Schedule Two: Elections and Online Ballots Regulations

1. **General**

   1.1.   This schedule applies to the following parts of the Union's Constitution:

       1.1.1.   The election procedures for all the positions identified in the Officer Profile Schedule (Schedule Three).

       1.1.2.   The relevant elected positions identified in the Representative Committees and Actions Groups Schedule (Schedule One).

       1.1.3.   The planning and delivery of all cross-campus ballots, including Elections and Online Ballots.

   1.2.   Representatives from the Union will be invited to take part in NUS democratic or policy making events and activities from time-to-time. The Student Leadership Team will be responsible for agreeing arrangements for the Union's engagement in such activity. Such decisions should normally be ratified by the Student Council.

   1.3.   Any member subject to an allegation or complaint involving a Level 2 offence or higher under the University of Stirling disciplinary procedures or as part of the Students' Union Schedule 6 shall be suspended from holding office or standing for election until the outcome of the disciplinary process is determined.

2. **Returning Officer and Deputy Returning Officer**

   2.1.   All Students' Union Elections and Online Ballots shall be overseen by a Returning Officer and a Deputy Returning Officer.

       2.1.1.   The Returning Officer shall be appointed by the Trustee Board. The Returning Officer shall be independent and impartial, and may be an external individual or organisation, such as a representative from NUS or another suitably qualified person. For the avoidance of doubt,

the Returning Officer shall not be a Student, Trustee, or Staff Member of the Union or the University of Stirling.

    2.1.2.   The Deputy Returning Officer shall be a member of Union staff as agreed by the Trustee board.

    2.1.3.   All decisions of the Returning Officer are final.

2.2.   The responsibilities of the Returning Officer shall include:

    2.2.1.   Providing oversight of, and holding ultimate responsibility for, ensuring fairness and equality of opportunity in Elections and Online Ballots.

    2.2.2.   Agreeing the timetable for Elections and Online Ballots, in consultation with the Deputy Returning Officer.

    2.2.3.   Approving the wording of questions being put to Online Ballot.

    2.2.4.   Investigating and ruling on serious breaches or complaints referred by the Deputy Returning Officer, in accordance with the regulations set out in Section 3 of this Schedule.

    2.2.5.   Investigating and ruling on appeals against decisions made by the Deputy Returning Officer.

    2.2.6.   Certifying the official results of any Election or Online Ballot.

    2.2.7.   Issuing final and binding decisions on all matters within their remit.

2.3.   The Deputy Returning Officer (DRO) shall support the Returning Officer in the fair and effective administration of elections. Their responsibilities shall include:

    2.3.1.   Advising the Returning Officer on proposed timetables for elections, including nomination periods, campaigning windows, and voting dates.

    2.3.2.   Overseeing the day-to-day running of the elections, including supervising staff and volunteers, and making operational decisions in line with the election rules.

    2.3.3.   Ensuring that all candidates and campaigners adhere to the election regulations and other Students' Union policies.

2.3.4.   Responding to queries and complaints from candidates, voters, and other stakeholders, making decisions and issuing rulings where appropriate

2.3.5.   Escalating serious issues to the Returning Officer when necessary.

2.3.6.   Overseeing the promotion of the elections to ensure high levels of student engagement and voter turnout.

2.3.7.   Overseeing the secure and transparent counting of votes and assisting in the declaration of results.

2.3.8.   Maintaining accurate records of decisions, complaints, and incidents throughout the election period.

3. **Democracy Committee**

3.1.   There shall be a standing procedural committee of the Union, known as the Democracy Committee, which is responsible for supporting the Deputy Returning Officer and the Union in the organisation of Elections and Online Ballots, while remaining neutral and impartial.

3.2.   The Democracy Committee shall consist of:

3.2.1.   Three Student Members elected by Student Council and who must be current University of Stirling students;

3.2.2.   The Deputy Returning Officer, who shall act as the Chair.

3.2.3.   As chair, the Deputy Returning Officer may refer decisions to the Returning Officer at their sole discretion. The Returning Officer's decision shall be final.

3.3.   Members of the Democracy Committee must remain entirely neutral in all Elections and Online Ballots. Any member who wishes to stand for any position or publicly support a candidate or outcome must immediately resign. Public support includes verbal endorsements, social media posts, campaign involvement or any other visible expression of preference.

3.4.   If any Ordinary Member resigns or is otherwise removed from the Democracy Committee, an eligible Ordinary Member of the Union shall be appointed by the Student Council to fill the vacancy.

3.5.   Student Trustees cannot be members of the Democracy Committee.

4. Notice and Period of Elections

4.1.   The timetable of Elections for posts as defined in Section 1 of this Schedule will be as follows:

   4.1.1.   There shall be a Spring Election held in the second semester of the academic year and usually conducted over three consecutive University days. The following positions will be available for students to stand for election:

      4.1.1.1.   The four Sabbatical Officer positions
      4.1.1.2.   Campaign Officer positions listed in Schedule 3, as determined by the Student Executive Council.

   4.1.2.   There shall be an Autumn Election held in the first semester of the academic year, conducted over a period of time decided by the Deputy Returning Officer in consultation with the Democracy Committee. The following positions will be available for students to stand for election:

      4.1.2.1.   Two Postgraduate Officers (1x Postgraduate Taught, 1 x Postgraduate Research).
      4.1.2.2.   Any Campaign Officer positions which remain, or have become vacant, since the previous academic year's Spring Election.

4.2.   Full details of dates and times will be produced and publicised prominently at least two weeks prior to the first date on the Elections Timetable by the Deputy Returning Officer.

5. Nominations (Elections)

5.1.　　All Ordinary Members of the Union will be eligible to stand as a candidate in the Elections, though noting 1.3 of this Schedule.

5.2.　　No member may stand for election to more than one Full Time Officer post in any single election.

5.3.　　No member may hold more than one Voluntary Officer position concurrently or be a Student Trustee concurrently.

5.4.　　The procedure for nominations shall be as follows:
　　5.4.1.　All nominations must be made via the Union website.
　　5.4.2.　Nominations for Postgraduate Officer positions may only be made by relevant Postgraduate Ordinary Members.
　　5.4.3.　All candidates are encouraged, although not required, to submit a candidate photograph, slogan and manifesto which will be displayed to voters.
　　5.4.4.　All candidates must have received a briefing from the Deputy Returning Officer, or their nominee, before the start of campaigning. At the briefing, the Deputy Returning Officer will communicate all important information and answer any questions.

5.5.　　At the close of nominations, the Deputy Returning Officer will verify that all nominations comply with this schedule.

6. **Online Ballots**

6.1.　　If a policy or political decision is referred to an Online Ballot by the Student Council, or the Student Leadership Team, it must be followed by a cross-campus vote open to all Ordinary Members of the Union. The timing for the vote will be decided by the Deputy Returning Officer in consultation with the Democracy Committee, usually within fifteen University days.

6.2.　　Publicity for the Online Ballot, including the question being put, shall be shared on the Union's website as soon as practicable after a decision has been made to hold one, and in any case within one working week of the

decision. For the purposes of this clause, 'working week' shall mean days on which the University is open. Periods of University closure shall not be counted.

6.3. All Ordinary Members of the Union shall be entitled to vote in Online Ballots.

6.4. The committee calling for the Online Ballot shall have responsibility to invite Ordinary Members of the Union to register as the official Proponent or Opponent of the question being put to the vote.

6.5. There shall be a maximum of one Proponent and one Opponent per side. Where multiple individuals or groups express interest in representing the same position, the Deputy Returning Officer, in consultation with the Democracy Committee, shall determine the most appropriate representative(s), taking into account the clarity of their submission, their ability to represent the position fairly, and their willingness to comply with the campaigning rules. Their decision shall be final.

6.6. Proponents and Opponents must:
6.6.1. Be Ordinary Members of the Union at the time of registration and throughout the campaign period;
6.6.2. Submit a written statement outlining their position and intent to campaign;
6.6.3. Agree to abide by the campaigning rules set out in Section 7 of this Schedule;
6.6.4. Attend a briefing with the Deputy Returning Officer prior to the start of campaigning.

6.7. In the absence of a registered Proponent or Opponent, the Returning Officer, in consultation with the Deputy Returning Officer, may appoint a suitable elected representative or Ordinary Member to act in this capacity, ensuring that both sides are fairly represented.

6.8. Online Ballots shall be considered valid if at least 250 Ordinary Members vote. A simple majority will determine the outcome, except in

cases of affiliation which will follow the regulations of the body in question, if applicable.

6.9. The categories for voting will consist of 'Yes', 'No' and 'Abstain' and Online Ballot questions must be worded to accommodate these response options.

6.10. The wording of any Online Ballot question shall be proposed by the initiating body or person and approved by the Deputy Returning Officer, in consultation with the Democracy Committee, to ensure clarity, neutrality and alignment with the voting format.

6.11. All Online Ballots will be conducted in accordance with this schedule.

7. Campaigning (Elections and Online Ballots)

7.1. Campaigning is defined as any action undertaken to promote:
   7.1.1. a confirmed candidate in an Election, or
   7.1.2. a particular outcome (e.g. a Yes or No vote) in an Online Ballot, led by a registered Proponent or Opponent.

7.2. The campaigning period will run from a date announced by the Deputy Returning Officer until the close of voting.

7.3. Candidates, which includes Proponents/Opponents, may be permitted to spend up to an amount set by the Democracy Committee during their campaign, known as the campaign budget, the rules for which are as follows;
   7.3.1. They will be reimbursed up to 50% of their total campaign budget and must produce valid receipts. Hardship support may be available to cover more or all expenses. Applications should be made in writing to the Deputy Returning Officer, who shall make decisions on a case-by-case basis.

7.3.2. They may only use this budget to cover the cost of promotional methods or resources which are reasonably accessible to all.

7.3.3. They may give away items as part of their campaigning; however, they may not use their budget to provide bribes or incentives to voters and must ensure voters are clear that any items distributed are not perceived as being in exchange for votes.

7.3.4. All printed publicity material shall be supplied by the Union. Printing allowances shall be decided by the Deputy Returning Officer, in consultation with the Democracy Committee, and communicated to candidates and campaigners no later than 10 University Days before the start of voting. The maximum number of printed sheets shall be as follows:

7.3.4.1. Sabbatical Officer Candidates: a maximum of 20 A3 sheets

7.3.4.2. Voluntary Officer Candidates: a maximum of 10 A3 sheets.

7.3.4.3. Proponents / Opponents in Online Ballots: a maximum of 20 A3 sheets

7.4. Campaigning may take place in public places but must not take place in the library, next to University PCs or computer workstations. A no-campaigning zone will also be established near Union election desks at the discretion of the Deputy Returning Officer.

7.5. Candidates and Proponents/Opponents are free to use social media and digital communications to promote their campaign, although this must be fair and equal, with all candidates having the same opportunity and access to promote their campaign across digital platform.

7.6. Where elections are covered in Union Media or by Media Societies, equal, fair and impartial exposure shall be given to all candidates standing in an election. Breaches of this by the societies may result in disciplinary action under the Union's Discipline Code (Schedule Six), as well as sanctions against candidates.

7.7.   Printed publicity material must not be displayed within the library, next to PCs or computer workstations, on glass doors or windows, over signs or other posters, in a way as to obscure security cameras, within the vicinity of the election desks or anywhere that breaches Health and Safety guidance. Other areas of the University may be declared as out-of-bounds for postering by the Deputy Returning Officer.

7.8.   Any material infringing upon this may be removed and campaigners may face disciplinary action. Candidates and Proponents/Opponents are responsible for their own publicity, which must not deface University property.

7.9.   All campaign materials produced must not denigrate, by name or title or implication, any individual Member of the Union, Student Union staff member, or University of Stirling Staff.

7.10.   No campaigner shall deface, alter, move, remove or interfere in any way with another candidate or campaign's publicity.

7.11.   Endorsements from Societies or Sports Clubs must be agreed by the group's committee. Minutes of the meeting where the decision was made must be submitted in a format to be determined by the Deputy Returning Officer. Breaches of this by Societies or Sports Clubs may result in disciplinary action under the Union's Discipline Code (Schedule Six), as well as sanctions against candidates.

7.12.   For the avoidance of doubt, other endorsements from committee members are allowed, as long as the endorsement makes clear that they are endorsing as an individual and not the student group. The endorser can identify themselves as a committee member of a student group.

8. Election Debate

8.1.   The Deputy Returning Officer, with the support of the Democracy Committee, will be responsible for organising a Union Election Debate for Sabbatical Officer candidates prior to the voting period of the Elections.

8.2.   The timings, order, organisation and execution of the Election Debate will be decided by the Deputy Returning Officer, supported by the Democracy Committee. The event may be held in person or arrangements may be made for the debate to take place digitally.

8.3.   All Sabbatical Officer candidates are encouraged to take part in the Election Debate as an opportunity to present their views and engage with voters. Though participation is not mandatory, candidates who do not take part may receive reduced coverage in Union media related to the election.

8.4.   The Deputy Returning Officer, in consultation with the Democracy Committee, shall determine, on a case-by-case basis, whether a Debate should be held for Proponents and Opponents of Online Ballot questions.

8.5.   This decision shall take into account student interest in the issue and any potential impacts on the Union or the student experience. Where a Debate is approved, the Deputy Returning Officer shall make appropriate arrangements for its organisation and delivery.

9. Voting

9.1.   Responsibility for ensuring that the voting is conducted in accordance with this schedule shall rest with the Deputy Returning Officer who shall report to the Returning Officer.

9.2.   Voting shall be online, usually over three University days, at times to be determined by the Deputy Returning Officer. In the event of a sufficiently serious technical fault in any of the voting systems, the Deputy Returning Officer, in consultation with the Democracy Committee and the Returning Officer, may extend the period of the election to compensate for any lost

time.

9.3. Only Ordinary Members of the Union may vote.

9.4. For Elections, the voting page shall display the name of each candidate and the position being contested. For Online Ballots the voting page shall display the question being put to vote, along with the response options as specified in Section 6.9 of this Schedule.

9.5. The voting page shall include a brief description of the voting procedure.

9.6. "Re-open Nominations" ("R.O.N") shall appear as an option in all Elections and be treated as a candidate for counting purposes. If "R.O.N." receives the highest number of votes, the election shall be re-run at a date to be determined by the Deputy Returning Officer. R.O.N. shall not apply to Online Ballots.

10. The Count

10.1. The Alternative Transferable Vote system shall be employed to determine the result of an Election except for NUS Representative roles which will be elected by Single Transferable Vote. Online Ballots will be decided by a simple majority, as long as the quorum specified in clause 6.8 of this Schedule has been met.

10.2. The Count shall be administered by the Deputy Returning Officer in accordance with the latest guidance provided by the Electoral Reform Society and NUS Scotland.

10.3. The results of the Election or Online Ballot shall be announced and published on the Union's website no later than one University Day following the close of voting.

11. Tenure of Office

11.1.   Tenure of office for those elected in the Spring Elections shall be from 1st June that year until 31st May the following year. For those elected in a by-election or appointed to fill a role, or elected in the Autumn Election, the tenure will run from the date of their election until 31st May in that same academic year.

12. Vacancies

12.1.   The process and decision of whether to fill any Sabbatical Officer vacancies that occur throughout the year shall be decided by the Board, as appropriate to the role and timing of the vacancy having arisen.

13. Complaints and Appeals

13.1.   All formal complaints must be made in writing to the Elections email inbox as advertised on the Students Union website. This will be received by the Deputy Returning Officer, for initial consideration in consultation with the Democracy Committee.

13.2.   Complaints must be made as soon as possible after the event they are relating to, and no later than one hour after the close of voting, to avoid delaying the Count.

13.3.   Complaints will only be investigated if submitted in writing, with supporting evidence.

13.4.   All participants in Elections and Online Ballots, including candidates, campaigners and complainants, must conduct themselves respectfully.

Inappropriate or vexatious complaints may result in disciplinary action under the Union's Discipline Procedure (Schedule Six).

13.5. Supporters of candidates will be subject to the same election rules as candidates, and the candidates they support can be held accountable for the behaviour of their supporters.

13.6. The Deputy Returning Officer, or the Returning Officer in the most serious cases, shall investigate formal complaints. If a breach is found, they shall determine appropriate action, up to and including the disqualification of a candidate or Proponent/Opponent. In extreme circumstances the Returning Officer is empowered to pause, stop, or re-run an Election or Online Ballot should there be evidence that fairness has been irretrievably compromised.

13.7. Appeals against decisions of the Deputy Returning Officer should be in writing to Returning Officer as soon as possible, and no later than one hour after the close of voting. The Returning Officer's decision shall be final.