

MAKING POSTGRADS MATTER

**GSA ELECTIONS
2019**

ELECTIONS REGULATIONS



Table of Contents

GSA Election Regulations	3
1. The Returning Officer and Elections Committee	3
1.1 Appointment of the Elections Committee	3
1.2 Duties and Powers of the Returning Officer:	3
1.3 Duties and Powers of the Elections Committee:	3
2. The Election Timetable and Voting Procedures	5
2.1 Election Timetable	5
2.2 Voting	5
2.3 Electronic Ballot	5
2.4 Paper Ballot	6
3. Eligibility	7
3.1 Eligibility	7
4. Candidate Rules and Conduct	8
4.1 Nominations Process	8
4.2 General Conduct	8
4.3 Campaigning Rules	8
4.4 Publicity	9
4.5 Electronic Campaigning	10
5. Complaints Process and Sanctions	11
5.1 Complaints	11
5.2 Sanctions	11
6. Process for Vacancies and By-Elections	12
6.1 Principal Officer Vacancies	12
7. Guidelines	13
7.1 Physical Publicity	13
7.2 Online Publicity	13
7.3 Campaigning	13
7.4 Use of Email	13
7.5 Question Time	13



GSA Election Regulations

1. The Returning Officer and Elections Committee

1.1 Appointment of the Elections Committee

1.1.1 An Elections Committee will be set up prior to each election. At minimum the Committee will consist of:

- The Returning Officer
- A member of Association Council
- A GSA staff member
- An external committee member with no connection to the GSA

1.1.2 Individuals on the Elections Committee may hold more than one of the responsibilities outlined in 1.1.1 (i.e. The Returning Officer and external committee member can be the same person).

1.1.3 Members of the Elections Committee may not stand for election, and may not show preference for or endorse any candidate.

1.1.4 The Elections Committee will assume collective responsibility, and any decision taken by the Committee will be attributed to the Committee as a whole rather than any individual member.

1.2 Duties and Powers of the Returning Officer:

- To oversee all aspects of the elections in a fair and impartial manner.
- To act as the first point of contact and receive all correspondence regarding elections, and relay them to the Elections Committee where appropriate.
- To ensure the elections are adequately published, and that the electorate has access to all appropriate information.
- To arrange and oversee candidate briefing sessions.
- To work with the Elections Committee to deal with any complaints or breaches of regulations, and inform candidates of any sanctions issued.
- To ensure that proper provision is made for all members to vote.
- To oversee the count, and order recounts where necessary.
- To submit a report to Council after the conclusion of the elections, covering the process and any issues encountered. The GSA President will present this report to the Board of Trustees.

1.3 Duties and Powers of the Elections Committee:

- To provide unbiased support and advice to the Returning Officer on matters relating to the elections, and to conduct themselves in a professional manner.
- To ensure that elections are conducted in a fair, legal, and democratic manner, in accordance with the constitution and Election Regulations.



- To confirm the eligibility of candidates as registered students of the University.
- To validate nomination forms and campaign materials, and ensure no publicity produced is in breach of the Election Regulations.
- To collectively issue rulings on the interpretation and application of the Election Regulations, and to issue or revise guidelines where necessary.
- To collectively deal with complaints, and issue appropriate sanctions to candidates found to be in breach of the Election Regulations.
- If necessary, to alter the length of election period or, where there is good reason and an appropriate level of evidence, declare the elections to be invalid and annul them.
- The Elections Committee may seek clarification from the Board of Trustees for any issue that they feel is beyond the normal scope of the Committee.



2. The Election Timetable and Voting Procedures

2.1 Election Timetable

- 2.1.1** Provisional dates for the elections will be set out by the GSA at the start of the academic year. The specifics of the Election Timetable will be agreed by the Elections Committee in accordance with the following outline.
- 2.1.2** Allow at least one week before nominations open to announce and publicise the elections.
- 2.1.3** Nominations should remain open for a minimum of one week.
- 2.1.4** The Candidate Briefing will take place shortly after the close of nominations.
- 2.1.5** Candidates will be given a publicity deadline to submit their posters and manifestos by.
- 2.1.6** Campaigning may take place from the end of the Candidate Briefing until the close of voting, unless otherwise specified by the Elections Committee.
- 2.1.7** Candidates will be given a minimum of three days to campaign before voting opens.
- 2.1.8** Voting should take place over at least four days, and ideally over a week. Where possible, the voting period should cover a weekend.
- 2.1.9** The count will be held as soon as possible after the close of voting, and within 36 hours.
- 2.1.10** Results will be announced as soon as possible after the count.
- 2.1.11** In the case of by-elections, these timings may be altered if necessary in order to run the election.

2.2 Voting

- 2.2.1** Voting will be by secret ballot.
- 2.2.2** The Elections Committee will decide whether to conduct voting by an electronic ballot, a paper ballot, or a combination of the two methods.
- 2.2.3** The Elections Committee will decide if the STV or first-past-the-post voting system is to be used, based on which is most appropriate for the election.
- 2.2.4** Only ordinary GSA members are permitted to vote, (i.e. all postgraduate students at the University of York who have not opted out of membership.)
- 2.2.5** All members are entitled to a single vote per position up for election.
- 2.2.6** The option to Re-Open Nominations (RON) must be made available on all ballots. If RON elected then the position remains unfilled, and a further election may be held.
- 2.2.7** If issues arise during voting, for example a failure in the online voting system, the Elections Committee has the option to extend the voting period or suspend the election.

2.3 Electronic Ballot

- 2.3.1** The Returning Officer is responsible for ensuring that the online ballot is accessible to all members.
- 2.3.2** The polling site must be secure.
- 2.3.3** All eligible members must have the opportunity vote.
- 2.3.4** Each voter will have an individual login or voting code.
- 2.3.5** Candidates will appear in alphabetical order on the ballot.
- 2.3.6** A link to all candidate information should be available on the polling site.
- 2.3.7** Vote counting will be conducted by software.



2.3.8 A link will be located on GSA website.

2.4 Paper Ballot

- 2.4.1** Polling stations should be open for a minimum of 4 hours per day over the voting period.
- 2.4.2** Where possible there should be a separate ballot paper for each position up for election. Each ballot paper will be individually numbered.
- 2.4.3** The order of candidates listed on the ballot papers shall be alphabetical.
- 2.4.4** Provision for postal votes must be made for any students who request it.
- 2.4.5** Ballot boxes must be sealed and kept secure. They should be locked up when unattended, under observation by the Returning Officer or another independent party.
- 2.4.6** Polling stations are to be manned by council members, staff, or independent volunteers. These volunteers will act as Election Officials under the direction of the Returning Officer, who will ensure that they are properly briefed on the voting process and regulations.
- 2.4.7** Polling must be made available at Heslington East, Heslington West, and Kings Manor. At least two Election Officials should supervise each station.
- 2.4.8** Each polling station shall be provided with a list containing the names and student numbers of all registered postgraduate students. In order to vote, students must present their student card be are checked off the list before being provided with the ballot papers.
- 2.4.9** If more than one polling station is in use, members must be prevented from submitting multiple votes. Preferably an electronic list of voters will be used, to be updated in real-time across all polling stations as votes are cast. Computers with an internet connection are required. Alternatively, student cards may be marked to indicate that a member has voted.
- 2.4.10** Ballot papers will be stamped with a GSA stamp before being handed to voters, in order to prevent vote falsification. Papers without this stamp will not be included in the count.
- 2.4.11** The Returning Officer is responsible for the conduct of the count. They may nominate another member of the Elections Committee or other independent observer to supervise the count.
- 2.4.12** Volunteers helping with the count may not be candidates or members of a campaign team.
- 2.4.13** All candidates should be given the option of observing the count, or sending another member to observe on their behalf.
- 2.4.14** The Returning Officer may exclude anyone conducting themselves in a way which may interfere with the conduct of the count.
- 2.4.15** Any unmarked ballot paper, or any marked in any way other than to indicate a preference, shall be deemed to be spoilt and invalid.



3. Eligibility

3.1 Eligibility

- 3.1.1 All Officers must be Ordinary Members of York GSA. (*See Memorandum and Articles of Association 4. Members*)
- 3.1.2 All Ordinary Members of the GSA, including PhD students in their writing-up year, are eligible to stand for election. All members must be given equal opportunity to stand.
- 3.1.3 Students are permitted to stand for election on the provision that they can satisfactorily prove that they will be able to serve the entire term of office. In the case of Officers elected during by-elections, this term of office may be less than one full academic year.
- 3.1.4 Candidates for Principal Officer positions will be required to confirm their eligibility to act as Trustees of the company, under the 2011 Charities Act. If, at any point during their term of office, they cease to be eligible to fulfil the role of Trustee or are disqualified for any reason then they may also be disqualified as a Principal Officer. (*See Memorandum and Articles of Association, 14 Board of Trustees*)
- 3.1.5 No one may serve as a Principal Officer for a total of more than two years. (*See Memorandum and Articles of Association, 18 Officers*)

These are the eligibility criteria set by the GSA. There may be other University or organisational restrictions to candidacy beyond the control of the GSA.



4. Candidate Rules and Conduct

All candidates must receive equal opportunities for campaigning. Any practice not covered within the regulations should be submitted for review by the Elections Committee. If candidates are uncertain about whether their campaign tactics are within the regulations they should consult the Returning Officer before going ahead.

Successfully elected candidates for Principal Officer positions will be required to sign a legally binding Memorandum of Agreement, which covers their responsibilities and terms of office.

Campaigning covers any action undertaken in order to raise the profile of a particular candidate and influence voters. This includes postering, canvassing, handing out leaflets, and giving presentations. It does not include spreading unbiased information about the election or voting process, without reference to a particular candidate, or conversationally discussing the elections.

4.1 Nominations Process

- 4.1.1 Nomination forms must be fully completed and submitted before the close of the nomination period to be considered.
- 4.1.2 All nominations must be validated by the Elections Committee, including confirming the registered student status of all nominees.
- 4.1.3 A list of all accepted nominations will be published on the GSA website.
- 4.1.4 Submitting the nomination form constitutes a confirmation of eligibility and agreement to be governed by the Election Regulations.
- 4.1.5 Candidates may withdraw their application and stand down from election at any time up to the start of voting by informing the Returning Officer in writing.
- 4.1.6 If a candidate becomes ineligible to stand for any reason at any point during the election they must withdraw.

4.2 General Conduct

- 4.2.1 Candidates must not behave in a manner which may bring themselves, the elections, the GSA, or the University of York into disrepute. All forms of bribery, blackmail, intimidation, and harassment towards other candidates or members of the University are strictly prohibited.
- 4.2.2 Candidates must ensure their campaigns are inclusive
- 4.2.3 Current officers standing for election may not use their status or any resources provided to them as part of their role to further their election campaign.
- 4.2.4 Members of GSA staff may not endorse or show preference for any particular candidate. Members of Association Council are permitted to endorse candidates, as long as it is clear that this is their independent opinion and not an official endorsement from Council.

4.3 Campaigning Rules



- 4.3.1** Nominees must attend the Candidate Briefing session before they begin campaigning. If they are unable to attend they must inform the Returning Officer. Nominees for Principal Officer positions will be required to sign a form confirming legal eligibility to act as a charity Trustee.
- 4.3.2** Campaigning must only occur in the designated campaigning period.
- 4.3.3** Candidates may form a 'campaign team' of other students to help them promote their campaign. Details of all members of this campaign team, including email addresses, must be registered with the Elections Committee by informing the Returning Officer.
- 4.3.4** Candidates are responsible for the behaviour of their campaign team, and for ensuring they understand and abide by the regulations. All campaigners must read the Election Regulations, and are encouraged to attend the candidate briefing. The candidate may be held responsible for any election offence committed by someone campaigning on their behalf.
- 4.3.5** Candidates may not engage in negative campaigning. They may not make personal references to another candidate or member of a campaign team. Disagreeing with and debating another candidate's policies is allowed.
- 4.3.6** In the case of electronic voting, candidates may not campaign within computer rooms, or harass voters at computers. Nor may they provide voters with a laptop, tablet, smartphone, or other device for the purposes of voting.
- 4.3.7** In the case of a paper ballot, candidates must keep a reasonable distance from the polling station, at the discretion of the Election Officials.
- 4.3.8** The following are not acceptable campaigning practices:
- Campaigning within residential blocks. Candidates may not enter residential blocks for the purpose of displaying publicity or door-to-door campaigning.
 - Any behaviour which may be deemed to inconvenience, harass, or invade the privacy of any member of the University.
 - Telephone campaigning, or unsolicited instant messages, texts, or other electronic communications.
 - Shouting or artificial voice amplification.
- 4.3.9** Campaign free zones may be defined by the Elections Committee.
- 4.3.10** Media interviews relating to candidacy must be approved by the Elections Committee.

4.4 Publicity

- 4.4.1** Publicity provision will be determined by the Elections Committee prior to the election.
- 4.4.2** Publicity must be submitted to the Returning Officer by the deadline for validation.
- 4.4.3** Only publicity validated by the Elections Committee may be distributed. All approved publicity will bear an official GSA stamp.
- 4.4.4** Candidates must produce a manifesto of no more than 1000 characters. This will be displayed on the GSA website and at polling stations.
- 4.4.5** Candidates may produce a poster design. Posters must include the candidate's name and what position they are standing for, as well as details on how and when to vote. The GSA logo and additional elections information may be added by the Returning Officer.
- 4.4.6** Publicity content must not be offensive, libellous, or make reference to any other candidate. Candidates are solely responsible for making sure that their campaign materials are factually accurate and abide by the regulations.
- 4.4.7** Publicity must include an English language version of all information.



- 4.4.8 Publicity must only be displayed 'on-campus'. This includes University buildings such as Constantine House, Fairfax House, and the King's Manor. Posters may not be displayed at bus stops, and must not cover another candidate's publicity or any official University notices.
- 4.4.9 Candidates may not purchase advertisements, or hire third party designers.
- 4.4.10 Candidates and their supporters may not remove, deface, or destroy election publicity.

4.5 Electronic Campaigning

- 4.5.1 Use of online and social media for promoting a campaign is allowed at the discretion of Elections Committee. All candidates must have access to the same opportunities to promote their campaign.
- 4.5.2 Candidates may not send mass emails, nor make use of official mailing lists or email forwarding systems. Other use of email is at the discretion of the Elections Committee.
- 4.5.3 Campaign emails and any other information sent via the University central computing facilities are subject to the University Regulations and IT Services terms of use.

Regulation 7: Student discipline

<https://www.york.ac.uk/about/organisation/governance/governance-documents/ordinances-and-regulations/regulation-7/>

Regulation 11: Use of computing facilities

<http://www.york.ac.uk/about/organisation/governance/governance-documents/ordinances-and-regulations/regulation-11/>

York Local Acceptable Use Policy:

<http://www.york.ac.uk/media/it-services/docs/policy/policies/ylaup.pdf>

JANET Acceptable Use Policy:

<https://community.ja.net/library/acceptable-use-policy>



5. Complaints Process and Sanctions

5.1 Complaints

- 5.1.1** Complaints regarding any aspect of the elections process may be submitted by any candidate, student, or member of the University.
- 5.1.2** Complaints must be submitted by completing an official elections complaint form, submitted either by email to the Returning Officer or on paper to the GSA office. A valid University of York email address must be supplied with the complaint for it to be considered.
- 5.1.3** All valid complaints will be referred to the Elections Committee for consideration. The Returning Officer determines what constitutes a valid complaint.
- 5.1.4** Complaints must be in regard to a specific breach of Election Regulations or University policy.
- 5.1.5** The Elections Committee will decide on the appropriate course of action regarding any complaints. This includes issuing sanctions to any found to be in breach of the Election Regulations or, in extreme cases, the disqualification of a candidate.
- 5.1.6** The Elections Committee may also take action if they become aware of a breach of Election Regulations through other means.
- 5.1.7** Once a public written warning has been issued for an offence, any breach of the same type by any candidate will be considered more serious.
- 5.1.8** Candidates may appeal to the Elections Committee regarding their decisions, but only in cases where new evidence has arisen. If they remain dissatisfied with the outcome of the appeal then they may make a written appeal to the GSA Board of Trustees to annul the election.
- 5.1.9** Once voting has ended, the only complaints that may be submitted are in relation to the conduct of the count.

5.2 Sanctions

- 5.2.1** The Elections Committee has the power to issue what sanctions they feel are appropriate. These may include, but are not limited to:
- A formal verbal warning. Notice that the warning was given may be publicly declared.
 - A formal written warning. This will be distributed to all candidates, and may be publicly displayed.
 - A temporary or permanent campaign ban. The candidate and their campaign team are banned from any form of campaigning for a certain length of time. This may include the removal of the candidate's publicity from around campus and from the website.
 - Disqualification from elections. This will only be issued for serious or repeated breaches of the regulations.
 - Any other sanctions may be issued as the Elections Committee see fit.
- 5.2.2** Where candidates running as part of an election slate are found to be in breach of the Election Regulations, any sanctions applied may be extended to the rest of the slate depending on the circumstances and nature of the offence.

In cases of serious election offences which also constitute a breach of University regulations, the Elections Committee may advise students to submit a complaint through the official University complaints procedure.



6. Process for Vacancies and By-Elections

6.1 Principal Officer Vacancies

- 6.1.1** According to the constitution, in case of an Officer position becoming vacant a by-election should be held. By-elections may be held in conjunction with an already scheduled election.
- 6.1.2** For the time between the office becoming vacant and the position being re-elected, Association Council may, by majority vote, co-opt one or more officers to cover the responsibilities of the position.
- 6.1.3** Co-opted officers must be able to cover all responsibilities of the post until it is re-elected.
- 6.1.4** The vacancy may be covered between the remaining Principal Officers. In this case, one Principal Officer will be directed to receive correspondence, including email, directed to the vacant position. Other responsibilities will be redistributed between the remaining Principal Officers as convenient.
- 6.1.5** In the case that the Principal Officers are unable or unwilling to cover the position, one or more members of Association Council may be co-opted to cover all responsibilities of the role.
- 6.1.6** Officers covering a vacant post must receive payment entitled by the post, proportional to the work undertaken.
- 6.1.7** The maximum length of time an officer may be co-opted without an election taking place is 4 months.



7. Guidelines

Guidelines are for items not covered by the official regulations, i.e. publicity provision, online publicity rules, election slates, etc. They shall be proposed and enforced at the discretion of the Elections Committee. Once decisions are issued by the Committee for a particular election they are considered to be part of the official Election Regulations for the period of that election. The following are suggestions only.

7.1 Physical Publicity

- 7.1.1 All candidate publicity must be approved by the GSA.
- 7.1.2 Each candidate may have a maximum of 20 A3, 40 A4, and 40 A5 posters during the campaign period. Candidates may request any quantity up to the maximum.
- 7.1.3 All candidate publicity should include direction to the location of information on the Election Regulations and complaints process.
- 7.1.4 Candidates are responsible for removing their publicity following the close of voting.

7.2 Online Publicity

- 7.2.1 Candidates may make use of social networking sites as a platform for their campaign, provided that all pages or groups created have open access to all students. On creation of a page or group a link must be sent to the Returning Officer, who may request administrator access and publish it on the GSA website.
- 7.2.2 Only English language websites may be used for campaigning unless otherwise specified by the elections committee.
- 7.2.3 Candidates may not issue multiple invitations to an individual to join an online group, as this may count as harassment.
- 7.2.4 Official GSA social media pages and groups are to be considered campaign free zones. The GSA will post official messages in these groups directing people to manifesto's and individual groups.

7.3 Campaigning

- 7.3.1 Candidate teams or 'election slates', composed of groups of candidates standing for different positions helping to support each other's campaigns, will be allowed at the discretion of the Elections Committee. However, candidates are voted in separately, and this must be made clear on all campaign materials.
- 7.3.2 Regarding publicity for election slates, either each candidate will have an individual poster displaying only their details, or they may have a joint poster and receive the same publicity allowance as a single candidate.

7.4 Use of Email

- 7.4.1 Candidates may not send emails relating to their campaigns, except to registered members of their campaign team or other members of their election slate.



7.5 Question Time

Guidelines will depend on the method. Candidates may submit video, participate in a video stream, or accept questions from a forum or chat. Participation may be obligatory or not.