

Election Regulations

(Schedule 6)

Election Regulations (Schedule 6)

The Students' Union is a democratic and student – led organisation and is committed to running fair and open elections. These regulations define the election process and the responsibilities of those involved in it, whether as organisers or candidates.

There are two types of Students' Union Elections:

- 1 *CAMPUS BALLOTS*
- 2 *MSP ELECTIONS*

There are also details in this section on:

- 3 *RULES FOR ALL UNION ELECTIONS*

Student Parliament Ballots shall only be called when it is not possible to organise a Campus Ballot as set out below.

1. Campus Ballots

- 1.1 There shall be two fixed Campus Ballots each year; these are the 'Annual Elections' in the Second Semester and the 'By-Elections' in the First Semester. In addition other Campus Ballot Elections may be organised as deemed necessary by Student Parliament.
- 1.2 The Annual Elections shall be held to elect the Executive Committee.
- 1.3 The By-Elections shall be held to elect Executive Committee positions not elected at the Annual Election or which have become vacant and representatives to the National Union of Students national and regional conferences.
- 1.4 Notice specifying the full details of a Students' Union Ballot shall be advertised through Students' Union Media.
- 1.5 Notice of elections shall be posted at least ten (10) days before nominations open.

2. Nominations

- 2.1 Annual Elections
 - 2.1.1 It shall be the duty of the Returning Officer or delegate to announce that nominations have opened.
 - 2.1.2 Invitation of nominations shall be open a minimum of twenty-one (21) days before the specified dates of voting. The posts

to be elected, and the responsibilities associated with these shall be clearly specified within the Students' Union Media.

- 2.1.3 There shall be a minimum of ten (10) days between the Invitation of Nominations and the Close of Nominations.
- 2.1.4 Notice of voting to be a minimum of ten (10) days before the commencement of voting. This shall include the names of all candidates and the times and places of voting.
- 2.1.5 Voting papers for those students registered for postal votes shall be posted a minimum of ten (10) days before the commencement of voting.
- 2.1.6 Voting should take place over a minimum of two (2) University days.
- 2.1.7 The results of the election shall be announced via Students' Union Media within forty-eight (48) hours of the completion of the count.
- 2.1.8 Nominations for all officers of the Students' Union shall be made in writing to the Elections Committee on the form made available in the Students' Union offices, before the deadline for 'Close of Nominations'. For all positions the form must be signed by the nominee and be countersigned by a proposer and seconder, who must all be full members of the Students' Union.
- 2.2.2 No member of the Elections Committee or the Returning Officer shall nominate a candidate for election.
- 2.2.3 All nomination forms must be accompanied by a written manifesto of not less than 100 words, designs for campaign material and a photograph of the candidate.
- 2.2.4 Any candidate who subsequently wishes to be withdrawn from the election must inform the Returning Officer or delegate in writing.
- 2.2.5 The Elections Committee will produce a guide for prospective candidates explaining the nomination and election process in detail, including dates for close of nominations, hustings and voting.
- 2.2.6 No member shall be eligible to stand for office if they have already served, either fully or partially completing, two sabbatical terms of office or more than 2 consecutive years in any position within the Union.

2.3 By-Elections

- 2.3.1 It shall be the duty of the Returning Officer or delegate to announce that nominations have opened.
- 2.3.2 Invitation of nominations shall be open a minimum of twenty-one (21) days before the specified dates of voting. The posts to be elected, and the responsibilities associated with these shall be clearly specified within the Students' Union Media.
- 2.3.3 There shall be a minimum of ten (10) days between the Invitation of Nominations and the Close of Nominations.
- 2.3.4 Notice of voting to be a minimum of ten (10) days before the commencement of voting. This shall include the names of all candidates and the times and places of voting.
- 2.3.5 Voting papers for those students registered for postal votes shall be posted a minimum of ten (10) days before the commencement of voting.
- 2.3.6 Voting should take place over a minimum of two (2) University days.
- 2.3.7 The results of the election shall be announced via Students' Union Media within forty-eight (48) hours of the completion of the count.

2.4 General

- 2.4.1 The Returning Officer or delegate shall give a receipt to confirm that a complete nomination has been received and inform the candidate of the date of the Candidates' Meeting.
- 2.4.2 The names of the persons nominated shall be published within the Students' Union Media within 24 hours after the closing of nominations.
- 2.4.3 Subject to paragraph 2.4.4 of this Schedule 6, no person may seek nomination for more than one position at a particular election.
- 2.4.4 Notwithstanding the provisions of the immediately preceding paragraph, a person may seek nomination as a National Union of Students Conference Delegate in addition to seeking nomination for a position on the Executive Committee
- 2.4.5 There shall be provision for the nomination of "Joke Candidates" in the election. Nomination forms must clearly state that a candidate is a "Joke Candidate". There can only be

one Joke Candidate per position and if there are multiple entries these shall be determined by random draw held by the Returning Officer or delegate. Joke candidates shall clearly be marked as such on all official records. Finally, the proposers shall fund the publicity budget for the Joke Candidate up to the maximum allocated for regular candidates for that position.

3. Conduct of Campaign

3.1 Candidates Meeting

3.1.1 There shall be a meeting of all candidates with the Returning Officer and Elections Committee, as soon as is convenient after the nominations have closed, and before the campaign opens (hereinafter called the 'Candidates' Meeting'). This meeting shall inform the candidates of the rules of the elections and any punishments that may be made for a contravention of the rules.

3.1.2 Where the rules relating to elections are infringed, a candidate may be disqualified by the Returning Officer or delegate or Elections Complaints Committee. The candidate may continue to campaign until an appeal is heard. However the Returning Officer may suspend the candidate from campaigning with immediate effect where he/she considers this to be necessary (for example: (a) where a candidate's actions are considered to be such that to permit her/him to continue to campaign would materially prejudice the overall election campaign or the reputation of the Students' Union; or (b) where the candidates' actions breach any University or statutory rules or guidance relating to Health and Safety or the Code of conduct regulations for students).

3.1.3 All candidates shall notify the Elections Committee of those persons directly involved in their campaign and any help associated with it. The decision of whether or not any person is a member of a campaign team lies with Elections Committee or Elections Complaints Committee.

3.2 Campaign Publicity

3.2.1 All publicity materials used by candidates in their campaigns shall be subject to the control of the Returning Officer or delegate and Elections Committee.

3.2.2 All candidates shall be allowed posters and general publicity, subject to the approval of the Returning Officer or delegate or Elections Committee, which shall be produced and paid for by the Students' Union. The Returning Officer or delegate (who shall be guided by the Elections Committee) shall set the

number and format of posters and publicity at the Candidates' Meeting.

- 3.2.3 Existing members of the Executive Committee who are running for any position should not use any other resources for campaigning other than the materials with which they are provided by the Returning Officer or Elections Committee for that purpose.
- 3.2.4 The Returning Officer or delegate or Elections Committee shall be responsible for the safekeeping of the artwork for publicity once it has been handed in for printing.
- 3.2.5 Access to the artwork and printed publicity shall only be open to the Returning Officer or delegate or Elections Committee, the candidate or his/her nominee, and the staff responsible for printing it.
- 3.2.6 All candidates for a post shall be entitled to the same level of funding from the Elections budget. No other funds shall be used by candidates as part of their campaign publicity.
- 3.2.7 At the discretion of Elections Committee, there shall be provision for manifestos to be displayed by ballot boxes.

4. Hustings

- 4.1 Hustings shall be held on campus five (5) days prior to the commencement of voting.
 - 4.1.1 Notice of Hustings must be posted at least five (5) days prior to the first Hustings.
 - 4.1.2 Hustings shall be chaired by the Elections Committee and/or Returning Officer, if available.

5. Polling

- 5.1 Annual Elections
 - 5.1.1 Polling shall commence no less than ten (10) days after the close of nominations.
 - 5.1.2 Polling shall be for the duration of at least two (2) days.
- 5.2 By-Elections
 - 5.2.1 Polling shall commence at least ten (10) days after the close of nominations

5.3 Voting System

- 5.3.1 The Single Transferable Voting System shall be applied in the election of all Executive Officers and shall be conducted following this system.
- 5.3.2 A full member shall only be eligible to vote in a Students' Union election upon production of her/his current, valid Student Matriculation card, which entitles the holder to vote in that particular election.
- 5.3.3 Where polling is by means of an online ballot then all full members shall be eligible to vote once the polling software has confirmed their identity beyond reasonable doubt. Should a full member not be able to vote online, for any reason, they may present a valid matriculation card to the Returning Officer or delegate who shall then ensure that that full member can vote.
- 5.3.4 In all elections, the ballot paper shall indicate only the post to which the ballot paper relates and each candidate's first and last name. The order of names of the candidates on the ballot paper shall be alphabetical by last name.
- 5.3.5 If polling stations are to be used then they should be located where the Returning Officer or delegate and Elections Committee deem to be practicable and for the purpose of ensuring the highest possible turn-out.
- 5.3.6 The publicity of all candidates may not be displayed within four (4) metres of the polling station, as defined by the Elections Committee.
- 5.3.7 The Elections Committee shall make provision for the display of all candidates' manifestos at the Polling station.
- 5.3.8 Polling stations shall, whenever possible, be staffed by Student Union Staff, Sabbatical Officers and members of the Elections Committee, unless they are a candidate for a position being polled.
- 5.3.9 The Elections Committee may authorise other individuals to be polling clerks as it considers necessary from time to time.
- 5.3.10 No member of a campaign team may be a polling clerk.
- 5.3.11 Canvassing by candidates or her/his associates on polling day within a four (4) metre perimeter of the ballot box or computer terminal (in the case of e-voting) is forbidden.

5.3.12 Full members may apply for a postal vote. They must complete the Postal Voting registration form and submit this to the Returning Officer or delegate not more than twenty (20) days nor less than ten (10) days before the commencement of voting.

5.3.13 A postal vote will be valid if (a) it is received by 5pm on the day falling two (2) days before the commencement of voting; and (b) it is accompanied by a signed testament from the voter stating that it was they who completed the ballot paper. This option shall be publicised throughout the Election, paying particular attention to students who are on placement.

6. Infringement of Elections Regulations.

6.1 Infringement of the above, witnessed by two full members of the Students' Union, by the candidate or her/his associates may result in the candidate and/or their Campaign Team being subject to a disciplinary procedure (See Schedule 10).

7. MSP Election

7.1 Notice shall be given on the agenda for the AGM that an MSP Ballot is going to take place in accordance with the Meetings Regulations (Schedule 3).

7.2 A full member may nominate herself/himself, or may be nominated by another full member, for election as an MSP. Each candidates must be present at the AGM when the MSP ballot is to take place. If he/she is unable to attend, he/she must send a nominee in her/his place.

7.3 The Chair will announce the positions vacant and candidates for the positions will be invited to give a speech, the length of which shall be determined by the Chair.

7.4 No publicity on behalf of any of the candidates, other than the short speech detailed in the paragraph above, shall be permitted.

7.5 Voting shall commence immediately after all of the Candidates have given their speeches. All full members attending the AGM will be eligible to vote.

7.6 Voting shall take place by a show of hands unless the Chair deems a secret ballot necessary.

7.7 Subject to paragraph 7.8 below, candidates will be duly elected by obtaining a simple majority (of those present and voting) voting in favour of her/his election as an MSP.

- 7.8 In the event of there being more than one candidate for a particular vacancy, the candidate or candidates with the highest number of votes would be elected.
- 7.9 In the case of an AGM failing to elect all vacant MSP positions, or where a position becomes vacant between AGMs, these positions will be carried forward for election at the next meeting of Student Parliament.

8 Rules for Campus Ballot Elections

8.1 Re-open Nominations

- 8.1.1 Ballot papers in Campus Ballot elections shall contain a category of Re-open Nominations. This category shall be treated as any other candidate.
- 8.1.2 If Re-open Nominations receives more votes than any other candidate then the Returning Officer shall, after consulting the Elections Committee, re-run the election for that position(s) as soon as possible.
- 8.1.3 If Re-Open Nominations receives enough votes to win a seat then all candidates who, at that stage of the count, are lower in the poll shall be deemed not elected and the Returning Officer shall, after consulting the Elections Committee, re-run the election for the remaining position(s) as soon as possible.
- 8.1.4 In the event that the Elections Committee recommend that there should be no second election, the matter shall be referred to the Student Parliament, who shall decide whether to hold another election, co-opt a full member (except in the case of Sabbatical Students Union Officers) or let the post(s) remain vacant for the remainder of that academic year.

9. The Returning Officer

- 9.1 The Returning Officer in all Students' Union Elections shall be an external official, normally a staff member of NUS Scotland.
- 9.2 The Returning officer may delegate her/his responsibilities to one or more impartial individuals, for example members of the Students' Union staff.

10. The Count

- 10.1 The Returning Officer shall be responsible for the count, which shall take place as soon as possible after the closure of polling. The Returning Officer may restrict the presence of persons at the count.
- 10.2 A candidate may nominate one observer to be present during the count.
- 10.3 If any full member is dissatisfied with the count they can appeal for a recount. For this purpose all ballot papers must be kept safe by the Returning Officer until at least the next quorate meeting of the Student Parliament.
- 10.4 Appeals cannot be made against computer counts unless it can be shown that there is sufficient evidence to doubt the authenticity of the returned data.
- 10.5 In the event of a tie under the Single Transferable Voting rules, the first candidate to gain the highest preference votes at the earliest stage shall be elected. If this still produces a tie for that position then the election for that position shall be re-run.

11. Complaints and Appeals

- 11.1 If any full member is dissatisfied with any aspect of the Election then he/she may make a complaint in writing to the Elections Complaints Committee or the Returning Officer by the close of ballot.
- 11.2 If this complaint is upheld then Elections Complaints Committee can disqualify a candidate, or take other actions as outlined at the Candidates' Meeting.
- 11.3 If the complaint relates to the election as a whole and is upheld, then the Returning Officer can order the Election to be re-run.
- 11.4 Complaints received after the count will not be accepted unless the complaints are specifically about the count.
- 11.5 A complaint about the count must be made in writing within five days of the announcement of the results. The Elections Complaints Committee will endeavour to respond within 24 hours.
- 11.6 If any full member is dissatisfied with Elections Committee or Elections Complaints Committee, or a member of Elections Committee or Elections Complaints Committee they may make a complaint in writing to the Returning Officer by the close of ballot.
- 11.7 If this complaint is made during the Election and is upheld then that member(s) shall relinquish her/his/their Election duties immediately,

and a new member shall be elected by and from Student Parliament. If there is no convenient meeting of Student Parliament to appoint a new member of either Committee, the Chair of Student Parliament or Student President shall appoint a suitable full member with the agreement of the Returning Officer and the Elections Committee.

- 11.8 If the complaint is upheld then the Returning Officer can order the Election to be re-run
- 11.9 If any full member is dissatisfied with the Returning Officer, or believes that the Election has been entirely unfair, then they may file a grievance with the Students' Union General Manager under the Complaints Procedure (Schedule 10).

13. Method of Election

- 13.1 School Representatives on Student Parliament shall be elected in accordance with the University's election procedure for membership of Course Representatives.
- 13.2 Halls of Residence Wardens on Student Parliament shall be elected in accordance with the University's election procedure for Hall Representatives.
- 13.3 Liberation Group Representatives on Student Parliament shall be elected at the AGM (Schedule 2).

14. Vacancies in Office during the academic year

- 14.1 Where during the first semester and first seven (7) weeks of Semester Two of the academic year a vacancy occurs for any Executive Officer position or in membership of the Student Parliament whether by resignation or otherwise, it shall be filled by the election of a successor, according to the method provided as soon as possible.
- 14.2 When a vacancy occurs in the last seven (7) weeks of Semester Two, the officer-elect shall be asked to assume the post, unless it is the post of a Sabbatical Officer. If a Sabbatical Officer post becomes vacant then the other Officers of the Union shall take on their role for the remainder of the academic year.
- 14.3 If an officer resigns within two weeks of her/his election, the next candidate (on the basis of votes received) shall be deemed automatically elected.

15. Elections Committee

15.1 Responsibilities

- 15.1.1 To aid the Returning Officer in the organisation of elections and to ensure that the procedure of elections as specified in Elections schedule is adhered to.
- 15.1.2 To liaise with and help the Returning Officer in her/his duties.
- 15.1.3 To lay down the Election Rules, subject to any rules already enacted by the Student Parliament, and to interpret these Rules.

15.2 Membership

- 15.2.1 The Committee shall consist of four full members elected by and from the Student Parliament. The Chair shall be the Student President (unless he/she is standing for election, in which case it shall be the Vice President, or such other senior member of the Executive Committee as shall be determined by the Executive Committee).
- 15.2.2 A full member may not serve on the Elections Committee if they are standing for election to any post in that election, unless it is a post of Delegate to conferences and other meetings to which the Union is affiliated.
- 15.2.3 If a member of the Elections Committee is standing for a post of Delegate to conferences and other meetings to which the Students' Union is affiliated, they may not participate in any way in the election organisation or procedure of the election for that post.

16. Elections Complaints Committee

16.1 Responsibilities

- 16.1.1 To be the sole Students' Union authority which may deal with complaints concerning elections and have such other powers and duties as may be allocated to it by the Election Rules. The decisions and rulings of the Committee shall be final (subject to the right to file a grievance with the Returning Officer and the University).

16.2 Membership

16.2.1 Three full members to be elected by and from Student Parliament (one of whom shall be Chair).

16.2.2 Committee members shall not be a candidate or be involved in any candidate's campaign.

16.3 Procedures

16.3.1 Complaints must be made in writing and any ruling will be made public after it has been decided upon. Rulings must normally be given within 48 hours.