



# **Regulations for the Election and Appointment of the Chair of the University Court**

## **Chair of the University Court**

- 1 The regulations set out in this document relate to the election and appointment of the Chair of the University Court, as provided for in the Queen Margaret University, Edinburgh (Scotland) Amendment Order of Council 2019.
- 2 The Chair is to be appointed in accordance with sections 3 to 8 of the Higher Education Governance (Scotland) Act 2016, and through an appointment process prescribed by the University Court. These regulations are supplementary to the provisions for appointment set out in Section 11 of the Standing Orders of the University Court, and approved by the University Court on 26 June 2019.
- 3 The appointment of the Chair is conducted in three stages:
  - 1 Open advertisement and application.
  - 2 Shortlisting and Interview.
  - 3 Election.
- 4 The regulations set out below provide the basis for communication to students, staff, Court members, applicants and candidates of the appointment process.

## **Notice of a Vacancy and appointment of an appointing Committee**

- 5 Where a vacancy arises in the position of Chair of the University Court, the Court shall establish an appointing committee in the form of the University Nominations Committee. The appointing committee shall fill the position of Chair of Court under the following arrangements, as agreed by the University Court and set out in the Standing Orders of the Court at Section 11.
- 6 The Nominations Committee shall be constituted as set out in its terms of reference, such membership to include three lay members of the Court, the Principal, one staff member and one student member. Only persons who have declared that they are not seeking candidacy for the vacancy may be in membership of the appointing committee. The Court shall ensure that there is an appropriate balance of membership of the committee in terms of accepted equality and diversity principles.
- 7 The appointing committee shall normally be chaired by the Vice-Chair of Court, unless that person seeks to be considered for the role of Chair, in which case, the Court shall decide who, from among its lay members and from those who do not wish to be considered for the role, shall chair the committee.
- 8 The sitting Chair of Court shall take no part in the selection process for the new Chair, and shall absent him or herself from any discussion.

## **Role of the appointing committee**

- 9 The appointing committee established shall have responsibility for:
- a) Devising the relevant criteria with respect to the position of Chair of Court, which must include the availability, skills and knowledge that the appointing committee considers necessary or desirable to exercise the functions of Chair of Court, and to command the trust and respect of other members of the Court, of the members of the Senate and of the staff and students of the University.
  - b) Ensuring the efficiency and fairness of the process for filling the position of Chair of Court.
  - c) Publishing anonymised data relating to the protected characteristics, as listed in section 149(7) of the Equality Act of 2010, of the applicants, the applicants invited to interview and the applicants entitled to stand as candidates in an election for the position following such interview.
  - d) Advertising the vacancy widely in a manner suitable for bringing the vacancy to the attention of a broad range of persons, and in accordance with the requirements set out in section 4 of the Higher Education Governance (Scotland) Act 2016.
  - e) Interviewing those applicants who appear to the committee to meet the relevant criteria for the position.
  - f) Declaring whether those applicants who have been so interviewed have satisfactorily demonstrated that they meet the relevant criteria.
- 10 Members of the Committee may not endorse candidates in the election.

## **Period of Office**

- 11 The candidate who wins the election shall be appointed as Chair for a period of three years.
- 12 This period may be extended by the University Court for up to a further 3 years on the recommendation of the Nominations Committee, such committee to be chaired by the Vice-Chair. Such re-appointment shall be without recourse to further election. During consideration of any re-appointment, the Chair, if in membership of the Nominations Committee, shall not participate in any decision.

## **Eligibility for Appointment to the Chair**

- 13 Existing lay members of Court shall be eligible to apply to be appointed as Chair.
- 14 Students or members of staff of the University shall be ineligible to be appointed as Chair, and no former member of staff or student shall be eligible to be appointed as Chair until 5 years have elapsed from the point at which that person cea

- 18 The Chair may hold membership of a political party or organisation, but may not hold an elected political office during the term of appointment and may not hold a senior position with any other higher education institution.
- 19 The person appointed will be required to disclose their interests on a publicly available register of interests.

### **Shortlisting and Interview**

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## Voting Arrangements

- 28 The election shall be conducted through electronic voting via a secure online voting system administered by election management experts appointed by the University. Each member of the relevant constituency shall be issued by e-mail a notice of the ballot, a link to the election statements of the candidates and instructions on how to cast their vote. Names on the ballot will include only their first/given name (or name known by) and surname/family name. Where a member of the electorate is unable to vote electronically, the University will, if requested, make reasonable arrangements for the elector to have access to facilities to cast their vote, in a manner and timeframe approved by the Returning Officer.
- 29 The Appointing Committee will determine the dates of the election period, but any such date will be during recognised semester dates, and outwith examination periods. 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 ruling at the time, the Appointing Committee may agree to extend the said voting periods as it considers necessary.
- 30 The period from announcement of candidates to close of voting will extend to a maximum of 15 working days. A timetable for election will be as follows:
- Day 1: Public Announcement of candidates and circulation of election statements to the electorate
  - Day 6: Open Meeting organised by the University
  - Day 7: 9am – online voting opens
  - Day 13: 5pm – online voting closes
  - Day 14: Declaration of Result
- 31 Each candidate shall be entitled to provide a photograph and election communication of not more than 1000 words which will be made available to the electorate by the University.
- Candidates may attend an Open Meeting organised by the University before an audience of students, staff and members of Court, at which candidates will be expected to address the audience and answer questions. This will be available to view online until voting closes.
- 32 The University will arrange the distribution of election communication a

University or by any of its constituent parts (whether Schools, Divisions or other units and centres), by any of the recognised campus unions or similar organisations, by the Students' Union or by members of Court.

- (i) on the application of a candidate or an individual designated as a candidate's representative made to the Returning Officer, or
- (ii) at the instigation of the Returning Officer where she/he becomes aware of such a potential defect in the procedure or any potential infringement of these Election Rules, and after due enquiry, considers that a defect or infringement has had or may have an adverse impact on a fair and free election.

In those circumstances the Returning Officer will make such arrangements and/or apply such sanctions