaces the following, which are rescinded as from the date of commencement of this document:

- (1) *Election Candidates' Conduct Procedures 2017*, which commenced on 4 September 2017; and
- (2) *Election Procedures 2017*, which commenced on 7 August 2017.

## NOTES

Elections Policy 2022

Date adopted: 13 December 2021

Date registered: 31 December 2021

Date commenced: 1 January 2022

Administrator: Secretary to Senate

Review date: 1 January 2027

Rescinded documents: Election Candidates' Conduct Procedures 2017

Election Procedures 2017

Related documents: *University of Sydney (Academic Board) Rule 2017*  
*University of Sydney (Governance of Faculties and Schools) Rule 2016*  
*University of Sydney (Student Discipline) Rule 2016*  
*Code of Conduct – Staff and Affiliates 2021*  
*Student Charter 2020*  
*Bullying, Harassment and Discrimination Prevention Policy 2015*

## **AMENDMENT HISTORY**

<b>Provision</b>	<b>Amendment</b>	<b>Commencing</b>
Nil	Nil	N/A