

ELECTION OF MEMBERS TO COUNCIL POLICY AND PROCEDURE



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1 PURPOSE

- 1.1 This policy and procedure outlines who is eligible to be elected as a member of Council, and describes the process for conducting elections to the Council.

2 SCOPE

- 2.1 This policy and procedure applies to the election of persons to the positions of elected academic staff member, elected professional staff member (specified in the [Central Queensland University Act 1998](#) (Qld) (the Act) as general staff) and elected student on the Council.

3 POLICY STATEMENT

- 3.1 The persons to become elected members of the Council as provided by Section 15 of the Act shall be elected in accordance with the provisions of this document.

- 3.2 This document meets the requirements of Section 26AA of the Act, which specifies the Council must make a policy about the conduct of elections required under sections 15 and 20A of the Act and publish the policy on the University's website.

4 PROCEDURE

Positions and persons covered by this procedure

- 4.1 The elected members of Council (as specified in Section 15 of the Act) are:
- one member of the full-time or part-time academic or teaching staff (referred to in the Act as academic staff)
 - one member of the full-time or part-time professional staff (referred to in the Act as general staff)
 - one student.
- 4.2 One member of the full-time or part-time academic or teaching staff shall be elected to the Council pursuant to section 15(2)(a) of the Act, must have their name on the Academic Staff Roll or the VET Educators Roll, and shall be elected by the persons whose names appear on those rolls.
- 4.3 One member of the full-time or part-time professional staff shall be elected to the Council pursuant to section 15(2)(b) of the Act, must have their name on the Professional Staff Roll, and shall be elected by the persons whose names appear on that roll.
- 4.4 One student shall be elected to the Council pursuant to section 15(2)(c) of the Act, must have their name on the Student Roll, and shall be elected by persons whose names appear on that roll. Student members must maintain their enrolment for the duration of their term of office.

Terms of office

- 4.5 Section 19 of the Act specifies the terms of office for the elected members of Council.
- 4.6 The elected academic or teaching staff member and the elected general staff member hold office for four years, provided they maintain their employment for the duration of their term of office.
- 4.7 The elected student member holds office for two years, provided they maintain their enrolment for the duration of their term of office.

Timetable for elections

- 4.8 Elections to the Council shall be held as required and in accordance with a timetable determined in each case by the Secretary to Council.

Casual vacancies

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

Returning officer

- 4.10 The Secretary to Council shall be the Returning Officer for all elections to the Council, and shall 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.

Establishment of electoral rolls

- 4.11 For each election to the Council, the Secretary to Council shall establish electoral rolls in the following categories.

- The Academic and Teaching Staff Rolls - consisting of the full-time and part-time academic and VET Educator staff of the University which covers continuing and fixed-term employees appointed on full-time, part-time or flexible work year arrangements, but not casual staff.
 - The Professional Staff Roll – consisting of the full-time and part-time professional staff 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 staff.
 - The Student Roll – consisting of the full-time and part-time enrolled enabling, vocational, undergraduate and postgraduate students of the University.
- 4.12 Each electoral roll shall contain the name of each person entitled to be on that roll. Each roll shall be established by the Secretary to Council and shall be open to inspection by any person from the category of persons to be included on that roll. The rolls are to be kept in such form as the Secretary to Council sees fit.
- 4.13 Any person qualified in terms of Section 6.7 to be included on a roll, and whose name has not been entered on that roll, may apply to the Secretary to Council to have their name included on the roll. If the Secretary to Council is satisfied that the applicant is entitled to be enrolled, the Secretary to Council shall enter the applicant's name on the appropriate roll.

Notification of forthcoming election

- 4.14 When an election of a member of the Council is necessary, the Secretary to Council shall notify all persons eligible to be on the relevant electoral roll that it is intended to conduct an election.
- 4.15 The normal method of notification to staff and students will be via their University e-mail address. The Secretary to Council may, in addition, decide to publicise the election in appropriate newspapers.
- 4.16 The notice shall:
- state the number and categories of members to be elected
 - invite nominations of persons for election. Such nominations shall be made in a form specified by the Secretary to Council
 - state that candidate statements are to be no longer than 500 words
 - prescribe a date and time, which shall 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 Secretary to Council or other Returning Officer nominated by the Secretary to Council
 - prescribe a date and time, which shall be not more than five days prior to the day on which nominations for the election close, at which 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

- 4.17 The presence of a person's name on an electoral roll at the time and date specified, as provided for in Section 3.12, for the closing of that roll, shall be the sole criterion for entitling that person to be nominated for election and to vote at the election for the category of membership.
- 4.18 A person shall not be a candidate for more than one vacancy on the Council at any one election.
- 4.19 A person shall not be entitled to occupy concurrently more than one position on the Council.
- 4.20 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.
- 4.21 Once voting in an election has commenced, a candidate will not be able to withdraw from candidacy.

Voting

- 4.22 If at the expiry of the date and time by which nominations for election must be delivered to the Secretary to Council 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 shall be deemed to have been duly elected.
- 4.23 Where the number of nominations exceeds the number of vacancies to be filled, the Secretary to Council shall conduct an election by electronic vote. The following shall be made available to each person entitled to vote:
- an electronic voting form which shall show the names of the candidates for election. The order in which the names appear shall be the same order as they are drawn by the Secretary to Council
 - 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 Secretary to Council, in the time specified by the Secretary to Council a statement setting out the candidate's University status and other qualifications for office, a copy of that statement.
- 4.24 In any election, an interval prescribed by the Secretary to Council, of not less than five and not more than 21 days, shall be allowed between the commencement of voting and the close of voting.
- 4.25 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. However a preferential voting system may be used if required.

Online election system

- 4.26 The University's online election system provides a secure voting method which ensures:
- the integrity of the election
 - voting is done by secret ballot
 - only eligible voters can vote in the election
 - eligible voters can only vote once in each election.

Conduct of election candidates

- 4.27 Candidates are to abide by the Election Campaigning Guidelines in the conduct of their election campaign.

Recording a vote

- 4.28 To record a vote, a voter shall click in the square opposite the name of each candidate the voter wishes to be elected, completing no more squares than there are vacancies to be filled.

Counting of votes

- 4.29 The Returning Officer shall 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.
- 4.30 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.
- 4.31 The candidate who has received the largest number of votes shall be declared elected. In the case of two candidates receiving the same number of votes, the Returning Officer shall draw lots in the presence of scrutineers to determine which of the two candidates is to be declared elected.

Notification of results

- 4.32 The Returning Officer shall, as soon as practicable after the result of an election has been declared, publish the result by electronic or other means, and shall notify the successful and unsuccessful candidates. The electorate may contact the Secretary to Council to view the number of votes cast for each candidate.

Invalidity

- 4.33 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, or
 - 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, or
 - any such publication being out of time, or
 - any delay in holding the election at the time appointed or in taking the poll, or
 - 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.

Review of election outcome

- 4.34 The Secretary to Council has the authority to determine all matters necessary for the conduct of elections. Where a staff member or student is aggrieved with a decision of the Secretary to Council, they may seek a review of that decision by the Vice-Chancellor and President.
- 4.35 The Vice-Chancellor and President shall 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 Secretary to Council and Director, Governance are responsible for monitoring, reviewing and ensuring compliance with this policy and procedure.

Reporting

- 5.2 No additional reporting is required.

Records management

- 5.3 The completed nomination submissions, electoral rolls and other records relating to an election shall be retained by the Returning Officer for a period of at least one year from the day on which results of the election are declared.
- 5.4 Staff must maintain all records relevant to administering this procedure in a recognised University recordkeeping system.

6 DEFINITIONS

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

7 RELATED LEGISLATION AND DOCUMENTS

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

8 FEEDBACK

8.1 University staff and students may provide feedback about this document by emailing policy@cqu.edu.au.

9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
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Advisory Committee to Approval Authority	
Administrator	Deputy Vice-Chancellor (Student Experience and Governance)
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Notes	This document was formerly known as the Election of Members to Council Procedure (10/11/2017).