

Schedule 6: Executive Committee Elections

General

1. Elections to all posts of the **Executive Committee** shall be carried out in accordance with this Schedule and any other supplementary documents as deemed appropriate by the Returning Officer.
2. The Returning Officer shall approve the relevant Supplementary Documents, which govern operational election matters.
3. Other position of the Association being elected at the same time as the Executive Committee elections, may be carried out in accordance with this Schedule, and the relevant supplementary documents, which must be approved by the Returning Officer.
4. The Association's staff shall organise, oversee and implement the Election process. The Association's staff may delegate implementation matters to members that the Association staff deem as appropriate.
5. All those involved in election matters shall be neutral, and not advantage or disadvantage any candidate, outside of the restrictions of the **Constitution**, Schedules and Supplementary documents.
6. The Elections shall be by secret ballot of all **Members** of the Association.
7. The Association and candidates shall be bound to election rules, which shall consist of;
 - 7.1. The University rules, regulations and policies;
 - 7.2. the Association **Constitution, Schedules**, and appropriate supplementary documents;
 - 7.3. All appropriate legislation.

Returning Officer

8. A Returning Officer for the elections shall be appointed by the Board of Trustees and shall not be a member of the Association or a member of staff of the Association.
9. The Senior Staff Member shall appoint a Deputy Returning Officer to act on behalf of the Returning Officer in the day-to-day supervision of the Elections.
10. The Deputy Returning Officer shall have the power to carry out all duties of the Returning Officer, with the exception of appeals against Complaint rulings made by the Deputy Returning Officer.
11. The Deputy Returning Officer shall keep the Returning Officer up to date on all election matters on a regular basis.
12. The Association's staff shall, in acting on behalf of the Returning Officer and Deputy Returning Officer, carry out the following functions:
 - 12.1. oversee the procedure for the acceptance of nominations and the determination and publication of valid nominations;
 - 12.2. fix the timeline of the Elections, the publication of the notices giving information about the Elections and the administrative arrangements for the Elections;
 - 12.3. on seeing a minor breach of rules, remind candidates and supporters about the rules;
 - 12.4. refer any significant breach of rules to the Deputy Returning Officer through the complaints procedure;

- 12.5. supervise and conduct the count;
- 12.6. oversee the announcement of the result;
- 12.7. any other appropriate function described in this Schedule, appropriate supplementary documents, and as set by the Deputy Returning Officer and Returning Officer.

Nominations

13. Every **Member** is eligible to stand as a candidate for election, in line with **Clause 40** the **Constitution**.
14. A member may only stand for election for one officer post within the **Executive Committee**.
15. The Association staff will post notice in appropriate physical and electronic locations when nominations are open. Such notices may include;
 - 15.1. period for nominations,
 - 15.2. posts for which nominations can be made,
 - 15.3. places from which nomination forms can be obtained and
 - 15.4. places to which completed nomination forms must be returned.
 - 15.5. offer appropriate candidates' training as soon as reasonably practicable after nominations close.

Campaigning

16. Any coverage of the elections by the Association shall be fair and balanced providing reasonable publicity opportunities to all candidates.
17. The Returning Officer shall set each candidate a spending limit for canvassing materials.
18. Any student wanting to campaign on behalf of Re-Open Nominations, shall be granted the same spending limit as allowed to the other candidates in the Election. Such a student must make themselves known to the Returning Officer before the close of Nominations.
19. Any publicity on behalf of Re-Open Nominations must not contain derogatory references to other candidates.

Election Timing and Vacancies

20. The **Executive Committee** elections shall end no later than Friday before Revision/Exam period, and begin no earlier than the start of term 2.
21. If any post remains vacant after the **Executive Committee** elections have ended; unless a countback procedure can be applied (as detailed in clause 27), a by-election for such posts shall be called.
22. The decision on when such a by-election can be appropriately held is at the sole discretion of the Returning Officer, and in any case must be held in weeks when the majority of students receive teaching, and before the end of term 1.
23. In the event of a death, resignation or removal from office, the officer post is deemed vacant.
24. Where a **Sabbatical Officer** vacancy arises after the end of the **Executive Committee** elections but **before the start of the academic year** where possible a countback procedure shall be enacted. Outside of this, a by-election shall be held.

25. Where a **Sabbatical Officer** vacancy arises **after the start of the Academic Year**, a by-election shall be held, providing the following conditions can be met:
 - 25.1. The Returning Officer deems that the by-election can be appropriately held,
 - 25.2. That the vacancy has not arisen after the **Executive Committee** elections have been completed where the current term of office of the vacant post expires on 30th June.
26. The same procedure for nominations and campaigning for such a by-election shall apply

Countback Election

27. Where a vacancy arises within 10 working days, after an election, and where available, a countback procedure shall be enacted. This is known as a countback election. The votes of the election shall be recounted, with the previous winner being eliminated from the election, and their votes redistributed according to subsequent preferences.
28. The winner of the countback election shall be invited to take office. Where this offer is refused, further countback elections using the same ballots shall be carried out, until either the post is filled, or counting has been exhausted.
29. Where a countback election is not possible, or exhausted, a by-election shall occur within the permitted time frames.

Voting

30. The responsibility for ensuring that voting is conducted in line with the **Constitution, Schedules** and supplementary documents of Abertay SA shall rest with the Returning Officer.
31. The arrangements for voting shall be determined by the Returning Officer, and shall usually include electronic voting.
32. The list of candidates shall be publicised by the Association as soon as is reasonably practicable after nominations closes.
33. Voting shall be carried out by voters declaring preferences to all, or some, of the candidates using the **Single Transferable Voting** system, as determined by the **Electoral Reform Society**.
34. There shall be an option on the ballot for voters to request the Returning Officer to 'Re-Open Nominations'. The wording of such can change as appropriate.
35. In the event of a re-run of the election, Re-Open Nominations shall appear as an option on the ballot paper.

Count Administration

36. The Returning Officer and Deputy Returning Officer shall be responsible for the count.
37. Re-Open Nominations, for the purposes of the count, shall be treated as a candidate.
38. If RON is elected before all seats of a post have been filled, then the remaining seats shall be up for contention in a by-election at a date to be determined by the Returning Officer.
39. The Returning Officer shall be responsible for announcing and publicising the results of the Election both by way of the Association website and by any other reasonable means or media he shall deem appropriate.

Candidates

40. Candidates already in office shall be given the same privileges and restrictions as the other candidates in the election.
41. For the purpose of clarity, a list of all such measures shall be provided to candidates already in office the regulations.
42. With the rules of this Schedule and the supplementary documents, each candidate can only take advantage of provisions that other candidates have the availability to take advantage of, under the principle of equality of opportunity.

Complaints and Appeals

43. The procedure for the consideration of complaints relating to elections shall be as follows:
 - 43.1. formal complaints must be submitted in writing with any supporting evidence to the Deputy Returning Officer.
 - 43.2. The Deputy Returning Officer shall investigate any formal complaint within the terms of Clause 41.1 and decide what action shall be taken,
 - 43.3. no one involved in a candidate's campaign shall be involved in the appeals procedure;
 - 43.4. The Deputy Returning Officer reserves the right to investigate any unsound activity and make any rulings which are fair and reasonable in all circumstances.
 - 43.5. The Deputy Returning Officer may refer the complaint to the Returning Officer for disqualification of any candidate concerned, or the annulment of the relevant election. Only the Returning Officer may invoke disqualifications and annulments.
44. The disqualification of candidates and/or annulment of an election is only applied if the outcome of the election is deemed to be influenced by the rule breach(es) upheld by the complaint(s).
45. Any sanctioned candidate(s) may appeal the decision of the Deputy Returning Officer in writing to the Returning Officer, who shall set up an appropriate appeals panel. An appeal will only be heard on the presentation of new evidence.
46. Options open to the Appeals Panel are upholding or dismissing the appeal.

Paper Voting

47. In the unlikely event of paper ballots being used, all rules regarding electronic voting shall remain valid, and tweaked in their interpretation and application by the Returning Officer, and the additional clauses below shall apply.
48. Members of the Association may vote upon the production of a valid matriculation card or via valid electronic access.
49. Votes shall be cast in sealed ballot boxes, or by electronic means where appropriate. All paper voting slips issued shall be placed in the sealed ballot box at the time of voting whether used or not.
50. Ballot papers shall bear the name of each candidate, the position being contested and a suitable space for indicating the voting preference of the voter.
51. Ballot papers shall bear a brief description of the voting procedure.

52. In all non-electronic elections, adjustments shall be made to ensure no voter shall be disenfranchised, as reasonably practicable. Adjustments shall not extend to overseas postal voting.

Paper Count

53. In the unlikely event of paper ballots being used, all rules regarding electronic counting shall remain valid, and tweaked in their interpretation and application by the Returning Officer, and the additional clauses below shall apply
54. Candidates may be present at a paper count with up to 1 other person. The terms of how such persons are permitted to behave will be laid out by the Returning Officer. Anyone breaching such terms, shall be asked to leave the count.
55. Where appropriate, in the circumstances of any particular election, the Returning Officer shall be entitled to appoint polling officers and counters.
56. On opening the ballot boxes, the Returning Officer will instruct all appointed counters to examine the voting papers.
57. Voting papers will be declared spoiled by the Returning Officer if they consider that:
- 57.1. the paper has clearly been defaced/vandalised; or
 - 57.2. there is no clear indication of preference for any candidate; or
 - 57.3. the paper has not been stamped by the polling officer; or
 - 57.4. the paper is not authentic.
58. A paper count will be conducted following the same formula used by **Electoral Reform Society Scotland** and **NUS Scotland** guidance.
59. In the event of a paper ballot count result where there are fewer than five votes of a difference, there shall be an automatic recount of any paper ballots.
60. In the event of a tie at the exhaustion of all transferable votes the candidate with the highest number of first preferences shall be deemed the winner. If these are tied the Returning Officer shall determine how the tie shall be broken.

NUS Democratic Conference Delegate Elections

1. NUS Delegate elections will happen in no more than two cycles per academic year, and shall be governed by the NUS Democratic Conferences Handbook.
2. NUS Democratic Conferences Handbook shall serve as a supplementary document, which shall rest with the Senior Staff member or their designate.
3. Delegates shall be elected in line with NUS Rules.