



Month ECU Student Guild Senate Meeting Agenda

Location: Council Chambers

Date: 9th January 2018

Time: 5:30pm



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1.0 Attendance

1.1 In Attendance

President –

Stewart Lee

General Secretary –

Greg Warren

Vice-President (Academic) –

Sarah Cavanough

Vice-President (Equity & Diversity) –

Vesh Arumugam

Vice-President (Social Activity) –

Caitlin Gibbs

Environmental Sustainability Officer –

Harri Gray

International Officer –

Shariq Ahmed (Absent with leave)

Postgraduate Officer –

Vacant

South West Officer –

Rebecca Joyce

General Senator –

Modjadji Mokoto

General Senator –

Faizan Akram (Absent without leave)

General Senator –

Abishek Mehta

General Senator –

Nicole Maskell

CEO –

Brett Callender

1.1 Observers

1.2 Apologies

Faizan absent without leave – Proxied to Sarah Cavanough

Shariq absence with medical leave granted – Proxied to Greg Warren



2.0 Preliminary Matters

2.1 Acknowledgement of Country

"I would like to acknowledge that we are meeting on Wadjuk Nyoongar land, and I would also like to acknowledge their elders, both past and present. We recognise that the land was stolen and never ceded, and it always was and always will be Aboriginal land."

2.2 Approval of Previous Senate Meeting Minutes

SM1801/01 - Motion that the ECU Student Guild Senate approves the minutes from the December Senate Meeting as formal, accurate and read.

Moved: Greg Warren

Seconded: Stewart Lee

Carried unanimously

2.3 Declaration of Conflict of Interest

None.

2.4 Announcements

2.5 Office Bearers Reports

2.5.1 President

Equipment purchases for the new year.

Attended the President's Summit

Meetings with the Cross-campus Education Network

Dealing with issues with the Jets.

2.5.2 General Secretary

Have been engaged in Policy Review

Have rewritten Undergraduate Department Policy with input from the VPA and the PAC.

Have written a Nominations Policy.

Currently partway through writing a Postgrad Policy. Still waiting on responses from University confirming that Postgrad Officer's role on Research & Higher Degrees committee (RHDC), and the School Research & Research Training Committees (SRRTC) is entirely related to research. TOR for each committee indicate this is the case and that Postgrad by Coursework students' courses are covered by Education Committee and School Teaching & Learning Committees (T&L) instead.

As replacement Postgrad officer, have checked with all Schools as to how student reps on SRRTC are selected. Currently reps are 2 year appointments and are chosen by election amongst all postgrad by research students in the School. After this the reps details are sent to the Guild to see if we will approve them. Given this is a democratic process, that the Guild is consulted on the nomination, and also the elections are run at the Universities



expense I don't see a need to change the current process. I will recommend to the Postgrad Officer (once they are appointed) that they set up a process to incorporate the Reps into their Department, and provide training and oversight of these delegates.
I've received confirmation that WAAPA, SBL, and SMHS have all recently appointed a new rep and gotten their contact details. In each case they had two nominees.
Working on TOR for Discipline Committee using current rules.
Took minutes for Equity Meeting.

2.5.3 Vice-President (Academic)

Getting T&L reps in place. Reappointed some previous members (Lewis price, Gavin Bathgate, Greg Warren, Sarah Cavanough) running through candidates for the remaining four positions.

Has been looking into Consultative committees – student reps appointed by faculty, looking to integrate these students into the Department in some capacity so we get feedback from this low-level committee.

O-Day – planning a department and grooming workshop

Has been reviewing the Undergraduate Studies Department Policy

2.5.4 Vice-President (Equity and Diversity)

Setting budget

Proposal of events:

Planned a Yoga day event, including Goat Yoga.

Planned a Colour festival

Equity meeting

Consultation with collectives

2.5.5 Vice-President (Social Activity)

Finalised timetable for events for semester 1 – event every week at both campuses.

Sent those to CSO

Hypnotist for guild week

Toga party

Meeting with CSO to sort out confirmations for party

Draft site plans done.

Creating a video with Lauren explaining what the Guild does.

2.5.6 Environmental Sustainability Officer

Meeting vendors on all campuses for bio-cups

Meeting with Vice-Chancellor

Garden day – stall for O'day

2.5.7 International Officer

Absent

2.5.8 Postgraduate Officer (Replacement)

Greg contacted Pro-Vice Chancellor (Research) and Vice-Deans (Research) of every school regarding TOR of each of the Research Committee's in the university.

The current School policies on reps for RRTC are that the School runs an election for Research students in the School, and the rep is then submitted to the Guild for approval, then instated for a two (2) year term. The GenSec is dubious as to whether the Guild approval section of this is actually being implemented in all Schools, and after discussing with operations staff, doesn't even think the Guild is being notified when Reps are selected.



When a new Postgrad Officer is selected, they will need to make sure this approval process is followed and that all RRTC reps are aware that they are members of the Postgraduate Department. We likely need to consider contracts of engagement for these reps with reporting requirements in them.

Most RRTC reps are incumbent this year, however, WAAPA's rep stepped down at the end of last year and the School has just completed an election process and sent the reps details to the Guild.

The School of Medical & Health Sciences rep is also vacant and they are about to hold an election for the role. I visited Chriss Abbiss (Associate Dean Research SMHS) and he has promised to keep us up to date on the process and make sure we are put in contact with the winner.

2.5.9 South West Officer

Queer collective South West branch set up

Summer courses

Planned and ready for O'day

2.5.10 General Senator (Modjadji)

Setting up templates for applying for

Looking into increasing

2.5.11 General Senator (Faizan)

2.5.12 General Senator (Abishek)

Looking into promotion of the Guild

2.5.12 General Senator (Nicole)

Waiting for Orientation day

2.6 Accredited Observer Reports

2.6.1 CEO Report

University confirmed budget is \$2m up \$100,000 from last year.

No response from counter proposal from Uni on the commercial tender.

IT upgrade completed – servers have 128GB RAM now. Solid State drives on staff and general senator workstations.

Meeting recording device ordered – hopefully ready for next senate meeting.

Enterprise agreement for Staff – proposal to Uni. Union put a spanner in the work by adding to the agreement. With no problems won't get signed off till May.

Brett's office cleaned.

Working on Policy.

2.6.2 Immediate Past President (IPP)

2.7 Observer Reports



3.0 Priority Items

3.1 Motion to approve amendments to “Undergraduate Studies Department Policy”

SM1801/02 - Motion that Senate approve the amended policy POUG001 titled “Undergraduate Studies Department Policy” as recommended by the PAC.

Moved: Greg Warren

Seconded: Sarah Cavanough

Motion carried unanimously.

Corrected 3 spelling mistakes.

Amended Greg Warren

Seconded Caitlin Gibbs

No dissent



4.0 Discussion Items

4.1 Setting meeting times for remainder of the year.

This includes setting a date for the AGM and remaining Senate meetings.

Thursday 19th April 10am

Action item – everyone must send Greg availability including times for classes

4.2 Asking the University for standardized signage for Equity space – Vesh

Spoke to CSO – was raised in previous year but didn't happen.

Will raise at Equity space regarding privacy issues.

4.3 Establishing a new Equity Space at Mt Lawley campus – Vesh

Action by Friday

4.4 Rules on absenteeism – Greg

The new rules are in the Standing Orders, however, to make the process clear the GenSec outlined the process and the expectations on Senators.

4.5 Setting criteria for PostGrad Role - Greg

Please see – TOR of the “Research & Higher Degrees Committee” as well as the TOR of the “Engineering Research Committee” attached to this document. These Committee positions represent the core focus of the Postgrad Officer at ECU and the foundation of the Department.

4.6 Budget Discussion - Stewart

Setting cutoff – end of Jan for Draft budget including budget lines

4.7 Senate Vacancies policy

Moved Stewart Lee

Seconded Greg Warren

Voted unanimously

4.8 Guild Week

Have a video/pp to show

Tuesday Joondalup

Wednesday Bunbury

Thursday Mt Lawley

Meeting closed @ 7pm

5.0 Other Items

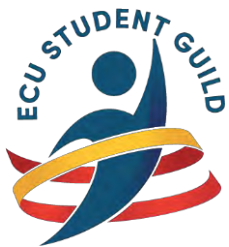




6.0 Appendices

[Appendices should be a separate document exported as an image file and dropped in one page at a time]

6.1 Appendix 1 – Appendix Title



Garry Duijckers
Returning Officer
ABN: 47 964 849 551

ECU Student Guild

Returning Officers Report
General Election 2017

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1 APPOINTMENT – ACCEPTANCE

- 1.1.** In accordance with University Statute 11 – Student Guild and Rule 7 of the University Rules – Student Guild, the Vice Chancellor Professor Chapman, following recommendation from the Guild CEO, confirmed my appointment as Returning Officer on 1 September 2017, for the Guild’s 2017 General Election. As required, I submitted an undertaking that I would perform my duties impartially and in accordance with Statute 11, the Rules, Constitution and Election Procedures.

2 ELECTION NOTICE AND TIMETABLE

- 2.1** An election notice and timetable was prepared in respect to Clause 7 & 8 of the Student Guild – Election Procedures; publication was made at 7:00 AM Monday 10 September 2017 formally inviting nominations for the 2017 General Election.

Refer Appendix 1 and 2.

3 RETURNING OFFICER AND ELECTION STAFF

- 3.1** In consultation with the Guild CEO, polling staff requirements for each campus was determined with a Presiding Officer and two (2) polling staff for each campus decided upon. I subsequently engaged suitably experienced staff and conducted relevant training immediately prior to polling week to ensure consistent application of polling day best practices in line with those adopted by the WAEC.

4 ELECTION PUBLICITY, ADVERTISING AND PROMOTION

- 4.1** Comprehensive coverage of the three core phases of the election process was planned and initiated in collaboration with Guild Operations, being the:

- Notice of election and call for nominations,
- Notice of voting and locations, and
- Declaration of Poll.

The Guild’s website and Social media platforms were heavily utilised at all stages during the election period using cyclic bannerimg on home pages to promote key update messages; as well as, user friendly navigation and/or links to election reference documentation, candidate templates and associated materials. Physical posters were also printed and placed on approved noticeboards across all three campuses. The University, as standard practice, facilitated at least three (3) email advices to all enrolled students as part of the support offered through ECU University Governance. All communications were vetted and approved by myself at the relevant stages.

Particular emphasis was placed on ensuring all reference documentation e.g. Statutes, Rules, By-Laws, Constitution, Election Procedures, Code of Conduct, Contracts of Engagement and Duty Statements were made available on the Guild’s website. Candidates were clearly informed that it was their responsibility to thoroughly read these to understand the duties, obligations and liabilities of nominating for office.

In line with recent changes to the Student Guild’s Rules and Election Procedures an Election Management Plan was developed following consultation between myself, the Guild CEO and the Manager ECU Security and Traffic. The plan defined key aspects of the election process including risk management, campaigning and polling station locations and general communication and escalation protocols.

Further to those changes, a mandatory pre-election meeting was scheduled for Wednesday 4 October 2017. Group Agents and candidates were required to attend so myself and the Manager ECU Security and Traffic could deliver a clear and consistent message to participants concerning election rules and expectations regarding the rules for electioneering conduct. This meeting was well attended and provided an invaluable forum for all stakeholders to raise questions and concerns to ensure, as far as practicable, all participants understood their obligations. The meeting was also recorded (with approval) and a copy sent to all candidates and Group Agents clarifying it was their responsibility to ensure those who were unable to attend could listen and understood their responsibilities and obligations throughout the election period.

5 NOMINATIONS

5.1 As prescribed in Clause 8 (1) of the Election Procedures, nominations ran for a period of three (3) weeks from 7:00 AM, Monday 11 September 2017 to 4:00 PM Friday 29 September 2017.

At the close of nominations 44 applications were received for a total of 19 available positions i.e. 12 Student Guild Senate positions and seven (7) NUS Delegate positions. Eligibility confirmation checks conducted after nominations closed, showed three nominations to be ineligible, meaning 41 candidates were accepted and progressed.

All 19 positions were contested and therefore required ballots.

Position	Vacancies	Nominations Received
President	1	2
General Secretary	1	2
Vice-President Academic	1	2
Vice-President Equity and Diversity	1	2
Vice-President Social Activity	1	2
Environmental Sustainability Officer	1	3
Postgraduate Officer	1	3
International Officer	1	5
South West Officer	1	2
General Senator (3 x positions)	3	8
National Union of Students (NUS) Delegates	7	10

6 CAMPAIGN MATERIAL AND CANVASSING

6.1 Overview

Procedural changes were implemented for these elections to facilitate significant improvements for the submission, vetting and approval of campaign material for individual candidates and candidate groups. A Campaign Material Request template was introduced to facilitate practical and consistent management of all materials included electronic media.

Designated campaigning areas were also implemented to restrict the physical locations where candidates could undertake canvassing; the intent being to place all such activity within readily recognised boundaries with single line of site. This was unexpectedly well received by candidates with only a small number of minor infringements noted during the campaigning and polling weeks.

6.2 Broadsheet

The election Broadsheet is entrenched in Clause 11 of the Election Procedures and, for the primary benefit of the voter, provides a clear overview of all eligible candidates following the close of nominations. Optionally candidates can submit an election statement and/or photograph for inclusion in the Broadsheet as part of their nomination process. It is a valuable singular resource that provides voters with a clear insight into what each candidate stands for.

Refer Appendix 3

6.3 Campaign Materials and Canvassing

Comprehensive changes were made to Clause 15 of the Election Procedures resulting in clear and concise accountability being assigned to candidates. The RO was also afforded greater discretionary powers in determining the suitability of campaign materials through the changes.

Integral to the practical and effective management of canvassing by both the RO and ECU Security, was the adoption of a closed campus rule to mitigate the impact of non-student entities encroaching on the election process as had been the case in previous years. At ground level, I also implemented three (3) pocket identification tags that had to be worn by candidates, and their nominated ECU Student supporters, whenever campaigning/canvassing was being undertaken.

The tags identified the status of each person i.e. Group Agent, Candidate, Supporter and Election Staff, they also named the Candidate and/or Group they were involved with and each tag was randomly numbered and recorded in a register to avoid potential copying. The third pocket was for the person's Student ID Card to reinforce the ease of identification by myself and/or ECU Security.

Refer Appendix 4

Candidates and Group Agents were required to submit, in writing, their supporter lists, which were cross referenced with the electoral roll before I granted approval for those nominated to act as official supporters.

These steps proved invaluable in mitigating breaches of conduct.

Materials submitted to me were, in the majority, approved. I sought clarification on several items from the relevant candidates' / group agent and, where I was still not satisfied they met the appropriate standards, were either withdrawn or amended at my direction. These directions were complied with immediately to the credit of all involved. Most of these related to what I deemed to be claims and promises that were not achievable.

Control over materials posted to the relevant groups social media sites proved to be more difficult to monitor; notwithstanding, there was only one minor infringement I am aware of. In light of this additional procedural steps will be adopted in the future to address the social media campaigning.

7 ELECTORAL ROLL

- 7.1** The ECU Office of Governance services provided the number and format of roll's I requested, and in the amended format asked for. These were closed off and run immediately following the close of nominations at 4:00 PM Friday 29 September 2017 and delivered the following Monday, 2 October 2017.

The roll reflected the number of eligible student voters as being 23,989.

8 LIAISON AND COMMUNICATION

8.1 RO - Guild

While having officiated at state elections this was the first student election I had managed; the by-election, for the Student Guild, I was appointed to as RO earlier this year was uncontested and did not proceed to ballot. The general election was a very different affair.

This was the first election under new Rules and Election procedures, with the Guild CEO, Brett Callender being the primary liaison point. Following extensive consultation namely centered around the overall lack of formal documentation, including templates, the CEO suggested in the interests of staying within the Election budget, that Guild operations would draft all required documentation. Conditional on all drafts being reviewed and approved by myself prior to use, I agreed.

The suite of documentation was extensive and of a very high standard; had I had to draft it all it would have been a very expensive exercise. As and when requested, the CEO facilitated all of my requests and requirements in a prompt and professional manner, which was central to the planning and organisation of the election and successful implementation, and proved invaluable.

The Student Guild was professional and capable in all my dealings with them and, of particular note, was the prompt and efficient support I received, often at short notice, from Guild Operational staff, particularly across the three polling days.

8.2 RO – University

Kathryn Clarke, Senior Advisor, Governance Services was my University liaison and took care of the production of the electoral rolls and communication with the whole student body in relaying key election updates through email advices. She was very prompt and proficient in all dealings I had with her over the election period as was the manager of Governance, Tony Lazzara, in her absence.

Hamish Cotton, Manager Security and Traffic worked closely with myself and the Guild CEO in producing the Election Management Plan – **Refer Appendix 5** – and also spoke with candidates at the pre-election meeting to relay key information about the University By-Laws, his expectations of conduct during the polling days and the consequences of non-compliance. ECU Security and my staff worked very closely together during the polling days with the benefit of a mutually agreed understanding of action to ensure any misconduct that might arise would be dealt with quickly and effectively.

All stakeholders were provided with a contact list for, RO, Electoral staff, CEO, Manager Security and Security staff. Security were also provided with campaigning area maps, campaign material lists and identification tag registers to readily check on compliance.

8.3 RO – Students

My contact details, both email and mobile, were readily accessible and broadly published across all mediums. I was comfortable that all lines of communication were readily accessible and transparent for anyone including students to contact me.

9 DRAW FOR POSITION ON BALLOT PAPER

- 9.1** The draw for ballot paper positions took place on Monday 2 October 2017, all eligible candidates were invited to the draw and subsequently advised of the outcomes.

Refer Appendix 6

10 POLLING PLACES AND EQUIPMENT

- 10.1** A key element in managing risk was changing the location and configuration of Polling Places on all campuses. By applying controlled single entry and exit, and unobstructed voter access was integral as was ensuring the three appointed Presiding Officers had clear line of site for the immediate polling station area and the greater campaigning area.

This proved highly successful and enabled Electoral officers and ECU Security to effectively monitor overall conduct throughout polling days.

- 10.2** Each polling station was configured in the same way with the same equipment and signage for the benefit of all voters. Utilising enclosed marquees in open spaces rather than the inherent issues associated with trying to adapt a building space to accommodate effective polling spaces was a significant improvement on past elections.

11 COUNT OF VOTES

- 11.1** Initial count took place on Thursday evening 12 October, following the close of polls at 4:00 PM. Further counting took place on Friday and Monday 13 & 16 October with final counts for General Senators and NUS delegates being conducted on Tuesday and Wednesday 17 & 18 October; this was necessary due to comprehensive proportional distribution being required to determine some positions.

- 11.2** While only 1402 votes were cast, due to the closeness of some positions, the number of recounts and multiple preferential redistributions required, meant a little over 31,800 votes were actually counted.

12 DECLARATION OF RESULTS

- 12.1** The declaration of poll inclusive of advices to the Guild CEO, University and Vice Chancellor, was conducted at 6:00 PM Wednesday 18 October 2017.

All elected, and unsuccessful, candidates were formally advised prior to 12:00 PM midday Thursday 19 October 2017. Electronic publication on the Guild's website and Social media platforms and physical posters printed and placed on noticeboards across all three campuses was completed by 12:00 PM midday Friday 20 October 2017.

Refer Appendix 7

13 PARTICIPATION

- 13.1** Voter turnout was positive with a total of 1402 votes cast, this was only slightly down on the 2016 figure of 1434 with 11 ballot papers issued. This is only representative of 5.85% of the eligible roll (also slightly down on the previous year) but still a marked improvement over the years prior to 2016. As has been the trend, turnout was greatest at the Joondalup campus:

Joondalup:	71% of vote
Mt Lawley:	26% of vote
Bunbury:	3% of vote

14 INFORMAL VOTES

- 14.1** Informal votes were high at 11% of the total votes cast; it would only be speculation as to why this occurred but various campaigning strategies and HTV cards, adopted by all candidates, may have been a contributing factor.

15 POSTAL VOTING

- 15.1** Despite heavy promotion on the Guild's Website and Social Media, only two (2) students exercised their right to request, and submit a postal vote.

16 CANDIDATE CONDUCT COMPLAINTS AND APPEALS

16.1 Changes

Key changes to the ECU Student Guild Rules and Election Procedures resulted in a clear separation between complaints and appeals.

Complaints in respect to alleged misconduct, as defined under Clause 23 of the Election Procedures, must be submitted to the RO who, at their sole discretion will determine the validity of the complaint.

An appeal, where the appellant believes, should it be proven, could have an impact on the validity of an election outcome, must be submitted to the Chair of the Election Tribunal. The Election Tribunal have the sole power to determine whether or not any given appeal may have an impact on the outcome of an election.

16.2 Conduct

Notwithstanding matters listed under Referrals below, conduct, in general, by candidates, supporters and voters was acceptable. In light of the extensive range of procedural constraints implemented e.g. defined campaigning areas, campaign material control and increased electoral staff presence, instances of potential misconduct, in the main, were identified and dealt with quickly and effectively.

Two (2) behaviors observed that are worthy of note were;

- a. Wide use of foreign language by candidates in a campaigning environment where I, and my staff, had no way of establishing what was being said and whether breaches of conduct may have been occurring, was of particular concern.

- b. Candidates interrupting and talking over an opposition candidate, when that person was speaking with a potential voter(s), was observed at all campuses with protagonists spoken to and warned to desist immediately.

From my own involvement and reports from my Presiding Officers, offenders in the majority heeded warnings.

16.3 Complaints

I received a number of email submissions regarding alleged breaches as defined in Clause 23 of the procedures; with the exception of a combination of matters relating to one (1) candidate, I did not deem any of the others as legitimate in the context of supporting evidence to warrant further action. **Referrals**

In accordance with Clause 23, 3 & 4 of the Election Procedures, I have however referred elected candidate **Peter Kihiu** – Postgraduate Officer (LIFT ECU) to the Student Guild Discipline Committee for determination of alleged breaches of election misconduct.

Refer Appendix 8

17 RECOMMENDATIONS

17.1 Materials and campaigning / canvassing – language neutrality

- a. As mentioned under 16.2 above, and in recognised the student body is multicultural it is not realistic or reasonable for electoral staff to be multi lingual. Accordingly, I recommend procedures be amended to nominate English as the only language to be used for all campaigning materials and activities, including physical canvassing; as well as, all social media platforms.
- b. I recommend the introduction of colour coding for all printed material used by groups and independent candidates. This would address claims about candidates canvassing across group boundaries by facilitating accurate and quick identification of campaign materials and who they relate to. Colours would be allocated based on a draw conducted by the RO, as is the current practice when determining positions on ballot papers.
- c. Advertising and potentially misleading claims / statements should not be printed on How to Vote (HTV) papers. I recommend all HTV's are produced by the RO and supplied to Groups and candidates to mitigate this.

17.2 Polling Review

- a. In the interests of expediency and significant cost savings to the Guild, I strongly recommend the Guild undertake a review of how elections are conducted. Notwithstanding issues arising in respect to academic timetables, it is my professional opinion there is no practical justification for conducting polling over three days; reducing this to one day needs to be a priority.
- b. Alternatively, I also recommend electronic voting which would all but eliminate potential campaigning misconduct.

17.3 Voting Review

The voter turnout for this election was less than 6% of all students eligible to vote and highlights the need for the Guild's governing body, the Senate, to consider radical ways of securing a much greater percentage of the over 23,000 eligible votes available. Imposition of a \$50 vote fee on all students - transferable if they in fact vote - would have the potential of capturing significantly higher student representation. The additional funding that could be raised from non-voters would provide improved and new services; as well as, funding the election itself. This would lead to true representation.

17.4 Other Procedural Changes

Clause 15 Election Materials and Campaigning

- a. The procedures are silent in respect to registered group candidates and/or independent candidates campaigning on behalf of another registered group and/or independent candidate. There were allegations of this happening during the election involving the handing out of How to Vote (HTVs) cards.

Such conduct could be readily construed as creating an unfair advantage and I recommend procedural change to list this as misconduct. Candidates can already exercise their support to other candidates / groups through preferences on HTVs; a change to the procedures would correct this.

- b. Further consideration and adoption of measures for monitoring and managing campaigning on days prior to the three (3) polling days needs to occur. Electoral staff are only on site during the current three polling days; the cost for myself and my staff to be on prior to the polling days would be cost prohibitive and unrealistic. I recommend this be workshopped and management methodologies documented to ensure compliance with the rules and procedures during these times.
- c. The use of electronic social media platforms is a common means of promoting individual candidates or groups. I recommend procedures be amended to clearly define how this medium can be effectively managed for compliance of posts subsequent to the approved launch of a web or Facebook site. Posting of political material without approval should be an automatic fine.
- d. In the interests of cost effectiveness and counting expediency, I recommend the adoption of a 'vote above the line' option on ballot papers to allow for automatic and simplistic preference allocation in respect to group tickets.
- e. If voting in person is retained, then I recommend all votes be scanned in the interests of accuracy, expediency and record preservations.
- f. To mitigate unacceptable campaigning conduct, I also recommend the introduction of a mandatory scalable (refundable) 'misconduct deposit' to be paid by Groups and independents. Adoption of a process that has one warning then an on the spot fine process would dramatically reduce unacceptable conduct.

Clause 23 Complaints and Referral of Matters

Recommend further clarity is necessary in concisely defining what a complaint is and what an appeal is.

18 ELECTION TRIBUNAL MATTERS

- 18.1** One appeal was lodged with the Election Tribunal in the prescribed timeframe. This appeal claimed alleged actions by one of the registered groups in the election impacted the outcome of the election.

I was asked to give evidence in my capacity as RO, which I did on 9 November 2017. The Election Tribunal, having heard from all parties to the appeal dismissed it.

19 CONSTITUTION AND ELECTION PROCEDURES

- 19.1** The Election was conducted in accordance with all relevant governing instruments and, in particular, the Edith Cowan University Student Guild Election Procedures as approved by University Council.



Mr Garry Duijckers
Returning Officer
ECU Student Guild By-Election
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Date: 19 December 2017
From: Brett Callender - CEO
To: Senate

Subject: CEO's report – Guild General Election 2017

Further to the Returning Officer's (RO) election report **(attached)** the following is presented for tabling and discussion and action at Senate as required.

Overview:

In comparison to previous years, and in particular the 2016 elections, these elections involved significant change in respect to structure, control, documentation and overall management not seen before and resulted in a well-run election adopting clear lines of communication and procedure.

While the 2016 election itself hadn't presented any issues, irreparable damage was caused to the Guild due to the actions of that election's RO acting outside the authority of the role and interfering with an internal Guild discipline matter. This resulted in nearly five months of dysfunction perpetrated by a group of Senators who displayed no regard for the Guild, its membership and its staff.

The 2017 elections did not coincide with other WA guild elections as they normally would, this was primarily due to delays caused by the University's unwarranted interference in dictating what changes would be accepted to the Guild's proposed changes to the Election Procedures despite these changes being constitutional and meeting all other governance requirements.

This interference was unprecedented and directly challenged the Guild's autonomy and rights and highlighted the University's total disregard and contempt for adhering to process when it is convenient for them to do so. This resulted in key changes the Guild needed being rejected on the grounds that the Legislative Committee 'felt' the Guild should take such changes to its members; the fact that all governance instruments, including the Guild's constitution, categorically stated this was not a requirement was blatantly disregarded by the committee.

On challenging the University, the written response, from the Director of Governance Services (General Council), Joanne Quinn, was:

"– in my view the committees are not under any obligation to provide written explanations to the Guild for their decisions"

This was a defining moment, not only in respect to the elections, but directly challenged the Guild's independence and self-regulation. I cannot stress enough to the Senate that this can never be allowed to happen again and, should the University do so, it be met with the strongest of actions to hold them to account.

Key elements of note (finer detail in the RO's Report):

1. The election period for 2017 ran from 11 September (Nominations opened) to 1 December (submission of RO's Report) inclusive.
2. Polling days were 10, 11 & 12 October 2017.
3. Of the 23,989 students eligible to vote only 1402 (5.85%) exercised their right.
4. Joondalup recorded 71% of the vote with Mt Lawley 26% and South West 3%.
5. Informal votes were very high this year equating to just on 11%.
6. Due to proportional preferential distribution process to determine a number of the positions and various re-counts needed due to the closeness of the poll; electoral staff actually counted in excess of 31,800 votes.
7. The RO in accordance with his authority under the Election Procedures referred on candidate to the Guild's Discipline Committee for election misconduct – still to be heard.
8. One Appeal challenging the outcome of the election was received by the Election Tribunal – this was not upheld.

Summary:

As CEO, I recommend the majority, if not all, the recommendations made by the RO in his report be adopted for future elections, and the Constitution and Election Procedures amended to reflect such; this work is already underway given the lengthy lead time necessary to get such changes through the University Committee process.

Of significant note is the cost of the elections, which could be significantly reduced by adopting recommended changes therefore resulting in members SSAF fees being diverted back to provision of services. In terms of the overall cost of the elections, please note 25% of those costs were directly attributed to the election of the NUS Delegates and this needs to be factored into any consideration of 'overall' funding allocated to the NUS in the 2018 budget.

Brett Callender

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TERMS OF REFERENCE

Mission

To provide leadership, strategic advice and quality assurance in research and research training that aligns with ECU and School strategic priorities.

Terms of Reference

1. To make recommendations to School Executive on all matters relating to research and research training within the School including:
 - a. priorities for research;
 - b. research funding, contract research, research institutes and centres, research consultancies and other commercial activities related to research;
 - c. procedures and quality of research training for higher degree students and staff;
 - d. the allocation of funds for visiting fellows consistent with the research directions of the School
 - e. advice on policy issues which influence the research activities of staff and students; and
 - f. other matters that are referred to it by the Dean.
2. To monitor the directions and outcomes of research and research training in the School.
3. To communicate relevant information as recognised and directed by the University Research and Higher Degrees Committee.
4. To monitor the admission, supervision, progress, examination and graduation of research students in the School.

Composition

The members

1. Dean (ex officio)
2. Associate Dean (Research) (Chair)
3. Associate Dean (Academic)
4. Directors of School Research Institutes
5. Heads of School Research Centres
6. Academic Coordinators of Postgraduate Research Programs
7. A postgraduate student representative nominated by the Student Guild

Executive Officer: non-voting
Committee Secretary

Observer-Participants: non-voting

1. Associate Dean (Teaching and Learning)
2. Dean, Graduate Research School
3. Centre for Learning and Teaching representative
4. Library Services Centre representative

Others invited as required.

QUORUM

At least 50% of members are required to be in attendance.

RESEARCH AND HIGHER DEGREES COMMITTEE

(Sub- committee of Academic Board)

Purpose

To provide leadership, strategic advice and quality assurance in research and research training for students and staff to achieve quality research outcomes.

Terms of Reference

1. To monitor and promote research quality and research training within the University, in its local and international context.
2. Receive recommendations within its terms of reference from the Graduate Research Committee, for consideration and referral to Academic Board for approval, where required, or referral to other Academic Board sub-committees as appropriate.
3. To make recommendations to Academic Board on policies and procedures relating to:
 - a) Research and development within the University, in its local and international context;
 - b) Internal and external research funding, contract research, research institutions and centres, research consultancies and other commercial activities relating to research and development;
 - c) The procedures and quality of research training for graduate students and staff;
 - d) The legal requirements for ethical conduct in research involving human and animal subjects; occupational health and safety; bio-safety; hazardous substances; and the use of radio-active materials; and
4. To develop and review the Research and Research Training Functional Plan for the University.
5. To establish associated working parties as and when the need arises.
6. To submit an annual report to the Academic Board, which includes a review of the adequacy and appropriateness of this Terms of Reference.
7. Such other matters that are referred to it by the Academic Board, its Chairperson, or the Vice-Chancellor.

RESEARCH AND HIGHER DEGREES COMMITTEE
(Sub-committee of Academic Board)

Voting Membership

1. Vice-Chancellor;
2. Deputy Vice-Chancellor (Research) (Chair);
3. Chair or Deputy Chair of Academic Board;
4. One member of the Academic Board elected by the Academic Board;
5. Associate Dean (Research) from the following Schools (8):
 - i) Education
 - ii) Engineering
 - iii) Nursing and Midwifery
 - iv) Science
 - v) Medical and Health Sciences
 - vi) Arts and Humanities
 - vii) Business and Law; and
 - viii) Western Australian Academy of Performing Arts
6. Dean, Graduate Research School;
7. Director, Office of Research and Innovation;
8. Guild President or nominee;
9. Postgraduate student nominated by the Guild;
10. Member nominated by the Academic Staff Association.

Total voting membership = 17

Observer-Participants (non-voting members)

1. Deputy Vice-Chancellor (Academic)
2. Deputy Vice-Chancellor (Teaching and Learning)
3. Deputy Vice-Chancellor (International)
4. Deputy Vice-Chancellor (Strategic Partnerships)
5. Pro-Vice-Chancellor (Equity and Indigenous)
6. Dean, International Office
7. Academic Registrar
8. Director, Development and Alumni Relations
9. University Librarian
10. Information Technology Service Centre representative
11. Manager, Quality and Academic Governance
12. Dean, South West Campus

Observers

Observers may be admitted to meetings, in accordance with the [Academic Board Standing Orders](#).

RHDC Executive

The Research and Higher Degrees Committee Executive composition and rules are as follows:

1. Chair of RHDC
2. Three members from different Schools elected at the first ordinary meeting of each year, where one of these three is a reserve Executive member
3. Where an item of business to be determined by the Executive relates to the School of either member on the Executive, that member will be replaced, for the purposes of determining that item, by the reserve member
4. Where an item of business relates to a School or Service Centre, a representative of the School's or Service Centre proposing the matter, is invited to attend to respond to questions members of the Executive may have. This or these representative/s are not voting members of the Executive
5. The powers of the RHDC Executive will be those of the full RHDC Committee
6. The exercise of those powers by the Executive will be reported to the next ordinary meeting of the full Committee.

Approved by Academic Board 8 November 2001, Resolution AB 87/01, minute 45.4.

Amended by Academic Board

29 May 2008, Resolution AB20/08, minute 981

2 April 2009, Resolution AB9/09, minute 1098

22 July 2010, Resolution AB52/10, minute 2220

23 February 2012, Resolution AB6/12, minute 2506

12 April 2012, Resolution AB32/12, minute 2559

20 February 2014, Resolution AB16/14, minute 2898

25 February 2016, Resolution AB008/16, Minute 16