

# Middlesex University Students' Union Leadership Election Regulations 2020

## 1. General

- 1.1. The following regulations outline the rules and guidance to be used to govern the MDXSU Leadership Elections 2020. This election period will include the election of students for the following roles:
  - 1.1.1. **Full-time Leadership Roles** – MDXSU President and three Vice Presidents (one role per Faculty)
  - 1.1.2. **Part-time Leadership Roles** – two Student Trustees
  - 1.1.3. The elections will be overseen by Middlesex students' Union and any breaches of these election regulations, the Union's regulations and/or constitution or the law may result in disqualification.
- 1.2. It is compulsory that every candidate attends a Candidate Briefing before voting opens which will outline the election regulations in more detail. If you are unable to attend the briefing at the time it has been organised, you must arrange to run through the briefing/regulations separately with the Assistant Returning Officer.
- 1.3. All election regulations are written in the principle of ensuring that all elections are run in a way which is fair and provides all members of the Union with the opportunity to take part in the Union's democracy.

## 2. Other Regulations

- 2.1. Election candidates and their teams continue to be bound by sets of rules that, whilst not strictly election rules, still have a bearing on their conduct. These include, but are not limited to, the following:
  - 2.2. **Middlesex University Students' Union Rules, Regulations, Constitution and Policies:**
    - 2.2.1. This includes abiding by the Middlesex University Students' Union Equal Opportunities Policy and the Middlesex University Students' Union's Code of Conduct.
    - 2.2.2. Breaking any Middlesex University Students' Union rules may result in disciplinary action as well as disqualification from the election.
  - 2.3. **University Rules:**
    - 2.3.1. This includes abiding by all [Middlesex University Regulations](#).
    - 2.3.2. Breaking University rules can result in a University disciplinary, as well as disqualification from the election.

## 2.4. *The Law:*

- 2.4.1. Breaking the Law can result in a civil action or criminal prosecution, as well as disqualification from the election.
- 2.4.2. For instance laws protecting the defacement of property and the Data Protection Act.
- 2.5. The breaking of any of the rules, regulations, restrictions, policies and laws (as mentioned above) by candidates or their campaign teams may put a candidacy in jeopardy, and all of the above rules are enforceable by the Returning Officer as election rules.

## 3. Eligibility

- 3.1. The eligibility to both stand and vote for elections varies between the roles available.
- 3.2. President or Faculty Vice President:
  - 3.2.1. Any and all students are eligible to stand and vote for the President of the Students' Union.
  - 3.2.2. Students are only able to stand for the Vice President role for the Faculty in which they study (Vice President Arts and Creative Industries, Vice President Science and Technology or Vice President Professional and Social Sciences).
  - 3.2.3. All students can vote for all three Vice President positions.
- 3.3. Student Trustee:
  - 3.3.1. Any and all students are eligible to stand and vote for the Student Trustees of the Students' Union.
  - 3.3.2. A students' ability to become a trustee is subject to Charity Commission checks after the election results have been announced.

## 4. Key People: Returning Officer, Assistant Returning Officer and Appeals Officer

- 4.1. The Board of Trustees shall appoint the Returning Officer, Assistant Returning Officer and Appeals Officer annually.
- 4.2. During the election the Returning officer will take final responsibility for interpretation of election rules and the MDXSU By-laws (rules). Interpretation and rulings on complaints and appeals will be in the interest of the electorate above all others (Middlesex University Students' Union By-law 9.4). **The Returning Officer for this election will be the National Union of Students (NUS).**
- 4.3. The Assistant Returning Officer is responsible for the day to day management of the election and has the responsibility to ensure that the election is efficient and fair in accordance with these regulations (Middlesex University Students' Union by-law 9.5.1). **The Assistant Returning Officer for this election will be Kris Irategeka Advocacy and Policy Manager Middlesex University Students' Union.**

- 4.4. The Appeals Officer has full delegated authority from the Returning Officer to implement the regulations including minor sanctions, overseeing the election count and answering questions. (Middlesex University Students' Union by-law 9.5.2) **The Appeals Officer for this election will be Edel Mahoney, Academic Registrar Middlesex University.**

## 5. Campaigning Materials

- 5.1. Candidates must submit a head and shoulders photograph to be used on all promotional material from Middlesex University Students' Union (which must be a picture of just the candidate) and a statement (sometimes called a manifesto). Middlesex University Students' Union will provide a template statement (manifesto) for this election but candidates are welcome to create and design their own as long as it can be submitted in either a word or image file format.
- 5.2. Approved statements (manifestos) and photographs will be displayed by position and in alphabetical order by surname on the Middlesex University Students' Union website.
- 5.3. Posters, stickers and promotional materials must only be displayed on approved spaces and walls. Candidates will be informed of approved spaces for publicity prior to the election.

No changes to statements (manifestos) and photographs will be accepted after the submission deadline.

- 5.4. The University operate a no poster policy on any internal walls. If you breach this policy then any fine the University imposes will be against you as an individual, not against Middlesex University Students' Union. [Candidates are reminded of laws regarding fly-posting on public and private property and any fly-posting will not be tolerated and will be deemed a breach of this campaigning conduct rule.]

## 6. Campaigning and Conduct

- 6.1. No campaigning or distribution of publicity material is permitted prior to the date published for when campaigning can begin.
- 6.2. Candidates must take reasonable steps to ensure the actions of their campaigners or supporters always comply with the campaign rules and must be able to demonstrate this in the event of a complaint against them. In the event of a dispute as to whether a candidate was aware or in control of their supporters' behaviour and actions, the Returning Officers' ruling will be final.
- 6.3. Candidates must consider the health and safety of themselves and other students when conducting any campaigning activity.
- 6.4. Candidates and their campaigners may only alter, move or remove their own campaign materials. Candidates and their campaigners cannot move or remove the materials of any other candidate in the elections or they will be in breach of the election regulations.
- 6.5. Candidates and their campaigners must not bully or intimidate a member into voting for a particular candidate or preference. As a result candidates and their campaigners must allow voters to cast their

ballot freely and must not communicate with voters in any way once they have begun to complete their ballot. If candidates and their campaigners can see how a voter is expressing preferences and voting, they are in breach of this rule.

- 6.6. If you have a concern about other candidate's materials, please submit a complaint to [elections@mdx.ac.uk](mailto:elections@mdx.ac.uk) up to one hour after the close of voting.
- 6.7. Candidates are reminded that Middlesex University and Middlesex University Students' Union rules relating to bullying, harassment and secret ballot, and all election regulations also apply to online campaigning.
- 6.8. Use of emailing lists is not permitted and may break Data Protection Law, but candidates may use social media groups to campaign.
- 6.9. Campaigning is not allowed in areas defined by the Assistant Returning Officer and Appeals Officer. This includes the library, any other dedicated study spaces and computer rooms, religious spaces, halls of residence or near official Middlesex University Students' Union voting stations. Voting station locations will be communicated to candidates once voting has opened and Middlesex University Students' Union staff will determine reasonable distance away from stations which must be adhered to.
- 6.10. Candidates and campaigners are not permitted to provide a computer terminal or internet enabled wireless device of any kind to enable students to vote. Doing so constitutes a gross breach of fairness and will be a disqualifiable offence.
- 6.11. Candidates and their campaigners shall not supervise or assist a voter in casting their vote. If students are having difficulty voting please direct them to one of the Middlesex University Students' Union official voting stations or ask them to email the Assistant Returning Officer on [elections@mdx.ac.uk](mailto:elections@mdx.ac.uk)
- 6.12. Students working for Middlesex University Students' Union, Middlesex University or a University subcontractor (e.g. Chartwells) may not engage in any campaigning activity during their working hours.

## **7. Student Groups**

- 7.1. Candidates cannot seek endorsement from any Student Group or Sports Team. No Student Group or Sports Team is permitted to show support to any candidate over another through their official channels, including social media and mailing lists. Individual students, as individuals, may endorse candidates in a personal capacity regardless of their position within a Student Group or Sports Team.
- 7.2. Student Groups are not permitted to spend any of their Student Group funding on any candidate. This includes any resources accumulated through running of events or activities.

## **8. Campaign Expenditure**

- 8.1.** Campaign expenditure is defined as expenditure in pursuit of promoting a candidate and can be further defined from time to time by the Returning Officer.
- 8.2.** There will be a £40.00 maximum budget that can be spent by a candidate standing for any of the Student Officer roles (President, Vice President Arts and Creative Industries, Vice President Science and Technology or Vice President Professional and Social Sciences) and their campaigners on election related activities. Spending in excess of this stipulated amount may result in disqualification.
- 8.3.** There will be a £10.00 maximum budget that can be spent by a candidate standing for the part-time Student Trustee positions and their campaigners on election related activities. Spending in excess of this stipulated amount may result in disqualification.
- 8.4.** All campaigners should submit a written list of election expenses, along with receipts and proof of spend no later than 1 hour after the close of voting. Where a candidate has spent zero they must confirm a zero spend within the same time limits.
- 8.5.** No materials that are given to candidates for free can be used as part of an election campaign (except those given as part of your Candidate Pack from Middlesex University Students' Union). Only materials that are acquired fairly and which are accessible to all other students should be used. In cases where a free item is used, or an item which is discounted only to individuals, will be given a nominal 'cost price' which will be costed to the candidate's campaign maximum spend.
- 8.6.** Candidates are not permitted to pool resources together for the purpose of either joint promotion or for gaining bulk-buy discounts.

## **9. Complaints and Appeals**

- 9.1.** Any student can submit a complaint about a candidate or their campaign team or about the election processes until 1 hour after the close of voting. Complaints received after this time will not be considered unless they call into question the integrity of the election. These complaints may be on any of the following grounds:
  - 9.1.1.** Failure in good conduct of the election.
  - 9.1.2.** Behaviour and activities of candidates or their campaign team.
  - 9.1.3.** The administration of the election.
  - 9.1.4.** Breaches of the regulations.
- 9.2.** All complaints must be resolved to the satisfaction of MDXSU before the count can commence.
- 9.3.** Complaints about the conduct of Candidates and their campaign teams must be sent to the Assistant Returning Office at [elections@mdx.ac.uk](mailto:elections@mdx.ac.uk) detailing the allegation(s), the rules/regulation broken and any evidence to substantiate the claims made, using the complaints form made available to all students on the Middlesex University Students' Union [website](#).

- 9.4.** In responding to a complaint the Returning Officer or Appeals Officer, after hearing appropriate evidence, may decide to apply any of the following:
- 9.4.1.** Not to uphold the complaint
  - 9.4.2.** Suspend elections for a specified period of time pending an investigation
  - 9.4.3.** Apply sanctions to specified candidates
  - 9.4.4.** Hold the election count and decide whether the basis of the complaint has any impact on the outcome of the vote.
  - 9.4.5.** Re-run the election.
- 9.5.** In the event where the Appeals Officer has ruled on a complaint, the candidate/candidates involved can appeal the decision, except for if a minor sanction has been issued.
- 9.6.** Any appeals must be submitted to the Returning Officer within 24 hours of the Appeals Officer decision being received.
- 9.7.** Appeals will normally be on the grounds of the following:
- 9.7.1.** Procedurally incorrect
  - 9.7.2.** Taken outside the scope of the powers of the Appeals Officer as defined by these regulations
  - 9.7.3.** Disproportionate punishment
- 9.8.** The decision of the Returning Officer after hearing any complaint and all appropriate evidence is final.

## **10. Voting and Results**

- 10.1.** 10.1 All Middlesex University Students' Union elections shall be conducted by secret ballot using the Single Transferrable Vote (STV) system (Electoral Reform Society 1997 rules).
- 10.2.** All Middlesex University Students' Union elections will include the option for students to vote to Re-Open Nominations (R.O.N.) if they do not feel any of the candidates will appropriately represent their views.
- 10.3.** Voting will normally take place online and appropriate guidance will be given to student members in advance.
- 10.4.** Voting times will be published via the Middlesex University Students' Union [website](#) in advance of voting opening.
- 10.5.** Election results will be announced on the Middlesex University Students' Union website once the count has been successfully completed and verified by the Returning Officer.

## **11. Current Student Officer Rules**

- 11.1.** No current elected officers of Middlesex University Students' Union will be allowed to use any Middlesex University Students' Union official channels (including social media accounts set up for the day-to-day role of a student officer) for electoral purposes. Officers seeking election may still use their office for their day-to-day work, as agreed in advance with the Chief Executive Officer.
- 11.2.** No elected officers are permitted to use the Union offices for electoral purpose (including storage of campaign materials).
- 11.3.** Elected student officers must run their election campaign entirely separately to their day-to-day work as an elected officer. This may involve taking annual leave.