LBSU

Referendum on NUS UK Affiliation – Regulations

These regulations aim to ensure that the referendum is conducted in a free and fair manner, with an intention to create a level playing field in terms of resources and opportunities available to both campaigns. The Deputy Returning Officer and Returning Officer will use these regulations, alongside Byelaw 5 of the Union's Byelaws, to make any necessary judgement on campaign team conduct during the referendum process.

If in doubt, we advise you to run your campaign ideas (in complete confidence) past the Deputy Returning Officer before you put them into action.

A. Registration of Campaigns

1. Any student member may register to join the official 'Yes' or 'No' campaign.

2. The Deputy Returning Officer will set a deadline for the registration of campaigners, which will be clearly published and communicated.

3. Only registered campaigners may access SU resources, and receive an allocation of a campaign budget.

4. Each campaign must nominate a Campaign Lead, who will be accountable for the actions of the campaign team.

5. External individuals or organisations may only participate by registering as part of an official campaign and will be subject to the same rules, spending limits and accountability arrangements as student campaigners.

B. Campaigning activity

1. All Campaign Leads must attend a briefing provided by the Students' Union, and confirm their understanding of the referendum regulations. Failure to do so will result in the campaigner's withdrawal from the process.

2. Elected LBSU Officers and Student Trustees may campaign only in a personal capacity. Officers who choose to campaign will be required to:

    - take formal leave for the duration of campaigning activity
    - not use LBSU branding, platforms, resources or equipment
    - make clear that views expressed are personal and not on behalf of LBSU

2. Campaigning activity is defined as any planned actions, activities or events aimed at securing votes for a particular campaign. This could include face-to-face conversations, use of social media, or the distribution of physical resources.

3. Campaigners may begin campaigning at any point from when they have been confirmed as registered, however printed publicity such as posters, flyers, banners etc may not be

distributed on campus until after Campaign Leads have been formally announced. It is expected that this will be no later than Monday 16 March.

4. The Students' Union will agree with the University which locations on campus campaign printed publicity can be placed and distributed, and will inform campaigners of this at the briefings. Campaigners must ensure that all publicity is removed within an hour of the close of voting.
5. Campaigning is strictly forbidden in the library areas at both City and Headingley campus, as well as all faith spaces across both campuses.
6. The Students' Union reserves the right to restrict the number of campaigners in any one location, in order to maintain a welcoming campus environment.

C. Campaign materials and finances

1. To ensure a level playing field in terms of available resource, the Students' Union may specify the following for each campaign:
   a. An allowance for printed publicity (posters and flyers)
   b. A maximum budget that can be spent by each campaign on extra resources, which is reimbursed by the Students' Union.
2. The maximum budget that may be spent by either campaign is £100.
3. Campaigns may not exceed this maximum budget, either through use of their own funds or through financial and/or material donations. Material donations are defined as free or discounted resources provided to a campaign by a person, company, or organisation.
4. The Students' Union may assign a nominal value to commonly used campaigning items, such as T-shirts, regardless of the actual cost to the campaign, to ensure fairness.
5. Further to the above, campaigners may use any materials that they already own to create campaign resources, provided these are materials where it could reasonably be expected that all campaigners would have access to, such as old bedsheets, pens etc.
6. Campaigns must declare, and provide receipts for, any expenditure incurred within the maximum budget allowance set by the Students' Union, by 12 noon on the day after voting closes.
7. The Students' Union will assume that any campaign that does not submit a declaration is declaring a 'nil return' (that they haven't spent any money).
8. The Students' Union may proactively audit any campaign's expenses at their discretion. Any discrepancies between expenditure declarations and campaigning activity will be investigated as required.

D. Expected behaviours

1. All campaigners are expected to behave in a way that demonstrates respect for other campaigners and students, as well as University and Students' Union staff members.

2. All campaigners must respect the rights of students to cast their vote in private, or to not cast a vote at all. Students must not be harassed or unduly pressured to vote.

3. Campaigners must not handle the mobile device of any voter when they are casting their vote.

4. Campaigners are not permitted to use resources, information or data that are not publicly available. These are known as privileged resources, examples of which might include databases, mailing lists, or equipment that is only accessible to a campaigner due to a position they hold.

E. Voting

1. The Deputy Returning Officer will determine a timeframe for the opening and closing of the voting period, which will be clearly published and communicated.
2. Votes will be cast using the Students' Union's online voting system.
3. A simple binary vote method will be used, with the option to vote 'Yes' or 'No'.
4. For the Referendum to be valid, a voter turnout of at least 4% of the total number of student members must be reached. Should this threshold not be reached, the Referendum will be invalid and the status quo shall remain.
5. A simple majority of over 50% of the vote is required to win.

F. Complaints and sanctions

1. In the event of a serious breach of these Regulations during a referendum, the Returning Officer may impose proportionate sanctions on campaigners or campaigns. Where a breach is deemed to have materially compromised the fairness or integrity of the referendum, and cannot be remedied through the lesser sanctions outlined below, the Returning Officer may declare the referendum invalid.
2. All complaints regarding campaign conduct must be submitted via the official online complaints form, no later than **one hour after the close of voting**, and will include the following information:
   - Name and contact details of person making complaint (anonymous complaints will not be considered).
   - Name of person or campaign being complained about.
   - Details of incident (including time and date).
   - Details of any witnesses.

- Details of which rules have been broken.
- Details of the action requested.

2. The Deputy Returning Officer is empowered to investigate complaints, or to appoint any members of the Students' Union permanent staff team to support investigations.
3. The Students' Union is committed to investigating complaints to the best of our ability, however, our investigations are contingent upon the availability of clear evidence. Complaints that are based on hearsay will not be formally investigated.
4. The Deputy Returning Officer will consider the facts from any investigation and make an appropriate ruling. This ruling will be communicated to all parties involved and included in the annual Returning Officer's Elections Report.
5. The Deputy Returning Officer may apply any sanction appropriate to the breach of regulations, which will usually be limited to:
    a. Issuing of a formal warning
    b. Disqualifying a campaigner from further activity
    c. Suspending or terminating further activity of a campaign team
6. Any decisions made by the Deputy Returning Officer can be appealed via a written statement to the Returning Officer (and must include factual information as to why the original decision is considered unjust).
7. Any decisions made by the Returning Officer are final.
8. Any complaints received after the deadline of one hour after voting closes will not be investigated as part of the referendum process but may be considered under any of the Students' Union's or University's complaints procedures if appropriate.

F. Count and results

1. The vote count will take place no earlier than 24 hours after the close of voting, and only after the conclusion of any outstanding complaint investigations or conduct issues.
2. The vote count will be verified by the Returning Officer before the announcement and publication of results.
3. Results of the referendum will be announced no earlier than 48 hours after the close of voting, at a time and place to be announced by LBSU, and will be final.
4. Results will also be published on the LBSU website after being announced.

G. Contingency

In the event of an IT or other technological issue that impacts on students' ability to access the online voting system, every effort will be made to provide an alternative. Where this is not possible, the Returning Officer may make a decision to either conclude or extend the voting period depending

on the circumstances. The Returning Officer will consider the following points in any decisions related to this:

a. No campaign should be unfairly disadvantaged by the course of action taken.
a. Every effort should be made to maximise the opportunity for students to vote.
b. Any course of action needs to consider the practicalities of delivery.

Definitions

Campaigner – any person who is carrying out planned campaigning activity for each campaign.
Campaigning activity – any planned actions, activities or events aimed at securing votes for a particular campaign. This could include face-to-face conversations, use of social media, or the distribution of physical resources.
Casting their ballot – any time when a voter has successfully accessed the voting page and is selecting how they vote. Voters should be given full privacy from this point until they have finished casting their ballot.
Material donations – free or discounted resources provided to a campaign by a person, company, or organisation.
Campaign expenses – any costs incurred that are associated with campaigning activity. Typically, these include (but are not limited to) costs of printed publicity, other visual material, social media adverts, and freebies.
Returning Officer - an independent individual appointed to oversee the conduct of the referendum, with final authority over the interpretation of these Regulations, the handling of complaints, the enforcement of sanctions, and the validation and declaration of results.
Deputy Returning Officer – an individual appointed to support the Returning Officer by administering the referendum, investigating complaints, and issuing initial or minor rulings, with all decisions subject to escalation to the Returning Officer where appropriate.