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1 PURPOSE

- 1.1 This policy and procedure outlines eligibility and process requirements for the elected members of CQUniversity’s Council and the election of the Deputy Chancellor.

2 SCOPE

- 2.1 This policy and procedure applies to the election of persons to the positions of:
- elected academic employee
 - elected professional employee
 - elected student, and
 - Deputy Chancellor.

3 POLICY STATEMENT

- 3.1 The persons to become elected members of the Council as provided by Section 15 of the [Central Queensland University Act 1998](#) (Qld) will be elected in accordance with this policy and procedure.
- 3.2 The election of the Deputy Chancellor as provided by Section 31 of the *Central Queensland University Act* will be conducted in accordance with this policy and procedure.
- 3.3 This document meets the requirements of Section 26AA of the *Central Queensland University Act*, which specifies the Council must make a policy about the conduct of elections required under sections 15 and 20A of the *Central Queensland University Act* and publish the policy on the University's website.

4 PROCEDURE

Positions and persons covered by this procedure

Elected members

- 4.1 The elected members of Council (as specified in Section 15 of the *Central Queensland University Act*) are:
- one full-time or part-time academic or teaching employee (referred to in the *Central Queensland University Act* as academic staff)
 - one full-time or part-time professional employee (referred to in the *Central Queensland University Act* as general staff), and
 - one student.

Eligibility

- 4.2 One full-time or part-time academic or teaching employee will be elected to the Council, pursuant to section 15(2)(a) of the *Central Queensland University Act*, by persons whose names appear on the Academic Employee and Vocational Education and Training (VET) Educators rolls. To be eligible to nominate, academic and teaching employees must have their name on the Academic Employee Roll or VET Educators Roll, and possess at least one required skill or competency listed in Section 1 of the Council Membership Strategy.
- 4.3 One full-time or part-time professional employee will be elected to the Council, pursuant to section 15(2)(b) of the *Central Queensland University Act*, by persons whose names appear on the Professional Employee Roll. To be eligible to nominate, professional employees must have their name on the Professional Employee Roll, and possess at least one required skill or competency listed in Section 1 of the Council Membership Strategy.
- 4.4 One student will be elected to the Council, pursuant to section 15(2)(c) of the *Central Queensland University Act*, by persons whose names appear on the Student Roll. To be eligible to nominate, students must have their name on the Student Roll, and maintain their enrolment at the University for the duration of their term of office.
- 4.5 Section 19 of the *Central Queensland University Act* specifies the terms of office for the elected members of Council.
- 4.6 The elected academic or teaching employee and the elected professional employee will hold office for four years, provided they maintain their employment for the duration of their term of office.
- 4.7 The elected student will hold office for two years, provided they maintain their enrolment for the duration of their term of office.

Deputy Chancellor

- 4.8 Section 31 of the *Central Queensland University Act* specifies:
- There is a Deputy Chancellor of the University.

- The Council must elect a member as Deputy Chancellor whenever there is a vacancy in the office.
- The Deputy Chancellor will hold office for the term, not longer than four years, fixed by the Council.

Returning officer

- 4.9 The University Secretary will be the Returning Officer for all elections to the Council and will have the authority to appoint persons to assist in the conduct of any such election and in the performance of the duties of Returning Officer.

Timetable for elections

- 4.10 Elections will be held as required and in accordance with a timetable determined by the University Secretary.

Casual vacancies – elected members

- 4.11 If a casual vacancy arises in the office of an elected member, Council will make an appointment to the office in accordance with the provisions of section 20(A) of the *Central Queensland University Act*. The person appointed will fill the vacancy for the balance of the term of office of the person's predecessor, in accordance with section 22 of the *Central Queensland University Act*.

Acting Deputy Chancellor

- 4.12 If the Deputy Chancellor position becomes vacant and a new Council is in the process of being constituted, the Chancellor will make a recommendation to Council, at its first meeting, for approval of a suitable member of Council to act as Deputy Chancellor until such time as an appointment is made by way of the recognised election process.

Deputy Chancellor's term of office

- 4.13 The Deputy Chancellor's term of office will be determined by Council at the next Council meeting following the declaration of the election outcome.
- 4.14 The term of office would usually be for the duration of the successful candidate's term on the Council but must not be longer than four years.

Establishment of electoral rolls

- 4.15 For each election to the Council, the University Secretary will establish electoral rolls in the following categories:
- The Academic and Teaching Employee Rolls - consisting of the full-time and part-time academic and VET educator employees of the University which covers continuing and fixed-term employees appointed on full-time, part-time or flexible work year arrangements, but not casual employees.
 - The Professional Employee Roll – consisting of the full-time and part-time professional employees of the University, which covers continuing and fixed-term employees appointed on full-time, part-time, term, annualised hours or flexible work year arrangements, but not casual employees.
 - The Student Roll – consisting of the full-time and part-time enrolled enabling, VET, undergraduate and postgraduate students of the University.
 - The Deputy Chancellor Election Roll – consisting of all members of the Council.
- 4.16 Each electoral roll will contain the name of each person entitled to be on that roll. Each roll will be established by the Returning Officer and will be open to inspection by any person from the category of persons to be included on that roll. The rolls will be kept in such form as the University Secretary sees fit.
- 4.17 Any person qualified under Section 4.15 to be included on a roll, and whose name has not been entered on that roll, may apply to the University Secretary to have their name included on the roll. If the University

Secretary is satisfied that the applicant is entitled to be enrolled, the University Secretary will enter the applicant's name on the appropriate roll.

Eligibility for Deputy Chancellor election

- 4.18 Council members appointed by the Governor-in-Council and Additional Members appointed by the Council are eligible for election to the position of Deputy Chancellor. The official members of Council (the Chancellor, Vice-Chancellor and President, and President of Academic Board) and the elected members of Council (employee and student) are not eligible.

Notification of forthcoming election

- 4.19 When a Council election is necessary, the University Secretary will notify persons eligible to be on the relevant electoral roll that it is intended to conduct an election.
- 4.20 For election of the Deputy Chancellor, the notification will be issued once the Council is fully constituted, or as soon as practicable if the Deputy Chancellor position becomes vacant while the Council is fully constituted.
- 4.21 For election of members to the Council, the normal method of notification to employees and students will be via their University e-mail address. The University Secretary may, in addition, decide to publicise the election in appropriate newspapers.
- 4.22 For election of the Deputy Chancellor, the normal method of notification to Council members will be via the Council mailing list.
- 4.23 The notice will:
- state the number and categories of members to be elected
 - invite nominations of persons for election. Such nominations will be made in a form specified by the University Secretary
 - state that candidate statements are to be no longer than 1500 characters
 - state that employee candidates must address how they possess at least one skill or competency from the Council Members Skills Matrix and provide a link to the Matrix
 - prescribe a date and time, which will be not less than 10 days and not more than 21 days after the day on which nominations were called, by which nominations must be delivered to the University Secretary or other Returning Officer nominated by the University Secretary
 - prescribe a date and time, which will be not more than five days prior to the day on which nominations for the election close, at which time the electoral roll for that election will be closed, and
 - advise the date by which received nominations will be confirmed (or otherwise) and the process to follow if a confirmation is not received.

Nominations

- 4.24 A person nominating for an elected member position will not be a candidate for more than one vacancy on the Council at any one election.
- 4.25 A person nominating for an elected member position will not be entitled to occupy concurrently more than one position on the Council.
- 4.26 All nominations will be considered for compliance with the nomination and eligibility requirements and the nominee advised in writing prior to the commencement of the election whether their nomination has been confirmed. If a nomination is not confirmed, reasons for that decision will be provided.
- 4.27 Once voting in an election has commenced, a candidate will not be able to withdraw from candidacy.

Voting

- 4.28 If at the expiry of the date and time by which nominations for election must be delivered to the University Secretary or specified Returning Officer, the number of persons duly nominated does not exceed the number of such persons to be elected, the person or persons duly nominated will be deemed to have been duly elected.
- 4.29 Where the number of nominations exceeds the number of vacancies to be filled, the University Secretary will conduct an election by secret ballot using the University's secure online voting system. The following will be made available to each person entitled to vote:
- an electronic voting form which will show the names of the candidates for election. The order in which the names appear will be the same order as they are drawn by the University Secretary or specified Returning Officer
 - a notice indicating that the voting form must be completed in the University's online election system and prescribing a date and time by which a completed voting form must be submitted in order to be included in the count of the election, and
 - where a candidate has supplied to the University Secretary, in the time specified by the University Secretary, a statement setting out the candidate's University status and other qualifications for office, a copy of that statement.
- 4.30 In any election an interval prescribed by the University Secretary, of not less than five and not more than 21 days, will be allowed between the commencement of voting and the close of voting.
- 4.31 Voting will normally require voting only for the number of candidates required to fill the vacancy/ies with the candidate/s with the highest number of vote/s being declared elected.

Online election system

- 4.32 The University's online election system provides a secure voting method which ensures:
- the integrity of the election
 - voting is done by secret ballot, as specified in section 26AA of the *Central Queensland University Act*
 - only eligible voters can vote in the election, and
 - eligible voters can only vote once in each election.

Conduct of election candidates

- 4.33 Candidates must abide by the [Election Campaign Guidelines](#) in the conduct of their election campaign.

Recording a vote

- 4.34 To record a vote electronically, a voter will access the online election system and select the name of each candidate the voter wishes to be elected. A voter may not vote for more candidates than there are vacancies to be filled, and will not vote more than once in an election.

Counting of votes

- 4.35 The Returning Officer will rely on the report provided by the online election system detailing the number of votes received by each candidate. This report will be produced automatically by the system immediately following the time scheduled for the close of voting.
- 4.36 The online election system will not permit more votes than are required to be cast by any voter. The system will only count votes cast by clicking in the square next to the candidate's name.
- 4.37 The candidate who has received the largest number of votes will be declared elected. In the case of two candidates receiving the same number of votes, the Returning Officer will draw lots in the presence of scrutineers to determine which of the two candidates is to be declared elected.

Notification of results

- 4.38 The Returning Officer will, as soon as practicable after the result of an election has been declared, notify the successful and unsuccessful candidates and publish the result by electronic or other means.

Invalidity

- 4.39 No election is to be invalid by reason of:
- any defect in the title or want of title of any person by or before whom such election is held if such person really acted at the election
 - any formal error or defect in any declaration or other instrument or in any publication made pursuant to these procedures or intended to be so made
 - any such publication being out of time
 - any delay in holding the election at the time appointed or in taking the poll
 - any inadvertent failure to send to any person included in the roll any notice or voting paper, or
 - any defect of a merely formal nature.

Complaints

Election of members to Council

- 4.40 A person may lodge a complaint with the Returning Officer about the way an election has been conducted or about the behaviour of individuals (including a candidate) during an election. Complaints can be lodged via email to council-elections@cqu.edu.au.
- 4.41 A person who is dissatisfied with the Returning Officer's decision about their complaint or who is dissatisfied with the conduct of the Returning Officer during the election may formally request a review of the Returning Officer's decision or make a complaint about the Returning Officer's conduct to the Vice-Chancellor and President.
- 4.42 The Vice-Chancellor and President will review the complaint and provide a decision, including reasons for that decision, within 20 working days.

Election of Deputy Chancellor

- 4.43 Where a Council member is aggrieved with a decision of the University Secretary regarding the election of the Deputy Chancellor, they may seek a review of that decision by the Chancellor.
- 4.44 The Chancellor will review the complaint and provide a decision, including reasons for that decision, within 20 working days.

5 RESPONSIBILITIES

Compliance, monitoring and review

- 5.1 The University Secretary is responsible for implementing, monitoring, reviewing and ensuring compliance with this policy and procedure.

Reporting

- 5.2 No additional reporting is required.

Records management

- 5.3 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.

- 5.4 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email records@cqu.edu.au).

6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).

Enrolled student: A person who has a current enrolment in a unit or course and who has paid any fees or charges required by the University.

7 RELATED LEGISLATION AND DOCUMENTS

[Central Queensland University Act 1998](#) (Qld)

[Council Membership Strategy](#)

[Election Campaign Guideline](#)

8 FEEDBACK

- 8.1 Feedback about this document may be emailed to policy@cqu.edu.au.

9 APPROVAL AND REVIEW DETAILS

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Notes	This document was formerly known as the Election of Members to Council Policy and Procedure (last approved 27/06/2018). This document consolidated and replaced the Election of the Deputy Chancellor Procedure (approved 30/11/2020).