

Returning Officer Report

ARU Students' Union

Returning Officer	Peter Robertson (NUS Charity Director)
Deputy Returning Officer	Emma Howes (Engagement Manager)

Election Details

Dates of Nominations:	11/01/21 – 24/02/21
Number of Candidates:	113
Dates of Voting:	06/03/21 – 12/03/21
Number of Votes:	18142
Number of Voters:	3049
Number of Complaints/Appeals:	19 / 3
Number of Complaints/Appeals Upheld:	11 / 0

Returning Officer Comments/Recommendations

There were breaches of the rules that involved interference in the voting process which involved the "taking" of personal electronic devices. The Union should consider if designated campaigning areas with a fixed staffed voting site would alleviate this. The breaches that involved regulations to do with the pandemic will hopefully not arise again. But if they did a total ban on physical campaigning should be considered.

Confirmation of Fair Election

I hereby declare that this election was run in a fair and democratic manner which satisfies the stipulations as laid out within the 1994 Education Act.

Returning Officer Signature and Date

Date:	Signature:
29/03/21	Peter Robertson <i>NUS Charity Director & National Returning Officer</i>

THE ELECTION

CHOOSE YOUR LEADERS

Complaints Report

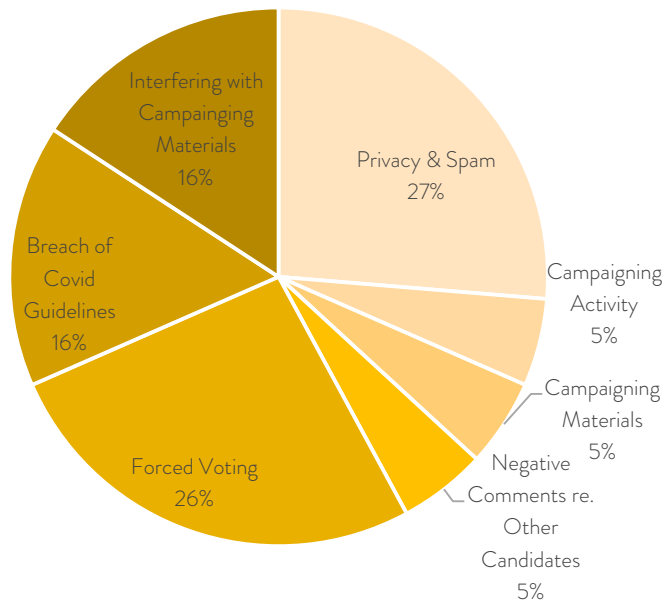
The Election 2021 was held by the Students' Union, in accordance with the SU's [bye-laws](#). The bye-laws outline the process for submitting and receiving complaints to ensure fairness and clarity in approach. The [regulations](#) of The Election 2021 were available throughout the elections process on the SU's website. When a candidate had a query related to appropriate conduct during the election or clarification of a rule, the DRO would add the question and a clarifying answer to the [Candidates' Hub](#). Candidates were then alerted when new information was added to ensure they had the same information.

In The Election 2021, 36 concerns were raised related to the election with the Deputy Returning Officer (DRO) between 16/02 and 12/03. Complaints related to the election itself could be submitted only until voting closed at 2pm on 12/03. Complaints related to the Count process could be submitted until the week following on the 19/03.

The types of concerns raised with the DRO in 2021 can be categorised as one of the following:

- Privacy & Spam
- Campaigning Activity
- Campaigning Materials
- Interfering with Campaigning Materials
- Negative Comments re. Other Candidates
- Bullying/Harassment
- Forced Voting
- Breach of COVID Guidelines

Categories of Complaints Submitted

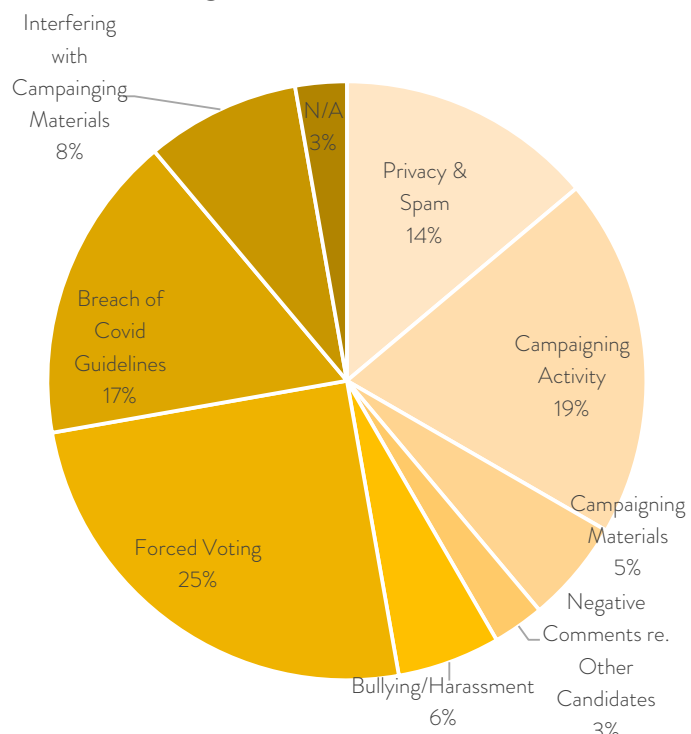


In 47% of these initial concerns, no formal complaint was submitted. Often, this was because the person submitting the initial concern did not wish to start this process and needed clarification on an elections rule. Otherwise, it was usually because there was no actual breach of the elections rules described in the concern. However, there were instances where a link to a specific candidate was unclear, if there had been a breach of University

rules – the person that raised the concern was signposted to the service best able to support with the issue.

Of these 36 concerns raised, 19 were submitted as a complaint. In order to submit a complaint, students needed to include the following information: the name of the candidate the complaint was against, the position that the candidate was standing for, a description of what the complaint was about, any evidence the person submitting the complaint had and the election rule the candidate had allegedly breached.

Categories of Concerns Raised



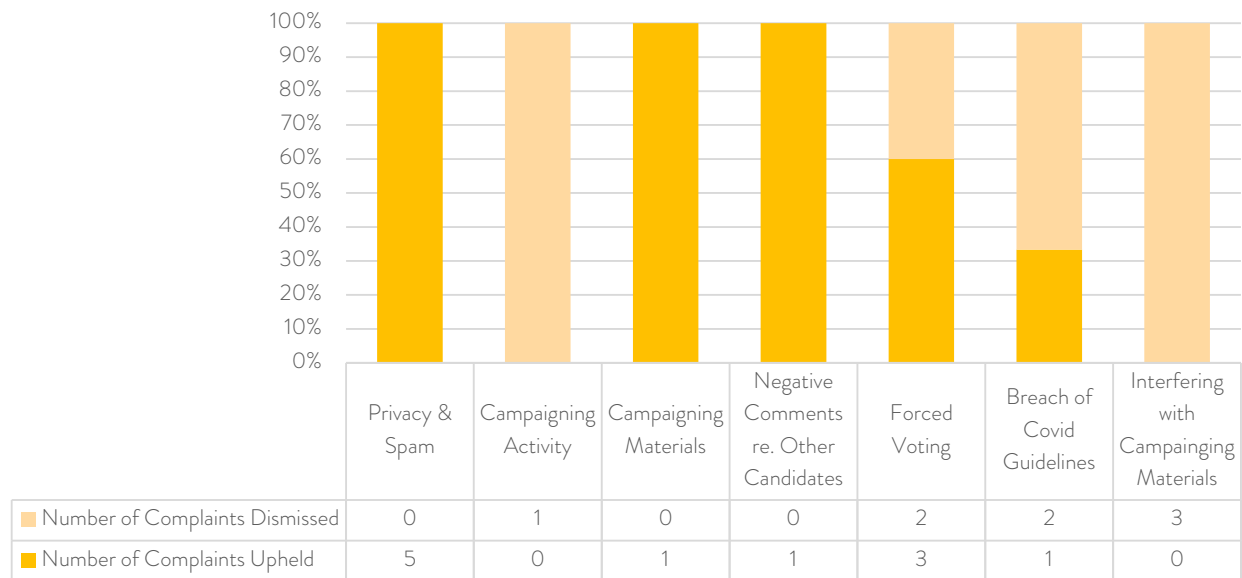
Of the 19 complaints submitted, 8 were dismissed. Complaints were dismissed if there was insufficient evidence, inaccurate allegations or if evidence provided was irrelevant to a breach in the elections rules. 11 complaints were upheld by the DRO, which means that the DRO found there was sufficient evidence to determine there had been a breach of the elections rules. Six of the upheld complaints resulted in 10 formal warnings. This was accompanied by conversations with the candidate to either immediately end the rule breach or ensure that they understood the rules moving forward so that a breach of the rules would not happen again. Appropriate actions were also taken to mitigate the impact of rule breaches.

In the other cases upheld, they were serious violations that resulted in disqualification of the candidates. Four of the complaints received resulted in 3 disqualifications¹. Two of the disqualifications were a breach of the elections rule, 'Campaigners must allow voters to cast their ballot freely and must not communicate with voters in any way once they have begun to complete their ballot.' This relates to accusations of forced voting. All of the complaints upheld relating to forced voting were against the two candidates disqualified for this rule breach. The other complaint was against other candidates and found to be without sufficient evidence.

The other disqualification was a breach of the elections rule, 'Candidates and campaigners must follow SU, University and Government guidance.' This relates to non-essential travel outside of the local area.

¹ A single complaint may be against more than one candidate, as a result a single formal warning or disqualification may cover more than one candidate.

Complaints Submitted: Percentage Upheld or Dismissed



All 3 disqualified candidates used their right to appeal to the Returning Officer (RO). In all 3 cases the RO upheld the original decision to disqualify the candidates.

Following the close of complaints, we received a small number of late complaints and concerns. Two of these were complaints received on time to the Students' Union but not through the formal complaints process. The DRO took the decision to investigate these complaints. One complaint related to a disqualified candidate and the other complaint did not identify a candidate and was therefore dismissed.

A small number of candidates submitted concerns about the election after the complaints process had closed. There was no reasonable justification for these concerns being raised after the complaints process closed and so they were dismissed.

No complaints were received about the process of the count.