

Referenda Rules & Complaints Procedure

1. Purpose

This document sets out some guiding rules in relation to student campaigning in the lead up to, and during, a Referenda. It also sets out the specific complaints procedure that should be followed in the event of a complaint. This document should be read in conjunction with Byelaw B of the Students' Union's constitution.

2. Campaign Rules

A. Conduct & Behaviour

It is impossible to provide a set of rules that cover every potential scenario that could happen during a Referenda campaign. However, when investigating conduct, incidents or complaints, the Deputy Returning Officer and Returning Officer will make a judgement based on the following ethos:

All candidates must conduct themselves in a 'free and fair' manner that reflects the values and policies of the Students' Union and the regulations set out in the College's Student Handbook.

This means that the Union expects all campaign teams to behave in a way that uphold the Union's good reputation, reflects our values, and champions our equality and diversity policies.

All campaigners and campaign teams should understand that they are also subject to the Union's Code of Conduct, as outlined in Byelaw J and may be subject to complaints by members which may additionally be investigated under the Members' Disciplinary Procedure, Byelaw L.

B. Voting

Where physical ballot stations are in place during the voting period, there will be an exclusion zone for any campaigning of 10 metres. This is to enable students to cast their vote freely and fairly, without any duress.

Campaigners must allow voters the opportunity to cast their vote in private, and under no circumstances must votes be cast on a voter's behalf.

C. Collateral

Permission should be obtained from the University before placing any posters/banners etc. around managed areas of the campus.

Campaigners must ensure that all publicity is removed from campus within one hour of voting closing.

D. Restrictions

Campaigning is strictly forbidden in the following areas:

- i. Libraries or reading rooms
- ii. Computer rooms
- iii. The Chaplaincy and associated spaces
- iv. Email lists (i.e. mass email)

Additional spaces may be added, and campaigners will be updated as relevant.

3. Complaints Procedure

The Referenda will be overseen by the Deputy Returning Officer who is empowered to investigate any matters related to the Referenda, infringement of Referenda rules or complaints regarding campaigner conduct.

Stage One

All complaints must be submitted within 24 hours of the alleged incident, via the official online complaints form, and will include the following information:

- i. Name and contact details of person making complainant (anonymous complaints will not be considered)
- ii. Name of person being complained about
- iii. Details of incident (including time and date)
- iv. Details of any witnesses
- v. Details of which rules have been broken
- vi. Details of the action requested

All complaints must be received within one hour of voting closing. Any complaints submitted after this time will not be investigated as part of the Referenda complaints procedure (although they may be considered under the disciplinary procedure outlined in the Students' Union Constitution).

All complaints will be investigated by the Deputy Returning Officer, who will consider the facts and make an appropriate decision. This ruling will be communicated to all parties involved.

If they find that there has been an infringement they have the power to determine any of the following outcomes:

- i. Warn the campaigner/campaign team that any future infringement will result in a campaigning ban
- ii. Issue a campaigning ban
- iii. Pause the Referendum until such time as they are satisfied that it may continue
- iv. Declare the Referendum null and void before the result has been declared
- v. Have the result set aside
- vi. Continue without hindrance

The Deputy Returning Officer or Returning Officer will make no determination that a referendum should be run again from the beginning; this power rests with the body that called the referendum, which will need to initiate proceedings for another referendum.

Stage Two

Any decisions made by the Deputy Returning Officer can be appealed via a written statement to the Returning Officer (but must include factual information as to why the original decision is considered un-just).

After the appeal process has concluded, there is no further opportunity to contest a decision of the Returning Officer. The main Statutory Complaints Procedure (Byelaw K) will only be appropriate if there is probable cause to investigate a complaint that no confidence can be placed in the entire elections process.

