

Report of the Returning Officer on the 2024 OUSA Executive Elections

Provided in accordance with clause 3.3.
of the OUSA Elections Policy
25 September 2023

ousa

1. Executive Summary

- 1.1. The election ran incredibly smoothly and I am confident that all students had a fair opportunity to participate. All candidates I dealt with were respectful and easy to work with.
- 1.2. Most candidates preferred to make enquiries as to whether certain conduct was compliant with the Election Policy. This was effective, and I believe helped prevent later complaints.
- 1.3. I received enquiries relating to thirteen separate issues. All enquiries were resolved.
- 1.4. I received only two complaints. They were both resolved without appeal to an independent arbitrator.
- 1.5. **Summary of Recommendations (see in full at 5)**
 - 1.5.1. **I recommend** that there is clarification of the campaign period, and this is made consistent with other documentation for candidates.
 - 1.5.2. **I recommend** that there is a clarification of the rules regarding where posters can be placed in University Buildings.
 - 1.5.3. **I recommend** that financial return forms and volunteer lists are submitted before voting closes.
 - 1.5.4. The new provision 11.1.5.1 which stipulates that there is no restriction on the proximity of campaigning to online voting platforms clarified the rules in relation to social media posts. This has been an effective and pragmatic step to ensure the policy is fit for purpose where online campaigning is commonplace.

2. Overview

- 2.1. Nominations opened at 9:00am on 4 September 2023 and closed at 4:00pm on 7 September 2023.
- 2.2. There were no nominations received for Academic Representative.
- 2.3. The following positions were contested:
 - Welfare and Equity Representative
 - Postgraduate Representative
 - International Students Representative
 - Political Representative
 - Residential Representative
- 2.4. The following positions were uncontested:
 - President
 - Administrative Vice President

Finance and Strategy Officer
Clubs and Societies Representative

- 2.5. Voting opened at 9:00am on 18 September 2023 and closed at 4:00pm on 21 September 2023. Voting was conducted via an online voting system routed through a page managed by OUSA. Votes were cast and counted with the Single Transferable Vote method. I am satisfied that the voting system fulfilled the applicable criteria.

2.6. **The following candidates were returned:**

PRESIDENT:	Keegan Wells
ADMINISTRATIVE VICE PRESIDENT:	Emily Williams
FINANCE AND STRATEGY OFFICER:	Abby Clayton
WELFARE AND EQUITY REPRESENTATIVE:	Tara Shephard
POSTGRADUATE STUDENTS' REPRESENTATIVE:	Hanna Friedlander
INTERNATIONAL STUDENTS' REPRESENTATIVE:	Ibuki Nishida
CLUBS AND SOCIETIES REPRESENTATIVE:	Emma Jackson
POLITICAL REPRESENTATIVE:	Liam White
RESIDENTIAL REPRESENTATIVE:	Stella McCurdy

3. Running of the election

- 3.1. Overall, the election ran relatively smoothly and I am confident that all students had a fair opportunity to participate.
- 3.2. Whilst there was competition for several roles, it is concerning that several roles ran uncontested, which may demonstrate a lack of engagement with OUSA. The election turnout was also relatively low, with less than 2000 students placing their votes.

3.3. **The following enquiries were received:**

- 3.3.1. There was an enquiry as to whether a candidate who was not a member of an OUSA affiliated organisation could request their endorsement. I advised that they could, however, in line with the election policy, they would be unable to be part of the deliberation and voting on whether the organisation would endorse the candidate.
- 3.3.2. There was an enquiry as to whether a candidate needed to ask residential college staff before posting posters on walls. I advised that this was the decision of the college, and this must be respected, as per 10.4
- 3.3.3. There was an enquiry as to when the campaigning period starts. I advised that this is defined under 2.1.2 as starting once nominations close.
- 3.3.4. There was an enquiry as to the limits of using chalk around the University campus. I advised that as a general rule, candidates were free to use chalk on the ground, however, should avoid walls and buildings around the University campus. Additionally, the floodwalls around the clocktower also should be avoided as the University had previously voiced concerns that it damages the amenity of the campus.

- 3.3.5. There was an enquiry as to whether a candidate could comment on an OUSA post on social media. I advised that commenting on OUSA posts is not permitted to promote individual campaigns. However, I advised that candidates are entitled to share OUSA posts related to the election on your own pages.
- 3.3.6. There was an enquiry as to whether a candidate could post promotional material as part of the campaign in Facebook groups. I advised that candidates were free to promote their campaign on such pages and groups.
- 3.3.7. There was an enquiry as to whether current serving executive running for re-election were permitted to use the OUSA offices for non-campaigning purposes. I advised that this was permitted insofar as the candidate was only acting in their capacity as the current executive. Any campaigning in the office is expressly forbidden, as per 11.1.1.
- 3.3.8. There was an enquiry as to the dates that the financial statements are due regarding campaign expenses. I advised that clause 13 states that preliminary expenses are due before voting opens, and final expenses are due 3 working days after voting closes.
- 3.3.9. There was an enquiry seeking the rules around campaigning with posters in libraries and OUSA buildings. In particular, the enquiry concerned whether the link and the union building were included as part of the library umbrella. I advised that candidates were permitted to put posters up on noticeboards in the link and union building. However, walls, doors and windows were not permitted. Additionally, no campaigning is permitted in OUSA buildings.
- 3.3.10. There was an enquiry as to whether filming a promotional video filmed around the University campus would be permitted. I advised that to err on the side of caution, it is advised to avoid filming in areas that campaigning is not permitted (i.e. libraries), as per clause 11.
- 3.3.11. There was an enquiry as to whether candidates could campaign together, including on social media. I advised that this was permitted, insofar as the Election Policy was followed.
- 3.3.12. There was an enquiry as to whether a candidate who is a member of a OUSA affiliated club could seek an endorsement. I advised that this was permitted, as long as the minutes were recorded, including that the candidate did not participate in the deliberation and voting as to whether to endorse the candidate's campaign.
- 3.3.13. There was an enquiry as to whether a candidate who spent no money on their campaign had to file a financial return. I advised that this was still required, and a signed copy should be returned.

4. Candidates' conduct

- 4.1. I had only good dealings with the candidates this year. All were respectful and easy to deal with.
- 4.2. There were no penalties issued. Of the two complaints, one was deemed to breach the Election Policy, although I found that it was unlikely to create a material advantage to the candidate so did not warrant a penalty.

- 4.3. I did not receive all preliminary financial returns. This needs to be clarified going forward – and either removed entirely or closely enforced.
- 4.4. I am still yet to receive final financial returns from each candidate. There are currently around 50% of candidates who have provided these. I have received even fewer volunteer lists.
- 4.5. I did not issue any penalties for the breaches, as I deemed that the breach did not provide a material advantage to the candidate.
- 4.6. **The following complaints were received:**
 - 4.6.1. There was a complaint that posters put up in the partitions in the Link, in breach of cl 11.1.4. Clause 11.1.4 states that “candidates must not campaign in University Libraries.” The particular partition in question had been used for posters all year, including other student groups. Therefore, I concluded that the use of the space was permitted, unless otherwise stipulated by University staff, so there was no breach of the rules.
 - 4.6.2. There was a complaint regarding a post made by a candidate implied an endorsement by OUSA. Clause 14 states that “Candidates must not campaign in a manner that implies an endorsement by OUSA.” The post was a formal campaign advertisement, which tagged the OUSA building as its location and stated “A vote for me is a vote for credibility in @ousanz.” I concluded that it could be construed as being an endorsement from OUSA by third parties. Therefore, I concluded that it was inconsistent with the spirit of clause 14. Despite this breach, the candidate cooperated immediately, taking the post down of their own volition. I also found that it was unlikely to deliver a material advantage to the candidate. Hence, I concluded that a penalty was unnecessary in the circumstances.

5. Recommendations

- 5.1. I **recommend** to clarify that the campaign period is between when nominations close and when voting closes. This need to be consistent across all documentation handed out to candidates.
- 5.2. I **recommend** to clarify where candidates are permitted to place posters around the University. For example, there are University rules which prohibit putting posters on windows and walls, however, these are not made clear in the Election Policy.
- 5.3. Very few candidates submitted their preliminary financial return forms. As previously addressed, there are still final financial returns and volunteer lists which are yet to be lodged. This was also an issue identified in the 2023 Election report at 5.4. This highlighted the risk of undermining the transparency and the integrity of the electoral process. It also found that it is currently impossible to address under the Elections Policy.

I recommend adopting the proposed recommendation made in the 2023 report:

I recommend that the Elections Policy be amended to ban further expenditure of campaign funds and volunteer activities during the voting period, and require candidates to submit their returns and volunteer lists before the close of voting, with a set vote deduction penalty for any candidate who does not do so. I believe this is the only way to ensure financial reporting and avoid exploitation of current weaknesses in the system. I note that last year a candidate overspent the maximum budget by

more than 20% and there was effectively nothing I could do in response”

6. Other Matters

- 6.1. The changes to the Election policy online voting made the Election far easier to administer, and gave far more clarity to the candidates. It is my contention that this has been updated for the better, and is now fit for the times. The existing rules application to social media created impracticable questions such as whether the online link constituted a polling booth. The notable decrease in complaints from the 2023 election may be partially attributed to the amendment.

7. Conclusion

- 7.1. Overall, I believe this election ran smoothly. It was my first time in the role, and I found it a privilege to help facilitate the election. My job was made very easy by the low numbers of complaints, and the transparency the candidates offered with their prospective campaigning, which helped prevent any issues arising.
- 7.2. I wish the incoming executive all the best in their respective roles, and encourage the candidates that missed out to stand again in a future election.
- 7.3. I submit this report as a full record of key events, decisions and recommendations from the 2024 OUSA Election per cl 3.3 of the Elections Policy.

Archie Ritchie

OUSA Returning Officer 2024