

# Students' Union Officer Elections 2019: Supplementary Referenda Rules

All referenda campaigners (both proposers and opponents) agree to abide by the following election rules as a compulsory requirement.

## Election officials

### Returning Officers

**Who:** Anna Crump Raiswell, Mayeda Tayyab, James Cottis.

**Role:** Responsible for the conduct of the election. Returning Officers can only be contacted at [elections@sheffield.ac.uk](mailto:elections@sheffield.ac.uk) Emails should be addressed with: "For the Attention of the Returning Officers"

### Senior Returning Officer

**Who:** Peter Robertson from the National Union of Students.

**Role:** To advise the Returning Officers where necessary.

### Counting Officer

**Who:** Jaki Booth, Students' Union Chief Executive, or their nominee.

**Role:** Responsible for the counting of the elections.

### Advisory Staff

**Who:** Sarah Pugh, Democracy Coordinator, Kathryne Fraser, Deputy Director of Membership Engagement.

**Role:** To advise on all aspects of SU Elections, including Elections Regulations

## GENERAL

1. The elections should be conducted in accordance with the Constitution and Bye-Laws of the Students' Union (in particular Bye-Laws 2 and 17 and these Supplementary Referenda Rules)
2. The elections and decisions of the Returning Officers should be guided by:
  1. The Law, in particular the Representation of the Peoples Acts and the 1994 Education Act.
  2. The Electoral Commission.

## 1. REFERENDA ELECTIONS TIMETABLE

1.1 The Referenda Elections Timetable 2019 is agreed as follows:

<b>Publication of referenda proposals and date(s) for the referendum, which seeks any alternative or related proposals and statements for and against the proposals, within 5 days</b>	Thursday 7 February (10am)
<b>Cease accepting alternative or related proposals</b>	Thursday 14 February (10am)

<b>Publication of the proposal</b> , with any alternative or related proposals, and the arrangements for meetings required to debate it	Friday 15 February (10am)
<b>Meeting to debate the proposals</b>	W/c 18 February
<b>Voting opens</b>	Monday 25 February (10am)
<b>Voting closes and deadline for Declaration of Expenditure Forms</b>	Thursday 28 February (5pm)
<b>Results announced</b>	Thursday 28 February (7pm)

1.2 Campaigning on referenda can take place from Thursday 7 February.

## **2. ELIGIBILITY**

2.1 No candidate in the elections, nor anyone involved with their campaign, shall hold a position involved in the planning, administering or providing coverage of the elections for the duration of the elections period. This includes Elections Committee, Returning Officers, elections staff and the Heads of Radio, Press and TV at Forge Media.

## **3. CAMPAIGNING**

3.1 Campaigners may not engage in behaviour that is deemed to constitute harassment or intimidation of voters, nor may they continue to engage with a member once a clear request for them to cease has been made.

3.2 It is campaigner's responsibility to obtain permission to carry out campaigning activities. Campaigners can assume that they have permission to place campaigning material around the concourse area of campus (please note stickers are not permitted to be used under SU regulations).

3.3 Campaigners may not seek to influence or deliberately observe a member who is engaged in the act of voting nor provide voters with a voting platform (e.g. a smart-phone, tablet etc.)

3.4 Campaigners must not obscure, tamper with or remove the publicity of any other campaigns.

3.5 Returning Officers have the right to deem campaign material inappropriate.

3.6 If the lead proposer or opponent or any referenda campaigners are also a candidate in other elections, they must ensure that the campaigns are kept separate and referenda expenses are accounted for separately.

## **4. ENDORSEMENT BY THIRD PARTIES**

4.1 Student Media (i.e. Forge) must ensure that all coverage of Students' Union elections and referenda is unbiased and balanced.

4.2 Campaigns may not be endorsed by any group or organisation outside of the Students' Union.

## **5. CAMPAIGN SPENDING**

**5.1** Each referenda campaign can spend a maximum of £40 on their campaign which will be reimbursed by the Students' Union.

**5.2** Campaigns may not receive any financial or material support or donation from any third party.

**5.3** It will be the responsibility of the lead proposer or lead opponent of the campaign to account for all expenditure related to their campaign by submitting a Declaration of Candidate Expenditure Form prior to the close of voting. All receipts relating to expenditure must be attached to the form and these will be scrutinised by the Returning Officers before the announcement of the vote.

**5.4** If there is more than one student who wants to be the "lead" proposer or opponent (and be responsible for managing the expenses), this will be settled by the Returning Officers by a coin toss (or similar).

**5.4** Items freely available to any and all students at no cost do not need to be accounted for.

## **6. COMPLAINTS**

**6.1** The Regulations and Rules will be interpreted and enforced by the Returning Officers.

**6.2** Any complaint must be submitted using the Elections Complaint Form via email to [elections@sheffield.ac.uk](mailto:elections@sheffield.ac.uk). Candidates must not attempt to contact the Returning Officers outside these channels

**6.3** Complaints must be received prior to the close of voting. Once the Count has begun the only complaints that can be submitted are in relation to the conduct of the count.

**6.4** The Returning Officers shall usually make rulings on any properly submitted complaint within one working day of receipt

**6.5** Returning Officers may also take action without receipt of a complaint if they deem it necessary.

**6.6** The Returning Officers may decide on any matter relating to the conduct of the election. This shall include the power to penalise or exclude candidates in respect of any breach of elections regulations and to postpone or nullify the result of an election in respect of any irregularity.

**6.7** If the Returning Officers uphold a complaint, they may apply sanctions ranging from an informal or formal warning, to a temporary campaigning ban, to disqualification from the election and other potential sanctions as appropriate.

**6.8** At any point during the elections the Returning Officers may seek advice from the Senior Returning Officer, the Counting Officer or Students' Union advisory staff.

**6.9** Any decision of Returning Officers shall be subject to appeal first to the Elections Appeals Committee, then to Students' Union Council, and finally to the University Secretary, whose decision shall be final.

**6.10** The University Secretary will be notified of serious breaches of the Elections

Regulations.

**6.11** The Students' Union's Complaints and Discipline Regulations may be applied in cases of misconduct, unacceptable and/or inappropriate behaviour.

## **7. THE COUNT**

**7.1** The hour for scrutiny of Declarations of Candidate Expenditure shall take place following the close of voting.

**7.2** The count shall only take place once the deliberations of the Returning Officers are completed.

Appendix:

## Bye-Law 2 REFERENDA

### 1. ORGANISATION OF A REFERENDUM

- 1.1 The President should be responsible for organising a referendum when instructed:
- 1.1.1 by a petition of 1,000 Full Members, in relation to the policy of the Students' Union, changes to the Students' Union's Constitution and Bye-Laws, the removal of Officers or other elected officials and the removal of specific duties from an Officer or other elected official;
- 1.1.2 by a decision of the Students' Union Council, in relation to the policy of the Students' Union, changes to the Students' Union's Constitution and Bye-Laws, the removal of Officers or other elected officials and the removal of specific duties from an Officer or other elected official in accordance with Bye-Law 3. In the case of a referendum called to remove a Students' Union Officer or other elected official, or to remove specific duties from a Students' Union Officer or other elected official, the decision of Students' Union Council shall require a two thirds majority of those present;
- 1.1.3 by a decision of Student Executive Committee, in relation to a disagreement with Students' Union Council, in accordance with Clause 1.2 of Bye-Law 3;
- 1.1.4 by a decision of a Discipline Panel (convened under the procedures set out in the Employment Handbook) to recommend removal of an Officer or the removal of specific duties.
- 1.2 The Referendum shall be held not sooner than 12 days and not later than 22 days following the decision of the Students' Union Council, or receipt of the petition, or at such other time as may be mutually agreed by the proposers of the referendum and the President.
- 1.3 The referendum shall be arranged in accordance with the following timetable (of days prior to the first day of voting):
- 12 days: Publish the proposal and date(s) for the referendum, seeking any alternative or related proposals and statements for and against the proposals, within 5 days
  - 7 days: Cease accepting alternative or related proposals
  - 6 days: Publish the proposal, with any alternative or related proposals, and the arrangements for meetings required to debate it.
- 1.4 An alternative or related proposal shall be considered on receipt of a petition of 500 Full Members. It shall be worded so that it can stand alone from, or alongside, the original proposal.
- 1.5 In the case of any dispute regarding the wording of proposals, or if it deems necessary, Students' Union Council shall be empowered to revise the wording of proposals in order to ensure that those voting in referenda are presented with clear choices and decisions.

### 2. GENERAL ARRANGEMENTS

- 2.1 Any decision or petition for a Referendum shall specify a single proposal or separate proposals each of which shall not exceed 200 words, except in the case of Constitution or Bye-Law amendments.
- 2.2 In the case of proposed amendments to the Constitution or Bye-Laws the full wording of the amendments shall be clearly displayed adjacent to the Polling Station.
- 2.3 Students' Union Council shall determine the financial arrangements for publicising referenda. Such arrangements shall ensure that all referenda held within each academic year receive equal funding.
- 2.4 Prior to the Referendum, it shall be the responsibility of the President to organise at least one meeting, open to all Full Members, to debate the proposal.
- 2.5 A minimum of 1,000 Full Members shall be required to cast votes in the Referendum for the decision to be binding.

- 2.6 The Returning Officers shall actively seek statements for and against referenda proposals to assist those voting to consider the issues involved. If more than one statement is submitted, the Returning Officers shall decide upon which one is published, or may prepare a new statement combining different statements.
- 2.7 The proposers and opponents of a referendum shall be entitled to produce a statement of not more than 200 words, and proposers and opponents of alternative or related proposals a statement of not more than 100 words, for publication in accordance with Bye-Law 17.

### **3. CONDUCT OF THE REFERENDUM**

- 3.1 The Referendum shall be conducted by means of a ballot open to all Full Members.
- 3.2 Polling shall be held on at least one day for at least 8 hours in the Students' Union Buildings, and at least 2 hours in such academic areas and halls of residence as may be determined by Students' Union Council.
- 3.3 The Referendum shall be conducted in accordance with the general regulations covering cross-campus ballots, as laid down in the Bye-Laws.

### **4. NATIONAL UNION OF STUDENTS**

- 4.1 A referendum shall be held annually to consider the affiliation of the Students' Union to the National Union of Students.
- 4.2 This referendum shall normally be held concurrently with the elections for Students' Union Officers.