



## **Regulations for the Election of a Professional Services Staff Member of the University Court**

1. The following regulations have been prepared in accordance with the requirements of sections 10 and 11 of the Higher Education Governance (Scotland) Act 2016 and Ordinance No. 211 (Composition of the University Court).
2. The Professional Services Staff Member Election shall be held from 9am on 2 May 2024 until 12 noon on 8 May 2024.

### *Role of the Returning and Deputy Returning Officers*

3. The Deputy Secretary Governance and Strategic Planning shall be the Returning Officer. The Head of Court Services shall be Deputy Returning Officer and shall be responsible for the management of the election and the declaration of the result of the election.
4. The Deputy Returning Officer shall publicise the election and voting procedure to staff and make arrangements as appropriate to secure the good conduct of the election.
5. The Deputy Returning Officer shall provide nomination forms, publish the call for nominations and draw attention to the correct form of procedure for making nominations. The call for nominations shall be published by the Deputy Returning Officer via staff email, on display screens and notice boards throughout the University, on the University website and on University social networking sites.

### *Electoral Roll*

6. The compilation of the electoral roll for the Professional Services Staff Member Election shall be 12 noon on 29 February 2024.
7. The Electoral Roll will consist of all those staff of the University who are professional services (i.e. who are not academic or research staff) in Grades 1 to 10 or equivalent, who are on the main University Payroll, who hold contracts of employment with the University as at 29 February 2024. Staff may check whether their name appears on the electoral roll by contacting the Deputy Returning Officer from 29 February 2024 during normal working hours by email: [court@ed.ac.uk](mailto:court@ed.ac.uk). Any person whose name does not appear on the roll but who holds a contract of employment confirming commencement of employment with the University before or at 29 February 2024 may apply to be included in the electoral roll on production of the contract of employment, no later than 28 March 2024.

### *Nominations and Validation of Candidates*

8. The call for nominations shall commence at 9.00 am on 4 March 2024. No nominations shall be accepted before this date and time. The Deputy Returning Officer shall provide nomination forms and publish the call for nominations by email, on the University website and social media. The Deputy Returning Officer will draw attention to the correct form of procedure for making nominations as well as advising that failure to comply with the procedure shall invalidate a nomination.

9. All nominations must be submitted on the approved form and lodged with the Deputy Returning Officer by 12 noon on 3 April 2024. A statement giving details of the nominee and a supporting statement should be supplied, in no more than 500 words. This statement will be used for publicity purposes and will be circulated to the electorate for information. Canvassing in the form of poster campaigns is not allowed. Candidates should not seek to influence their colleagues by behaviour that may be perceived to be bullying, harassment or intimidation. If these prohibitions are breached, it may lead to disqualification.
10. Only members of the electorate, as defined in section 7, shall be eligible for nomination.
11. Each nomination must be supported by no fewer than five members of the electorate.
12. Nominations must be received by the Deputy Returning Officer by email.
13. The duty of the Professional Services Staff Member is to be a member of the University Court and of the Senate. Members of the Court are “Charity Trustees” under the Charities and Trustee Investment (Scotland) Act 2005. Candidates must not be disqualified from being Charity Trustees and nominees shall also require to confirm in writing that they are not so disqualified.
14. The Professional Services Staff Member is eligible to stand for no more than two consecutive terms of office.
15. The Deputy Returning Officer shall acknowledge receipt of the nomination to each nominee indicating the date and time the nomination was received.
16. If the Deputy Returning Officer believes there is any cause for concern regarding the validity of a nomination, this matter shall be drawn to the attention of the nominee/candidate, who shall be given the opportunity to address the cause for concern.
17. The Returning Officer shall scrutinise nominations and can disqualify any ineligible candidates. As soon as practicable, each candidate shall be notified of the validity of their nomination and the list of candidates for the election shall then be confirmed and published.
18. The Chancellor’s Assessor, Alastair Dunlop KC, shall be appointed by the University Court to hear any appeal against disqualification by the Returning Officer. The decision of the Chancellor’s Assessor is final. If for any reason the Chancellor’s Assessor is unavailable the Nominations Committee will appoint another member of the University Court to hear any appeals.
19. In the event of there being only one valid candidate and therefore an uncontested election, the Deputy Returning Officer shall declare and publicise as soon as practicable the name of the one valid candidate elected.

### *Conduct of election process*

20. Each candidate shall receive from the Deputy Returning Officer a copy of these Regulations. In order to assist in the interpretation of these Regulations a meeting with candidates may also be held if required.
21. If the Deputy Returning Officer has reason to believe that a breach of these Regulations may have occurred the Deputy Returning Officer shall request a written explanation or clarification from the candidate. If the Deputy Returning Officer concludes that a material breach has occurred the Deputy Returning Officer shall inform the Returning Officer. The Returning Officer has the authority to disqualify a candidate subject to the right of appeal by the candidate to the Chancellor's Assessor within 48 hours of receiving written notification of the disqualification. The decision of the Chancellor's Assessor shall be final.
22. The validity of the election shall not be affected in the event that a candidate is unavailable to continue for any reason prior to the results of the election being announced and where there are more than two candidates remaining the election shall proceed as planned. In the event of there being only one remaining candidate and therefore an uncontested election, the Deputy Returning Officer shall declare and publicise as soon as practicable and no later than 48 hours after confirmation of the uncontested election status the name of the valid candidate elected.
23. After the declaration of the elected candidate, arrangements to hold a new election shall be undertaken only in the event of that declared elected candidate being unable for whatever reason to continue to hold the position of Professional Services Staff Member.
24. The Deputy Returning Officer shall distribute to each member of the electorate via email a link to the voting system along with a link to the relevant web page to view supporting statements, of not more than 500 words, for each candidate for information. The emails shall be required to comply with the University's computing regulations and the Deputy Returning Officer shall reserve the right to require amendments to be made to the content particularly if the text contains inappropriate comments about other candidates.
25. Use of pre-existing e-mail, phone or mailing group/lists by candidates for the purpose of promoting their campaign is not permitted. Harvesting of data from any such lists for campaign purposes is also not permitted.
26. Candidates may canvass individuals known to them. Unsolicited canvassing of other voters by e-mail, mail or phone using University directories or resources is not permitted. As noted at section 24, the University will ensure that the candidate's statement is made available to voters.
27. All members of the University community engaging in the election in any form must follow existing University codes, policies and regulations such as the Staff Disciplinary Policy, the Dignity and Respect Policy, the University Computing Acceptable Use Policy, Data Protection Policy, Policy on Employee Use of Social Media and any other policies as appropriate.

### *Voting arrangements*

28. The election shall be conducted by means of the alternative vote.
29. Voting shall be conducted by staff on-line using a secure portal.
30. All those on the electoral roll for the Professional Services Staff Member Election, shall be permitted access and shall be able to vote on the on-line voting system from 9am on 2 May 2024 until 12 noon on 8 May 2024.
31. Where a change of circumstances occurs which in the opinion of the Returning Officer renders the voting period insufficient to enable a representative vote to be obtained under the special conditions prevailing at the time (for example, severe weather leading the closure of many University buildings and staff not present on campus), the Returning Officer may extend the voting periods as they consider necessary.

### *Counting*

32. All votes cast shall be counted using an electronic counting system.
33. Each member of the electorate shall be entitled to have only one vote included at each stage of the electronic counting process.
34. In the event of a tie, the successful candidate shall be determined by the drawing of lots by the Returning Officer. The drawing of lots can be witnessed by the tied candidates or a representative nominated by a tied candidate.

### *Declaration and Appointment*

35. The Deputy Returning Officer shall ensure that a notice of the result of the election is posted on the Old College Notice Board, on the University website and on University social networking sites as soon as is practicable after the result has been declared.
36. The successful candidate shall be required to re-confirm in writing that they are not disqualified under the Charities and Trustee Investment (Scotland) Act 2005 from acting as a Trustee of a charity and to acknowledge the Code of Conduct for members of the University Court and their obligations under it.
37. The successful candidate shall take office on 1 August 2024 for a period of four years until 31 July 2028. If the successful candidate ceases to be a member of professional services (i.e. not academic or research staff) staff of the University in Grades 1 to 10 or equivalent on the main University Payroll at any point during their term on the University Court their term will instead end on the date when they ceased to be a member of staff in this category.