

## **Schedule Six**

### **ELECTION REGULATIONS**

#### **1 General**

- i) Elections of the Highlands and Islands' Students' Association shall comply with the following from the 1994 Education Act (section 22 (2) d-f)
  - a) "appointment to major union offices should be by election in a secret ballot in which all members are entitled to vote,
  - b) "the governing body should satisfy themselves that the elections are fairly and properly conducted,
  - c) "a person should not hold sabbatical union office, or paid elected union office, for more than two years in total at the establishment".

#### **2 Returning Officer**

- i) The Returning Officer, who shall not be a full member of the Association, shall be appointed annually by the Executive Committee. The Returning Officer shall be responsible for the good conduct and administration of all Association elections and shall have the final interpretation of the election regulations. The Returning Officer may appoint assistants to support them in their duties; this must include, at least, a designated Depute Returning Officer.
- ii) The Returning Officer shall have responsibility to ensure that the elections comply with the 1994 Education Act, and that the Election Regulations are adhered to.
- iii) The Returning Officer role is to ensure the fair running of the election. The Returning Officer shall have the power to suspend the elections or exclude candidates found to have compromised the fair running of the election.

#### **3 When elections should happen**

- i) The Returning Officer shall ensure that the election of the President and Vice President takes place before the end of April each year. Once elected, sabbatical officers shall take office from 1 July of that year. Local officers may have an alternative start date depending on the nature of the role.
- ii) Notice of the election including dates of elections, role descriptions of the positions open for election, and a copy of the election regulations shall be posted on the Association website in advance of nominations being open.

- iii) There shall be a designated campaign period. This shall begin one full week before voting begins, as outlined in section 5.

#### **4 Standing for election**

- i) The positions available for election shall be outlined by the Returning Officer at the notice of election.
- ii) All members of the Association are eligible to stand for the post of President. Only students studying on a further education course (up to and including SCQF level 6) may stand for Vice President (Further Education). Only students studying at a higher education course (SCQF level 7 and above) may stand for the position of Vice President (Higher Education).
- iii) Only students registered as a student at a certain academic partner may stand for a local officer position at that academic partner.
- iv) No student who has opted out of membership of HISA may stand for any position.
- v) Candidates may only stand for one position in any given election. Furthermore, a student can not stand for a regional officer position and a local officer position simultaneously.
- vi) Re-Open nominations (RON) shall be a candidate in all Association elections. Should RON win then a by-election will be held. A campaign budget will not be made available for this candidate.
- vii) Nomination forms will be available from the HISA website, with assistance being available from the Depute Returning Officer at [returningofficer@uhi.ac.uk](mailto:returningofficer@uhi.ac.uk).
- viii) Members of the Association may stand for election upon completion of a nomination form submitted by the candidate. All nominations shall be subject to approval by the Returning Officer.
- ix) Nomination forms must be submitted not later than a time designated by the Returning Officer on the day of the closure of nominations.

#### **5 Publicity about the election**

- i) The Returning Officer shall produce a list of candidates which shall be displayed on the Association website at the earliest possible opportunity within two working days after the close of nominations.
- ii) Candidates may produce a candidate statement and a poster to a specification to be determined by the Returning Officer, which must be handed in at a designated time as publicised by HISA.

- iii) An election pack will be made available to prospective candidates and hosted on the HISA website. This shall include a summary of the election process, guidance on becoming a candidate, campaigning and voting, and the roles available for election.

## **6 Campaigning**

- i) There shall be a Supported Campaign Period. This period shall begin one full week prior to the opening of the voting period. The Supported Campaign Period shall end at the close of voting.
- ii) HISA shall promote all successfully nominated candidates during the Supported Campaign Period via all available means. Campaign materials, determined by the Returning Officer, shall be offered to all candidates.
- iii) Election debates, or 'candidate question time', may be held on one or more occasions. The length of speeches and responses by candidates to questions shall be determined by the Returning Officer who shall also appoint a Chair.
- iv) The Returning Officer shall publicise the location and arrangements of the debates and voting stations, together with a list of candidates and candidate statements, in advance of the voting period.
- v) There shall be no campaigning within sites where voting may usually take place, such as designated voting stations or computer labs, or other sites identified by the Returning Officer.
- vi) No candidate or supporter may influence any student whom is in the process of voting
- vii) Candidates must abide by all UHI and academic partner rules during the Supported Campaign Period.
- viii) Candidates and their supporters must not interfere with another candidate's campaign or campaign resources.

## **7 Campaign budget**

- i) A candidates' campaign budget shall be set by the Returning Officer for each election. These funds shall be a standard budget for each candidate to support campaigning and ensure a level playing field in terms of spend on campaigning.
- ii) Candidates may spend funds on campaign materials that will be claimed back from HISA with receipts.
- iii) Purchases made using the candidates' campaign budget may only be spent for items to be used in the campaign. Any purchases determined by the Returning Officer to

be extraneous to the election will result in a penalty determined in consultation between the Returning Officer and HISA; this may include disqualification.

- iv) No candidate may spend on their campaign more than the value of the campaign budget. Overspend may result in a penalty determined by the Returning Officer; this may include disqualification.
- v) Candidates may not pool their budgets to spend on purchases greater than their individual campaign budgets.
- vi) Any purchasable item used in candidates' campaigning must be declared by candidates within their spending declaration. Any items already owned by candidates, or lent, borrowed or donated by any other individual, must be declared by candidates within their spending declaration. If you are uncertain about any items you wish to use, you are strongly advised to speak to the Depute Returning Officer at [returningofficer@uhi.ac.uk](mailto:returningofficer@uhi.ac.uk).
- vii) Any discounted materials acquired by candidates must be declared at a value available to any candidate. If a discounted material is found to be specially acquired at a discounted value that wouldn't be available to any other candidate, this will be considered at full value by the Returning Officer
- viii) All purchases spent using the candidates' budget must be receipted and submitted to HISA within one week of the polls closing. Unreceipted spending may result in a penalty determined by the Returning Officer; this may include disqualification.
- ix) Resources and materials that are freely available to all students may not be declared.

## **8 Voting procedures**

- i) The Returning Officer shall ensure as far as is reasonably practical that all members of the Association have access to vote no matter their place or time of study.
- ii) All members of the Association shall be able to vote for the positions of President, Vice President (Further Education) and Vice President (Higher Education).
- iii) A student may only vote for the local officer election of the academic partner that they are registered with.
- iv) Voting shall be conducted on a platform as agreed by the Executive Committee i.e. paper ballot or electronic ballot.
- v) Voting shall be by secret ballot and shall be conducted according to a system of preferential voting.
- vi) Any attempt to defraud the election is forbidden. Any candidate, or their supporter, found to have defrauded an election shall be excluded from the election. Any

student found to have defrauded an election may be referred to further disciplinary action by HISA, UHI or their respective academic partner.

## **9 Counting and declaring votes**

- i) The Returning Officer shall inform the candidates of the time and venue of the vote count and declaration procedure.
- ii) Results of the elections shall be declared by the Returning Officer when the count for each post has been completed and any outstanding complaint has been resolved to the satisfaction of the Returning Officer.
- iii) The Returning Officer may appoint polling officers and counters.
- iv) Candidates and their supporters or representatives may attend the count.
- v) Ballot papers may be declared invalid by the Returning Officer if they are considered
  - a) that no clear indication or preference is made
  - b) that the paper has not been numbered stamped or otherwise indicated as a true ballot paper by the polling officer
  - c) that the ballot paper is not authentic
- vi) A list of successful candidates will normally be posted on the Association website within 24 working hours of the declaration of results. The Returning Officer should report to the students' association with details of the outcome of the election with a statement confirming it was run in a fair and democratic manner.
- vii) The results will become official two working days after they have been posted provided that no complaint has been lodged with the Returning Officer within two working days. In the event of a complaint being received by the Returning Officer the results shall be suspended until the complaint has been resolved.

## **10 Complaints**

- i) Any challenge or complaint concerning the administration and good conduct of the election will be heard and determined by the Returning Officer within two working days of such a complaint being lodged by any member of the Association, the candidate or their nominee.
- ii) Any complaint against the conduct or administration of the election should be received by the Returning Officer within two working days of the results being posted.

- iv) In determining a resolution to the complaint, the Returning Officer, after hearing all the appropriate evidence, may uphold the complaint; or may halt elections for any specified post, or disqualify any specified candidate if, in their view, any candidate has breached election regulations. The ruling of the Returning Officer on any complaint shall be final.
- v) The Returning Officer shall determine the procedure to submit complaints.

## **11 Vacancies for positions on the Executive Committee**

- i) If any post on the Executive Committee falls vacant or if Re-Open Nominations wins an election then a by-election shall be arranged by the Returning Officer at the discretion of the Executive Committee subject to timing and other pertinent considerations. All other election regulations apply.

## **12 Referral**

- i) All policies and rules of UHI and its academic partners must be adhered to.
- ii) Any suspected breach of policies or rules of UHI or its academic partners may be referred to the appropriate body by the Returning Officer.
- iii) Confirmed breaches of UHI or academic partner rules or policies may be penalised by the Returning Officer; this may include disqualification.
- iv) Candidates must obey the law. Any confirmed breaches of the law may be penalised by the Returning Officer; this may include disqualification.