

## ELECTION AND NOMINATION POLICY



Approved by Council: 23 November 2016

Revised by Council: None

### Related Documents

Regulation 1 and Determinations

Regulation 2 and Determinations

#### 1. Aims and Rationale

1.1 This policy establishes procedures for the appointment, nomination, and election of members of University boards and committees.

#### 2. Scope

2.1 This policy applies to all appointments, nominations and elections for members of University boards and committees.

2.2 This policy does not apply to the appointment of members of the Council or to persons who are members of boards or committees by virtue of their office.

2.3 This policy applies where a Regulation, Determination, or Policy of the University requires its application, or where a board or committee of the University otherwise determines that it applies to a specific appointment.

#### 3. Principles

3.1 The University desires to benefit from the wisdom, expertise and experience of persons from diverse backgrounds in the appointment of board and committee members and officers.

3.2 The University aims to involve all of its Colleges and a wide range of its partners in the recruitment, selection and appointment of board and committee members and officers.

3.3 The University is committed to ensuring duly qualified persons have the opportunity to serve as members of its boards and committees and in other offices.

3.4 The University has fair, transparent, inclusive and democratic processes for seeking nominations, conducting elections where required, and making appointments to its boards and committees and other offices.

#### 4. Notification and review of appointments

4.1 The Governance and Nominations Committee is responsible for conducting an annual review of all appointments to committees of the Council to ensure forthcoming vacancies or reappointments are addressed in a timely manner.

4.2 The Chair of the Academic Board is responsible for conducting an annual review of all appointments to the Academic Board and its committees to ensure forthcoming vacancies or reappointments are addressed in a timely manner.

- 4.3 A letter of appointment is to be issued to each person appointed or elected to a University board or committee. The letter must record the term and any conditions of appointment within thirty days of the appointment being made, and is issued by:
- a) the Vice-Chancellor, in the case of members of committees of Council; or
  - b) the Chair of the Academic Board, in the case of members of the Academic Board or of its committees.
- 4.4 In addition to the letter of appointment, a certificate of election must be issued by the University Secretary where an appointment is made as the result of an election.
- 4.5 The University Secretary is responsible for maintaining a register of all appointments to University boards and committees including a record of each person appointed and the term and any conditions of appointment.
- 4.6 The University Secretary is responsible for publicly reporting in the University Gazette each appointment made to a University board or committee.

## **5. Appointments by the Council**

- 5.1 The Council appoints a member of one its Committees in accordance with the Determinations to Regulation 1 when a majority of its members assents to a motion to make such an appointment.
- 5.2 The Council delegates to the Governance and Nominations Committees the identification and selection of nominees for appointment to Council committees.
- 5.3 The Governance and Nominations Committee must seek the advice of the Chair of the relevant committee prior to making a recommendation to the Council for appointment or reappointment of a committee member.
- 5.4 The Governance and Nominations Committee may call for nominations from any person or group of persons as it sees fit prior to making a recommendation to the Council.

## **6. Appointments by the Academic Board**

- 6.1 The Academic Board appoints a member of one of its Committees in accordance with the Determinations to Regulation 2, or any officer which it is empowered to appoint, when a majority of its members assents to a motion to make such an appointment.
- 6.2 If the appointment to be made is the Chair or the Deputy Chair of a Committee of the Academic Board and in accordance with the Determinations to Regulation 2 the Academic Board must consider the advice of the Committee in making the appointment, then the Chair of the Academic Board must notify members of the relevant Committee in writing of the opportunity to provide such advice not less than thirty days prior to the moving of a motion for the Academic Board to make such an appointment. The Committee may advise the Academic Board by:
- a) holding an election to determine the name of a candidate to recommend to the Academic Board for appointment, using the provisions of section 8 of this Policy; or
  - b) passing a resolution; or

c) reporting to the Academic Board through the Committee's Chair.

6.3 The Chair of the Academic Board or the Chair's delegate must notify members of the Academic Board of the appointment that is to be made and call for nominations not less than fourteen days prior to the moving of a motion to make such an appointment.

6.4 Where a person is due for reappointment and is willing to be reappointed, the Chair or the Chair's delegate may advise members accordingly when calling for nominations.

6.5 Nominations must be made in writing to the Chair or the Chair's delegate together with any information or endorsement required by the Chair to ensure that each nominee is duly qualified to be considered for appointment.

6.6 Where there is only one nomination and the Chair has determined that the person is duly qualified, the Chair must put a motion before the Academic Board for appointment of that person.

6.7 Where there is more than one nomination, the Chair must put the names and such other information as the Chair sees fit before the Academic Board for consideration. In such cases the Academic Board may either:

a) determine that one candidate has the support of a majority of members and proceed to consider a motion for appointment of that person; or

b) determine to hold an election by secret ballot in accordance with section 8 of this Policy with the result of the election to be recorded in a motion for appointment of that person.

## **7. Appointments by the Chair of the Academic Board**

7.1 The Chair of the Academic Board appoints a member of a Committee of the Academic Board in accordance with the Determinations to Regulation 2, or any officer which the Chair is empowered to appoint, by issuing a letter of appointment to the person.

7.2 In making such appointments or reappointments, the Chair of the Academic Board must seek the advice of the Chair of the relevant Committee.

7.3 The Chair may call for nominations from any person or group of persons as the Chair sees fit prior to making an appointment.

7.4 The Chair must report the name, term and conditions of each appointment made to the next meeting of the Academic Board with the appointment to be recorded in the minutes.

## **8. Appointments by election**

8.1 The University Secretary is responsible for the conduct of an appointment required to be made by an election.

8.2 The Chair of the Academic Board or the Vice-Chancellor may appoint a person or persons as scrutineers to monitor the conduct of an election.

8.3 The Regulation, Determination or Policy which establishes that an election is required for an appointment must state:

- a) the class of persons entitled to be nominated including any requirements in relation to qualifications or endorsements required for nomination; and
  - b) the class of persons entitled to propose nominations (“the nominators”); and
  - c) the class of persons entitled to vote for the appointment (“the electors”).
- 8.4 An election must be held when a vacancy occurs and may be held up to ninety days prior to a vacancy occurring or as otherwise determined by a resolution of the board or committee which has oversight of the election.
- 8.5 The University Secretary must notify the nominators of the appointment and call for nominations not less than fourteen days prior to the first day on which ballots may be cast, stipulating the day on which nominations close which must be not less than seven days prior to the first day on which ballots may be cast.
- 8.6 Nominations must be made in writing to the University Secretary and must include any information or endorsement required by the University Secretary to ensure that each nominee is duly qualified for the appointment and that electors have sufficient information to participate in the election.
- 8.7 Where there is only one nomination and the University Secretary has determined that the person is duly qualified, the University Secretary must declare that person elected.
- 8.8 Where there is more than one nomination, the University Secretary must provide the names of nominees and any associated information to the electors not less than three days prior to the first day on which ballots may be cast, stipulating the day or days on which ballots may be cast. Ballots may be cast on a single day or over a period of up to seven days.
- 8.9 Where a group of electors:
- a) is required to elect one person, ballots are cast and counted according to the preferential voting system used for the election of the House of Representatives of the Commonwealth of Australia;
  - b) is required to elect more than one person, ballots are cast and counted according to the proportional voting system used for the Senate of the Commonwealth of Australia.
- 8.10 Ballots may be cast by completion of a ballot paper or by use of electronic software, provided that the University Secretary ensures that:
- a) no person who is not entitled to be an elector casts a ballot; and
  - b) no person casts more than one ballot unless authorised to do so; and
  - c) each ballot is confidential; and
  - d) if more than one election is being held, ballots for each election are separately distributed and submitted.
- 8.11 On conclusion of the period in which ballots may be cast, the University Secretary must review all ballots and exclude any which do not meet the requirements of section 8.8 of

this Policy or which were cast outside the day or days on which ballots were permitted to be cast.

8.12 The University Secretary must then complete the count of all remaining ballots and produce a statement of results including:

- a) how many ballots were cast;
- b) the votes received by each candidate;
- c) the candidate or candidates elected.

8.13 The University Secretary must issue a declaration of election within seven days of the final day on which ballots were permitted to be cast, stating which candidates were elected. The University Secretary must provide a copy of the statement of results when requested to do so to a candidate, nominator, or elector, but is not otherwise required to distribute the statement of results.

8.14 The University Secretary must issue a certificate of election to each candidate elected.

## **9. Appeals**

9.1 A person who disputes the outcome of an appointment of election under this Policy may only appeal that outcome under the University's Appeals Policy where the appeal is based on evidence that the requirements of this Policy were not observed.

## **10. Date of next review**

10.1 This policy is to be reviewed no later than 31 December 2020.