

Regulation A9: Referenda

Revised: November 2020

Approved: November 2020

1. Referenda Process

- 1.1 Referenda have the power to democratically gather votes from Ordinary Members on key issues or decisions around the policy, affiliations, structure or rules of the Union.
- 1.2 The process for calling a referendum shall be:
- 1.2.1 by the Executive Committee; or
 - 1.2.2 by thirty Ordinary Members, on request to the President (Communication and Democracy) and in which any question proposed for a referendum has a stated 'Yes' or 'No' answer for the vote.
- 1.3 Ordinary Members shall be entitled to vote for only one candidate in any duly held referendum and in which designated candidates shall be either for or against the proposed question.

2. Returning Officer

- 2.1 Referenda shall be presided over by a Returning Officer, who shall be appointed by the Trustee Board and shall not be a member or an employee of the Union.
- 2.2 The Returning Officer may appoint a Deputy Returning Officer or other nominee(s) from amongst the Union staff to act on their behalf in the supervision and enacting of a referendum.
- 2.3 The Returning Officer, if instructed by the referendum proposer, may change or withdraw the question.
- 2.4 Once a question is set, the Returning Officer and the Sabbatical Executive Committee shall be responsible for making the arrangements for a referendum, including issuing notification, setting the dates with a minimum of two working days for voting, and promotional activities for each candidate.
- 2.5 The Union shall make provisions to allow members to debate the question set for a referendum, either through an event or online, with the opportunities to understand both candidate positions before the casting of votes.

3. Notice of Referenda

- 3.1 The Returning Officer shall issue notification of a referendum at least ten working days prior to the referendum taking place. This notice shall state the:
- 3.1.1 key referendum dates;
 - 3.1.2 question set for the referendum;
 - 3.1.3 campaigning regulations;
 - 3.1.4 places from where and ways in which votes can be cast.

4. Campaigning

- 4.1 All campaign activities must be conducted fairly and in accordance with the Union's Referenda Regulation and is only permitted at the time the Sabbatical Executive Committee allow for referendum activities.
- 4.2 The campaigning period shall commence after notification of a referendum has been issued to Ordinary Members, and at a time announced by the Returning Officer, and shall end at the close of voting.
- 4.3 The Union and associated media, excluding accounts and media associated with the Executive Committee, shall promote referenda in a fair and balanced manner, allowing both candidates equal exposure.
- 4.4 Executive Committee members are entitled to promote or campaign in favour of one or more candidate in a referendum as long as such promotion or campaigning abides by the campaigning rules as outlined in the Union's Referenda Regulation.
- 4.5 Candidates, including candidate representatives and supporters, in a referendum are required to abide by the campaigning rules as outlined by the Returning Officer. This shall include, but is not limited to:
- 4.5.1 any materials or posters must not be offensive or derogatory;
 - 4.5.2 all campaigning must respect the rules and policies of the Union and University, including the Union's Equality and Diversity policy and any poster policies;
 - 4.5.3 candidates must be respectful of other candidates, and shall not be allowed to damage or remove materials of any other candidate until after campaigning has finished;
 - 4.5.4 campaigning is not permitted in academic areas such as the library or classrooms;
 - 4.5.5 candidates must only make use of resources and opportunities attainable by all candidates;
 - 4.5.6 campaigning in either academic areas or student accommodation is at the sole discretion of either the lecturing staff or resident(s), and candidates must ask permission before campaigning in such areas;
 - 4.5.7 candidates, including candidate representatives and supporters, must be respectful and not partake in any discriminatory behaviour towards particular groups of students.
- 4.6 The Returning Officer reserves the right to remove any referendum material which, in their reasonable opinion, is inappropriate.

5. Voting

- 5.1 The Returning Officer shall be responsible for ensuring that voting is conducted in a fair and appropriate manner, and shall determine whether voting shall be through a paper ballot, electronic ballot, or combination.
- 5.2 The Returning Officer shall ensure the dates and times of the voting period comply with the Union's Referenda Regulation. Voting details, including information regarding voting stations, timings, and any electronic voting platforms shall be published to members once confirmed by the Returning Officer.
- 5.3 Only Ordinary Members of the Union may vote upon the production of a valid University matriculation card or via valid electronic access.

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- 5.4 Votes shall be cast in sealed ballot boxes, or by electronic means where appropriate. All paper voting slips issued shall be placed in the sealed ballot box at the time of voting whether used or not.
- 5.5 Ballot papers shall bear the question stated for the Referendum and have a suitable space for indicating the voting preference in favour for either candidate.
- 5.6 Voting shall be carried out by placing an “X” opposite the voter’s preferred candidate.
- 5.7 In all referenda, reasonable adjustments shall be made, in the spirit of the Equality Act 2010, to ensure no voter is disenfranchised.
- 5.8 Candidates, including candidate representatives and supporters, should not be in the immediate vicinity of a voter when they are in the act of casting their vote.

6. Voting Count

- 6.1 The count of the votes shall be administered by the Returning Officer, with assistance from the Deputy Returning Officer or nominee(s) and if appropriate, their appointed ballot counters.
- 6.2 Candidates, including candidate representatives and supporters, are not allowed to be present at the count, but may appoint a scrutiner on their behalf.
- 6.3 Referenda shall be decided by a secret ballot either through a paper vote or electronic vote.
- 6.4 Where a referendum uses paper ballots, on opening the ballot boxes, the Returning Officer shall instruct all appointed counters to examine the voting papers.
- 6.5 Where the referendum uses paper ballots, voting papers shall be declared spoiled by the Returning Officer if they consider that:
- 6.5.1 the paper has clearly been defaced/vandalised; or
 - 6.5.2 there is no clear indication of preference for either candidate; or
 - 6.5.3 the paper has not been stamped by the polling officer; or
 - 6.5.4 the paper is not authentic.
- 6.6 The quota for the vote shall be 50% plus one of the votes cast.
- 6.7 In order for any referenda to be valid, the voting threshold specified in the Union’s Constitution must be adhered to.
- 6.8 The Returning Officer shall be responsible for announcing and publicising the results of any referenda by way of the Union website and by any other reasonable means or media they deem appropriate.

7. Complaints and Appeals

- 7.1 Any individual, whether a candidate in a referendum or not, has the right to register a complaint, and shall be entitled to have their concerns reviewed and addressed in a prompt and fair manner.

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- 7.2 Complaints concerning referenda at the Union shall be dealt with in accordance with the Union's Complaints Regulation.
- 7.2.1 If, as a result of the complaints process, an individual is dissatisfied with the outcome of a Stage Two Complaint, the individual is entitled to appeal against the decision in accordance with the Union's Discipline Regulation.