



THE CONDUCT OF REGIONAL ELECTIONS TO STANDING COMMITTEE

Term of Office

Election to fill casual vacancy arising in:

Region 4 (Convention 2022 to Convention 2024)

ADOPTED BY STANDING COMMITTEE 15TH OCTOBER 2015 AND AS
AMENDED 5TH MAY 2017 FOR USE IN STANDING COMMITTEE GENERAL
ELECTIONS AND ELECTIONS TO FILL CASUAL VACANCIES

13TH MAY, 2022

Issued by Kieran Christie, General Secretary, ASTI

THE CONDUCT OF REGIONAL ELECTIONS TO STANDING COMMITTEE

13TH MAY, 2022

1. INTRODUCTION:

Rule 96 of the Rules and Constitution of the ASTI governs the procedures for election of Regional Representatives on Standing Committee.

- (a) the constitution of Standing Committee;
- (b) the regional basis for the election of Standing Committee;
- (c) the electoral system;
- (d) the branch election arrangements;
- (e) eligibility for candidature and nomination procedures;
- (f) election and counting procedures;
- (g) ballot counting;
- (h) terms of office;
- (i) the filling of vacancies;
- (j) the role of regionally elected members;
- (k) the review of electoral divisions and procedures.

The following regulations, together with appendices 1 to 4, set out the procedures to be applied in the organisation of Standing Committee regional elections.

2. TERM OF OFFICE AND REGIONS:

2.1 The term of office for regionally elected representatives shall normally be two years.
The term of office for region 4 will come to an end at the close of Annual Convention 2024.

2.2 The Standing Committee Regions are as follows:

- Region 1: Sligo, Donegal, Iar Thuaisceart Thir Chonaill.
- Region 2: West Mayo, East Mayo, Carrick-on-Shannon.
- Region 3: Galway, Tuam, East Galway.
- Region 4: Clare, Limerick North, Limerick South, Nenagh.
- Region 5: West Limerick, Kerry, Desmond.
- Region 6: Cork South, Carbery.
- Region 7: Fermoy, Cork North, East Cork, West Waterford, Dungarvan.
- Region 8: Waterford, New Ross, Enniscorthy, Wexford.
- Region 9: Tipperary, Roscrea, Kilkenny.
- Region 10: Kildare, Laois, Carlow.
- Region 11: Athlone, Mullingar, Longford, Navan, Tullamore.
- Region 12: Cavan, Monaghan, Dundalk, Drogheda
- Region 13: Dublin South County, Dublin South 2.
- Region 14: Stillorgan, Dun Laoghaire, Bray, Wicklow.
- Region 15: Dublin North West, Dublin South West.
- Region 16: Dublin North 1, Dublin North Central.
- Region 17: Dublin North East, Fingal.
- Region 18: Dublin South 1, Dublin South Central.

3. BRANCH OFFICER CANDIDATE:

A member seeking nomination to become a candidate for election to Standing Committee, or a member who is a duly nominated candidate, **shall not act as a branch officer** during the electoral period i.e. from the date the nomination process commences to the date of the Standing Committee election in the relevant branch **inclusive**. The branch may if necessary elect a member to undertake the duties of the office holder during the electoral period.

4. NOMINATION OF CANDIDATES:

- 4.1 Nomination forms for the election shall be sent to each branch secretary by the **16th May 2022**.
- 4.2 Nomination forms shall also be available to members from the General Secretary.
- 4.3 **The nomination form shall be signed by the candidate as evidence of availability for office.**
- 4.4 Each branch may nominate one candidate. Members of the branch must be notified that the question of selecting a branch nominee will be on the agenda for the meeting at which it is proposed to select the branch nominee. Where there is more than one candidate for the branch nomination, the selection of the branch nominee shall be by secret ballot. **All procedures normally used by the branch for the election of CEC representatives should be applied.**
- 4.5 A candidate may be nominated by the signature of at least fifty members from the relevant region.
- 4.6 Candidates must be nominated from amongst those who are full members of the Association for at least **two years**.
- 4.7 Candidates must be nominated in the period between **Monday 29th August 2022 and Friday 9th September 2022** (inclusive) i.e. a candidate may only be nominated either at a branch meeting held during this period or by the collection of fifty signatures during this period. A candidate shall be deemed to have been duly nominated when the nomination form, properly completed, has been received by the General Secretary. In any event, completed nomination forms must be received by the General Secretary not later than **5.00 p.m. on the 12th September 2022**.
- 4.8 Where the candidate's nomination is a branch nomination it is the responsibility of the branch secretary to return the nomination form by the due date. Where the nomination is by signature of fifty members the responsibility for return of the nomination form lies with the candidate.
- 4.9 In the event of a candidate's nomination being deemed unacceptable, the Auditors shall be so informed and at the earliest opportunity the original nomination form shall be returned to the candidate explaining the reason for the decision.
- 4.10 Where only one candidate has been duly nominated for a region, then such candidate shall be deemed to have been elected for that region.
- 4.11 Not later than the **19th September 2022** the General Secretary shall forward to each branch secretary in the appropriate region the names of candidates for election in that region.

- 4.12** On receipt of a duly completed nomination form in Head Office, the General Secretary shall supply to the nominated candidate:
- (i) a list of the names, addresses and telephone numbers of branch secretaries in the relevant region.
 - (ii) a list of the schools in the region, and
 - (iii) a current list of the members in the region (cf. regulation 5.3).
- 4.13** A nominee for election may withdraw from the election on giving written notice to be received by the General Secretary on or before the **19th September 2022**.

5. THE ELECTION:

- 5.1** The determination on time(s), date(s) and venues for ballots shall be reached following a meeting between the relevant branch secretaries and the candidates; such meeting to be held as soon as possible after an election has been called and candidates duly nominated. In no circumstances may ballots take place on school premises. If agreement is reached at this meeting then the participants shall sign a document to this effect and it shall be returned to the General Secretary. In the event that there is no agreement, the General Secretary shall be informed immediately by the branch secretaries and the matter shall be referred to Standing Committee for decision prior to the election.
- 5.2** Not later than the **19th September 2022**, the General Secretary shall inform each branch secretary of the period during which the election must be held. **For the by-election in Region 4 that period shall be 12th October 2022 to 18th October 2022 inclusive.**
- 5.3** Only those who are recorded in Head Office as members **on 31st December of the previous year (2021)** shall be eligible to vote. A copy of the appropriate extract from the head office records will be issued to each branch secretary.
- Where there is a dispute regarding membership or eligibility to vote, then the "member" should be permitted to vote. However, the ballot of any such "member" should be submitted to head office in the identification envelope separately from other ballots and an explanatory note from the returning officer should be attached. The decision on the acceptability of any such ballot shall be taken by the ASTI auditors.
- 5.4** Ballot papers, ballot paper envelopes and identification envelopes will be issued to each branch secretary.
- 5.5** The date and time of the ballot shall be arranged by the branch secretary in consultation with candidates and with other branch secretaries in the region (see 5.1 above). By agreement amongst the candidates and branch secretaries, all or some of the ballots in a region may be arranged for the same date and/or time. In the event of a dispute the matter shall be referred to Standing Committee for decision prior to the election.

- 5.6** The date of the ballot, the time of balloting and the venue shall be notified by the branch secretary to all members who are eligible to vote in the relevant branches. The branch secretary shall take all reasonable steps to ensure that every member who is eligible to vote receives notice of the ballot date, times and venue.
- 5.7** A minimum of **five school days' notice** of the date of the ballot must be given to all members in the relevant branches who are eligible to vote; such notice to include a list of those nominated for election. A "school day" is a day on which the school is in operation.
- 5.8** All duly nominated candidates for a region shall be given a minimum of **five school days' notice** of a branch ballot by the relevant branch secretary.
- 5.9** The branch secretary shall at the same time send a copy of the notice of the date and venue of the ballot to the General Secretary.
- 5.10** Candidates or representatives of the candidates **shall** be invited to each relevant branch ballot.

Candidates or candidates' representatives shall be entitled to observe all procedures applied in the conduct of the branch ballot including the preparation of and sealing of the ballot material return envelopes.

- 5.11** With the permission of the branch, a candidate or representative may be accompanied by a colleague or colleagues at the branch ballot. Such accompanying person or persons shall not have the right to speak at the ballot. The candidate or candidate's representative and any accompanying person or persons may remain in attendance for the entire period of the ballot.
- 5.12** Duly nominated candidates (or a nominated representative) may be invited to address a branch meeting prior to the ballot date in the period from the date on which their nomination was notified to the General Secretary to the date of the ballot. An equal opportunity (10 mins.) must be afforded to each candidate (or representative) to address such a meeting should they so wish.
- 5.13** The branch chairperson or, in the absence of the chairperson, **a branch officer or an ASTI member** agreed by the **branch** shall act as Returning Officer. **There shall be only one Returning Officer except in exceptional circumstances.**
- 5.14** A candidate may not act as a returning officer or teller at a branch Standing Committee ballot.

6. THE BALLOT:

- 6.1** The ballot for the election of the Standing Committee representative shall be carried out in accordance with the procedures set out in the document "Information for Members on Balloting Procedures".
- 6.2** Distribution of ballot papers, ballot paper envelopes and identification envelopes to those present and eligible to vote shall commence **at the time notified to members.**

- 6.3 Members must sign the register to indicate that they have received balloting materials. Members should sign the register using the same form of their name as appears on the register. **There shall be only one register and no duplicate copies shall be made.**
- 6.4 Members shall list clearly by marking 1,2,3, etc. in order of their preference, the candidate or candidates for whom they wish to vote.
- 6.5 Ballot papers shall then be placed in the ballot paper envelope. The ballot paper envelope shall then be placed in the identification envelope. The elector shall sign his/her name and write the name of his/her school on the identification envelope. Members SHALL sign the envelopes using the same form of their name as appears on the register.
- 6.6 Completed ballot envelopes shall be placed in a ballot box or similar receptacle.
- 6.7 **Distribution and collection of ballot papers shall cease at the time notified to members.**

7. RETURN OF BALLOTS:

- 7.1 All collected identification envelopes shall be placed in official envelopes supplied by the General Secretary. These envelopes shall then be sealed and signed by the returning officer.
- 7.2 All ballot papers and ballot envelopes, both used and unused, shall be **returned immediately** to the General Secretary to **arrive not later than 5.00 P.M. ON 21ST OCTOBER 2022.** The signed register shall also be returned to the General Secretary. **The Returning Officer's Certificate must be completed and returned with the ballot papers.** Where ballot material is posted, a certificate of posting should be obtained. **No candidate** or candidate's representative shall have access to, or be involved in the return to Head Office of, ballot papers or ballot material.
- 7.3 The General Secretary shall forward the ballot materials and the registers to the ASTI Auditors who will organise the counting of ballots.

8. COUNTING OF BALLOTS:

- 8.1 The Auditors shall be asked to make appropriate arrangements to allow each candidate or a representative of each candidate to be present at the counting of votes. The name of such representative shall be notified in writing by the candidate to the General Secretary before the **14th October 2022.**
- 8.2 The Auditors may check the identification envelopes against the signed branch register. In the event of discrepancies occurring, the Auditors may rule a vote or votes invalid or direct that a new ballot be undertaken.
- 8.3 The ballot for each region shall be counted separately. The ballot paper envelopes shall be removed from the identification envelopes. The auditors shall ensure that no ballot envelopes are opened until all identification envelopes for that particular region have been removed.
- 8.4 The count shall be conducted on the principles as apply in parliamentary and local Government elections, as set out in S.I. 128, 1965, Local Elections Regulations, Chapter III, Rules for the Counting of Votes (available from Government Publications Office).

The following is an outline of the procedure:

- (a) The total valid poll in each region shall be identified.
 - (b) The first preference votes given to each candidate shall be identified.
 - (c) Should a candidate have half of the total valid poll plus one of the votes cast, that candidate shall be declared elected.
 - (d) In the event of no candidate being elected on the first count, then the candidate with the lowest number of votes shall be eliminated.
 - (e) The transferable second preference votes of the eliminated candidate/s shall then be distributed to the remaining candidates.
 - (f) Should a candidate then have half of the total valid poll plus one, such candidate shall be declared elected.
 - (g) In the event of no candidate being elected on the second count, the process shall be repeated for a third and further counts if necessary.
 - (h) Any candidate for a region or a duly nominated candidate's representative in attendance at the counting of ballots may request a recount on the conclusion of a count or part of a count for that region.
- 8.5** The auditors shall notify the General Secretary of the results of the ballots. The General Secretary shall notify each candidate and each branch of the result of the election in their particular region.
- 8.6** Questions regarding the count or matters of dispute related to the count must be notified in writing by the relevant candidate or branch secretary to reach the General Secretary within seven days of the issue by the General Secretary of the result of the election.
- 8.7** The formal declaration of the election of candidates shall take place at Annual Convention. The newly elected representatives shall take up office at the end of Annual Convention.
- 8.8** In the event of a by-election, the formal declaration of the election of a candidate shall take place at the next Standing Committee meeting, following the issue by the General Secretary of the result of the election. The newly elected representative shall take up office immediately after the formal declaration.

9. ROLE OF THE AUDITORS:

- 9.1** The Auditors may on their own authority carry out an investigation into any aspect of the electoral process.

10. REVIEW OF ELECTORAL PROCESS:

- 10.1** A review of regional electoral divisions and procedures shall be undertaken by a special committee elected by Convention for that purpose every five years.
- 10.2** A review of electoral procedures not covered by Rule 96(k) shall be undertaken by Standing Committee on an annual basis.

11. ELECTION CODE FOR CANDIDATES:

11.1 The purpose of this voluntary code is:

- (a) to try to ensure that no member is inhibited from standing for election by lack of the funds necessary to compete in a campaign;
- (b) to limit the use of branch funds in the support of branch candidates;
- (c) to assist the electorate by providing standardised information about candidates.

11.2 Candidates for election to committees and offices within the ASTI should adhere to the following regulations:

- (a) There shall be **no use of the funds of the Association** or the funds of any branch of the Association for the purposes of assisting any individual or individuals in an election other than as provided in "c" below.
- (b) The structures and facilities of the union may not be used for the purposes of the collection of funds to finance the election campaign of any member.
- (c) Branch mailing facilities shall only be used for the purpose of advising other branch secretaries of the candidates nominated by a branch.
- (d) Candidates offering themselves for election may use the official ASTI "Candidate Information Form" for the purposes of promoting their candidature.
- (e) Blank copies of the "Candidate Information Form" shall be available from the General Secretary on request.
- (f) Completion, copying and distribution of the above form shall be the responsibility of the candidate. Candidates must also take responsibility for the accuracy of statements on the form and for any legal liability accruing.
- (g) No other form of canvassing literature should be distributed by a candidate or his/her agents.
- (h) There shall be **no distribution** of the "Candidate Information Form" or any other election literature within the Convention Auditorium or branch **ballot room**.
- (i) There shall be **no posting** of election literature within the Convention precincts or branch ballot room.

APPENDIX 1

ELECTION DISPUTES AND CHALLENGES

- (1) Article 5.1 of the 'Conduct of Regional Elections to Standing Committee' states:

“The determination on time(s), date(s) and venues for ballots shall be reached following a meeting between the relevant branch secretaries and the candidates; such meeting to be held as soon as possible after an election has been called and candidates duly nominated. In no circumstances may ballots take place on school premises. If agreement is reached at this meeting then the participants shall sign a document to this effect and it shall be returned to the General Secretary. In the event that there is no agreement, the General Secretary shall be informed immediately by the branch secretaries and the matter shall be referred to Standing Committee for decision prior to the election.”

- (i) In the event that the General Secretary is informed by a branch secretary(ies) that there is not agreement under 5.1, then the General Secretary shall place this issue before Standing Committee for decision prior to the election.
 - (ii) Any such notification from a branch secretary must be sent to the General Secretary at the earliest opportunity and in any case must arrive in ASTI Head Office no later than seven days before the election period as set out in 5.2.
 - (iii) The General Secretary shall invite each candidate and each relevant branch secretary to make a written submission on the matter to Standing Committee.
 - (iv) It shall be the responsibility of each candidate and each relevant branch secretary to ensure that any such written submission reaches the General Secretary in advance of the relevant Standing Committee meeting.
- (2) In the event of a challenge arising out of the election process other than as is dealt with in Article 5.1, the following procedures shall apply:
- (i) any challenge must be submitted immediately in writing to the General Secretary.
 - (ii) the challenge must clearly specify the particular grounds on which it is based.
 - (iii) the General Secretary shall bring such matters to the attention of Standing Committee at the earliest opportunity.
 - (iv) the General Secretary shall send a copy of the written challenge to the relevant parties and shall invite a written response.
 - (v) in reaching a determination on the matter, Standing Committee shall take account of the clearly expressed wish of the electorate if the election votes have already been counted.
 - (vi) if Standing Committee determines that there is no basis to the challenge or that the challenge, although proven, does not undermine the outcome of the particular election process then the relevant parties shall be so advised.
 - (vii) if the Standing Committee determination is to the effect that the challenge is upheld and undermines the outcome of the election process, then Standing Committee will direct that the election process in question shall be repeated with effect from the point where the breach in procedure arose, e.g. if the breach of procedure occurred in the nomination process then the nomination process would have to be repeated; if the breach of procedure occurred after candidates had been duly nominated then only those duly nominated candidates would be eligible for election in any rerun.

APPENDIX 2

STANDING COMMITTEE ELECTION



INFORMATION FOR MEMBERS ON BALLOTING PROCEDURES

1. Ballots for the election of Standing Committee Regional Representatives are conducted in accordance with the Rules and Regulations of the ASTI.
2. Each member wishing to vote must sign the Register to indicate that he/she has received his/her ballot paper.
3. Members must use the same form of their names as appears on the Register.
4. When voting, members must clearly list by marking 1,2,3 etc. in order of their preference, the candidate(s) for whom they wish to vote. Voting is by proportional representation.
5.
 - The completed ballot paper must be placed in the ballot paper envelope.
 - The ballot paper envelope must then be placed in the identification envelope.
 - The member voting must then fill in all sections of the identification envelope using the same signature as appears on the Register.
6. The completed identification envelope is then placed in the ballot box.
7. The use of the identification envelope system is to ensure that no personation can occur.
8. The auditors who will count the votes will separate the identification envelope from the internal ballot envelope before it is opened in order to ensure that the anonymity of the members voting is preserved.

**THIS NOTICE SHOULD BE PUBLICLY POSTED IN THE
BALLOT HALL**

APPENDIX 3

Standing Committee Ballot Count – Instructions for Tellers

1. Identify first region.
2. Assemble all material for that region.
3. Identify first branch in that region.
4. Complete Tally Form 1 for that branch
5. Examine Returning Officer's Certificate/comments, etc.
6. Examine Register of Electors.
7. Count number of signatures on Register of Electors.
8. Count number of used Identification Envelopes.
 - a. It is acceptable if there is a greater number of signatures on the Register than there are signed Identification Envelopes.
 - b. If there is a greater number of signed Identification Envelopes than signatures on the Register, then:
 - i. Identify the extra envelopes
 - ii. Disregard these envelopes from the count.
9. Take sample of 10% of Identification Envelopes and compare signatures with those on the Register.
10. Repeat process for each branch in the region.
11. Open Identification Envelopes for first branch.
12. Separate Identification Envelopes from ballot envelopes.
13. Place Identification Envelopes in envelopes, label and seal.
14. Repeat instructions 11, 12 and 13 for each branch in the region.
15. Place all ballot envelopes for region together.
16. All ballot envelopes, when assembled for the region, should be amalgamated in such manner as to ensure the voting preference of members within any branch of the region cannot be reasonably determined.
17. Open all ballot envelopes for region.
18. Examine ballot papers.
19. Count the number of spoilt votes.

20. Count the number of valid votes.
21. Place ballot papers in bundles divided as per first preference votes.
22. Proceed with first count.
23. Should the votes cast for a candidate amount to at least half the total valid poll plus one, that candidate shall be declared elected.
24. In the event that no candidate is elected on the first count the candidate with the lowest number of votes shall be eliminated.
25. The transferable second preference votes of the eliminated candidate shall then be distributed to the remaining candidates.
26. Should the votes cast for a candidate amount to at least half the total valid poll plus one, that candidate shall be declared elected.
27. Repeat instructions 24 to 26 for further counts as necessary.
28. The Teller shall fill in the result and sign the Tally Form 2.
29. The ballot papers for the region shall then be placed in an envelope, labelled and sealed.
30. All Registers of Electors, Returning Officers' Reports, etc. shall be retained.

APPENDIX 4

STANDING COMMITTEE ELECTION COUNT - TALLY FORM 1

REGION No: _____

	BRANCH	BRANCH	BRANCH	BRANCH	BRANCH
Branch Name					
Returning Officer's Name					
Returning Officer's Certificate Checked					
Register Received					
Number of Signatures on Register					
Number of Used I.D. Envelopes					
Register Signatures Checked					

STANDING COMMITTEE ELECTION COUNT - TALLY FORM 2

STANDING COMMITTEE ELECTION COUNT – TALLY FORM 2

REGION NUMBER:

SPOILED VOTES: _____

TOTAL VALID POLL: _____

QUOTA: _____ (half valid poll + one)

FIRST COUNT:

Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	

Name of candidate eliminated: _____

Number of non-transferable votes: _____

SECOND COUNT:

Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	

Name of candidate eliminated: _____

Number of non-transferable votes: _____

THIRD COUNT:

Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	

Name of candidate eliminated: _____

Number of non-transferable votes: _____

FOURTH COUNT:

Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	
Candidate		Votes	

PROVISIONAL RESULT:

_____ has reached the required quota for Region _____

Signed: _____ Date: _____