

# YUSU OFFICER ELECTION RULES

## *- Spring Term 2021*

### **Message from the Deputy Returning Officer (DRO)**

I'm Nick Glover (Student Voice & Insight Manager at YUSU) and I will be the Deputy Returning Officer (DRO) for the 2021 YUSU elections. My role is to ensure the elections are fair and to make decisions on any rule infringements and complaints. The Rules laid out below are not overly prescriptive or punitive; they are a set of guidelines designed to ensure the elections are as fair and engaging as they can be in the current environment.

Trust in these Election Rules, me as your DRO, and in each other as a community of candidates, is fundamental to a positive election. I recognise that delivering a positive and engaging election will be particularly challenging in the context of Covid-19. It is important that we all approach these elections with respect for one another, patience and a sense of community. Running an election campaign exclusively online will inevitably limit certain possibilities for you as candidates, but it's imperative that you stay within the national Covid restrictions in terms of leaving the house and seeing other people.

We expect all candidates to 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 the 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

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## **Summary**

- Campaigning activities must be conducted exclusively on digital platforms.
- All campaign activities must adhere to the latest Covid regulations.
- Individual students may publicly endorse candidates
- Candidates can be endorsed by YUSU Student leaders.
- Candidates can be endorsed collectively by student groups, College and Network committees.
- Candidates are expected to treat each other with respect and must not campaign in a way that causes harm or damage to other members of the University of York community.
- Candidates are responsible for the actions of others campaigning on their behalf.

- There is a maximum budget of £20 (of which £20 is reimbursable) for Full-time Officer candidates and £10 (of which £10 is reimbursable) for Part-time Officers, Faculty Reps, Student Trustees and Accountability and Scrutiny Chair candidates. The total worth of your campaign must not exceed this value.

## Eligibility

### Candidate Eligibility

- 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. Candidates must have 'current student' status within the University. Candidacy must not compromise any agreements with the University, for example the terms of individual leave of absence agreements.
- Students must only nominate themselves for one position in this election period as they will not be able to stand in multiple elections.
- Anyone standing for election should fulfil any additional eligibility criteria, including but not limited to:
  - Self-definition requirements for Liberation Part-Time Officer positions;
  - Trustee eligibility requirements for Full-Time Officers and Student Trustees - candidates must not have a not have a criminal record
  - Eligibility requirement for Faculty Reps - i.e. you have to study in a Science Department if you want to be Science Faculty Rep.
  - Continuity of study requirements - Part time officer and non-officer candidates must not be in their final year of study or be about to take a 'break in study' e.g. moving onto a masters course.
  - Accountability and Scrutiny Chair Candidates must:
    - Not hold elected Union Office during their term of office or at the point of election (e.g. a role requiring a cross campus ballot).
    - Not be eligible to be a member of the Union's Ideas Forum (see the Developing Policy by-law). I.e. Hold the position of Sabbatical Officer, Part-time Officer, Department Rep, Faculty

Rep, College Chair/President, GSA President or sit on York Sport Union Committee, Societies Committee or Media Committee.

- Candidates should not seek election to the Chair role simultaneously with another Union Office requiring cross-campus election.

## Briefing

All candidates must watch the Candidate Briefing to ensure they understand the Rules and have the information required to stand in the election.

- **Candidates are expected to confirm they have watched and understood the Briefing by 5pm on Monday 22nd February. Candidates will not be allowed to run if they don't confirm this.**
- There will be a live Q&A with the DRO and YUSU staff at 5pm on Monday 22nd February.

## Campaigning

Key principles

- As part of a community of respect at the University of York, candidates are expected to uphold the values of respect, fairness and compassion during this election. Political debate, disagreements and the challenging of ideas are all acceptable forms of campaigning in this election. However, **we will not tolerate actions that cause, or may cause, harm, or damage to people.**
- Candidates must not campaign until the official opening of campaigning, which is midday on Tuesday 2nd March.

- Any candidate who begins campaigning before this time will be subject to sanctions at the discretion of the Deputy Returning Officer, up to and including withdrawal from the election.
- Before the start of any campaigning, candidates may organise their campaign team and any campaign materials but must not canvass for support.
- Candidates are responsible for the actions of their campaign teams and anyone who acts on their behalf. Candidates must ensure that all members of their campaign team are aware of these Rules and any other regulations that apply.
- It is not permitted to make reference to individual members of YUSU staff when campaigning in the elections.
- Candidates must ensure that any method or opportunity used to create or disseminate campaign information is open and accessible to all candidates

#### Digital campaigning

- Candidates may use physical resources to support their digital campaigning activities - e.g. recording devices or wearing a t-shirt.
- Candidates may not use physical campaign materials to promote their campaign - e.g. posters, leaflets, banners - even if that material directs students to an online location - e.g. a QR code.
- Candidates should not engage in face-to-face campaigning - e.g. promoting their campaigns to students on campus.
- There are clearly reasonable exceptions to the prohibition of face-to-face campaigning - i.e. activities permitted under the national Covid-19 guidelines:
  - Candidates will obviously engage with their housemates about their campaign on a face-to-face basis.
  - Candidates may speak to their exercise partner about the election.
  - Candidates may film a campaign video with other students in person. Such activity must only be undertaken with students from your household and must comply with Covid regulations - i.e. must take place in your home or garden.

## Social Media

- Any social media groups and pages 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 Deputy Returning Officer on [returningofficer@yusu.org](mailto:returningofficer@yusu.org).”
- Candidates personal social media accounts must adhere to these rules regardless of privacy settings.
- Candidates must not campaign in private group chats.
- Candidates should not campaign in private social media groups or pages. There are expectations to this if a YUSU Student Group does not have a public page or group that is accessible to all candidates (see the Student Group section of these rules).
- Candidates cannot use mailing lists they have access to as an Officer, Chair, President, Rep or any other committee or Union office role to promote their campaign. This equally applies to social media pages and groups, which they are admins of due to their position.
- Candidates may collect and create their own contact lists for the purposes of campaigning. Such lists must be opt-in and must be obtained directly from the contact. Candidates must use a GDPR statement when collecting contacts via email or in person: *‘By providing your email address / contact details you agree to receive updates in relation to my YUSU Officer election campaign, for the duration of the campaign only’*.
- The overall [YUSU GDPR statement](#) must be adhered to at all times.

## Endorsements

- Candidates may be publicly endorsed by groups affiliated to YUSU, including: societies, student media groups, sports clubs, volunteering projects and network committees.
- As network memberships are far reaching - e.g. in certain instances comprising all students that self identify in a certain way - endorsements can

only be expressed as being from the Network committee, as opposed to the entire Network.

- YUSU Sabbatical Officers are not able to endorse candidates and will be seen as staff members for the purposes of these rules. The exception to this is where a current Sabbatical Officer is rerunning for a Sabbatical position, in which case the current Officer may endorse other candidates via their campaign platforms (i.e. not platforms available to them as a serving Sabbatical Officer).
- Candidates may endorse each other.
- Candidates may be publicly endorsed by other YUSU Officers (PTOs, Faculty and Dept Reps) or individuals holding positions within societies, clubs, committees or networks.
- Candidates cannot be endorsed by Student Trustees or the Accountability and Scrutiny Chair.
- Candidates may be publicly endorsed by a College Chair or President.
- Candidates may also be endorsed by a College Committee, but endorsements must only be expressed as being from the College Committee as opposed to an entire College.
- Candidates must not promote their campaigns via the use of 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.
- Candidates may not be publicly endorsed by non-members of YUSU (including but not limited to staff members of the University of York, YUSU staff, representatives of commercial organisations, political parties etc) and external organisations.
- Candidates should not re-share endorsements made on platforms where it cannot be verified that the endorsement has been made by a student or affiliated student group.
- **Candidates are not permitted to self-proclaim endorsements without any evidence of the original endorsement.** For example, a candidate may reshare a social media post endorsing their campaign, but they cannot simply post themselves that they have been endorsed by X.

- Endorsements must be positive and affirm a specific candidate. Candidates should not re-share endorsements that could be reasonably construed as a personal 'anti-endorsement' of a fellow candidate (e.g. "I'm voting for X because Y is rubbish"). As with all campaigning, scrutiny of policy is permissible, but disrespectful personal attacks on others will not be tolerated.

### **Campus Media**

- Candidates must not give any interviews or statements about their campaign to any media outlet if the article or broadcast is to appear before candidates are announced and campaigning begins.
- Candidates who are also involved in the writing or production of campus media must not make reference to their campaign in any article, show, or production in which they are involved. They may give interviews and statements to campus media, provided they comply with the Election Rules.
- In line with the rules on endorsements, candidates may be endorsed publicly by individual members of media groups - e.g. in an opinion piece - and/or by media groups as a whole.
- Whilst media groups can publicly endorse and scrutinise candidates via their publications and social media output, they will be expected to adhere to the spirit of these rules and show respect and fairness to all candidates.
- Media groups will not be allowed to publish anything that would be deemed by a reasonable person to be unnecessarily harmful or offensive towards candidates.
- Media groups are expected to continue to adhere to the Media Charter during this period.

### **Student Groups**

- Onus is on candidates to engage with student groups and proactively create opportunities to mobilise student group members around their ideas - e.g. asking for invites to online events.
- Student groups aren't under obligation to invite every candidate to events. However, student groups should not refuse to invite candidates if they have shown initiative and want to promote their policies to members.



- Candidates may not post campaign messages or attempt to mobilise students in private group chats.
- Candidates cannot campaign in private social media groups or pages unless the student group does not have a public page or group which all candidates can access. In this case the student group may contact [elections@yusu.org](mailto:elections@yusu.org) for the private group or page to be advertised as open for all candidates to join for the purpose of campaigning. It is at the discretion of the Student Group to open their private group or page to candidates, however if it is opened it must be opened to all.

## **Election Budgets**

- 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.
- Any promotion or endorsement that incurs a cost, even if the cost is met by another student or student group - e.g. a Society or Club - must be accounted for in the candidate's election budget. This means that student groups can endorse candidates via methods that incur costs - e.g. a promoted social media post - but any costs incurred will count towards the overall budget (£20 for Full-time and £10 for Part-time officer positions).
- If candidates exceed their allocated budget they will face sanctions at the discretion of the Deputy Returning Officer.
- Candidates must account for materials or resources that may be free for them, but not for other candidates. An example of this would be candidates accessing £10 worth of Facebook posts (e.g. they get the first £10 free), free of charge. In this case, candidates should apply the 'true value' of this resource and account for £10 in their budget.
- The Deputy Returning Officer will 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.

- 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 open access resources online - e.g. canva - and other items subject to the ruling of the Deputy Returning Officer.

## **Voting**

- 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. This includes any interference or pressure that can be placed on voters via a digital platform - e.g. a Zoom call.
- Candidates must not provide voters with a voting platform (e.g. laptop, smartphone, tablet computer).
- Candidates or anyone on their behalf must not bribe students to vote in a particular way.

## **Rule Breaches**

The Returning Officer

The Returning Officer for this YUSU election shall be provided by the National Union of Students (NUS) who will act as the independent external Returning Officer (RO) during the elections and will have ultimate responsibility on matters of procedure and discipline. In this instance, the Returning Officer is Peter Robertson, Acting Chief Executive of NUS.

The Deputy Returning Officer role shall be held by a member of the Student Voice team, which in this case is Nick Glover.

Any complaints or queries should be addressed to [returningofficer@yusu.org](mailto:returningofficer@yusu.org), and shall be addressed in a timely manner. There shall be an informal stage where candidates will be encouraged to discuss their issues with the Deputy Returning Officer and where appropriate, fellow candidates, in order to reach a resolution at source.

If issues are not satisfactorily resolved at the informal stage, formal complaints must be submitted to the Deputy Returning Officer no later than the close of polling.

### Sanctions

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.

- We cannot sanction candidates for breaches of national Coronavirus regulations. However, we may refer any breaches we become aware of to the appropriate authorities.
- Decisions regarding sanctions will take the following into account:
  - Impact on the integrity of the election
  - Impact on vote
  - 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.
- Sanctions available to the DRO include, but are not limited to:
  - Requiring a candidate to apologise for an action.
  - Public retractions of comments that breach Election Rules.
  - Suspension of campaigning for a designated period of time.
  - Disqualification from the election.
- Any conduct which violates the terms of Regulation 7 of the University's Student Discipline policy will be referred to the University.

- Disqualification may be used by the DRO where serious breaches are identified. Examples include, but are not limited to:
  - Electoral fraud
  - Breaches of Regulation 7 of the University's Student Discipline policy
  - Breaches of YUSU's Code of Conduct