

# Rectorial Election Handbook 2017



**YOUR RECTOR**  
YOUR CHOICE

**Final**

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## Section 1: Introduction

### Important Dates

- Nominations open: 2nd October, 9am
- Nominations close: 4th October, 5pm
- Formal announcement of candidate nominations: 5th October, Noon
- Campaigning Starts: 6th October, 00:01
- Hustings: 9th October, 19:00, The StAge
- Debate: 11th October, 19:00, Location TBC
- Polls open: 12th October, 9am
- Polls close: 13th October, 5pm
- Results: 13th October, Time TBC

### Important Information

The Elections Office will be open in Weeks 3 and 4, Monday to Friday, 10am-5pm, in the Students' Association Sabbatical Office. There will be present at least one member of the elections committee at all times.

The Elections Committee will consist of 7 people as determined by the Rectorial Election Procedures:

- A. Two Students Association Sabbatical Officers
- B. One School President (Arts)
- C. One School President (Science)
- D. One SRC Member
- E. One Sub-Honours Student
- F. One Honours Student

You can email the Elections Committee at [saelect@st-andrews.ac.uk](mailto:saelect@st-andrews.ac.uk) and engage with the Committee on Twitter via [@saelect](https://twitter.com/saelect) and on Facebook (<https://www.facebook.com/saelectofficial>). #saelect is the designated elections hashtag.

The Elections Committee reserves the right to make changes to the rules but will ensure that all candidates are informed of any alterations by email. New rules will come into effect immediately, unless otherwise stated.

## Section 2: Role of the Rector

The office of the Rector is one of the oldest institutions of University government, dating back to the original papal bulls which founded the earliest of the ancient universities in Scotland. The Rector is the 'ordinary president' of the University Court, 'with a deliberative and a casting vote', as defined by the Universities (Scotland) Act 1858. Whilst the Rector has the role of president of Court, in line with good practice in the public sector, the Senior Governor (chosen by Court from amongst its lay membership) chairs those items of Court business concerned with policy, resources, accountability and performance review. As president of the Court, the Rector is dedicated to maintaining an open forum for the variety of voices within the University. However, outside of this role, traditionally the Rector is a staunch student advocate.

The chief responsibilities of the Rector consist of attendance at University Court meetings (in total four per year, one of which is an all-day event) and other invitations that the Rector receives as a member of Court. The other obligations of the role that the University recognises and supports are:

- Invitations from the Principal's Office or Development Office for the Rector to participate in an official role in particular meetings or events (including Graduation ceremonies and occasional alumni events);
- Attendance at pre-approved training events as routinely offered to all Court members;
- Participation in student 'surgeries' (scheduled and organised by the Rector's Assessor);
- Serving as Chair of the School Presidents' Forum;
- Principal Fundraiser and Patron of the Rectors' Fund, a scholarship scheme that provides support for student career aspirations.

It is particularly important that new members of Court (and particularly those - including the Rector - who have been elected by particular constituencies) recognise that as Court members they formally become charity trustees. The obligations and responsibilities of charity trustees are significant. The duties are set out in statute and guidance, and a summary may be found at <http://www.oscr.org.uk/managing-your-charity/trustee-duties/>. The four general duties of charity trustees are:

- To act in the interests of the charity/University, putting these ahead of any other group (including the group that elected them);
- To carry out their duties in a manner consistent with the charity's purposes;
- To act with due care and diligence;
- To ensure the charity complies with the provisions of the Charities and Trustee Investment (Scotland) Act 2005 and with other relevant legislation.

There are some factors that disqualify an individual from being a charity trustee. All prospective candidates for the Rectorial Election must confirm that they are not disqualified from acting as a charity trustee in terms of the guidance given in the 2005 Act.

## Section 3: Election Principles

The student election committee, in considering complaints and the general conduct of any campaign, will aim to reinforce and encourage the following guiding principles:

### **1. Elections should be free and fair.**

All candidates have a right to participate in the election and to be treated the same as other candidates. All students have a right to campaign for the candidate of their choice, within the rules: and campaign teams have a right to fair treatment. But this principle also respects the rights of the voters to free and fair access to each candidate, including full and accurate information about that candidate's policies and positions, and to make a free choice between candidates. Any attempt to compromise those rights by a candidate or campaign team will be seen as a serious issue.

### **2. Campaigning should be positive and respectful.**

Candidates and their campaign teams should as far as possible seek to promote their own views rather than attack opponents. Criticism of another candidate's record is acceptable but personal criticism should always be fully justified and negative campaigning is discouraged. Campaigns must respect the other candidates and their campaign teams. They must also be respectful of voters, staff of the University and Association, and the local community. In particular any breach of equal opportunities may be seen as disrespect of voters and treated very seriously. Campaign materials judged to be offensive or negative may not be authorised.

### **3. Campaigns should be safe.**

Campaigning activities should not put at risk anyone participating in the campaign or anyone else. For example, banners must be securely fixed at all corners and not present a health and safety hazard, and students should take care when mounting them.

### **4. Campaigns should not be intrusive.**

Campaigning should not intrude on students' privacy or their academic studies, nor on the activities of staff or on the life of members of the local community (including businesses). This means that activities such as knocking on doors in halls, interrupting lectures or communal meals, campaigning that causes a noise or nuisance in public areas (e.g. flyering without permission), fly-posting, and chalking on pavements are prohibited.

### **5. Rules breaches should be dealt with by corrective rather than punitive measures.**

The role of the student election committee is, as far as possible, to preserve the integrity of the elections process and to work with campaigns to put right any problems that occur. We will refer issues to the Returning Officer only where no corrective action can be taken.

## Section 4: Nominations

The Rules and Procedures for the Nomination of candidate for Rector are as follows<sup>1</sup>:

1. Any person can be nominated for Rector except:
  - 1.1. Matriculated students of the University
  - 1.2. Members of staff of the University
  - 1.3. Anyone 'actively involved' in any other Scottish Higher Education institution. A definition of 'active involvement' is appended.<sup>2</sup>
  - 1.4. Anyone who is unable to meet the requirements for a charity trustee as determined by the Office of the Scottish Charity Regulator.<sup>3</sup>
2. Nominations must be submitted on the prescribed form for nominations. They must be signed by a minimum of 20 fully-registered and matriculated students of the University. In addition, they must be signed by a proposer, who will be responsible for the running of the election campaign and will be the main contact for communications related to the election. The proposer must also be a fully registered and currently matriculated student.
3. Students may only nominate one candidate. A student nomination of more than one candidate will be invalid.
4. No sabbatical officer of the Students' Association or Athletic Union is permitted to nominate or propose a candidate.
5. Nomination forms must include the written consent of the candidate.
6. Nomination forms must be accompanied by (i) a photo of the candidate, (ii) a statement of up to 250 words summarising the candidate's career and explaining why students should vote for the candidate, (iii) a signed form of eligibility as a charity trustee (such forms being available with nomination forms), (iv) a signed pledge of good behaviour and responsible use of social media.
7. Nomination forms and accompanying materials should be delivered to the Chief Legal Officer, College Gate, North Street within the period specified for receipt of nominations. Any nominations received after the closing date and time will not be accepted.
8. Nominations will be checked by the Returning Officer for validity and completeness. Any nominations determined to be invalid or incomplete at or after the close of nominations will not be accepted. No exceptions or re-submissions will be permitted.
9. By submitting a nomination, the candidate and his/her campaign team agree to abide by the Election Rules.
10. By submitting a nomination, the candidate agrees to be bound by the protocol established by the University Court for the distinction of roles between the Rector and the Senior Governor.
11. Candidates may withdraw their nominations within a period of two working days after the close of nominations by submitting notification of withdrawal in writing to the Returning Officer. Withdrawal of candidates subsequently will be at the discretion of the Returning Officer.

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<sup>1</sup> As quoted from Appendix 1 - Rectorial Election 2017: Procedures and Rules

<sup>2</sup> See Appendix 1

<sup>3</sup> See Appendix 2

## Section 5: Hustings & Debates

3.1. *General Hustings* — All candidates are expected to participate in their hustings. All candidates are asked to prepare a speech (of 5 - 10 minutes in length), followed by up to 10 minutes of questions. Hustings are important, because they give voters the chance to compare candidates and provide candidates with the chance to prove themselves. The chair of the hustings is responsible for encouraging lively and good-humoured debate, though they can rule out irrelevant questions and ask someone in the audience to leave if necessary.

Hustings for all candidates will be on Monday 9th October at 7pm. They will take place in The StAge at the Students' Association building.

3.2. *University Hall of Residence Events*— Candidates may not participate in any campaign events within halls of residence unless approved by the Election Committee. Candidates are not allowed to disturb residents at dinner or request that they are allowed to address the dining hall. Candidates may not contact Residence Managers or Wardens. Candidates are allowed to display publicity (i.e. posters) in halls of residence, but are not allowed to leave them in individual rooms or flats.

3.3. *Rectorial debate* — The rectorial debate will take place on Wednesday 11<sup>th</sup> October from 7pm. The location of this is to be confirmed and will be circulated before October 1st. The debate will consist of a separate debate for each position, with candidates being given 5 minutes for an opening speech.

## Section 6: Budget

4.1. *Allocation* — All purchases related to publicity material need to be recorded and counted towards each candidate's budget. Candidates may spend no more than £350. Candidates and their campaign teams who spend more than £350 (excluding a candidate's personal travel and subsistence costs) may be disqualified.

4.2. *Authorisation* — The authority to authorise any purchase lies with the Elections Committee. Candidates should provide a receipt to the Election Committee for reimbursement and authorisation. Candidates will be penalised for unauthorised spending. Candidates may not use any purchased material unless a receipt has been received and approved by the Election Committee beforehand. This includes (but is not limited to) social media advertising.

4.3. *Reimbursement* — All candidates will be reimbursed their full authorised campaign expenditure, regardless of first preference votes won.

4.4. *Reimbursement, time limit* — Budgets will be repaid for up to one calendar month after the election results are announced.



## Section 7: Campaigning

There is a lot you're not allowed to do as a candidate, but there's even more that you are allowed to do. If you have any doubt about any aspect of your campaign activity or campaign team, the Elections Committee is here to provide guidance and to support candidates as best as possible to ensure a fair and thriving elections process.

While campaigning is prohibited outside of the designated period, you can start to prepare your campaign and assemble a campaign team in advance. You can also print your materials in advance, although they must be stored with the Elections Committee until the start of campaigning.

Any questions, contact any member of the Elections Committee or email saelect@.

5.1. *Time period* — Campaigning starts at 00:01 Friday 6th October and ends when polls close at 5pm on Friday 13th October. Campaigning outside of this time period is not allowed and may result in a penalty applied to the candidate at the discretion of the Elections committee. Before the campaign period begins, candidates may only interact with student publications that have been pre-approved by the Senior Elections Officer.

5.2. *Definition* — Campaigning is understood as any public activity by a candidate or an individual on their team relating to the elections, which is aimed at persuading someone to vote one way or another. The exact enforcement of this definition in rules arbitration lies with the Elections Committee. References in the rules to activities that a candidate may not do apply to their entire team.

5.3. *Campaign team, eligibility* — Only ordinary, life, and honorary members of the Students' Association are allowed to campaign for any candidate. (All matriculated students are automatically ordinary members unless they have opted out.) Staff at the University of St Andrews and Union staff are not allowed to campaign. Students who also work for the University or the Union can campaign only when off duty.

5.4. *Campaign team, size* — Until the start of campaigning, campaign teams may not be larger than thirty people, not including the candidate themselves.

5.5. *Campaign team, online groups* — If a candidate maintains a private online group (e.g., Facebook, Google Group), the candidate must ensure that the Senior Elections Officer and Deputy Senior Elections Officer are invited as a member of said group by no later than 12 hours after submitting their nomination to the Returning Officer, or 12 hours after the creation of the group, whichever is later. Access is treated confidentially and used only to ensure rule compliance.

5.6. *Unfair advantages prohibited, personal contacts* — No candidate may use personal or work contacts to gain an unfair financial or other advantage over other candidates.

5.7. *Unfair advantages prohibited, positions held* — Current sabbatical officers are prohibited from endorsing, supporting, assisting, or campaigning for any candidate.

5.8. *Prohibited activity, antisocial behaviour* — Candidates should be aware that, when campaigning, they are not just representing themselves but also the Association, the University, and its students. No candidate should engage in a conflict with a competitor or with the town-folk, play unsociably loud music or other disturbances, pester people, or be abusive to other candidates.

5.10. *Prohibited activity, personal attacks* — Candidates are encouraged to share and debate ideas related to the positions up for election, using constructive criticism where relevant. No

candidate may use a personal attack on any other candidate for any reason, or orchestrate one from another source.

5.11. *Prohibited activity, halls of residence* — Halls of residence are people's homes, and candidates should not intrude or annoy students in their own homes. Candidates are not allowed to disturb residents at dinner or request that they are allowed to address the dining hall. Candidates should not try to contact Residence Managers or Wardens individually for information. Candidates are allowed to display publicity (e.g., posters, etc.) in halls of residence, but are not allowed to leave them in individual rooms or flats.

5.12. *Prohibited activity, academic venues* — No candidate may campaign in lectures, seminars, tutorials, or lab classes. No candidate should ask to speak before or after lectures, or use the lecture theatre as a vehicle for campaigning.

5.13. *Prohibited activity, University Libraries* — No candidate may campaign actively inside any of the University Library's sites (including leaving items on desks or handing out publicity material), namely – the Main Library, St Mary's and King James Library, JF Allen Library, Purdie Library, and Martyrs Kirk. Candidates may hand in one poster to the library staff for display in the Main Library. Posters can be hung on the old railings on the southeast corner of the Main Library building but not on the railings opposite the main entrance. Any posters put up by students must be removed at the end of campaigning within 48 hours. Candidates may campaign outside the Main Library by keeping to the gravel, but noise must be kept to a minimum and no music should be played during campaigning. Candidates should not block the entrance to the building.

5.14. *Prohibited activity, Union Building* — No candidate may campaign if causing a disruption to the Union's commercial services or nuisance to paying customers. No candidate may campaign in the Elections Office. Candidates may submit three posters to the Elections Committee to be posted in the Students' Association: candidates are not permitted to put up any other posters inside the Union Building. The elections committee cannot guarantee that every poster will be put up, though the same number will be displayed per candidate.

5.15. *Prohibited activity, Barron Theatre* — No candidate may campaign in or around the Barron Theatre. This includes putting up posters on the theatre doors.

5.16. *Prohibited activity, online campaigning* — No candidate may engage in any online campaigning that automatically includes an individual without their consent to be a part of it. Specifically, Facebook groups are prohibited. (Facebook groups may be used for private campaign organising.) No candidate may use any society, School, or any other mailing list to harvest email addresses, phone numbers, or any other data for campaign purposes. No candidate may use any pre-existing social media group, page, or website to promote their campaign.

5.17. *Prohibited activity, public property* — No candidate may mark or deface any public property (e.g., pavements, walls) with chalk or anything else. Candidates may only post publicity where they have received explicit permission to do so from the relevant person or body.

5.18. *Prohibited activity, motor vehicles* — No candidate may use a car or any other vehicle to promote their campaign.

5.19. *Prohibited activity, et cetera* — No candidate may engage in blackmail, bribery, and harassment in relation to their campaign. No candidate should break the law (e.g. flyposting) or do anything that would bring the candidate or the Students' Association into disrepute while campaigning. Candidates should be mindful to ensure their safety and the safety of their team members.

5.20. *Prohibited activity, discounted or free alcohol* – No candidate may supply discounted or free alcohol or illegal substances as a way of promoting their campaign.

## Section 8: Publicity

6.1. *Budgeting compliance* — All publicity, online or physical (including baked goods), must be budgeted and, as a part of this, matched to receipts as relevant. As such, all publicity should be validated by the Elections Committee. Unauthorised publicity is prohibited and subject to penalty. Any publicity for which receipts are not available, or for which the elections committee find the provided receipt unacceptable for any reason, may be charged against the candidate's budget at an amount determined by the Elections Committee.

Candidates are encouraged to be innovative and creative with their publicity tactics. Posters, stickers, banners, campaign websites, paid web ads, and social media profiles/ pages are all common forms of publicity – subject to the rules in this section.

While your publicity must be budgeted, the materials to create your publicity are not required to be declared. This includes pens, paper, glue, scissors, glitter, string, tape, paint, and face paint. Recycled items that candidates acquire for free, such as cardboard boxes, may not be charged either – subject to the discretion of the Elections Committee.

If you have any questions on compliance with this section, please contact the Elections Committee or email saelect@. In particular, we encourage candidates to 'preview' printed materials with the Elections Committee digitally before printing to ensure your stuff meets the standard.

6.2. *Budget limitation* — The budget allocated to each candidate may only be used for publicity for that candidate.

6.3. *Students' Association and Athletic Union resources* — No candidate may use any Students' Association or Athletic Union resources to help their campaign.

6.4. *Poster sizes* — Posters for candidates may not exceed the size of an A3 sheet of paper. Posters for all other candidates may not exceed the size of an A4 sheet of paper.

6.5. *Required elements* — Each printed poster must contain the dates of the voting (12 & 13 October) and an encouragement to recycle.

6.6. *Regulation of banners* — Banners must be properly secured when put up, and no candidate may use any hanging weights (e.g. water bottles) as they pose a safety risk. The Elections Committee reserves the right to ask candidates to move or take down any banners.

6.7. *Offensive material* — No publicity should contain anything offensive. The Elections Committee retains the right to define what qualifies as offensive.

## Section 9: Rule Breaking

7.1. *Rule compliance* — By signing the nomination form, candidates agree to comply with the University Court-issued 'Rectorial Election 2017: Procedures and Rules' and 'Code of Conduct for the Rectorial Elections', and by extension, these Students' Association Rectorial Election Rules. The Students' Association Rectorial Election Committee is the recognised election monitoring body for the 2017 Rectorial Election.

7.2. *Rule monitoring* — It is the responsibility and authority of the Elections Committee to ensure a fair elections process by monitoring compliance and deciding when rule breaking occurs. With exception of the right to appeal mentioned in 7.6 and 7.7, the decisions of the Elections Committee are final.

7.3. *Notification limit* — The Elections Committee should be informed of any alleged rule breaking within 48 hours of the alleged infraction. Any individual may submit a report of rule breaking, and the Elections Committee may ask for further information and information of any witnesses to help reach a decision. The final deadline for complaints about rule breaking is 5pm on the Tuesday following the elections results.

7.4. *Result notification* — The Elections Committee will notify the informant of Section 7.3 of the Elections Committee's judgement. In the event of an affirmative decision by the Elections Committee that rule breaking occurred, the Elections Committee will separately notify the candidate in question.

7.5. *Serious rule breaches* — Serious cases (as defined by the Elections Committee) will be referred to the Returning Officer for judgement. The Returning Officer has discretion to refer any such case to the Senate-appointed supervisory panel for consideration. The Returning Officer may also refer the alleged infringement to the Student Election Committee as a potential 'minor breach'. The Senate-appointed supervisory panel has full discretion in its response to alleged breaches of the rules. Depending upon the severity of the case, it may take actions which include but are not limited to written warnings, financial penalties or settlement of damages, and candidate disqualification. They may also declare an election null and void, in which case a new election will be initiated.

Any decision of the Senate-appointed supervisory panel is final. There is no further route of appeal.

7.6. *Rule breaking by team member* — If someone other than the candidate or their campaign manager has broken a rule, the candidate or campaign manager must have taken every reasonable step to prevent it and should attempt to rectify and compensate for rule breakings. If the elections committee deems there to have not been due diligence, the candidate may face a penalty.

7.7. *Penalties* — In response to rule breaking, the Elections Committee may, depending on the severity of the case, issue punishments such as written warnings, fines, disqualification of part or all of budget reimbursement, or disqualification from the election. Rules breaches will be publicized by the elections committee for the information of voters on the voting portal and online.

7.8. *Voting method* — Voting shall be conducted online. Each student shall have a single transferable vote for every election.

## Section 10: Tips - How to Run an Election

We know that running an election can be hard work, and we want to make it as easy for every campaign team as we can. Here are some tips on what you need to do to run a good campaign.

Every candidate should follow us on twitter at @saelect to keep up to date with anything and everything to do with elections.

### How to run a good campaign: some quick tips

- Pick a good campaign team. It's useful to set up a private Facebook page to keep in touch with everyone on your campaign team, and to keep them updated. Get people involved but remember to make sure they follow the rules!
- Use as many ways as you can to get your candidate's message across: posters, badges, stickers, an online presence, videos, meet-and-greets, photo ops, events, a campaign song, whatever you can think of.
- There's nothing like the personal touch, so make sure your candidate talks to as many voters as possible! But also get your campaign team to chat to people as much as they can too.
- Personality is important, but make sure your candidate has a few key, achievable policies that you can stress to voters too – ask yourself, what sets your candidate apart?
- The student election committee will organise student media interviews for your candidate and events such as the official hustings. Make sure you find out when these are and make sure your candidate, or campaign manager, attends!
- Have fun, and don't stress about the result too much. A relaxed and happy campaigner is much more likely to get people to vote for their candidate!

### How to work out your election budget

- Everything you spend needs to be recorded and deducted from your budget. Make sure you keep every receipt!
- Make sure you plan your spending ahead of time: if you run out of money, that's it. You can't spend any more.
- The Student Election Committee will keep a record of your budget for you. Whenever you spend any money, you need to come in and have a member of the committee sign it off so we can keep track of how much you've spent so far. You can keep your own records, of course, and we recommend you do, but the committee record is the 'official' count.

### General publicity guidance

- No publicity should contain anything offensive (the student elections committee will be the judge of what is 'offensive').
- We suggest you get your publicity checked with a member of the Elections Team before you print it. Any publicity you've printed or produced that we don't allow you to use won't be charged against your budget – but it will cost you money and you can't use it.
- Your budget can only be used to publicise your own candidate's campaign – you can't refer to other candidates on your publicity.
- You are not permitted to use any Students' Association or Athletic Union resources to help your campaign.

### Printed publicity

- You can do your printing in the Library or the Students' Association! Make sure you bring us the receipt to deduct from the budget.

- All printed publicity will be stamped or ‘validated’ by the Elections Team. Un-validated publicity will be destroyed and may lead to sanctions against the candidate.
- Anything you use to create printed publicity you don’t need to declare separately as part of your budget – for example pens, paper, glue, scissors, glitter, string, Sellotape, paint and face paint don’t need to be declared separately.
- Campaign clothing needs to be declared.
- If you want to use stickers, the best thing to do is buy your own stickers or labels and print directly on to them (the cost will then be deducted from your budget). This is usually much cheaper than buying stickers ready-made, but be careful with the printing!
- If you want to make banners, you can. Remember, like any other piece of publicity you need to get banners checked out by the committee before you put them up: and you need to provide receipts for the materials you use.
- If you have had a banner professionally printed, then the actual cost of this will be deducted from your budget.
- Make sure that your banner is secure, and doesn’t use any hanging weights that could fall on the public below and cause injury.
- The committee reserves the right to ask candidates to move or take down any printed publicity, including banners.

### Online campaigning

- You can use any form of online campaigning to promote your candidate (such as Facebook, Twitter accounts, blogs or YouTube videos) so long as you remain within the elections rules and guidelines.
- If you want to create a free website then you may do so. However, if you pay for a professional website to be created then this may be deducted from your budget.
- You cannot create a ‘group’ on Facebook (since current Facebook rules mean that you can add people to groups without them choosing to be a part of them), but you are permitted to create a ‘page’, ‘profile’ or ‘event’, and invite people to it.
- You should also add ‘saelect’ on Facebook, and invite them to any pages or events that you create to do with your campaign.
- You can use paid ads on sites like Facebook or Spotify, but you have to declare this as part of your budget
- You can privately message people who have elected to join your Facebook profile or page, but be selective – don’t spam them by messaging too often.

### Existing resources

- You can’t use any existing society, School, or any other mailing list to contact voters, and you can’t use pre-existing social media groups or websites to promote your candidate’s campaign.
- No sports clubs, affiliated societies or Association sub-committees can officially endorse any candidate, and campaigners can’t use any position of responsibility within the Association or AU to actively advertise a candidate’s campaign.
- However, you are of course allowed to continue with your normal activities so long as you don’t actively use them to campaign (e.g. you’re still allowed to write a column in the Saint, or appear on STAR radio, or chair a debate, so long as you don’t promote your candidate).

### Other things to bear in mind

- We encourage all candidates to be as creative and as inventive as possible, therefore if you want to use ‘props’ or accessories you are most welcome. We’ve mentioned as many of these items as we can think of, but if you are unsure whether or not you need to declare an item just ask the committee!
- You are not permitted to use chalk on any public property (i.e. pavements, walls).

- It is fair to question the experience, policies, and track record of individual candidates. However, this should be constructive criticism: personal attacks are not allowed (and will probably backfire anyway).
- Your campaign team is defined as anyone who actively campaigns on your behalf. Campaign managers are responsible for making sure that everyone campaigning for your candidate is fully aware of the rules. Your candidate will be held accountable for any breakages!

If you have any questions or concerns, pop in and see one of the sabbaticals, or email [saelect@st-andrews.ac.uk](mailto:saelect@st-andrews.ac.uk). Have fun!



## University of St Andrews

### RECTORIAL ELECTION 2017: PROCEDURES & RULES

#### PROCEDURES

1. The Rules of the Rectorial Election should be issued to the Students' Representative Council and posted on University noticeboards (including the web) no later than the September preceding a Rectorial Election.
2. The Senate Business Committee should nominate to Academic Council a panel to supervise the election process, as required by Ordinance. This should occur in September preceding a Rectorial Election. The same process should be used to confirm the Chief Legal Officer's role as Returning Officer for the election.
3. Information regarding the role of the Rector should be prepared by the Court & Senate Office for appropriate dissemination to students and rectorial candidates. This information should include the fact that the Rector assumes office immediately upon election, as well as information about responsibilities as a charity trustee.
4. In addition to the above, the timeline for elections should be as near as possible to the following:
  - 4.1 Announcement of an imminent Rectorial Election to all students: This should occur in the semester preceding a Rectorial Election, if the vacancy can be anticipated. The announcement should include information about the role of the Rector, the conditions that candidates for Rector must meet, and the procedure to be used for making nominations.
  - 4.2 Nomination forms should be available online from May preceding a Rectorial Election, if the vacancy can be anticipated.
  - 4.3 Acceptance of nomination forms should occur during a three-day period, beginning approximately 10 days in advance of the beginning of voting. Such forms must be submitted to the person identified as the Returning Officer, who will also be responsible for checking the validity of the nominations.
  - 4.4. The Returning Officer has authority to reject nominations of candidates that would be unable to sign their eligibility as a charity trustee or who would be unable to fulfil the requirements of the role. Nominated candidates will be required to declare their eligibility to serve as a trustee under OSCR guidelines.
  - 4.5 A period of two days after the close of nominations is available for withdrawal of candidates, though subsequent withdrawal is permitted in exceptional circumstances, at the discretion of the Returning Officer.

- 4.6 The beginning of the formal campaign period should begin after the closure of nominations and formal announcement of standing candidates by the Returning Officer.
  - 4.7 On-line voting should begin approximately one week after the close of nominations and to end two days later.
  - 4.8 Announcement of the election results should be made on the evening on which voting closes by the Returning Officer.
5. Whilst in previous years an attempt was made to prevent campaigning in advance of the beginning of 'formal campaigning' (as identified above), in line with procedures agreed for the 2014 electoral round, it is proposed to have no such restriction in the future. Such restrictions posed difficulties in distinguishing between 'familiarisation visits' and 'campaigning'. It also ran into problems in distinguishing between appropriate internet chatting about potential candidates and active campaigning.
  6. Because the Students' Association and the Athletic Union are representative of all students and in view of the role of the Students' Association sabbatical officers in administering part of the election process (see below), no resources from these bodies may be used in the campaign for any candidate and no serving sabbatical officer may campaign in any way for any candidate. This does not, however, preclude the sabbatical officers participating in the establishment of campaign teams and approaching suitable candidates. The Students' Association may also encourage the active formation of campaign teams in the semester prior to the Rectorial election, including from amongst its cohort of elected and voluntary officers.
  7. Staff are not prohibited from discussing publicly the merits of candidates and express views about these, but must not be part of any campaign team or publicity initiative on behalf of a candidate. Staff who are wardens or managers of buildings or lecture theatres should ensure that equal opportunities are available to (even if not taken up by) all candidates in any use that they offer of the buildings.
  8. There will be no attempt to limit the kinds of media that may be used in campaigning. All candidates will be required to sign a pledge of good behaviour and responsible use of social media on behalf of themselves and their campaign teams.
  9. There will be no attempt to prevent external endorsements of candidates.
  10. A Student Election Committee, chaired by the Students' Association sabbatical officer with the Democracy remit, and incorporating one other Students' Association sabbatical officer, two student School Presidents (one from Arts/Divinity and one from Science/Medicine), one Sub-Honours student representative, one Honours student representative, and a member of the Students' Representative Council, will be responsible for:

- 10.1 promoting interest in the Rectorial election and ensuring a fair election designed to secure a well-qualified candidate for the post;
- 10.2 dealing with minor allegations of infringements of election rules, particularly with respect to campaigning;
- 10.3 the monitoring and reimbursement of election expenses incurred by the campaign teams;
- 10.4 arranging hustings and ensuring all candidates are offered equal opportunities in such events.

**11.** The Rector's appointment will be deemed to start on the first working day of the month subsequent to their election.

## **RULES**

### **Nominations**

1. Any person can be nominated for Rector except:
  - 1.1. Matriculated students of the University
  - 1.2. Members of staff of the University
  - 1.3. Anyone 'actively involved' in any other Scottish Higher Education institution. A definition of 'active involvement' is appended (see Addendum 1 below)
  - 1.4. Anyone who is unable to meet the requirements for a charity trustee as determined by the Office of the Scottish Charity Regulator.
2. Nominations must be submitted on the prescribed form for nominations. They must be signed by a minimum of 20 fully-registered and matriculated students of the University. In addition, they must be signed by a proposer, who will be responsible for the running of the election campaign and will be the main contact for communications related to the election. The proposer must also be a fully-registered and currently matriculated student.
3. Students may only nominate one candidate. A student nomination of more than one candidate will be invalid.
4. No sabbatical officer of the Students' Association or Athletic Union is permitted to nominate or propose a candidate.
5. Nomination forms must include the written consent of the candidate.
6. Nomination forms must be accompanied by (i) a photo of the candidate, (ii) a statement of up to 250 words summarising the candidate's career and explaining why students should vote for the candidate, (iii) a signed form of eligibility as a charity trustee (such forms being available with nomination forms), (iv) a signed pledge of good behaviour and responsible use of social media.
7. Nomination forms and accompanying materials should be delivered to the Chief Legal Officer, College Gate, North Street within the period specified for receipt of nominations. Any nominations received after the closing date and time will not be accepted.
8. Nominations will be checked by the Returning Officer for validity and completeness. Any nominations determined to be invalid or incomplete at or after the close of nominations will not be accepted. No exceptions or re-submissions will be permitted.
9. By submitting a nomination, the candidate and his/her campaign team agree to abide by the Election Rules.
10. By submitting a nomination, the candidate agrees to be bound by the protocol established by the University Court for the distinction of roles between the Rector and the Senior Governor.

11. Candidates may withdraw their nominations within a period of two working days after the close of nominations by submitting notification of withdrawal in writing to the Returning Officer. Withdrawal of candidates subsequently will be at the discretion of the Returning Officer.

## **Campaigns**

12. All candidates must appoint a campaign manager and campaign team. The campaign manager will normally be the individual who is identified as the 'proposer' of the candidate's nomination. The candidate and campaign manager will be held responsible for all campaign activity.
13. Campaign managers must attend a compulsory meeting arranged by the Returning Officer at a time to be arranged after the close of nominations. This meeting will also include sabbatical officers of the Students' Association and will provide information about the proper conduct of campaigns.
14. As the elected representatives of all students and in view of their responsibilities in administering the election process, no sabbatical officers of the Students' Association or Athletic Union may participate in the campaign for any nominated candidate.
15. Campaign teams are expected to run responsible campaigns, which respect the rights of other candidates and others in the University and town communities.
  - 15.1 There will be no restrictions on the media that may be employed for publicity, but candidates and their campaign teams must be aware that there may be legal constraints on use of flyers and other forms of publicity. They alone will be responsible for any legal penalties.
  - 15.2 Candidates and their campaign teams are responsible for attention to health and safety considerations. They must not place themselves or others in jeopardy.
  - 15.3 Candidates and their campaign teams must not break the law or bring the University into disrepute.
  - 15.4 Candidates and their campaign teams must obtain permission from the warden, School Administrator or manager of any University building before posting or placing campaign materials in a University building. They also must obtain permission to campaign within a University building.
  - 15.5 No Students' Association or Athletic Union resources may be used to support a campaign.
  - 15.6 All campaign materials (banner, posters, etc.) must be taken down within 48 hours of the close of voting.
16. Up to £350 may be expended on each election campaign. This includes all publicity expenses. The University, acting through the Student Election

Committee, will reimburse expenditure up to this limit to the account of one nominated individual per campaign team upon submission of valid receipts up to the close of voting. Campaign managers must keep all receipts and a detailed record of all expenses for submission to the Student Election Committee. Candidates and their campaign teams who spend more than £350 (excluding a candidate's personal travel and subsistence costs) may be disqualified.

17. No candidate is permitted to provide free or discounted alcoholic drinks for students in the course of the campaign.
18. Where polling booths are established during the voting process, campaigning is not permitted within the relevant election office or building in which these are located.

## **Voting**

19. Voting will take place online and will be open for a prescribed period.
20. Voting will be open to matriculated, registered students of the University on the date that nominations close.
21. Voting will be by secret ballot using the Alternative Vote system.
  - 21.1 Each eligible voter will be allowed an alternative transferable vote and may indicate the order of preference in which (s)he wishes to place the candidates.
  - 21.2 At the end of the first count of votes, if a candidate has received 50% plus one of the total votes, then (s)he will be declared elected.
  - 21.3 If no candidate has an overall majority at the end of a count, then the candidate with the fewest votes shall be eliminated and each of his/her votes will be transferred to whichever candidate has been listed second in order of preference. These transferred votes shall each count as one full vote.
  - 21.4 This process shall be repeated until either one candidate has obtained 50% plus one of the total votes cast or there are only two candidates left who have not been eliminated, in which case the candidate of those two with the most votes shall be declared elected.
  - 21.5 In the case of an equality of votes for two or more candidates at any stage of the count, and where there are no candidates at that stage with fewer votes, then the candidate to be excluded shall be decided by the relative placings of the candidates at the most recent stage of the count at which their votes were unequal. If equal at all stages, then the Chancellor of the University (whom failing the Vice-Chancellor) will have the casting vote.
  - 21.6 In the initial round of voting, provision will be made for a vote for a RON candidate (Re-open nominations). If this should be the 'elected' choice of

the students after the initial election, a further nomination period, campaign and election shall take place. Candidates from the initial election are eligible to be nominated to stand again.

- 21.7 In the case of only one candidate being validly nominated in a second election, no election shall take place and this candidate will be automatically appointed.
  - 21.8 If no valid nominations are received in a second election, then no Rector shall be declared elected and a new election will be held the following year in accordance with the timetable determined by Ordinance.
22. Proxy voting and postal voting are not permitted. Where required, provision will be made for voting by disabled students.

### **Rule Breaking**

- 23. Campaign managers and their candidates will be held responsible for the conduct of their campaign and for any breaches of the rules.
- 24. The Student Election Committee shall have the responsibility for dealing with minor allegations of infringements of election rules, particularly with respect to campaigning.
  - 24.1 This should take the form of working with teams to resolve problems rather than imposing penalties or punishments.
  - 24.2 More serious infringements involving penalties must be escalated to the Returning Officer and Senate-appointed supervisory panel, as well as any allegations relating to the Students' Association sabbatical officers.
  - 24.3 Dissatisfaction with the decisions of the Student Election Committee in dealing with minor infringements does not have an automatic right of appeal to the Senate-appointed supervisory panel. Concerns of this kind should be reported to the Returning Officer and escalation will be at the discretion of the Returning Officer.
- 25. Serious breaches of the rules should be reported to the Returning Officer as soon as possible after the incident. The Returning Officer has discretion to refer any such case to the Senate-appointed supervisory panel for consideration. The Returning Officer may also refer the alleged infringement to the Student Election Committee as a potential 'minor breach'.
- 26. The Senate-appointed supervisory panel has full discretion in its response to alleged breaches of the rules. Depending upon the severity of the case, it may take actions which include but are not limited to written warnings, financial penalties or settlement of damages, and candidate disqualification. They may also declare an election null and void, in which case a new election will be initiated.
- 27. Any decision of the Senate-appointed supervisory panel is final. There is no further route of appeal.

## **ADDENDUM 1: Definition of 'Active Involvement' in another Scottish HEI**

The University interprets 'active involvement' in another Scottish Higher Education Institution as follows:

- a) The prospective nominee holds a contract of employment at another Scottish HEI;
- b) The prospective nominee is a student (including evening or part-time student) at another Scottish HEI;
- d) The prospective nominee is a member of Court at another Scottish HEI;
- e) The prospective nominee is a member of a University Committee at another Scottish HEI (this includes management committees, School or Departmental committees, or Students' Association committees such as a Board of Governors).

The following kinds of involvement do not fall within the definition of 'active involvement':

- f) The prospective nominee holds or is in recent possession of an honorary degree from another Scottish HEI;
- g) The prospective nominee is a parent or guardian of a student at another Scottish HEI;
- h) The prospective nominee holds a honorary appointment at another Scottish HEI (provided that said appointment does not involve regular or remunerated activities such as lecturing and teaching);
- i) The prospective nominee holds an Emeritus position at another Scottish HEI (provided that said appointment does not involve regular or remunerated activities such as lecturing and teaching).



## Code of Conduct for the Rectorial Elections

By submission of nomination papers, candidates for the position of Rector of the University of St Andrews agree to adhere to the following code of conduct during their electoral campaign.

This code of conduct is based upon the rules and general principles followed in all Students' Association run elections, and any breaches shall be arbitrated by the Students' Association Elections Committee.

### General Principles

1. Campaigns for the position of Rector shall not be run in a negative manner. Candidates should campaign based solely upon their own ideas and qualifications.
2. Information given to voters should be transparent and accurate.
3. Campaigns should not cause nuisance to voters or to the general population of the town.

### Conduct of Campaigns

- Definition — Campaigning is understood as any public activity by a candidate or an individual on their team relating to the elections, which is aimed at persuading someone to vote one way or another. The exact enforcement of this definition in rules arbitration lies with the Elections Committee.
  - Campaign teams are bound by the same set of rules as candidates. Consequently, candidates will be held accountable for the actions of their campaign team.
1. All purchases related to publicity material need to be recorded by the Elections Committee and counted towards each candidate's budget. Rectorial candidates may spend no more than £350.
  2. If a candidate maintains a private online group (e.g., Facebook, Google Group), the candidate must ensure that the Senior Elections Officer or Deputy Senior Elections Officer is invited as a member of said group by no later than 12 hours after the submission of their nomination, or 12 hours after the creation of the group, whichever is later. Access is treated confidentially and used only to ensure rule compliance.
  3. No candidate should engage in a conflict with a competitor or with the town folk, play unsociably loud music or other disturbances, pester people, or be abusive to other candidates.
  4. Halls of residence are people's homes, and candidates should not intrude or annoy students in their own homes. Candidates are not allowed to disturb residents at dinner or request that they are allowed to address the dining hall. Candidates should not try to contact Residence Managers or Wardens individually for information. Candidates are allowed to display publicity (e.g., posters, etc.) in halls of residence, but are not allowed to leave them in individual rooms or flats.
  5. No candidate may campaign in lectures, seminars, tutorials, or lab classes. No candidate should ask to speak before or after lectures, or use the lecture theatre as a vehicle for campaigning.
  6. No candidate may campaign actively inside any of the University Library's sites (including leaving items on desks or handing out publicity material), namely – the Main Library, St Mary's and King James Library, JF Allen Library, Purdie Library, and Martyrs Kirk.
  7. No candidate may mark or deface any public property (e.g., pavements, walls) with chalk or anything else. Candidates may only post publicity where they have received explicit permission to do so from the relevant person or body.
  8. No candidate may engage in blackmail, bribery, and harassment in relation to their campaign.
  9. No candidate should break the law (e.g. flyposting) or do anything that would bring the candidate or the Students' Association into disrepute while campaigning. Candidates should be mindful to ensure their safety and the safety of their team members.
  10. No candidate may supply discounted or free alcohol or illegal substances as a way of promoting their campaign.

**We, the undersigned, agree to abide by this code of conduct:**

Candidate's signature:

Campaign Manager's signature:

University of St Andrews  
Rectorial Election 2017: Nomination Form

This form, complete with signatures of twenty matriculated students, must be submitted in hard copy to the Chief Legal Officer, College Gate, North Street, no later than **5pm** on **Wednesday 4 October 2017**.

This form must be accompanied by a photograph of the candidate and a 250 word statement, which will be available to all voters, outlining the career and experience of the candidate.

SPONSORS

We, the undersigned, being matriculated students of the University of St Andrews for the academic year 2017-18, hereby nominate:

.....  
(insert name of candidate)

for the office of Rector of the University of St Andrews.

		<b>number</b>	
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PLEASE NOTE: although the signatures of only twenty matriculated students are necessary, sponsors are strongly encouraged to gather more, in order to minimise the risk of a nomination failing due to the discovery of invalid information. (The University's Registry will be checking the student ID numbers against their records in order to verify the sponsors' matriculated status).

Name of Candidate

.....

I, the undersigned, accept the nomination and am willing to put myself forward for the position of Rector of the University of St Andrews for the period 2017-2020:

.....

(signature of candidate)

SENIOR CAMPAIGN TEAM

We, the undersigned, nominate ourselves as the Senior Campaign Team for

.....

1. ....
2. ....
3. ....

As members of the Senior Campaign Team, we agree to abide by all rules and regulations laid out by the Student Election Committee, and will take on the responsibility of ensuring that all students campaigning on behalf of this candidate have read and understood the rules and have agreed to abide by them.

University of St Andrews

University Court

**CHARITY TRUSTEE DECLARATION**

The Charities and Trustee Investment (Scotland) Act 2005 provides that certain individuals are disqualified from acting as charity trustees. Those who are elected, nominated or appointed as members to the University Court are regarded as ‘charity trustees’ under the scope of the Act. University Court members should therefore confirm their eligibility to serve in that capacity by signing the declaration below. The notes overleaf explain the responsibilities of charity trustees and the categories of individual who are disqualified. It should be noted that anyone who acts as a charity trustee whilst disqualified is guilty of an offence that may be punishable by imprisonment, or a fine, or both.

The University of St Andrews has prepared further guidance regarding the provisions of the Act, which can be found in the Court Members’ Handbook (Section 3.6), available at this [link](#). It is recommended that you read this section of the Handbook prior to signing this declaration so that you are fully aware of the duties and responsibilities of being a charity trustee.

I, the undersigned, declare that:

- I am willing to act as a charity trustee by serving as a University of St Andrews Court member.
- I am not disqualified from acting as a charity trustee (see sections 69 and 70 of the Charities and Trustee Investment (Scotland) Act 2005).

**Name** (block capitals): .....

**Signature:** .....

**Date:** .....

## DUTIES AND RESPONSIBILITIES OF CHARITY TRUSTEES

Charity trustees should be made aware of the duties and responsibilities of their position at the outset of their appointment. Section 66 of the Charities and Trustee Investment (Scotland) Act 2005 sets out the general duties of charity trustees, who must

- act in the interests of the charity, putting its interests before their own interests or those of any other person or organisation.
- seek, in good faith, to ensure that the charity operates in a manner that is consistent with its objects or purposes.
- act with the care and diligence that is reasonable to expect of a person who is managing the affairs of another person.
- ensure that the charity complies with the provisions of the Act.

You should note that any breach of these duties may be treated as misconduct in the administration of the charity.

## CATEGORIES OF DISQUALIFIED INDIVIDUAL

Sections 69 and 70 of the Charities and Trustee Investment (Scotland) Act 2005 set out the circumstances that would disqualify an individual. In general terms, if a person has been convicted of an offence involving dishonesty, or of an offence under the Act, or is an undischarged bankrupt, they may not serve as a charity trustee. Nor may they do so if they have been removed from serving as a charity trustee, or from acting in a management position within a charity, under previous charity law; nor if they have been disqualified from serving as a Company Director. A person is not disqualified if their conviction is spent by virtue of the Rehabilitation of Offenders Act 1974.

If you are uncertain whether or not you are disqualified, further information may be obtained from the Office of the Scottish Charity Regulator (OSCR) at the following web site [www.oscr.org.uk](http://www.oscr.org.uk). OSCR may, on application from the person disqualified, issue a waiver, which may either lift the disqualification generally, or specifically in relation to a particular charity or type of charity. The specific provisions of the Act are as follows:

### **Section 69 - Disqualification from being charity trustee**

(1) The persons specified in subsection (2) are disqualified from being charity trustees.

(2) Those persons are any person who—

- (a) has been convicted of—
  - (i) an offence involving dishonesty,
  - (ii) an offence under this Act,
- (b) is an undischarged bankrupt,
- (c) has been removed, under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40) or section 34 of this Act, from being concerned in the management or control of any body,

- (d) has been removed from the office of charity trustee or trustee for a charity by an order made—
    - (i) by the Charity Commissioners for England and Wales under section 18(2)(i) of the Charities Act 1993 (c. 10), section 20(1A)(i) of the Charities Act 1960 (c. 58) or section 20(1) of that Act (as in force before the commencement of section 8 of the Charities Act 1992 (c. 41)), or
    - (ii) by Her Majesty’s High Court of Justice in England, on the grounds of any misconduct in the administration of the charity for which the person was responsible or to which the person was privy, or which the person’s conduct contributed to or facilitated,
  - (e) is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986 (c. 46) or the Company Directors Disqualification (Northern Ireland) Order 2002 (S.I.2002/3150).
- (3) A person referred to in subsection (2)(a) is not disqualified under subsection (1) if the conviction is spent by virtue of the Rehabilitation of Offenders Act 1974 (c. 53).
- (4) OSCR may, on the application of a person disqualified under subsection (1), waive the disqualification either generally or in relation to a particular charity or type of charity.
- (5) OSCR must notify a waiver under subsection (4) to the person concerned.
- (6) OSCR must not grant a waiver under subsection (4) if to do so would prejudice the operation of the Company Directors Disqualification Act 1986 (c. 46) or the Company Directors Disqualification (Northern Ireland) Order 2002 (S.I.2002/3150).

**Section 70 - Disqualification: supplementary**

- (3) In section 69(2) (b), “undischarged bankrupt” means a person—
- (a) whose estate has been sequestrated, who has been adjudged bankrupt or who has granted a trust deed for or entered into an arrangement with creditors, and
  - (b) who has not been discharged under or by virtue of—
    - (i) section 54 or 75(4) of the Bankruptcy (Scotland) Act 1985 (c. 66),
    - (ii) an order under paragraph 11 of Schedule 4 to that Act,
    - (iii) section 279 or 280 of the Insolvency Act 1986 (c. 45), or
    - (iv) any other enactment or rule of law subsisting at the time of the person’s discharge.