

Schedule 2

The University of Stirling Students' Union

Elections and Referenda Schedule

1.0 General

1.1 This Schedule is relevant to the election procedures for the following posts:

- i) Union President
- ii) Vice President Education and Engagement
- iii) Vice President Activities and Development;
- iv) Sports Union President;
- v) Communities Officer;
- vi) Engagement Officer;
- vii) Sustainability Officer;
- viii) Charities Officer;
- ix) Health Promotion Officer;
- x) Highlands & Islands Officer;
- xi) Club Development Officer;
- xii) Disabled Students' Officer;
- xiii) LGBT Officer;
- xiv) Women's Officer;
- xv) International and Exchange Students' Officer;
- xvi) Mature Students' Officer;
- xvii) Black Students' Officer;
- xviii) Brig Editor;
- xix) Air3 Radio Station Manager;
- xx) Air TV Station Manager;
- xxi) Postgraduate Officer;
- xxii) 3 Student Trustees to sit on Trustees Board;
- xxiii) The Student Union's NUS delegate entitlement, as defined by the National Union of Students from time to time, less one place which shall be reserved for the President as ex-officio NUS delegate leader.

1.2 Full details of the roles and responsibilities for each of these posts can be found in the Officer Profile Schedule (Schedule 6) of the Constitution of the Union.

2.0 Returning Officer and Deputy Returning Officer

2.1 The Returning Officer shall be a person nominated annually by the Executive Council and be approved by the first General Meeting of the academic year and shall have the following functions:

- i) ultimate responsibility for the organisation and fair conduct of all Union elections and referenda.
- ii) to take the final decision in relation to any matter concerning Union elections and referenda and concerning any breaches of the Election and Referenda Schedule (Schedule 2) attached to the Constitution.
- iii) the supervision and conduct of the count;
- iv) overseeing the announcement of the result;
- v) the receipt of a Report from the Elections Committee of the Union in respect of any action taken following any complaint in accordance with section 4 below.

2.2 The Deputy Returning Officer shall be a member of Union staff nominated by the Returning Officer and shall have the following functions:

- i) to co-ordinate the day-to-day work of running and promoting the Union's elections, and ensuring they are fair and in accordance with the Elections & Referenda Schedule of the Constitution (Schedule 2).
- ii) To Chair and advise the Elections Committee, ensuring it is undertaking its responsibilities in accordance with Section 3 below but otherwise to act as a non-voting member of that Committee should a vote require to be taken or decisions or judgements be made.
- iii) on behalf of the Elections Committee, to be the single point of contact for the Returning Officer.

3.0 Elections Committee

3.1 There shall be a Standing Committee of the Union which shall be called the "Elections Committee" which shall be delegated powers by the Returning Officer, General Meeting and Trustees Board to be responsible for:

- i) ensuring that all candidates adhere to the rules as set out in this Schedule;
- ii) consideration of complaints through the procedure laid out in Section 4 below;
- iii) taking action to tackle and if required, reprimand breaches of this Schedule;
- iv) promotion of the election and referenda process, both before and during the elections, as well as acting in a neutral way to raise election turnout and engagement;
- v) deciding the timetable of elections and referenda within the parameters of the Constitution and this Schedule;
- vi) the acceptance of nominations and the determination and publication of valid nominations;
- vii) ensuring that submitted manifestos are collected, handled, printed and returned to candidates in a fair and proper manner and are in accordance with the Union's Equal Opportunities Policy as set out in the Constitution;
- viii) overseeing coverage of all elections by the Union media and ensuring that all such coverage is fair, balanced, and provides equal exposure to all candidates, as far as reasonably practicable;
- ix) overseeing the procedure and running of hustings within the period of the election and ensuring candidate have equal representation as far as reasonably possible.

3.2 The Committee shall consist of five students elected by the first General Meeting of the academic year, plus the Deputy Returning Officer in a non-voting capacity.

3.3 All members of the Elections Committee must remain totally neutral upon entering an election or referendum. If any member indicates a desire to run for a position or express any public preference for a candidate or outcome they must resign, and if possible they will be replaced at the next General Meeting.

3.4 The Deputy Returning Officer, as nominated by the Returning Officer, shall be the Chair of the Elections Committee and can undertake day-to-day work co-ordinating the elections and advising students on its behalf in the absence of the full Committee on any matters which are explicitly covered in the Elections and Referenda Schedule. All decisions which require a relative judgement however, such as the issuing of a formal warning, must be brought to the Committee for a decision.

3.5 For any decision of the Elections Committee to be made a quorum of two thirds of the Members of the Committee must be present.

- 3.6 If the membership of the Elections Committee drops below three, including the Deputy Returning Officer, Ordinary Members of the Union, approved by the Executive Council, will be co-opted onto the Committee.
- 3.7 The Deputy Returning Officer shall give an oral report to the General Meeting after each set of Elections has been completed.
- 3.8 If the General Meeting or any other party has serious concerns with how the election was run, it will be for the Returning Officer to address these concerns in the first instance.

4.0 Complaints and Appeals

- 4.1 Any complaints regarding the conduct of those involved in any election or the fairness of the election or the application of this Schedule during the election period up to the announcement of the result shall be submitted to the Elections Committee for its consideration.
- 4.2 All complaints must be made in writing to the Elections Committee and submitted to the Deputy Returning Officer. The Deputy Returning Officer will then provide a receipt, either by email or hard copy, that the complaint has been received.
- 4.3 The Elections Committee shall investigate any complaint and should it determine that a breach has occurred it may decide what action, if any, shall be taken up to and including the issuing of a formal warning. The Deputy Returning Officer shall make a report to the Returning Officer on complaints dealt with during the election period.
- 4.4 Should more than one formal warning be issued to a candidate, or if the seriousness of a single complaint is judged to warrant it, the Elections Committee can vote to disqualify a candidate from the election. If such a vote is taken and passed it must be submitted in the form of a report to the Returning Officer as soon as reasonably practicable thereafter for ratification. If necessary, candidates can be disqualified after the close of voting or after the result has been announced.
- 4.5 Complaints made by a candidate or any other matter of concern raised by any Ordinary Member shall be considered by the Elections Committee.
- 4.6 The onus of proving a complaint rests with the complainant.
- 4.7 Should he/she judge that it is necessary the Returning Officer shall have the power to suspend, cancel, restart or annul an election.
- 4.8 In the event of the Elections Committee deciding that action should be taken or a sanction imposed, there shall be a right of appeal against that action or sanction. This appeal shall be submitted to the Appeals Committee.
- 4.9 There shall be a Standing Committee of the Union which shall be called "the Appeals Committee", which shall operate in this Schedule in the context of an appeal against action taken or sanction imposed by the Elections Committee as follows:
- i) The membership of this Committee shall consist of the Union President, plus four other members elected from the first General Meeting of the academic year.
 - ii) The Deputy Returning Officer will act as Chair of the Appeals Committee but will not have a vote on the Committee.
 - iii) If the President or any ordinary member of the Committee is running in the election and thereby regards themselves as not being neutral or is deemed by a majority of the Executive Council not to be neutral in the election or referenda then one of the four Sabbatical Officers of the Union shall be co-opted onto the Committee to replace the President. To replace an Ordinary Member of the Committee the

remaining Committee members will have the power to co-opt a replacement(s) from the General Meeting of the Union.

- iv) The quorum rules for this Committee operate the same as for the Elections Committee as set out in Section 3 above.
- v) No-one involved in a candidate's campaign or who has publicly stated a preference for an outcome shall be involved in the Appeals procedure.

4.10 The powers of the Appeals Committee and the procedure for making a complaint against any action taken or sanction imposed by the Elections Committee are outlined below:

- i) During an election or referenda the Appeals Committee has the power to overrule the authority of the Elections Committee and to refer the decision on what the outcome should be to the Returning Officer. The Appeals Committee cannot formulate alternative decisions or outcomes.
- ii) After the election, the Appeals Committee can hear appeals against the Returning Officer or election as a whole.
- iii) The bases on which the Appeals Committee can uphold any complaint are:
 - a) that due procedure has not been correctly followed as outlined in this Schedule.
 - b) that new information has since emerged, which may affect a result or decision.
 - c) that no positive decision has been made, within a reasonable time
- iv) Any complaint must be submitted in writing to the Deputy Returning Officer.
- v) If an appeal is lodged during an election or referenda the Deputy Returning Officer must convene a quorate meeting of the Appeals Committee within 48 hours. If an appeal is lodged after the election or referenda this period shall be five University days.
- vi) During an election or referenda if a quorate meeting of the Appeals Committee cannot be convened then the matter will be referred automatically to the Returning Officer who will make a decision.
- vii) Before or after an election or referenda, the Deputy Returning Officer shall have two weeks to convene a quorate meeting of the Appeals Committee and may at his discretion co-opt appropriate Ordinary Members as may be required.

4.11 Complaints arising after the announcement of the election or referenda result shall be considered by the Appeals Committee and if judged to have satisfied one or more of the bases for appeal will be considered by the Returning Officer.

4.12 Should a complaint against the Returning Officer be submitted to the Election Appeals Committee and the Committee rule that there are grounds for appeal as outlined above then an External Appeals Committee will consider the complaint. A complaint against the Returning Officer can only be heard after an election.

4.13 The External Appeals Committee shall consist of three external trustees from the Trustees Board. The Returning Officer shall be invited to provide an overview of the election and answer questions regarding the complaint but shall not take part in any deliberations which the External Appeals Committee may have. Details of the Procedure for Meetings of the External Appeals Committee are available from the Union Secretary.

4.14 The External Appeals Committee shall have the power to order that an election be held again.

5.0 Notice and Period Of Elections

5.1 The timetable of elections for posts as defined in Section 1 of this Schedule will be as follows:

- i) There will be a main election where all positions, (with the exception of the NUS delegates), will be open for students to run in and will be held in the second semester of the academic year on a date agreed by the Elections Committee, and these elections will be conducted over two consecutive days.
- ii) There will be a by-election held every year, at which the Union's NUS delegate entitlement will be elected as well as any positions which have become vacant since the previous year's main election. This election must happen within the first half of the first semester of the academic year.
- iii) If the President cannot fulfil their role as the NUS Delegate Leader it will fall to one of the Sabbatical Officers to fulfil this role as agreed by the Executive Council.
- iv) Further by-elections can be called if required and the decision for calling a by-election rests with the Elections Committee and can only be called in University semester time.
- v) There shall be a meeting for all candidates 1 week prior to the first day of the elections taking place. Thereafter, there will be regular meetings during the election between all the candidates for Sabbatical Officers posts and, if necessary, all candidates in contested elections. These meetings will take place to enable any issue, problem or complaint can be discussed informally and to help the Elections Committee maintain good communication between all parties. Such meetings must take place at the start of every day during which the election count is underway.
- vi) An election must be announced to the student body two weeks before any nominations open.
- vii) A meeting for all prospective candidates must be publicised and held within that period, for the purpose of informing any student of the process of the election and to answer any question that the student may have on any position they are considering running for. This will include, for the relevant position, a preliminary briefing for prospective Trustees.
- viii) Once nominations have opened, all candidates will have seven days to collect all signatures and return all nominations, documentation, print and non-print publicity by 12.00pm on the 7th day. This deadline shall be strictly adhered to.
- ix) Within five days of nominations closing all candidates who have submitted forms for a Trustee's position must receive a secondary Trustee's briefing outlining in significant depth the responsibilities entailed. If any relevant candidate fails to attend any such briefing then the Elections Committee can disqualify them from the election.
- x) Within three days of nominations closing all candidates for all positions will be required to attend a meeting with all other candidates in the election, where the Deputy Returning Officer shall communicate all important information to them on the process and answer any questions. At this meeting candidates will also be able to view any opponent's publicity and have an opportunity to issue a complaint if they so wish. If a candidate cannot attend this meeting they can send a representative.
- xi) Once printed, publicity for all positions must only be made available at the same time, so that no candidate gains an advantage. This must happen within five days of nominations closing.

- 5.2 Section 5.1 is a guideline for the Elections Committee and full details of dates and times will be produced and publicised prominently 2 weeks prior to the first date on the Elections Timetable.
- 5.3 The procedure for nomination shall be as follows:
- i) All nominations must be made on an official Union nomination form which shall be signed and dated by the nominee.
 - ii) Nomination of a candidate for election to the Sabbatical Officers posts may be made by any Ordinary Member of the Union, provided that the nomination is supported (seconded) by the signatures of fifty registered Ordinary Members other than the candidate and the proposer.
 - iii) Nomination of a candidate for election to non-sabbatical posts may be made by any Ordinary Member of the Union, provided that the nomination is supported (seconded) by the signatures of thirty registered Ordinary Members other than the candidate and the proposer.
 - iv) Nomination of a candidate for election to the Highlands and Islands Officer are the same as nominations of candidates for election to non-sabbatical posts with the exceptions that they may only be made by Ordinary Members from the Highlands and Islands campuses and that the number of nominations required will be 15.
 - v) Nominations for Trustee's positions must include a signed 'Trustee Pledge', which shall be property of the Union.
- 5.4 A list of the candidates together with proposers and seconders, shall be displayed on a prominent notice board within two University Days of the close of nominations.
- 5.5 No persons shall indulge in overt campaigning for a particular candidate until all of that candidate's publicity has been lodged with the Elections Committee and nominations have closed.
- 5.6 Each post may only be filled by one member of the Union. No member may run for Election to more than one post as listed in section 1 in any one election, with the exception of those wishing to run as NUS delegates.

6.0 Referenda

- 6.1 If policy is referred to referenda by either a General Meeting or the Executive Council it must be followed by a cross-campus vote within ten University days.
- 6.2 Publicity for the referendum prompted by a General Meeting shall be displayed on an official University notice board the following University day.
- 6.3 All Ordinary Members of the Union shall be entitled to vote at referenda.
- 6.4 In order to validate the result, referenda shall require a minimum of 1/40th of the Full Time Equivalent population of Ordinary Members to vote, except in issues of affiliation which will follow the regulations of the body in question.
- 6.5 All articles of business taken to referenda shall be judged to have passed if a simple majority vote in their favour, except in issues of affiliation which will follow the regulations of the body in question.
- 6.6 Amendments to the Constitution, questions of affiliation and the overturning or alteration of policy previously passed by a referendum must be put to referendum.
- 6.7 All referenda will be conducted in accordance with this Schedule.

7.0 Publicity

- 7.1 All printed publicity material shall be supplied by the Union and, accordingly, the only expenditure to be incurred for elections shall be through the Union.
- 7.2 All candidates must submit a manifesto. A manifesto will consist of the candidate's name, position, pledges, the Union logo, the date of the election and the ways in which Members may vote. This manifesto will be used by the Union in both online and paper polling booths.
- 7.3 Candidates for the Sabbatical Posts shall be allowed a budget to the value of £15 for printed publicity.
- 7.4 Candidates for the Sabbatical Posts may be afforded an additional budget of £10 to spend on non-printed publicity. This may include balloons, decorations, bunting, coloured un-marked paper and t-shirt printing. Candidates may not use this budget to purchase gifts for voters.
- 7.5 Candidates for all non-sabbatical posts shall be allowed a budget to the value of £10.00 for printed publicity.
- 7.6 All candidates will be provided with a space through the Union's own website to promote their candidacy. The content for this website can include, within reason as judged by the Elections Committee, any appropriate design, pictures or text that the candidate wishes. All content for the website must be submitted in its entirety in digital format by the close of nominations. This will be moderated solely by the Elections Committee and, once agreed and posted, cannot be updated or changed during the election.
- 7.7 Candidates are free to use the internet in any other appropriate way they wish, with the strict stipulation that no cost can be incurred by a candidate or anyone associated with a candidate.
- 7.8 All candidates in elections shall be allowed no other publicity other than that described in the relevant section above. The Elections Committee will be the sole interpreter of whether something is deemed as 'additional publicity' or not.
- 7.9 All printed publicity must be returned in a print-ready state, to the appropriate person within the Office of the Union, by 12 noon on the day of close of nominations relevant to the particular post, accompanied by the candidate's completed nomination form. When publicity material and completed nomination forms are accepted, the candidate will be provided with a receipt from the Union Office, bearing the Official Union Stamp.
- 7.10 Candidates may use their own money to purchase drawing pins, selotape, blue tack, sticky back plastic, masking tape, brown tape, unmarked cardboard, string, glue or staples. Alternatively candidates may have equal access to a limited stock of the above held by the Union Office. Should the Elections Committee rule at any time that such resources are being misused then they can be withdrawn.
- 7.11 No candidates may distribute or make use of any printed or non-printed publicity from third parties outside the University.
- 7.12 No candidates shall be afforded additional publicity by any Union group, including all Union Clubs or Societies. Where elections are covered in Union media, equal, fair and impartial exposure shall be given to all candidates standing in an election.
- 7.13 Any election materials produced by or on behalf of candidates in the election shall not offend the Union's Equal Opportunities policy or be offensive in any other fashion as

may be determined by the Elections Committee and shall not seek to denigrate by name or title, any other Member of the Union.

- 7.14 Publicity produced for candidates by the Union must display the times and dates of the election in a clear and legible manner.
- 7.15 All manifesto statements regarding the Students' Union must be factual as may be determined exclusively by the Elections Committee.
- 7.16 Candidates are responsible for their own publicity material which must not deface the University. Only official notice boards may be used. No publicity shall be displayed in the Union premises, on glass doors, in a way as to obscure security camera or within the vicinity of the polling desk.
- 7.17 No candidates or their agents shall deface, alter, move, remove or interfere in anyway with another candidate's publicity.
- 7.18 Once nominations have closed, if any candidate is uncontested with the exception of Re-open Nominations then the Elections Committee may halve their print and extra publicity allowance. The changes to a candidate's expenditure in this eventuality should be negotiated with the candidate by the Elections Committee. If a candidate has a good reason to appeal against this halving of their allowance then the Elections Committee can revoke this in exceptional circumstances in which event the halving of the allowance would not be applied to any other candidate either.

8.0 Campaigning

- 8.1 The Elections Committee should work to increase turnout at any election or referenda to the best of their ability but must only do so in a neutral and impartial manner.
- 8.2 If any campaigning by a candidate, associate of a candidate or any individual taking part in the election is deemed to be inappropriate the Elections Committee can take what ever action is necessary to stop this, including excluding them from the Atrium or if appropriate referring them to the Union Discipline Committee.
- 8.3 In the specific case of online campaigning, members and observers to the election can comment and discuss the election online but should any inappropriate content be posted the Elections Committee is entitled to contact any website or online host demanding that any such content is removed. If the offending comments are published by a current student of the University of Stirling student then the measures outlined in 7.2 can be adopted.
- 8.4 The Elections Committee have the power to make ad-hoc rulings on matters not covered in this Schedule, if they feel they unforeseen circumstances, technology or tactics are having an unfair and detrimental impact on the election process. Such rulings can be appealed through the Appeals Committee.

9.0 Hustings

- 9.1 The Elections Committee will be responsible for organising hustings for candidates for the posts of Sabbatical Officers within the week prior to the first day of the elections taking place.
- 9.2 There must be hustings for the Sabbatical officer positions but hustings for the rest of the officer positions can be organised either separately or at the discretion of the Elections Committee.
- 9.3 The exact time and place for hustings will be decided by the Elections Committee and all candidates will be notified of the details at their respective candidates meetings.

- 9.4 Each of the candidates for the posts set out above will be required to make a speech at hustings of a maximum length, set by the Elections Committee, setting out their Manifesto pledges.
- 9.5 After all candidates for a specific post have made their speeches, all candidates for that post will have the opportunity to question each other. These questions must be submitted at the start of the hustings in writing specifying both the candidate to whom they are addressed and the candidate who has submitted the question.
- 9.6 After candidates have questioned each other, there will then be an opportunity for questions to be put to the candidates by Ordinary Members.
- 9.7 This process will then be repeated for each further post. The timings, order, organisation and execution of the above process will be decided by the Elections Committee and all candidates will be informed of the details at their respective candidates meetings.

10.0 Voting

- 10.1 Responsibility for ensuring that the voting is conducted in accordance with the practice listed below shall rest with the Deputy Returning Officer who shall report to the Returning Officer.
- 10.2 All elections should be carried out by way of a secret ballot and from Ordinary Members of the Union. However, only female Ordinary Members may vote for the position of Women's Officer and only Ordinary Members from the Highlands and Islands Campus may vote for the position of Highland and Islands Officer.
- 10.3 Voting shall be provided online, through an election system decided upon by the Elections Committee. Online voting shall be available from 9.30am on the first day of the election and shall close at 6.15pm on the second day of the election. In the event of a sufficiently serious technical fault in any of the voting systems, the Elections Committee in consultation with the Returning Officer can extend the period of the election to compensate for any lost time.
- 10.4 Online voting booths manned by the Elections Committee should also be made available for all students to vote in the Atrium. Voting shall take place in the Andrew Miller Building between the hours of 9.30am and 6.15pm on the second day of the election. The location and arrangements of voting stations along with the list of candidates shall be publicised.
- 10.5 Only full members of the Union can vote. An Elections Committee member shall operate the polling desk at all times and ensure that a record is kept of all members who have voted.
- 10.6 The Elections Committee should be available to help any student who needs assistance in how to vote and only the Elections Committee or Union Staff can provide this assistance.
- 10.7 Online voting forms shall bear the name of each candidate and the office being contested.
- 10.8 Online voting forms shall bear a brief description of the voting procedure.
- 10.9 There shall be an option on the voting forms entitled "Re-open Nominations". This, for the purposes of the Count, shall be treated as a candidate, though it will not be allowed the publicity allowed to other candidates in the election. If "Re-open Nominations" wins the election, then the election shall be re-run, at a date to be determined by the Elections Committee.

10.10 Those students, being full members of the Union, who are unable to vote in person due to illness or unavoidable absence from the University shall be eligible to vote as follows:

- i. The member shall in the two weeks immediately preceding the election, present to the Election Committee, or its designate, their matriculation card, and a signed letter detailing why they are unable to vote on the prescribed polling day.
- ii. The Election Committee or its designate will on receipt of the above present the member with a sealed envelope containing a ballot paper.
- iii. The member shall complete the ballot paper and return it in the sealed envelope, which shall then be held by the Deputy Returning Officer along with the member's letter and a photocopy of the member's matriculation card.
- iv. The envelopes containing ballot papers shall be presented to the Returning Officer following completion of voting on polling day and then entered into the online voting system, ensuring that the voter has not already vote and cannot vote again.

10.11 To ensure Sabbatical Officers who have graduated can vote, the Elections Committee will work with the Returning Officer and the administrators of the online voting system used to ensure a confidential and secure method of voting is adopted.

11.0 The Count

11.1 The Alternative Transferable Vote system shall be employed as appropriate to determine the result of the election, with the exception of the 3 Student Trustees and NUS Delegates which will be elected by Single Transferable Vote.

11.2 The Count shall be made in the presence of the Returning Officer on a date and time decided by the Returning Officer and the Elections Committee.

11.3 In matters of contention or interpretation of the Single or Alternative Transferable Vote systems the count will follow the guidance provided by the Electoral Reform Society.

12.0 Tenure of Office

12.1 Tenure of office for those elected in the main elections shall be from June 1st that year till 31st May the following year. For those elected through by-election, the tenure will run from the date of their election till 31st May in that same academic year.

12.2 No one can hold elected office for more than any two terms for any one officer position.

13.0 Vacancies

13.1 Any vacancies occurring should be filled by way of a by-election, in accordance with the Elections and Referenda Schedule if the timing within the academic year is deemed appropriate by the Elections Committee. The calling of said by-election rests with the Elections Committee.