



## **Election Rules 2023/24**

The following rules have been put in place to ensure a free and fair election. All candidates should act within the spirit of the election - if candidates are in any doubt about the interpretation of these rules, please contact the Elections Clerk. Breaches of these rules may result in sanctions including disqualification.

It is the responsibility of the candidate to ensure that they take reasonable steps to understand the Election Rules before nominating themselves for a role and by submitting a nomination the candidate confirms acceptance of these Election Rules, further information set out in the Candidate Handbook and Nomination Pack as well as Union and University rules.

The Returning Officer is responsible for the good conduct of the election, including defining and interpreting these rules. The Deputy Returning Officer has full delegated authority from the Returning Officer to implement the regulations including ruling on complaints, issuing sanctions, overseeing the election count and answering questions.

The Returning Officer shall appoint an Elections Clerk who jointly with the Returning Officer and Deputy Returning Officer shall be responsible for supporting the smooth and fair running of the Elections.

If issues arise, these rules can be subject to additional guidance and clarification, and potential enhanced measures put into place with approval from the Returning Officer. To be clear, additional measures will never be retrospectively applied.

**Returning Officer:** National Union of Students'

**Deputy Returning Officer:** Emily Chapman (SOAS)

**Elections Clerk:** Charlotte Morris-Davis (SOAS SU)

### 1. Guiding Principles

1.1. There are 6 guiding principles to ensure fairness, accessibility, equal opportunities and transparency for everyone involved.

1.1.1. Candidates must treat other candidates, students and members of the public with respect. This includes engaging in healthy debate, to not to campaign negatively or defame individuals character.

1.1.2. Candidates' campaigns should be fully transparent and accountable to the union.



- 1.1.3. Candidates must not do anything to gain an unfair advantage.
- 1.1.4. Candidates must not undermine the fair and democratic running of elections.
- 1.1.5. Candidates shall be responsible for the actions of their campaign teams.
- 1.1.6. Candidates must not break any general Union and School rules and regulations. This also includes the Law.

## 2. Nominations

- 2.1. Posts in School-wide Union Elections are open to all Student Members of the Union, which is defined within our Constitution as:  
  
"Each and every Student enrolled on a course of study at SOAS lasting for at least one academic year, who has not opted out by notifying the Union of their wish not to be a Member of the Union."
- 2.2. There shall be a nominations period specified by the Returning Officer of no less than ten working days, during which time nominations shall be submitted.
- 2.3. All nominations shall be on a nomination form following the guidelines set out by the Returning Officer in the Nominees Pack. This nomination form and nominees pack will be available online to all Members.
- 2.4. Nominations must be submitted by the deadline and must include the following:
  - 2.4.1. Proposer and Seconder
  - 2.4.2. Manifesto (No longer than 500 words)
- 2.5. Candidates are asked to submit a photo of themselves as part of their nomination. By providing this photograph you are consenting for the image to be used by SOAS SU for the purpose of communication, including and not limited to: website, social media, emails, print materials such as flyers and postering. This material may also be shared by the University when promoting the election.
- 2.6. Any nominations that are incomplete by the close of nominations will not be accepted and no changes to nominations may be made following the close of nominations.
- 2.7. All nominations shall be proposed and seconded by Ordinary members of the Union and shall require the consent of the nominee.



- 2.8. Complete nominations shall be submitted to the Deputy Returning Officer via the online nomination form, who shall give proof of receipt.
- 2.9. A nomination may only be withdrawn on the written instruction of the nominee.
- 2.10. Submission of a nomination form constitutes an acceptance of the election rules as laid down in the Schedule and the Nomination Pack.
- 2.11. All nominations will be checked with SOAS for eligibility.
- 2.12. Candidates shall only be eligible to nominate themselves for one role per type (Sabbatical Officer, Preferenda Portfolio Officer and NUS Conference Delegate).
- 2.13. There shall be a candidates' meeting, the date of which shall be set by the Returning Officer before nominations open. This meeting will be for the Returning Officer to clarify any additional rules, to give advice about conduct and for nominees to ask any questions they have about the process.
- 2.14. The Union body will be notified of all of the nominations at the end of this meeting.

### 3. Expenses

- 3.1. Candidates must not exceed their allotted budget. The budgets are as follows:
  - 3.1.1. Sabbatical Officer £20
  - 3.1.2. Preferenda Portfolio Officer £10
  - 3.1.3. NUS Conference Delegate £10
- 3.2. Where a candidate is contesting more than one role the candidate shall be entitled to the budget of the role that receives the highest budget amount.
- 3.3. Any products/services that candidates already own or are offered at a reduced price will be assigned a fair price to be deducted from the candidates' budget.
- 3.4. Candidates must submit their Expenses Declaration no later than the close of voting, including those who did not spend anything as a part of their campaign. The Expenses Declaration must include proof of expense of all campaign materials produced or primarily used in this election.
- 3.5. Candidates shall be reimbursed by SOAS SU following the approval of their Expenses Declaration



- 3.6. There shall be a Re-open Nominations (RON) candidate in each election. RON shall not be included in any Union promotional material or be entitled to a campaign budget.

#### 4. Conduct and Campaigning

- 4.1. Candidates may not commence campaigning prior to the start of the campaigning period, this shall include any online activity.
- 4.2. Candidates may not campaign in designated Campaign Free Zones, Campaign Free Zones shall include:
  - 4.2.1. The library
  - 4.2.2. The vicinity of any polling stations
  - 4.2.3. Further campaign free zones may be defined by the Returning Officer and shall be communicated with all candidates
- 4.3. Candidates must not use Union or School resources that other candidates may not reasonably have access to.
- 4.4. Candidates may express a preference for other candidates, but they must not share joint digital or physical campaign material, manifesto promises or branding.
- 4.5. Candidates must only undertake activity that other candidates may reasonably do.
- 4.6. Under GDPR informed consent is required to contact individuals. Therefore, candidates may not use any School or Union mailing lists that they have access to, nor may they use School's Global Address Book to create mailing lists.
- 4.7. Candidates are responsible for the actions of their campaigners and must take reasonable steps to ensure that their campaigners actions comply with the elections, Union, and School rules at all times and must be able to demonstrate this in the event of a complaint against them.
- 4.8. Candidates' conduct must align to the values set out by SOAS SU and the SOAS. This includes ensuring that campaigning is respectful, responsible, and positive. Any behaviour from candidates or their campaigners which may contravene the School's Code of Conduct also contravenes Election Regulations.
- 4.9. Candidates must not harass or intimidate voters.
- 4.10. Candidates must not supply electronic devices or handle a voter's device whilst they are in the process of voting.



4.10.1. For the avoidance of doubt, this shall include 'helping' or 'showing' a voter. If a voter needs assistance direct the voter to the Election Clerk.

- 4.11. Candidates may only place posters in designated poster areas, which will be defined by the Returning Officer.
- 4.12. Only current SOAS SU Student Members can campaign on behalf of candidates.
- 4.13. Candidates must consider their health and safety and the health and safety of others when campaigning. Breaches of health and safety, including breaches of the School's Health and Safety Policies will be interpreted as a breach of the election rules.

4.14. Clubs and Societies that are registered with SOAS SU may endorse a candidate or multiple candidates. In order to endorse, there must be a democratic decision. This decision can be made by a majority vote of the committee or of the club or society members. This process must happen prior to an endorsement being made. If a committee/society member is also a candidate, they must abstain from voting in this process.

## 5. Voting

- 5.1. All elections shall last a minimum period of five hours on one working day within the term time of the School.
- 5.2. All elections shall be conducted by secret ballot using the Single Transferable Vote system, in accordance with good practice as laid down by the Electoral Reform Society.
- 5.3. All election posts shall also be contested by a "re-open nominations" option.
- 5.4. In the case of "Re-Open Nominations" winning any particular post, another election for this post shall be arranged under normal rules.
- 5.5. The Returning Officer shall agree such steps for the security of any ballot papers during the voting period, and in storage, and the security of any online election.
- 5.6. Student Members of the Union may vote for each post and referendum only once.
- 5.7. No ballots may be cast outside the voting period and no ballots may be cast by proxy



## 6. Complaints

- 6.1. Formal complaints must be submitted via the Complaints Form.
- 6.2. Any complaint shall be directed in the first instance to the Returning Officer, who shall make a ruling in writing after examining the evidence.
- 6.3. Complaints must be submitted within the complaints period which ends one hour after the close of ballots.
- 6.4. The only complaint which will be accepted after this point shall be on irregularities brought up by the count or the conduct of the count itself.
- 6.5. The count for the election shall take place after ballots have closed and the complaints period has finished.
- 6.6. No post with a pending complaint shall be counted until the complaint has been resolved.
- 6.7. Results shall be confirmed by the Returning Officer and announced to the membership of the Union as soon as possible.
- 6.8. A ruling by the Returning Officer may be appealed by using the Union Complaints Procedure. For the purposes of that procedure, they will be entering at the appeal stage.
- 6.9. The Returning Officers (or their Nominee) may instigate investigations into breaches of Election Regulations without the need for a complaint to be submitted, where there is reasonable cause to believe a breach has been committed.

## 7. Sanctions

- 7.1. Any candidate found in breach of these rules during any stage of the election may be disciplined.
- 7.2. The Deputy Returning Officer has full delegated authority from the Returning Officer to rule on complaints and issue sanctions.
- 7.3. Sanctions may include but are not limited to:
  - 7.3.1. Informal Warning
  - 7.3.2. Formal Warning
  - 7.3.3. Campaigning Ban
  - 7.3.4. Disqualification
- 7.4. The Returning Officer, where deemed serious enough to warrant escalation, shall also refer breaches of conduct to relevant disciplinary processes, these may include:
  - 7.4.1. Union Disciplinary Procedure
  - 7.4.2. School Code of Conduct and Disciplinary Procedure
  - 7.4.3. The Police

## 8. Appeals (Union Complaints Procedure)

- 8.1. If the complainant remains dissatisfied, after all informal and formal Union procedures have been exhausted, they may appeal to the Governing Body through the office of the Clerk to the Governing Body, if they consider that they have cause for appeal against the above panel's decision.
  - 8.1.1. Any appeal must be made in writing within fifteen working days of the Union panel's notification of its decision.
  - 8.1.2. The appeal shall be addressed confidentially to the Clerk to the Governing Body. The appeal should detail the procedures followed to date, enclosing the necessary papers, and must give the precise grounds for appeal.
- 8.2. The Governing Body shall appoint annually an 'independent person' (as required by the Education Act 1994) to investigate appeals.
  - 8.2.1. The independent person shall take all reasonable steps to resolve the dispute, examining all written documentation as appropriate and consulting parties as necessary.
  - 8.2.2. The independent person has discretion, within the law and the rules of natural justice, to conduct the procedure as they think fit.
- 8.3. The decision of the independent person shall be reported in writing to all parties within one month, that is twenty working days from the date the matter was referred to them, and this shall constitute the final stage of the Union's procedure

## 9. Returning Officer & Deputy Returning Officer

- 9.1. Elections shall be supervised by a Returning Officer, chosen by the Union Trustees, who shall not be a member of the School's staff, Union staff or student body.
- 9.2. This appointment shall be considered and, if deemed satisfactory, approved by the designated senior officer of the School.
- 9.3. There shall also be a Deputy Returning Officer chosen by the Union Trustee from the staff of the School and the nomination shall be considered and, if deemed satisfactory, approved by the School's designated senior officer.
- 9.4. The Returning Officer shall not be connected to any of the candidates in such a way as to create a conflict of interest whether in



appearance or in reality and, if such a connection is identified, they shall stand down and a replacement chosen.

- 9.5. The Deputy Returning Officer shall cover the role until a new Returning Officer is established.
- 9.6. The Returning Officer shall designate such staff and additional rules to these as necessary for the smooth and fair running of an election. Any clarification of points shall be made directly by the Returning Officer. Fairness and accessibility of the process to all members shall be the guiding principles.
- 9.7. Any sanction taken or interpretation of the Constitution, Schedules and any additional ad hoc rules required by the Returning Officer which may affect the running of the election must be communicated to all candidates immediately when taken.

## **Appendices**

Spring 2024 Election Dates

MONDAY 5TH FEBRUARY 10AM - Nominations Open

FRIDAY 16TH FEBRUARY 5PM - Nominations Close

THURSDAY 22ND FEBRUARY 4PM - Candidates Meeting

THURSDAY 22ND FEBRUARY 6PM - Candidate Announcement and Campaigning Begins

FRIDAY 23RD FEBRUARY 6PM - Hustings

MONDAY 26TH FEBRUARY 10AM - Voting Opens

THURSDAY 29TH FEBRUARY 2PM - Voting Closes

FRIDAY 1ST MARCH 6PM - Results Announced