

## 5. REFERENDA BYELAW

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*This Byelaw describes the process and procedures for Union Referenda and Preferenda.*

### GENERAL

1. Referendums are defined in the Constitution (17).
2. Referenda voting shall take the form of a cross-campus secret ballot in which all Student Members are asked to vote either Yes, No, or Abstain on an issue.
3. Unless stated otherwise in the Constitution and the Byelaws, the procedure for Referenda shall as far as possible follow the same procedural rules as for Union elections.
4. The process for Referenda shall be overseen by the Returning Officer and Deputy Returning Officer of the Union.
5. Referenda can be called by the Trustee Board or the Student Forum.

### PREFERENDA – GENERAL

6. Preferenda voting shall take the form of a cross-campus secret ballot in which Student Members are asked to vote for options in order of preference, which shall be run in accordance with procedures for a Single Transferable Vote.
7. For the avoidance of doubt, a Preferenda cannot approve Union policy but can be called to provide a non-binding indicative vote on an issue.
8. A Preferenda vote can be called by the Board of Trustees or the Student Forum.
9. Unless stated otherwise in this Byelaw, the procedure for Preferenda shall as far as possible follow the same procedural rules as for Union elections.
10. The process for Preferenda shall be overseen by the Deputy Returning Officer of the Union.

## **NOTICE & TIMING**

11. Referenda may only be called in term time and in accordance with the procedures as set out in clauses 17 (Referenda) and 49 (Student Forum) of the Constitution.
12. Unless in exceptional circumstances, the Referendum and/or Preferendum will be held in the eighth week of the term in which the issue arises or the following term (if the issue arises at any time after the fourth week of the term).
  - 12.1. Exceptional circumstances are those in which it is considered essential by the Trustee Board to hold the vote without delay.
13. Notice of Referenda and/or Preferenda will be given a minimum of ten (10) clear working days in advance of the day of polling.
14. There must be a minimum of five working days for publicity of the proposed referendum and/or preferendum (including via student media if possible) to give members the opportunity to take part in campaigns and to vote.

## **PROPOSALS AND COMPOSITING**

15. All proposals must include:
  - 15.1. the text of the proposal;
  - 15.2. details of the proposer(s);
  - 15.3. a statement detailing by which method it was supported to be put to Referenda/Preferenda (as applicable, by a resolution by the Board of Trustees, a vote of the Student Forum, or by a Secure Petition of Student Members);
  - 15.4. a date, or dates, upon which clauses would be implemented; and
  - 15.5. if supported by a secure petition, this must also be submitted.
16. The Governance and Policy Committee, in conjunction with the Returning Officer (or their appointed nominee), shall have the permanent delegated power from the Board of Trustees to:
  - 16.1. consider proposals submitted for referenda/preferenda to ensure they meet the eligibility requirements in this Byelaw.
  - 16.2. decide on the background information which should be provided to voters; and

- 16.3. decide upon a final wording for the proposals to be put to the Referenda/Preferenda to ensure that no question is likely to be misunderstood by voters or open to more than one interpretation.
17. Once submitted to Referenda/Preferenda proposals cannot be changed and can only be withdrawn by the proposer.
  - 17.1. Governance and Policy Committee will ensure that a Referenda/Preferenda Campaign manifesto booklet and distribute copies widely as soon as is practicable.
  - 17.2. The timeline for Referenda and Preferenda shall be:
    - 17.2.1. proposal submitted to the Governance and Policy Committee;
    - 17.2.2. Governance and Policy Committee meets to consider the proposals, including meeting with the Returning Officer, assessing risk, and working with the proposers to clarify what will be proposed to the membership;
    - 17.2.3. consider whether a period of amendments from the membership should be set aside;
    - 17.2.4. finalise the proposals with the proposer;
    - 17.2.5. set the Referenda/Preferenda question; and
    - 17.2.6. formally give notice of the Referenda/Preferenda with the question and any background information.

## **CAMPAIGNING**

18. Campaigning for or against individual ideas must be conducted in accordance with the campaign rules as outlined by the Governance and Policy Committee.
19. Anyone who campaigns for or against an option in a question shall be deemed to be part of that Campaign Group and shall be bound by the Constitution, Byelaws, and procedures.
20. Each Campaign Group shall submit a manifesto in the form requested by the Governance and Policy Committee.
21. Student Media Groups shall ensure that they give impartial coverage of a Referenda and a Preferenda.

## DEBATE

22. Provisions must be made for members to debate a Referenda. This may take the form of a physical meeting or be hosted online and will be conducted in accordance with procedures set out by the Governance and Policy Committee.
23. A chair for debates shall be appointed from within the Governance and Policy Committee.

## VOTING

24. For referenda, the ballot shall contain the question as specified and the facility for members to vote for, against, or abstention.
25. A resolution may only be passed by Referendum if:
- 25.1. For all motions, provided that a minimum of 4% of the total membership of the Students' Union have cast a vote either for, against, or in abstention.
  - 25.2.1 For policy motions, a simple majority of the votes cast are in favour of the resolution.
  - 25.2.2 For constitutional amendments or votes of no confidence in a Full-Time Officer, a two-thirds majority of the votes cast in favour of no confidence in the Full Time Officer.

## COMPLAINTS

26. Any complaints concerning the conduct of a referendum must be submitted in writing to the Deputy Returning officer, within 3 days of the posting of the result and will be dealt with in accordance with the procedure for election complaints and appeals as laid out in the Governance and Policy Byelaw.
27. The Referenda/Preferenda outcomes will be referred to the Trustee Board, who will be responsible for co-ordinating the process for the implementation of approved ideas.

APPROVED BY TRUSTEE BOARD:	30/01/2024
DATE OF NEXT REVIEW:	30/01/2025