

Scottish Youth Parliament Election Rules and Procedures

Updated February 2021

1. Introduction

This procedures document has been produced by the Scottish Youth Parliament (SYP) for use in the 2021 national election of Members of the Scottish Youth Parliament (MSYPs). It is based on our desire to work together with Local Authorities and National Voluntary Organisations (NVO) to deliver better results for Scotland's young people.

2. National Election Outcomes

A unified electoral process for the SYP does not mean completely uniform election procedures across the country. Local Authorities and NVOs will retain a degree of flexibility, but should adhere to delivering an election which meets specific outcomes.

These overarching outcomes is:

- To elect each and every single member of the Scottish Youth Parliament in an open and democratic election using a common process determined by SYP.

To support this outcome, the following general guidelines must be followed:

- 2.1. Any 14-25 year old living in Scotland may stand as an MSYP.
- 2.2. Potential candidates for MSYP should demonstrate a commitment to the role of an MSYP.
- 2.3. By their first official Sitting of the term all MSYPs will participate in a suitable training programme, by SYP (?).
- 2.4. All young people aged 12 (or in 1st year of secondary school) to 25 are permitted to vote for their MSYP. Particular attention must be given to ensuring that voting is accessible outwith schools and to ensure that those aged 18-25 year olds are able to participate.

3. Constituencies

The constituency route to Membership allows for the election of up to 146 MSYPs, who are supported by local authorities. The rules governing this category are as follows.

- 3.1. There shall be two Members of the Scottish Youth Parliament (MSYPs) elected for each constituency. The candidates elected shall serve until the next national SYP election, usually around two years.
- 3.2. For this purpose, a constituency is defined as the 73 areas used as the constituencies for the Scottish Parliament, or the organisation as registered with SYP. The names, descriptions and maps of the constituencies are available from the Boundary Commission for Scotland's website at <http://www.bcomm-scotland.independent.gov.uk/publications/>.
- 3.3. Use of any other boundaries, including those previously in use for Scottish Parliament and SYP elections is not permitted.
- 3.4. For the purposes of organising elections and subsequent local support for MSYPs, constituencies are allocated to Local Authority areas. No Local Authority area is permitted to elect more MSYPs than its total allocation. *Details of this allocation can be found in the elections pack.*
- 3.5. In the instance of both MSYPs for a constituency being allocated to the same Local Authority, the Local Authority shall be responsible for organising SYP elections and subsequent local support for both MSYPs. Elections should be held for both MSYPs concurrently, in accordance with the procedures outlined in this document.
- 3.6. In the instance of MSYPs for a constituency being allocated to different Local Authorities, each Local Authority shall be responsible for organising SYP elections and subsequent local support for one MSYP. Separate elections should be held for each MSYP, in accordance with the procedures outlined in this document.
- 3.7. Following the election, the structure of local support of MSYPs is at the discretion of the Local Authority. MSYPs from the same constituency are permitted to be allocated to different Youth Groups, Youth Forums, Community Planning Partnerships etc. to suit local structures and circumstances. However, no variance to the constituency boundaries is permitted for electoral purposes.

4. National Voluntary Organisations

National Voluntary Organisation route to Membership currently allows for 22 MSYPs, supported by SYPs National Voluntary Organisation Members. There are currently 11 SYP National Voluntary Organisations: Scouts Scotland, LGBT Youth Scotland,

Girlguiding Scotland, Church of Scotland, Scripture Union Scotland, Who Cares? Scotland, RNIB, Boys Brigade, Federation of Islamic Students Society, Carers Trust and YMCA. The rules governing this category are as follows.

- 4.1 There shall be two Members of the Scottish Youth Parliament (MSYPs) elected for each SYP National Voluntary Organisation. The candidates elected shall serve for a period of two years, or until the next national SYP election.
- 4.2 For this purpose, a constituency is defined as the National Voluntary Organisations that have been approved by the SYP Board, of whom there are currently 11. A list of SYP NVOs can be found on SYP's website <https://syp.org.uk/get-involved/join-us/>.
- 4.3 For the purposes of organising elections and subsequent support for MSYPs, constituencies are allocated to National Voluntary Organisation areas. No National Voluntary Organisation is permitted to elect more MSYPs than its total allocation. *Details of this allocation can be found on page 29.*
- 4.4 Following the election, the structure of support of MSYPs is at the discretion of the National Voluntary Organisation. MSYPs from the same constituency are permitted to be allocated to different Youth Groups, Youth Forums, etc to suit National Voluntary Organisation structures and circumstances. However, no variance to the National Voluntary Organisation is permitted for electoral purposes.

5. Candidates

The Scottish Youth Parliament is keen to ensure that as many young people as possible are able to stand as candidates for the election. Rules governing candidacy are as follows

- 5.1. Any young person habitually living, studying or working within the constituency, or involved in a registered national voluntary organisation may apply to be a candidate, through the process agreed between SYP and the Local Authority or National Voluntary Organisation.
- 5.2. For this purpose, a young person is defined as being no younger than 14 and no older than 25 on the day the polls close.
- 5.3. 'Habitually living within the constituency' is defined as permanently or regularly resident within the constituency boundaries. This does not preclude a young person whose parents or guardians live in the constituency, but live outwith the boundaries during the course of academic study, from applying to be a candidate or remaining as an MSYP during their term in office.

- 5.4. A young person who is in full time education may apply to be a candidate within the constituency that their educational establishment resides.
- 5.5. In line with the Scottish Youth Parliament's non-partisan status, candidates are only permitted to stand as individuals, with no party labels. Candidate materials which include any reference to the individual's links to specific political parties or campaigning groups is not permitted.
- 5.6. Applicants will only be permitted to stand as a candidate in their constituency in an election upon successful completion of the pre-candidacy process agreed between SYP and the relevant Local Authority/NVO.
- 5.7. Incumbent MSYPs will step down as the election voting period opens, and will officially cease to be an MSYP on the day of the election; during the elections only SYP Trustees and Subject Committee Conveners will remain active in their roles. From the announcement of the results until the first Sitting of SYP (usually AGM), successful candidates are known as MSYPs-elects, and will not take on the duties of MSYPs until the first SYP Sitting.

6 Election Practice

In line with National Election Outcomes, elections to the Scottish Youth Parliament should be open and democratic.

- 6.1 Elections for Members of the Scottish Youth Parliament for the 2021-2023 term must take place in November 2021.
- 6.2 Elections will be conducted using the Scottish Single Transferable Vote system, using constituencies based on Local Authority areas and National Voluntary Organisations unless there are only two candidates. In this case, majority voting can be used.
- 6.3 STV uses preferential voting in multi-member constituencies. Each voter gets one vote, which can transfer from their first-preference to their second-preference and so on, as necessary. Candidates don't need a majority of votes to be elected, just a known 'quota', or share of the votes, determined by the size of the electorate and the number of positions to be filled. If the voter's preferred candidate has no chance of being elected or has enough votes already, the vote is transferred to another candidate in accordance with their instructions. More information on STV can be found at <http://www.electoral-reform.org.uk/votingsystems/stvrules.htm>.

- 6.4 SYP elections are permitted to be held online or offline, or in a combination of the two, subject to compliance with the National Election Outcomes and agreement with SYP.
- 6.5 In the event of an uncontested SYP election, the candidate(s) will be elected without a ballot.

7 By-Elections

- 7.1 In the event of a vacancy due to an MSYP failing to complete their term in office, or in the event of no candidate presenting themselves for election, a by-election should be held at the earliest practicable opportunity.
- 7.2 Local Authorities and National Voluntary Organisations should do their best to inform SYP as soon as possible if this situation arises. This is to ensure SYP staff can support Local Authorities, National Voluntary Organisations and the candidates with voting (offline or online), promotion and local engagement activity.
- 7.3 Local Authorities and National Voluntary Organisations should work with SYP to ensure the timely planning and implementation of the by-election strategy. This includes co-ordinating outreach and communications activity.
- 7.4 There are a number of options available to a Local Authority in terms of filling a vacant position. Whilst the most preferable option is for a full by-election similar to that of National Elections, we appreciate that this is not always possible given the available resources and timescales. **However, it is important that the successor carries some form of democratic mandate.**

These options include:

- Offering the position to the next unsuccessful candidate from the previous National Elections;
 - Co-option (selection without a vote) of a successor through existing youth structures where the local youth structure is elected;
 - Election through existing youth structures, such as an internal vote at a local youth council; and,
 - A full by-election akin to that of the National Elections.
- 7.5 MSYPs elected in a by-election shall serve until the next national SYP election, until they resign or are removed by SYP as a result of disciplinary proceedings.

8 Election Communications and Promotion

- 8.1 The Scottish Youth Parliament will manage all national publicity for the elections and will work with Local Authorities and National Voluntary Organisations to try and secure local and other coverage. Local Authorities and National Voluntary Organisations are urged to assist the SYP in achieving publicity by enabling access to young people involved in the process for national purposes and by promoting the elections through local and national channels.
- 8.2 The Scottish Youth Parliament will provide Local Authorities and National Voluntary Organisations with template elections materials for their use. Elections materials must reflect the branding of the SYP and where the SYP logo or name is to be used on non-standard communications, the permission of SYP must be sought.
- 8.3 No financial limit has been set nationally for the production of literature by candidates, but we ask Election Coordinators to monitor this for fairness and discourage candidates from spending money on promotional materials; Election Coordinators may wish to consider setting a limit locally.
- 8.4 Election Coordinators must make every effort to ensure equality of access for voters across the SYP's age range and in facilitating the participation of all candidates in campaign activity. As part of the post-election reporting, Coordinators will be asked to feedback on their progress in widening access and promotion beyond schools, particularly in relation to other institutions such as colleges, universities and work places.

9 Voters and Voting

- 9.1 All young people living within a constituency should have the opportunity to vote in the election of their constituency MSYPs.
- 9.2 All young people who are members or an elected body of a national voluntary organisation are entitled to vote for their MSYPs.
- 9.3 The Scottish Youth Parliament defines 'young people' as those aged 12-25. Though it should not affect a great number of young people, where voting takes place in secondary schools, all pupils (including those yet to turn 12) should be permitted to vote.
- 9.4 Due to their age, many of the young people eligible to vote in SYP elections are not registered on the electoral roll and therefore the SYP does not recommend pre-registration of voters.
- 9.5 Local Authorities should strive to ensure that there are significant numbers of polling stations throughout constituencies. Particularly important is ensuring that voting is possible for those who are not at

school. Traditionally, polling stations tend to be located in buildings such as schools, village halls and community centres, however, there is no reason why they could not be located in alternative buildings or mobile units, which have good access and have a suitable space that allows electors to vote in private.

- 9.6 National Voluntary Organisations are able to use the SYP Elections Platform to host online elections.
- 9.7 Attention must be paid to ensuring voting is accessible. For paper ballot elections, guidance notes should be available at each polling station and on ballot papers that explain clearly how to vote. At least one version of a ballot paper in large print should be displayed at each polling station and another one or two should be available for voters to take into the polling booth to compare with their ballot paper. The Electoral Commission has produced good practice guidelines for further improving accessibility around elections, available at: <http://www.electoralcommission.org.uk/document-summary?assetid=14092>.
- 9.8 SYP does not advise voting by proxy or by postal votes etc although voters with disabilities and other support needs are entitled to be accompanied by a companion when voting.
- 9.9 If a voter accidentally spoils their ballot paper, the polling staff can issue a replacement. The voter must not be allowed to put their spoilt paper in the ballot box as if they do, another paper cannot be issued. A new ballot paper should be issued in the normal way to the voter and the spoilt paper should be marked cancelled and placed in the appropriate envelope.
- 9.10 Every voter is entitled to cast their vote without being seen by anyone else, in both online and offline elections. Elections Coordinators should take appropriate measures to ensure secrecy of the ballot.
- 9.11 No voter should be required to state for whom they voted and, in offline elections, each voter should secretly mark their ballot paper and fold it so as to conceal the vote.

10 Election Results

- 10.1 In SYP elections the primary role of the Returning Officer is to announce the result of the election and to satisfy themselves that the election has been fair. For reasons of objectivity, the Returning Officer should be someone from the Local Authority or National Voluntary Organisation who does not have day-to-day contact with candidates/MSYPs and, for reasons of profile, should ideally hold a senior position, such as Head of Service or Chief Executive.

- 10.2 If the Returning Officer is able to attend the count then they should oversee the process. If not, this responsibility should fall to the Elections Coordinator or Youth Work Manager. For elections using the Young Scot or SYP online voting system a member of SYP staff will take this responsibility, liaising with the relevant Elections Coordinator.
- 10.3 The count must be fair and transparent and carried out by impartial individuals; though candidates should be permitted to observe, they must take no part in the counting process.
- 10.4 Additional conditions, weighting or other criteria should not be applied to the results obtained from the system; to preserve the integrity of the ballot, no adjustments will be permitted.
- 10.5 Further guidance on counting Single Transferable Vote ballots can be found at <http://www.electoral-reform.org.uk/votingsystems/stvrules.htm>. Due to the nature of the system, SYP recommends the use of electronic counting software, such as OpenSTV, available at <http://www.openstv.org/>.
- 10.6 Election results should be announced in November 2021. We encourage Local Authorities and National Voluntary Organisations to host a local elections announcement during this time period. SYP will seek to promote each result and create an 'election night' feel as results come in across the country, utilising social and new media along with traditional outlets. Local Authorities and National Voluntary Organisations must not announce the result prior to this time. The Named Elections Coordinator should liaise with SYP to facilitate this process.
- 10.7 Once a result has been declared and public notice of the result given, the Returning Officer/Elections Coordinator has no power to amend the result, even if uncounted ballots are subsequently found.
- 10.8 After the count, all ballot papers and other election documentation should be held in a secure environment for a year. Following this, these papers can then be destroyed in a secure manner.
- 10.9 Documents relating to the election, which do not include ballot papers or personal information about the young people standing for election should be open to public inspection.
- 10.10 Election Coordinators should produce a short report detailing the elections process, including details of turnout figures and other key statistics about voter participation, and send this to the Scottish Youth Parliament for monitoring

purposes, as soon as possible after the conclusion of the election. A template will be provided by the Scottish Youth Parliament for this purpose.

11 Further Information

Whilst this document is intended to provide the parameters for the 2021 election, we understand that there may be additional questions which may arise; for further information and guidance, please contact the Scottish Youth Parliament using the details below:

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