

Election Procedures

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1. Purpose

- a. These procedures have been established to provide for the conduct of elections for members of Council or its standing committees, where elections are required in accordance with the *Flinders University Act 1966* (the 'Act') or pursuant to the terms of reference of the relevant committee.
- b. For the avoidance of doubt, these procedures are a determination of Council for the purposes of section 5(3)(h) of the Act. In the event of any inconsistency between these procedures and the Act, the provisions of the Act prevail to the extent of any inconsistency.

2. Definitions

academic staff	means staff who hold a continuing, convertible or fixed-term appointment who are classified in accordance with the academic classification levels A-E under the Enterprise Agreement, research staff whose salaries are tied to the academic classification levels, and Deputy Vice-Chancellors, or Pro Vice-Chancellors
appointed day	the day appointed by the Returning Officer for the final day of voting on an election.
casual vacancy	<p>a vacancy in a designated position that has arisen before the end of the relevant term due to circumstances prescribed in the Act or otherwise, including:</p> <ul style="list-style-type: none"> • removal from office pursuant to the Act • death • ceasing to continue in the capacity in which they were appointed or elected • resignation • disqualification from managing corporations under Chapter 2D Part 2D.6 of the <i>Corporations Act 2001</i> • appointment to the office of Chancellor or Vice-Chancellor.

electorate	<p>the body of individuals eligible to vote in an election for a designated position, as shown below:</p> <table> <tr> <th>Designated Position</th><th>Electorate</th></tr> <tr> <td>academic staff member of Council</td><td>academic staff</td></tr> <tr> <td>professional staff member of Council</td><td>professional staff</td></tr> <tr> <td>undergraduate student member of Council</td><td>undergraduate students¹</td></tr> <tr> <td>postgraduate student member of Council</td><td>postgraduate students^{1 and 2}</td></tr> <tr> <td>elected member of Academic Senate</td><td>as specified in the Terms of Reference of the relevant committee</td></tr> </table> <p>¹ A person in full-time employment of the University is not entitled to stand for election as an undergraduate or postgraduate student member of Council. However, where a full-time staff member is enrolled in an award course of the University, they will be entitled to vote in an election for the relevant category of student members.</p> <p>² An undergraduate student who is in their final year at the relevant election date and expects to be a postgraduate student in the next calendar year may choose to stand in the postgraduate student election. However, if they are elected but fail to become a postgraduate student as expected, the office of postgraduate student member of Council will become vacant and result in a casual vacancy.</p>	Designated Position	Electorate	academic staff member of Council	academic staff	professional staff member of Council	professional staff	undergraduate student member of Council	undergraduate students ¹	postgraduate student member of Council	postgraduate students ^{1 and 2}	elected member of Academic Senate	as specified in the Terms of Reference of the relevant committee
Designated Position	Electorate												
academic staff member of Council	academic staff												
professional staff member of Council	professional staff												
undergraduate student member of Council	undergraduate students ¹												
postgraduate student member of Council	postgraduate students ^{1 and 2}												
elected member of Academic Senate	as specified in the Terms of Reference of the relevant committee												
current enrolment	<p>a student has a 'current enrolment' if they are enrolled for a topic which is identified as to be counted toward the requirements of a course and:</p> <ul style="list-style-type: none"> the topic is a semester topic for the semester in which the election date falls, or the topic is a non-semester topic for which the election date falls between the start date and the last date of teaching/assessment of the topic, or the student is enrolled in a research thesis and the student is enrolled in the topic on the date of the election. 												
designated position	<p>A membership position on Council or its committees which must be appointed by election, including without limitation:</p> <ul style="list-style-type: none"> the academic staff member of Council the professional staff member of Council the undergraduate student member of Council the postgraduate student member of Council any elected member of Academic Senate 												
extraordinary election	an election to fill a casual vacancy.												
ordinary election	an election to fill a designated position other than as a result of a casual vacancy.												

polling period	the period during which votes may be cast in relation to an election, which may be no less than one (1) and no more than five (5) business days as determined by the Returning Officer, the last day of which shall be the appointed day.
professional staff	means staff who hold a continuing or fixed-term appointment and who are classified in accordance with the professional staff classification levels under the Enterprise Agreement, or who are classified as Research Assistants, or who hold senior administrative appointments with conditions applying to professional staff (and are not Deputy Vice-Chancellors or Pro Vice-Chancellors)
postgraduate student	<p>a student who has a current enrolment in an award course in one of the following categories:</p> <ul style="list-style-type: none"> • Doctoral Degree by Research • Doctoral Degree by Coursework • Masters Degree by Research • Masters or Extended Masters Degree by Coursework • Graduate Diploma • Graduate Certificate • any other award course deemed by the Deputy Vice-Chancellor (Students) (or equivalent) to be a postgraduate award course <p>A higher degree by research student who is on a period of approved intermission of candidature, or has submitted their thesis, at the time the election is held will not be regarded as eligible to participate in an election.</p>
Returning Officer	means the University Secretary or any other person deemed by the University Secretary or Vice-Chancellor to be the Returning Officer.
undergraduate student	<p>a student who has a current enrolment in an award course in one of the following categories:</p> <ul style="list-style-type: none"> • Graduate Entry Bachelor Degree • Bachelor Degree Honours • Bachelor Degree, Ordinary • Sub-Bachelor Degree <p>any other award course deemed by the Deputy Vice-Chancellor (Students) (or equivalent) to be an undergraduate award course.</p>

3. Principles and conduct by candidates

- Elections will be conducted in accordance with principles of fairness, security and privacy for candidates and voters.
- Where a ballot is required, it will be a secret ballot using a preferential voting method, or another recognised voting method as determined by the Returning Officer. Only the ballots of valid voters may be included in the count, and each voter will be entitled to vote once only.
- The vote counting system will be auditable.
- The security of the vote counting system and the privacy of each voter in lodging a vote will be protected by appropriate protocols and procedures.

- e. In undertaking their campaign, candidates will demonstrate respect for all members of the University community and comply with the University's policies and procedures, including the Code of Conduct.

4. Ordinary elections and casual vacancies

- a. Polling to choose elected members of governing bodies shall be held over a polling period. The polling period shall be determined by the Returning Officer.
- b. Candidates for designated positions shall be elected by the members of the corresponding electorate. The Returning Officer may include or exclude individuals from an electorate, and their decision shall be final and valid notwithstanding any error.
- c. In the case of a casual vacancy, the Returning Officer will endeavour to hold an extraordinary election within sixty (60) calendar days after the casual vacancy arises. Where a casual vacancy occurs less than 3 months before the next ordinary election for the relevant office is due, the position shall remain vacant until the next ordinary election is due.
- d. A person who fills a casual vacancy shall hold office until the expiry of the term of the predecessor's office.
- e. If at any election one or more positions are unfilled, the unfilled positions will be treated as casual vacancies except that the Returning Officer may choose to wait up to 4 months before holding an extraordinary election.
- f. Where the Terms of Reference (or similar document) for a governing body sets out alternative provisions relating to casual vacancies, those Terms of Reference shall apply in lieu of the casual vacancy provisions in these procedures.

5. Returning Officer

- a. Each election shall be conducted by the Returning Officer who shall have the authority to make such rules and determinations as they see fit for the good and proper conduct of the election and/or to resolve any ambiguity in these procedures, provided any such rules or determinations are not inconsistent with these procedures. Such rules and determinations are final and binding.
- b. The Returning Officer may appoint such other administrative staff as they see fit to conduct any aspect of this election process on their behalf.
- c. The Returning Officer and other staff appointed to be involved with the conduct of an electronic ballot will not be included on the electoral roll, and will be ineligible to vote, or to stand in an election as a candidate. In the event that a member of staff who is responsible for this work wishes to vote or to stand as a candidate, the Returning Officer will arrange for a replacement staff member to undertake the relevant operations in accordance with this protocol.

6. Conduct of the ballot

- a. The ballot will be conducted electronically.
- b. The required characteristics of the electronic system and the methodology will be:
 - i. each voter must express a first preference to cast a formal vote
 - ii. duplicate preferences and preferences following interruption in the sequence of a ranking will be deemed informal, and
 - iii. the count will allow for optional preferential voting.
- c. The Returning Officer will be responsible for authorising all information relating to the election.

7. Nominations and election procedure

- a. All candidates and voters must satisfy any eligibility criteria for the designated position as communicated by the Returning Officer, including those under the Act or in the Terms of Reference of the relevant committee.
- b. The Returning Officer will request that an electronic electoral roll for the relevant electorate be generated not more than thirty (30) calendar days prior to the appointed day. The electoral roll shall be deemed to be correct notwithstanding any errors or omissions.
- c. The Returning Officer will, not less than twenty-one (21) calendar days before the appointed day, notify the relevant electorate of the election and invite nominations from candidates. The method of notification shall be determined by the Returning Officer.
- d. Nominations for election must be lodged by the time specified by the Returning Officer which will be no less than fourteen (14) calendar days after members of the electorate are notified of the election. Nominations must include any other information and satisfy any other requirements specified by the Returning Officer.
- e. A candidate who fails to submit or properly or accurately complete the nomination and fulfill any other requirements specified by the Returning Officer will be deemed to be ineligible by the Returning Officer whose decision will be final.
- f. Candidates may support their nomination with a profile which must:
 - i. be in English and not exceed 150 words in length (or such other number determined by the Returning Officer)
 - ii. be confined to a description of the candidate and of the candidate's qualifications, skills, and experience relevant to the governing body and does not contain information that the Returning Officer considers to be false, misleading or illegal, and
 - iii. be submitted in a form and in compliance with any other requirements specified by the Returning Officer.
- g. Failure to include a profile will not invalidate a nomination.
- h. If the eligibility criteria for a designated position includes a requirement that the member be 'fit and proper' to hold the position, the Returning Officer may have regard to any other relevant information of which the Returning Officer becomes aware in addition to the information provided by the candidate. The Returning Officer's ruling on such eligibility will be final.
- i. If upon the closing of nominations the number of eligible candidates does not exceed the number of positions to be filled, the Returning Officer will declare such candidate(s) elected. If the number of candidates exceeds the number of positions, the Returning Officer will conduct a ballot.
- j. The order of candidate names on the ballot shall be determined by random selection.

Each member of the relevant electorate who wishes to record a vote shall lodge their ballot form during the polling period in accordance with the instructions provided to voters.

8. Electronic ballot and vote counting

- a. Votes shall be counted electronically.
- b. Only the ballots of valid voters will be included in the count. Voter validation will be achieved at the time of log-in to the voting site.
- c. Each voter may vote once only. Voters must place the number 1 against a candidate's name to cast a formal vote and may list the other candidates in order of preference.

- d. Once a voter logs off the website the ballot will be permanently cast and cannot be altered.
- e. Prior to the poll closing, the Returning Officer may authorise the addition to the electoral roll of the name of an eligible voter, who for technical or other reasons, was not included in the roll or was unable to vote on the website. The Returning Officer's decision shall be final.
- f. Non-electronic ballots will not be accommodated.
- g. In the event that polling is interrupted by a temporary breakdown or temporary unavailability, there will be no extension of the polling period, except if the interruption occurs on the appointed day. In the latter event, the polling period will be extended to a time determined by the Returning Officer. Where a serious breakdown occurs, the Returning Officer will approve another appointed day, and arrange for the whole or part of the election process to be repeated. The Returning Officer's decisions under this section are final.

9. Non-electronic ballot

If it is not practicable to conduct an electronic election for any given election, the election may be deferred or the ballot will be conducted using a manual election process, as determined by the Returning Officer.

10. Election results

At the completion of the count, election tally reports will be forwarded to the Returning Officer. As soon as possible after the counting of votes has been completed the Returning Officer shall:

- a. inform each candidate individually, in confidence, of the result of the election prior to making a declaration to the relevant electorate, and on request, inform the candidate of the number of votes cast for each candidate, and
- b. declare the election and notify members of the relevant electorate of the names of the candidate(s) elected.

11. Withdrawal or cancellation of elections

The Returning Officer may withdraw, cancel or revoke any election which has been called in error or for any other reason deemed appropriate by the Returning Officer. The Returning Officer's decision is final.

12. Accessibility Requirements

The Returning Officer will put in place measures to ensure that, as far as reasonably practicable, candidates and members of electorates with accessibility requirements are able to participate.

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Responsible Officer	General Counsel and University Secretary
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