

## 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).