

YUSU OFFICER BY-ELECTION RULES

- Spring Term 2018 -

MESSAGE FROM THE DEPUTY RETURNING OFFICER (DRO)

Hello! My name is Nick Glover (Student Voice and Insight Manager at YUSU) and I will be the DRO for the 2018 elections. Whilst a member of NUS staff (Peter Robinson, Deputy Chief Executive) will act as the independent external Returning Officer (RO) during the elections and will have ultimate responsibility on matters of procedure and discipline, I will be the person tasked with ensuring that the elections are fair and democratic and making decisions on rule infringements and complaints. These Election Rules are not overly prescriptive or punitive; they are a set of shared principles designed to promote respect, participation and trust.

Trust in these Election Rules and the DRO is fundamental to a positive election and I will be as available as I can be to answer any questions or discuss anything you're concerned about. We expect all candidates to treat each other with respect and adhere to the spirit and specifics of these rules. Nevertheless, election campaigns can be challenging and complaints and alleged rules infringements may arise. In dealing with these issues my priority will be to promote democratic behaviour above all else, therefore I will do all I can to reach resolutions through mediation. However, there may be instances where sanctions are necessary, in which case I will decide what proportional action to take based on available evidence and the desired outcome of the complainant. The rules are not intended to deflect from candidates' own responsibilities in ensuring a fair and positive election; we all have a role to play in making the election the best it can be.

I wish you the best of luck!

Nick Glover

THE PRINCIPLES

There is a maximum budget of £40 (of which £20 is reimbursable) for Full-Time Officer Candidates and £30 (of which £15 is reimbursable) for Part-Time Officer candidates and candidates for all other positions. The total worth of your campaign must not exceed this value. Do not use resources of a total value higher than this, regardless of their cost to you. Check with returningofficer@yusu.org when in doubt.

1. Methods for disseminating ideas and publicity should be open to all candidates.
2. Any individual student can endorse candidates; but not societies, sports clubs, networks or volunteering groups. Elected members of YUSU, JCRCs (along with Union and University student staff members) may only endorse candidates as individuals, not in their capacity as elected individuals or as members of staff.
3. Candidates are expected to treat each other (and staff members) with respect and must not campaign negatively against other candidates. This includes but is not limited to, making false accusations about other candidates, impersonating other candidates/campaigners and campaigning against a candidate's character, rather than addressing their manifesto points or arguments.
4. Candidates are responsible for the actions of others on their behalf (including, but not limited to, their campaign teams. See Section C).

A NOMINATIONS

1. Only full members of the Union are eligible to stand in YUSU elections; this includes any student enrolled at the University of York who has not opted-out of membership.
2. Students must only nominate themselves for one Union Officer position as they will not be able to stand in multiple elections. The only exception to this is that students can run for one Officer position and NUS Delegate simultaneously.
3. Anyone standing for election should fulfil any additional eligibility criteria, including but not limited to;
 - a. Self-definition and other eligibility requirements for some Part-Time Officer positions;
 - b. Trustee eligibility requirements for Full-Time Officer and Student Trustee positions;
 - c. Continuity of study requirements.

B CANDIDATE WORKSHOP & BRIEFING

4. All candidates must attend the Candidate Workshop & Briefing to ensure that they have received a rules briefing, have the information required to stand in the election and have had their official candidate photo taken (this will be used when publicising the candidate, including on the YUSU website and as part of the voting system).
5. **Candidates will not be allowed to run if they do not attend this session.**
6. The Candidate Workshop & Briefing will take place on Thursday 8th March, 5pm, YourSpace.

7. If a candidate is unable to attend the Candidate Workshop & Briefing, they must inform the Returning Officer in advance (and as soon as possible) so that an alternative time can be arranged – their nomination will not be approved until they have received a rules briefing and had their photograph taken.

C GENERAL CAMPAIGNING

8. Candidates must not campaign until the official opening of campaigning.

9. Physical campaigning, and voting, will be open at 9am Monday Week 10 12th March 2018.

10. Any candidate who begins campaigning physically (for example, putting up posters and other materials around campus for example) before this time will be subject to sanctions at the discretion of the Returning Officer, up to and including withdrawal from the election.

11. Before the start of any campaigning, candidates may organise their campaign team and any campaign materials but must not canvass for support.

12. All campaign teams must submit a campaign registration form before Friday Week 9 (March 9th, 5pm). Teams will be asked to submit the names, email addresses and phone numbers of all their campaigners.

PHYSICAL CAMPAIGNING ACTIVITIES

13. Physical campaigning will be defined as any attempt to promote the name of a candidate or the benefits and policies of a candidate's candidature including, but not limited to: approaching and talking to students in person about candidature; using physical promotional materials such as posters and flyers; having statements published in campus and other media as a candidate; and getting supporters to do any of the above.

14. It is not permitted to make reference to individual members of YUSU staff when campaigning in the elections.

15. Candidates are responsible for the actions of their campaign teams and anyone who acts on their behalf and must ensure that all members of their campaign teams are aware of these Rules and any other regulations that apply.

16. Candidates must ensure that any method or opportunity used to create or disseminate campaign information is open and accessible to all candidates.
17. Candidates must wear Campaigner Identification Badges/Lanyards (supplied by YUSU) at all times when campaigning.
18. Candidates may collect their Campaigner Identification Badges from the Student Centre from Monday Week 10, 9am, 12th March. These are to be returned to the Student Centre within 2 hours of the close of polling.
19. Candidates will be able to place physical materials - e.g. posters - around campus, with the exception of glass surfaces or surfaces containing visibility strips. Candidates will also be able to place their main campaign team materials - e.g. their cardboard banners - in designated locations around campus. More information will be provided at the Rules Briefing.
20. All candidates will be asked if they wish to 'opt out' of club night campaigning in full or specific club nights, namely, those that do not have wheelchair access. Candidates will be given the opportunity to 'opt out' when they complete personalised sign in sheets for training. Should any candidate in any election opt out of club campaigning, candidates running for the same position shall not be permitted to campaign in clubs (or at specific club nights depending on the preference of the candidate opting out). Candidates will be notified by YUSU.

CAMPUS MEDIA

21. Candidates must not give any interviews or statements regarding their candidature or policies to any campus media outlet if the article or broadcast is to appear before Monday 12th March (Week 10, 9am)
22. Candidates who are also involved in the writing or production of campus media must not make reference to their candidature in any article, show, or production in which they are involved. They may, however, give interviews and statements to campus media, provided they comply with the Election Rules (see 22).
23. Members of the campus media will be invited to the Hustings, Results Night and relevant debate events.

D PUBLICITY MATERIALS

24. Candidates must ensure that any materials used for the purposes of campaigning comply with all Election Rules and are removed by 12pm on Monday 19th March. Failure to remove campaign materials may result in a candidate not receiving their reimbursement. The Returning Officer, or their Deputy, may remove campaign materials which contravene any rule at their own discretion. In this case, no allowance will be made to increase their campaign budget for replacing such materials.
25. Candidates must not obscure, tamper with or remove the publicity of any other candidate.
26. College Campaigning Rules must be adhered to when campaigning and poster in college spaces – these will be made available to candidates during the Briefing.
27. Posters placed elsewhere on University property are placed at the risk of the candidate concerned. This concerns both University staff choosing to remove them and the candidate concerned bearing responsibility for any consequences of their placement – such as their removal by a porter.
28. Requests to move or remove publicity materials must be complied with promptly
29. Use of sellotape to affix posters or similar materials is not permitted.
30. Use of chalk (and paint) to write on university property is not permitted.
31. Use of copyrighted material in campaigning is strongly discouraged. Candidates are, however, free to use whatever artistic license they choose and must bear in mind that they alone will bear responsibility for dealing with any consequences following the use of copyrighted material.
32. Candidates must bear in mind the child-friendly nature of the University of York's campus, and be aware that all materials related to the election and signage deemed to be offensive can be taken down and possible sanctions enacted.

E ELECTRONIC & ONLINE CAMPAIGNING

33. The use of social networking sites and websites for campaigning is permitted, providing all other Election Rules are adhered to.
34. The official hashtag is #YUSUELECTIONS – try to use this whenever possible

35. Any social networking groups, campaign pages and the like that candidates create must include the following disclaimer within the description: “If you have any concerns about the contents of this page, please contact the Returning Officer on

returningofficer@yusu.org.”

36. Candidates may post campaign promotion to third party social network groups. However, candidates must not do anything that could be considered as spamming or abusing any single third party social media group.

37. Candidates cannot use any mailing lists that they may have access to as an officer, chair, president or other elected role to promote their campaign.

38. Candidates may collect and create their own mailing/contact list for the purposes of campaigning. Such lists must be opt-in and must not contain data gained from any third party source. Those signed up to the list must be aware of what their data will be used for. This applies both to email and to social media.

39. Candidates may only post in groups on social media which are public.

F ENDORSEMENTS

40. Candidates may not be publicly endorsed by any third party groups or organisations (including but not limited to political parties, Union committees and networks, societies, sports clubs, etc.). Affiliation to any third party group can, however, be expressed by the candidate.

41. Candidates may not be publicly endorsed by YUSU Officers, members of JCRCs, or individuals holding positions within societies, clubs, committees or networks whilst in their capacity as a position-holder. However, YUSU Officers, members of JCRCs, or individuals holding positions within societies, clubs, committees or networks may publicly endorse candidates as individual members of YUSU i.e. in a personal capacity.

42. Candidates must not use Union resources, including official YUSU accounts, staff or Officer time and buildings, aside from the staff time and resources dedicated to all candidates as part of the elections support programme.

43. Candidates may not be publicly endorsed by any individual external to the University of York Students’ Union (including but not limited to staff members of the University of York, representatives of commercial organisations, etc.).

44. YUSU societies, sports clubs, committees and Networks may distribute messages encouraging their members to take part in the elections, but such messages must not show any bias towards particular candidates but rather promote the elections as a whole.

G ELECTION BUDGETS

45. Candidates must keep a record of all materials used for the purposes of campaigning, including receipts for any items purchased. Candidates will be expected to produce receipts and reimbursement may be withheld if they are unable to provide them. Receipts must be provided to the Returning Officer using the official Candidate Expenses Form within two hours of close of polling. Failure to do so may result in a candidate being withdrawn.

46. Candidates for Full-Time Officer positions have a budget of up to £40, of which up to £20 may be reimbursed to the candidate following the election.

47. Candidates for Part-Time Officer, Policy Coordinator, and Faculty Rep positions have a budget of up to £30, of which up to £15 may be reimbursed to the candidate following the election.

48. The Returning Officer reserves the right to withhold reimbursement of all or part of a candidate's expenditure in the event of Election Rules being broken or processes not being adhered.

49. The Returning Officer reserves the right to apply an approximate price to items used for campaigning but not purchased by the candidate (e.g. old clothing may be given a 'charity shop' value) for the purpose of calculating their expenditure. This will not be reimbursed.

50. Items freely available to any and all candidates at no cost do not need to be accounted for. This shall include but not be limited to paper and cardboard, and other items subject to the ruling of the Returning Officer.

51. Reimbursement of expenditure will be withheld from individual candidates until they provide evidence that they have made serious efforts to remove their posters from across campus, such as piles of posters taken down.

H. PENALTIES FOR RULE BREAKING

55. Investigation of rule breaking and the application of sanctions is at the discretion of the Deputy Returning Officer (DRO). It is for the DRO to decide, in discussion with the Returning Officer as appropriate, what is reasonable and proportional based on the evidence provided and consideration of the complainant's desired outcome.

56. Decisions regarding sanctions will take the following into account:

- Impact on the integrity of the election
- Impact on votes
- Severity and frequency of the breach
- If a breach of the rules or misconduct by an individual should be attributed to the campaign team (and therefore dealt with through these Election Rules) or rather considered on an individual basis (outside of the Election Rules) in line with YUSU's Code of Conduct.

57. Sanctions available to the DRO include, but are not limited to:

- Requiring a candidate to apologise for an action
- Suspension of campaigning for a designated period of time
- Refusal of reimbursement of campaign funds
- Disqualification from the election

58. Any conduct which violates the terms of Regulation 7 of the University's Student Discipline policy will be referred to the University.

59. Disqualification can only be used in the following instances:

- Electoral fraud
- Breaches of Regulation 7
- Breaches of YUSU's Code of Conduct

I. VOTING

60. Voting will take place online via the YUSU website at www.yusu.org/vote.

61. Candidates must not interfere in any way with a voter at the point of voting, or place pressure on them to vote a certain way.

62. Candidates must not provide voters with a voting platform (e.g. laptop, smartphone, tablet computer).

J.THE COUNT & RESULTS

63. The count shall be conducted electronically and the Returning Officer (or their nominee) shall be present to oversee it.

64. The announcement of results shall take place at the official Results Party after the close of voting. Results will be updated on the YUSU website and social media channels as soon as possible.

THE RETURNING OFFICER

65. The Returning Officer for all YUSU elections shall be provided by the National Union of Students. In this instance the Returning Officer is Peter Robertson, Deputy Chief Executive.

66. The Deputy Returning Officer role shall be held by a member of the Student Voice team.

67. Any complaints or queries should be addressed to returningofficer@yusu.org, and shall be addressed in a timely manner.

68. Formal Complaints must be submitted using the official complaints form.

This document can be made available in large print upon request. If you require an alternative format

then please contact us to discuss your requirements.

Email returningofficer@yusu.org