

MDXSU Student Groups Election Regulations 2020

1. General

- 1.1.** The following regulations outline the rules and guidance to be used to govern the MDXSU Student Groups Elections 2020. This elections period will include the election of students who will lead their respective student groups for the academic year 2020-21.
- 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 All candidates are recommended to attend a Candidate Briefing before the opening of elections voting 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 can arrange to run through the briefing/regulations separately with the Assistant Returning Officer. 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 by-laws).

2.2.2 Breaking any MDXSU 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 For instance laws protecting the defacement of property and the Data Protection Act.

2.4.2 Breaking the Law can result in a civil action or criminal prosecution, as well as disqualification from the election.

2.5 The breaking of any of the rules, regulations, restrictions, policies and laws (as mentioned above) may put a candidacy in jeopardy, and all the above rules are enforceable by the Returning Officer as election rules.

3. Eligibility

3.1 All students who will be enrolled students at Middlesex University for the 2020-21 academic year are eligible to stand in these elections.

3.2 In order to be eligible to stand or vote in this election you must be signed up to the specific Student Group you wish to lead on the MDXSU website.

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 our four Liberation Groups must self-define into one of the Liberation categories 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 LGBT Students & MDXSU Women Students.

3.4 If you are having any issues with signing up to any Student Group in order to stand in these elections please contact the Student Groups Co-ordinator on societies@mdx.ac.uk.

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 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 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 (MDXSU Regulation 9.5.1). **The Assistant Returning Officer for this election will be Rachael Wall, Student Communities & Development Manager (MDXSU).**

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. (MDXSU Regulation 9.5.2) **The Appeals Officer for this election will be Edel Mahoney, Academic Registrar (Middlesex University).**

5. Campaigning Materials

5.1 Approved manifestos and photographs will be displayed by position and in alphabetical order by surname on the MDXSU website.

5.2 Posters, stickers and promotional materials are only to be put up on approved spaces and walls. Candidates will be informed of approved spaces for publicity prior to the election.

5.3 No changes to manifesto 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 it then any fine the University imposes will be against you as an individual, not against MDXSU. [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 cannot seek endorsement from any Student Group or Sports Team

6.3 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.

6.4 Candidates must consider the health and safety of themselves and other students when conducting any campaigning activity.

6.5 Candidates and their Campaigners may only alter, move or remove their own campaign materials. Candidates and their teams cannot move or remove the materials of any other candidate in the elections or they will be in breach of the election regulations.

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 bully, 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 to campaign.

6.10 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 MDXSU voting stations. Voting station locations will be communicated to candidates once voting has opened and MDXSU staff will determine reasonable distance away from station which must be adhered to.

6.11 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.

6.12 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 MDXSU official voting stations or ask them to email the Assistant Returning Officer on elections@mdx.ac.uk

6.12 Students working for MDXSU, University or Subcontractor (e.g. Chartwells) may not engage in any campaigning activity during their working hours.

6.13 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. 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 on 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](#).

9.4 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

9.4.3 Hold the election count and decide whether the basis of the complaint has any impact on the outcome of the vote.

9.4.4 Re-run the election.

9.5 In the event where the Appeals Office 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. Hustings

10.1 Student Groups may wish to organise a hustings event for their members where candidates for the Student Group committee can campaign for students to vote for them.

10.2 If a Student Group wishes to organise a hustings event, they must inform MDXSU by Friday 6th March 2020 and ensure they inform MDXSU of the time, date and location of the event.

10.3 Hustings can be organised by any committee member who is not standing for election.

10.4 All eligible candidates must be informed at least 5 working days before the hustings is due to take place to ensure they have the option to attend.

10.5 All eligible voting members must be informed about the hustings at least 3 working days before the event.

10.6 The hustings event must be chaired in a fair and unbiased way. All candidates must be given the same amount of time to speak. The chair of the hustings cannot be biased towards any particular candidate(s).

10.7 MDXSU staff may attend the event to ensure this is the case.

10.8 Footage of the hustings can only be shared with all eligible voting members if all partaking candidates are included (without edits).

11. Voting and Results

11.1 All MDXSU elections shall be conducted by secret ballot using the Single Transferrable Vote (STV) system (Electoral Reform Society 1997 rules).

11.2 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.

11.3 Only members of a particular student group are eligible to vote in the election for their Student Group leaders.

11.4 Voting will normally take place online and appropriate guidance will be given to student members in advance.

11.5 Voting times will be published via the students' union website in advance of voting opening.

11.6 Election results will be announced on the students' union website once the count has been successfully completed and verified by the Returning Officer.