

<b>Committee Title</b>	Student Voice					
<b>Date of Meeting</b>	23 <sup>rd</sup> October 2023					
<b>Item Number and Title/Subject</b>	Election Rules Revision					
<b>Paper Presenter</b>	Sara MacLean, Deputy Returning Officer					
<b>Brief Summary of Issues/Topic</b>	<p>GCU Students' Association revises its Election Rules yearly incorporating learning from previous years and feedback from candidates and other stakeholders.</p> <p>As part of this consultation, Student Voice is encouraged to read and feedback their thoughts on the current direction of the revision of the rules.</p> <p>Do note that the Election Rules work in conjunction with <a href="#">Schedule 4</a> (Elections) to the Constitution and the <a href="#">Code of Practice relating to the operation of the Students' Association</a>.</p> <p>The rationale for the proposed changes are outlined within the paper. The revised Election Rules are presented as a tracked changes document and as a clean version.</p>					
<b>Recommendation(s)</b>	Information		Discussion	X	Approval	
	<p><b><i>Any member can ask a question by raising their voting card and being recognised by the Chair to speak.</i></b></p> <p>Student Voice is asked <b>to discuss</b> the Election Rules.</p>					
<b>Who have you consulted when developing the paper?</b>	<p><u>To date</u></p> <p>Candidates' post-election survey</p> <p>Elections Planning Group</p>					
<b>Staff/Student Protocol</b>	Yes	X	No		N/A	
<b>Will any decision approved directly affect the work of staff?</b>	This paper was devised by the Election Planning Group and reviewed by the Chief Executive.					
<b>Should the paper be submitted to any other committee following its consideration/approval at this meeting?</b>	Trustee Board					
<b>If yes, please state the committee and proposed date of submission.</b>						



## Election Rules

Status	Approved
Consultation with GCU Department of Governance	<a href="#">25<sup>th</sup> November 2021</a>
Student Voice Approval	<a href="#">24<sup>th</sup> October 2022</a>
Document Location	S:\Common\Elections
<p>The Election Rules should be read in conjunction with <a href="#">Schedule 4</a> (Elections) and <a href="#">Schedule 6</a> (Full Time Officer Accountability) to the Constitution and the <a href="#">Code of Practice relating to the operation of the Students' Association</a>.</p>	

## 1. Elections Rules

The Returning Officer and Deputy Returning Officer have the power to sanction a candidate for breaking these rules, including disqualifying candidates from the election. Disciplinary action in line with the Students' Association policies or the GCU Code of Student Conduct may also be taken where appropriate.

## 2. Conduct

- 2.1 All candidates must abide by the laws of the land, Election Rules, Students' Association's rules and policies and the rules and policies of Glasgow Caledonian University.
- 2.2 Candidates must take reasonable steps to ensure that their supporters' actions comply with the election schedule and rules at all times and must be able to demonstrate this in the event of an election complaint against them.
- 2.3 Bribes or inducements may not be offered in any form to any person. For the avoidance of doubt, this includes sweets and other small gifts.
- 2.4 Candidates are responsible for their own health and safety and should be aware of the safety of others when engaging in any election activity, including that there is no working from height or use of drones. All candidates and campaigners are responsible for ensuring that in any area they are campaigning that there is freedom of access for any person who needs it and that doors, stairwells and passage ways are not blocked or made difficult to pass through.
- 2.5 All candidates ~~should or their designated nominee must~~ attend the Candidate's Briefings (Full Time Officers and GCU London Officer elections only) and any further meetings called by the Returning or Deputy Returning Officer. Failure to attend or send a nominee to the Candidate's Briefing will result in disqualification from the election. ~~If a candidate misses important information by choosing not to attend a briefing they will still be expected to comply with all Election Rules.~~
- 2.6 Candidates must at all times act as directed by University staff and raise any concerns directly with the Returning Officer or Deputy Returning Officer.
- 2.7 Where the rules relating to elections are infringed, a candidate may be suspended or disqualified with immediate effect by the Deputy Returning Officer. This decision may be appealed through the Election Complaint Procedure.

## 3. Campaigning

- 3.1 Candidates can launch their online election campaign after the close of nominations but are not allowed to run a physically election campaign ~~for votes or launch their manifesto until seven calendar days before voting opens.~~
- 3.2 Candidates and their supporters may use their personal social media accounts for campaigning purposes but posts must not be made to or via any Students' Association social media accounts, including social media accounts from committees, groups and networks outlined in the Students' Association By-Laws. This does not include our affiliated clubs and societies.
- 3.3 Any elected or appointed officers, academic reps or committee members can endorse candidates, including the use of their name, title and why they support the candidate. No committees and groups outlined in the Students' Association By-Laws can endorse a candidate.
- 3.4 Candidates are encouraged to perform "lecture shouts" but must not disrupt timetabled learning and teaching. Permission must-should be sought from any lecturer present and respect their decision.

**Commented [MS1]:** Whilst these have not been an issue here, there have been incidents at other university elections with both of these.

**Commented [MS2]:** The candidates briefing is where the rules of the election are explained to candidates and they can ask questions about them to help stay inside the rules. More of the sector is moving towards mandatory Candidates Briefing and this is something that hopefully can help decrease rule-breaking. A nominee of the candidate (e.g. campaign manager) can come in place of the candidate if they are not able to attend because of scheduling clashes.

**Commented [MS3]:** Recommend that we go back to the pre-covid physical campaigning period whilst also embracing online campaigning. Furthermore, there is usually questions about "forming a campaign team social media channel" and "getting online resources ready" before the official campaigning kick off. This would eliminate those grey areas as candidates could openly campaign online just not in person (physical) until the start of the election week.

- 3.5 Students personal contact details must not be used for any purpose, other than the purpose for which they were collected by the Students' Association (including affiliated clubs and societies) or the University and must be used in line with Data Protection policies. With the exception of authorised communications sent by the Students' Association, existing student email lists (including University email lists), phone numbers and group chat services (ie WhatsApp/Messenger Groups) cannot be used to promote candidates in elections. Candidates can collect students' information separately to create their own email/phone lists or group chat services for election campaigning.
- 3.6 GCU Learn and its integrated tools is used for learning and teaching and must not be used by candidates or their supporters to campaign for votes or post their manifesto. This includes the use of email, messages, Collaborate Ultra, blogs, wikis, discussion boards, Padlet and other publishing tools.
- 3.7 ~~Once voting campaigning has opened, No~~ election campaigning may take place on Level 2 of the Students' Association Building, on level 2, 3 or 4 of the GCU Glasgow Library, the GCU London Library, in computer labs, Caledonian Court or any area specifically designated by the Returning Officer or Deputy Returning Officer. Campaigning includes but is not limited to posters, flyers, banners and wearing campaign t-shirts.
- 3.8 In principle, candidates must only do what all other candidates have an equal opportunity to do. For example, candidates cannot make use of personal connections to gain commercial advantages or use resources in their campaign which are made available to them by way of their position. Candidates and supporters of candidates who have an official role or position inside or outside the Students' Association may continue to act in this capacity, but they must not abuse their position for any purpose directly related to the election. Full Time Officers wishing to campaign must not do so during working hours, and must not use Students' Association resources to do so.
- 3.8 No candidate may use Students' Association offices, meeting rooms, employee computers or any other resources not freely available to all students for the purposes of their campaign. Candidates' campaign materials cannot be stored within the Students' Association Building. ~~To be explicit the Full Time Officers cannot campaign for candidates during working hours.~~
- 3.9 Campaign material must not use the Students' Association or GCU logo, as this would give the impression that the Students' Association and/or the University endorses the content of that campaign material. You may share posts that originate from the Students' Association or GCU social media accounts on personal social media sites.
- 3.10 Candidates must ensure that any images, footage and music used in election campaigns is either their own, is copyright free or they have the expressed permission from the copyright holder.
- 3.11 Candidates and campaign teams may only alter, move or remove their own physical campaign publicity materials. Campaign methods which damage or deface surfaces may not be used, such as stickers, double-sided sticky tape, glue, chalk and permanent markers. Physical campaign materials are not allowed on the exterior of GCU buildings. After the close of voting, we encourage candidates should to remove and recycle publicity election campaign materials.
- 3.12 All candidates must respect that every student has the right to vote confidentially and freely. Once a student has opened the digital voting platform (ie begun the process of voting), no candidate or campaigner should make any attempt to influence, intimidate or interfere with their decision or voting devices in any way. Students are entitled to vote in private. For the avoidance of doubt – "helping" a voter or "showing them how to vote" will be regarded a breach of the rules. If a voter needs assistance with voting then campaigners should refer them to polling station staff, the Welcome Desk of the Students' Association or to the Deputy Returning Officer.
- 3.13 Proxy voting is not allowed. Voting by proxy means getting someone to vote on your behalf.

**Commented [MS4]:** Added GCU London Library to the no campaigning zones and took out the clause that stipulated when the rule starts as it will now run for the duration of the election and not just the campaigning timeframe.

**Commented [MS5]:** This is from University of Manchesters Student Union. I think it is a good rule that makes more explicit the use of non-material resource that often flow from having a role in the Students' Association. As this was an issue last election, I would like to add this to our rules.

**Commented [MS6]:** Covered in the rule above

**Commented [MS7]:** The university, as owners of the campus buildings, do not want campaigning material affixed to the outside of buildings.

Removed a clause about what is considered potentially damaging material. This will be included in the guidance given at the Candidates Briefing.

**Commented [MS8]:** This is one of the most important rules in the election. I recommend adding a statement that verbalises the spirit of this rule for candidates.

**Commented [MS9]:** Added the word "intimidate" and specifically say that candidates cannot interfere with voting devices

**Commented [MS10]:** This is more guidance and will be discussed with candidates at Candidates Briefing.

#### 4. Expenditure

- 4.1 Campaigns may not exceed the budget limit set in the Election Rules.
- 4.2 All candidates for contested Full Time Officer elections may claim back up to £350 of expenses (with corresponding receipts) from the Students' Association.
- 4.3 All candidates for contested NUS Conference Delegation elections may claim back up to £10 of expenses (with corresponding receipts) from the Students' Association.
- 4.4 All candidates for contested GCU London Officer elections may claim back up to £10 of expenses (with corresponding receipts) from the Students' Association.
- 4.5 Candidates cannot spend additional expenditure for election campaign purposes.
- 4.6 All candidates must submit a written list of all campaign costs and corresponding receipts to the Deputy Returning Officer within one hour of the close of polls. If candidates have not spent any money on their campaign they must make this clear in their submission at this time.
- 4.7 All materials used by a candidate, except items freely and readily available to all, must be included within their submission with an estimated market value if they have not been purchased for the campaign and/or where no receipt is available. For the avoidance of doubt on what could be determined as free or readily available you should consult the Deputy Returning Officer.

**Commented [MS11]:** Suggest a reduction in spending per candidate. At the moment, we are still on the higher end of the sector in what funding we provided candidates. Most candidates do not spend the full amount however we have to budget for a full spend in the elections budget. This would mean that more resources would be made available for centralised elections promotions such as incentives.

#### 5. Complaints

- 5.1 Any complaints regarding the conduct of any candidate or campaigner in an election should be made to the Deputy Returning Officer in writing to [elections@GCUstudents.co.uk](mailto:elections@GCUstudents.co.uk) using the Election Complaints Form provided.
- 5.2 The timeframe for an election complaint is from the close of nominations to an hour after the close of the voting period.
- 5.3 Any evidence should be submitted alongside the complaint.
- 5.4 All complaints will be dealt with at the discretion of the Deputy Returning Officer, including any investigations, sanctions or referral to the Students' Association Discipline Schedule and/or the University for consideration under the Code of Student Conduct. If the Deputy Returning Officer during the course of their investigation finds that any other rule has been broken, even if it is not mentioned in the original complaint, then the Deputy Returning Officer can sanction appropriately. The Deputy Returning Officer will respond to all formal complaints in writing as soon as practically possible.
- 5.5 Where a complainant is dissatisfied with the response they have received to their complaint, they may request a review of the handling of the complaint by the Returning Officer. This request should be in writing to [elections@GCUstudents.co.uk](mailto:elections@GCUstudents.co.uk) and include why they feel their complaint has been improperly handled and/or what new information has come to light. This email will be forwarded to the Returning Officer. The Returning Officer's response will either confirm the validity of the original response, or provide details of any further action taken, or to be taken in the future to address any issues raised in the complaint. The Returning Officers response is final.
- 5.6 No complaints will be accepted by the Deputy Returning Officer more than one hour after the close of voting. Complaints received after this time may be considered under the Students' Association's standard Complaints Procedure but will have no bearing on the outcome of the election.
- 5.7 Any requests for a review of the handling of the complaint must be made within 12 hours of the original response to the complaint.
- 5.8 Any election complaint in the Full Time Officer election may be referred to the Elections Committee by the Returning or Deputy Returning Officer for consultation.

If candidates are in any doubt the interpretation of these rules they should ask the Deputy or Returning Officer for clarification.

The elections are run under the rules and regulations of GCU Students' Association Constitution, Schedules and By-Laws available from [www.GCUstudents.co.uk/keyinformation](http://www.GCUstudents.co.uk/keyinformation).