

## **MDXSU Student Groups Elections Regulations (Spring 2021)**

### **1. General**

- 1.1.** The following regulations outline the rules and guidance to be used to govern the MDXSU Student Groups Elections (Spring 2021). This elections period will include the election of students who will lead their respective student groups for the academic year 2021-22.
- 1.2.** The elections will be overseen by MDXSU and any breaches of these election regulations, the Union's regulations and/or constitution or the law may result in disqualification.
- 1.3.** It is strongly recommend that all candidates take the time to complete a candidate briefing and to read through the MDXSU Student Group Elections Regulations (Spring 2021) and the guidance sent to them prior to voting opening. All candidates will be emailed a copy of the candidate briefing and regulations.
- 1.4.** 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. MDXSU Rules, Regulations, Constitution and Policies**

- 2.2.1.** This includes abiding by the MDXSU Equal Opportunities Policy (found on the MDXSU website) and the Middlesex University Students' Union's Code of Conduct (found in the MDXSU constitution and by-laws).
- 2.2.2.** Breaking any MDXSU 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.** For instance, laws protecting the defacement of property and the Data Protection Act.

- 2.4.2.** Breaking the law can result in civil action or criminal prosecution, as well as disqualification from the election.

### **3. Eligibility**

- 3.1.** All students who are enrolled students at Middlesex University for the 2021-22 academic year are eligible to stand in these elections.
- 3.2.** In order to be eligible to stand or vote in this election students must be signed up, via the MDXSU website, to the specific Student Group they wish to lead or vote in.
- 3.2.1.** New members will be unable to join any student group during the campaigning & voting period.
- 3.3.** Students who wish to stand for one of the four Liberation Groups must self-define into the Liberation group they wish to stand to lead and will be elected by their peers who also self-define into this Liberation Group. The Liberation Groups are: MDXSU Black Students, MDXSU Disabled Students, MDXSU LGBTQ+ Students and MDXSU Women Students.
- 3.4.** If you are experiencing any issues with signing up to any Student Group in order to stand in these elections, you should contact the Student Groups Coordinator on [societies@mdx.ac.uk](mailto:societies@mdx.ac.uk)

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

- 4.1.** The Board of Trustees shall note the Returning Officer, Assistant Returning Officer and Appeals Officer annually.
- 4.2.** During the election the Returning officer will take 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 (MDXSU Regulation 9.4). **The Returning Officer for this election will be Peter Robertson, Charity Director of National Union of Students (NUS)**
- 4.3.** The Assistant Returning Officer has fully delegated authority from the Returning Officer. They are 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, this may include providing initial responses to election related complaints and determining minor sanctions of a written warning or less. (Middlesex University Students' Union by-law 9.5.1). **The Assistant Returning Officer for this election will be Reygan Davison, Student Groups Coordinator.**

**4.4.** The Appeals Officer has fully delegated authority from the Returning Officer to implement the regulations including minor sanctions (Middlesex University Students' Union by-law 9.5.2). **The Appeals Officer for this election will be Rachael Wall, Student Communities & Development Manager.**

## **5. Campaigning Materials**

- 5.1.** Approved manifestos and photographs will appear on the election ballot in a computer-generated order.
- 5.2.** Due to the ongoing safety measures in place, on-campus campaigning is currently not allowed during this election, this includes but is not limited to in-person events and the use of posters and campaign materials.
- 5.3.** No changes to manifestos and photographs will be accepted after the submission deadline.

## **6. Campaigning and Conduct**

- 6.1.** Any form of in-person campaigning is banned for this election, all campaigning activity should take place online or in virtual space.
- 6.2.** No campaigning or distribution of publicity material is permitted prior to the date published for when campaigning can begin
- 6.3.** Candidates cannot seek endorsement from any Student Group or Sports Team
- 6.4.** Candidates must take reasonable steps to ensure the actions of their Campaigns Team 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.
- 6.5.** Candidates must consider the health and safety of themselves and other students when conducting any campaigning activity.
- 6.6.** Candidates and 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.
- 6.7.** If you have a concern about other candidate's materials, please submit a complaint via

the appropriate channels.

- 6.8. Candidates are reminded that University and MDXSU rules relating to bullying, harassment and secret ballot and all election regulations also apply to online campaigning.
- 6.9. Use of emailing lists is not permitted, but candidates may use social media groups including WhatsApp and other messaging based social media services to campaign.
- 6.10. 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 email the Assistant Returning Officer on [elections@mdx.ac.uk](mailto:elections@mdx.ac.uk)
- 6.11. Students working for MDXSU, University or a Subcontractor (e.g., Chartwells) may not engage in any campaigning activity during their working hours.
- 6.12. Candidates are not permitted to share campaigning resources with other candidates. All candidates must campaign as an individual candidate and not as a slate (*n.b. a slate is defined as a group of candidates running for multiple positions on a common platform*)

## **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. Candidates are not permitted to spend any money on their campaign. Breaching this regulation could result in being disqualified from this election.

## **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.

**9.2.** These complaints may be on any of the following grounds:

- 9.2.1.** Failure in good conduct of the election.
- 9.2.2.** Behavior and activities of candidates or their campaign team.
- 9.2.3.** The administration of the election.
- 9.2.4.** Breaches of the regulations.

**9.3.** All complaints must be resolved to the satisfaction of MDXSU before the count can commence.

**9.4.** Complaints about the conduct of candidates and their campaign teams must be sent to the Assistant Returning Officer on [elections@mdx.ac.uk](mailto:elections@mdx.ac.uk) detailing the allegation(s), the rules/regulation broken and any evidence, using the complaints form made available to all students on the MDXSU [website](#).

**9.5.** In responding to a complaint, the election officials, after hearing appropriate evidence, may decide to apply any of the following:

- 9.5.1.** Not to uphold the complaint
- 9.5.2.** Suspend elections for a specific period of time pending an investigation
- 9.5.3.** Apply sanctions to specified candidates
- 9.5.4.** Hold the election count and decide whether the basis of the complaint has any impact on the outcome of the vote.
- 9.5.5.** Re-run the election.

**9.6.** In the event where the Assistant Returning Officer or Appeals Officer has ruled on a complaint, the candidate/candidates involved may appeal the decision, except in cases where only a minor sanction has been issued.

**9.7.** Any appeals must be submitted to the Returning Officer (in the case of appealing a decision of the Appeals Officer) or the Appeals Officer (in the case of appealing a decision of the Assistant Returning Officer) within 24 hours of being received.

**9.8.** Appeals will normally be on the grounds of the following:

- 9.8.1.** Procedurally incorrect
- 9.8.2.** Taken outside the scope of the powers of the Appeals Officer or Assistant Returning Officer
- 9.8.3.** Disproportionate punishment

**9.9.** The decision of the Returning Officer after hearing any complaint and all appropriate

evidence is final.

## **10. Voting and Results**

- 10.1.** All MDXSU elections shall be conducted by secret ballot using the Single Transferrable Vote (STV) system (Electoral Reform Society 1997 rules).
- 10.2.** All MDXSU 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.** Only members of a particular student group are eligible to vote in the election for their Student Group leaders.
- 10.4.** Voting will take place online and appropriate guidance will be given to student members in advance.
- 10.5.** Voting times will be published via the students' union website in advance of voting opening.
- 10.6.** Election results will be announced on the students' union website once the count has been successfully completed and verified by the Returning Officer.