Election Procedures

Table of Contents

1. Purpose
2. Definitions
3. Principles and conduct by candidates
4. Ordinary elections and casual vacancies
5. Returning Officer
6. Conduct of the ballot
7. Nominations and election procedure
8. Electronic ballot and vote counting
9. Non-electronic ballot
10. Election results
11. Withdrawal or cancellation of elections
12. Accessibility Requirements

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	staff holding a continuing, convertible or fixed-term appointment classified at the academic classification levels A-E in accordance with Enterprise Agreement, research staff whose salaries are tied to the academic classification levels, Deputy Vice-Chancellors and Pro Vice-Chancellors, and other staff (excluding the Vice-Chancellor) holding senior academic appointments.
appointed day	the day appointed by the Returning Officer for the final day of voting on an election
casual vacancy	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: a. removal from office pursuant to the Act b. death c. ceasing to continue in the capacity in which they were appointed or elected d. resignation e. disqualification from managing corporations under Chapter 2D Part 2D.6 of the *Corporations Act 2001* f. appointment to the office of Chancellor or Vice-Chancellor.

ABN: 65 542 596 200 CRICOS No: 00114A

FEARLESS

<table>
<tr><td>current enrolment</td><td>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:
a. the topic is a semester topic for the semester in which the election date falls, or
b. 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
c. the student is enrolled in a research thesis and the student is enrolled in the topic on the date of the election.</td></tr>
<tr><td>electorate</td><td>the body of individuals eligible to vote in an election for a designated position, as outlined below:
<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 students[1]</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</td></tr></table>[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.
[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 is entitled 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.</td></tr>
<tr><td>designated position</td><td>a membership position on Council or its committees which must be filled by election, including without limitation:
a. the academic staff member of Council
b. the professional staff member of Council
c. the undergraduate student member of Council
d. the postgraduate student member of Council
e. any elected member of Academic Senate</td></tr>
<tr><td>extraordinary election</td><td>an election to fill a casual vacancy</td></tr>
<tr><td>nomination period</td><td>the time specified by the Returning Officer which will be not less than fourteen (14) calendar days.</td></tr>
<tr><td>ordinary election</td><td>an election to fill a designated position other than as a result of a casual vacancy.</td></tr>
<tr><td>polling period</td><td>the period during which votes may be cast in relation to an election, which must 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.</td></tr>
</table>

professional staff	staff who hold a continuing or fixed-term appointment classified at the professional staff classification levels in accordance with 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	a student who has a current enrolment in an award course in one of the following categories: a. Doctoral Degree by Research b. Doctoral Degree by Coursework c. Masters Degree by Research d. Masters or Extended Masters Degree by Coursework e. Graduate Diploma f. Graduate Certificate g. any other award course deemed by the Deputy Vice-Chancellor (Students) (or equivalent) to be a postgraduate award course 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 is not eligible to participate in an election.
Returning Officer	the University Secretary or any other person deemed by the University Secretary or Vice-Chancellor to be the Returning Officer.
undergraduate student	a student who has a current enrolment in an award course in one of the following categories: a. Graduate Entry Bachelor Degree b. Bachelor Degree Honours c. Bachelor Degree, Ordinary d. Sub-Bachelor Degree e. any other award course deemed by the Deputy Vice-Chancellor (Students) (or equivalent) to be an undergraduate award course.

3. Principles and conduct by candidates

a. Elections will be conducted in accordance with principles of fairness, security and privacy for candidates and voters.

b. 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 will be included in the count, and each voter will be entitled to vote once only.

c. The vote counting system will be auditable.

d. 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. The polling period to elect designated positions will be determined by the Returning Officer.

b. Candidates for designated positions will be elected by the members of the corresponding electorate. The Returning Officer may include or exclude individuals from an electorate, and their decision will be final and valid notwithstanding any error.

c. Where a standing committee's Terms of Reference sets out provisions regarding the process for casual vacancies, those provisions will apply in lieu of these procedures.

d. 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, unless:

   i. a casual vacancy occurs less than six (6) months before the next ordinary election, in which case the position will remain vacant until the next ordinary election; or

   ii. the casual vacancy arises due to a position being unfilled at an ordinary election, in which case the Returning Officer may hold an extraordinary election within four (4) months after the ordinary election

e. A person who fills a casual vacancy will hold office until the expiry of their predecessor's term.

5. Returning Officer

a. Each election will be conducted by the Returning Officer who has the authority to make rules and determinations for the good and proper conduct of the election, and to resolve any ambiguity in these procedures, provided any rules or determinations are not inconsistent with these procedures. Any such rules and determinations are final and binding.

b. The Returning Officer may appoint administrative staff to conduct any aspect of this election process on their behalf.

c. The Returning Officer and staff appointed to conduct any aspect of the election process will not be included on the electoral roll, and are ineligible to vote or to stand in an election as a candidate. A staff member who wishes to vote or to stand as a candidate will not be appointed by the Returning Officer to conduct any aspect of the election process..

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 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 forty-five (45) calendar days before the appointed day. The electoral roll will be deemed to be correct notwithstanding any errors or omissions.

c. The Returning Officer will notify the relevant electorate of the election, invite nominations from candidates, and specify the nomination period not less than twenty-one (21) calendar days before the appointed day. The method of notification will be determined by the Returning Officer.

d. Nominations for election must be lodged by the end of the nomination period. Nominations must include any relevant information and satisfy any requirements specified by the Returning Officer.

e. A candidate who fails to:

   i. submit the nomination

   ii. properly or accurately complete the nomination

   iii. fulfill any other requirements specified by the Returning Officer

   will be deemed to be ineligible by the Returning Officer.

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 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, in determining eligibility.

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 will be determined by random selection.

8. Electronic ballot and vote counting

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

b. Votes will be counted electronically.

c. 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.

d. 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.

e. Once a voter logs off the website the ballot will be permanently cast and cannot be altered.

f. 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.

g. Non-electronic ballots will not be accommodated. Measures will be put in place by the Returning Officer to ensure that, as far as reasonably practicable, candidates and members of electorates with accessibility requirements are able to participate.

h. In the event that the polling period is interrupted by a temporary breakdown or unavailability of the electronic system, there will be no extension of the polling period unless the interruption occurs on the appointed day. In this event, the polling period will be extended to a time on the same day 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.

9. Non-electronic ballot

a. 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.

b. Where a manual election process is used, the conduct of the ballot will proceed in accordance with Procedure 6 as far as practicable.

10. Election results

a. 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 will:

   i. inform each candidate individually, in confidence, of the result of the election prior and, on request, inform the candidate of the number of votes cast for each candidate to making a declaration to the relevant electorate, and

   ii. declare the election and notify members of the relevant electorate of the names of the candidates elected.

b. If at any election one or more positions are unfilled:

   i. where a standing committee's Terms of Reference sets out provisions regarding the process for the positions to be filled, that process will be followed; or

   ii. the unfilled positions will be treated as casual vacancies.

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.

12. Related Policies

Code of Conduct

Student Code of Conduct

Academic Senate Terms of Reference

ABN: 65 542 596 200 CRICOS No: 00114A

FEARLESS

Approval Authority	Council
Responsible Officer	General Counsel and University Secretary
Approval Date	5 December 2024
Effective Date	5 December 2024
Review Date*	2027
Last amended	General Counsel and University Secretary, 7 October 2026
CM file number	CF11/1617
* Unless otherwise indicated, this policy or procedures still apply beyond the review date.	

Printed versions of this document are not controlled. Please refer to the Flinders Policy Library for the latest version.

ABN: 65 542 596 200 CRICOS No: 00114A

FEARLESS