



# Referendum Rules

## General Rules

- GR01 The Referendum Rules shall be interpreted and enforced by the Students' Association's Referenda Returning Officer (RRO) and Deputy Referenda Returning Officers (DRROs).
- GR02 Any activity that is illegal or against the schedules and/or regulations of the University of Highlands & Islands (UHI) or Highlands and Islands Students' Association (HISA) is deemed to be in breach of the referendum rules. As such campaigners may be subject to action from the Referenda Returning Officer (RRO) and/ or the Deputy Referenda Returning Officers (DRROs) in addition to any disciplinary or legal action within and outside of HISA.
- Examples, which are by no means exclusive, include aggressive behaviour, damaging private property, and affixing materials to lamp posts, sign posts, and bus stops/ shelters.
- GR03 Any Student Member or Student Associate Member wishing to campaign 'FOR' a referendum motion or 'YES' to a referendum motion must register as a 'FOR'/'YES' Campaigner for that referendum motion with the Deputy Referenda Returning Officers (DRROs) by the date and time outlined in the relevant Referendum Campaigning Pack.
- GR04 Any Student Member or Student Associate Member wishing to campaign 'AGAINST' a referendum motion or 'NO' to a referendum motion must register as a 'AGAINST'/'NO' Campaigner for that referendum motion with the Deputy Referenda Returning Officers (DRROs) by the date and time outlined in the relevant Referendum Campaigning Pack.
- GR05 Any Campaigners who are found to be in breach of the Referendum Rules will;
- GR04.1 In the first instance, be issued with a written warning from the Deputy Referenda Returning Officers (DRROs).
- GR04.2 In the instances where a written warning has already been issued, be issued a final written warning from the Deputy Referenda Returning Officers (DRROs).
- GR04.3 In the instances where a final written warning has already been issued, be banned from any further campaigning in the referendum.
- GR06 The Deputy Referenda Returning Officers (DRROs) reserve the right to bypass the issuing of a written warning and/ or a final written warning in cases where the breach of the Referendum Rules has resulted in a significant unfair advantage taking place.
- GR07 The Deputy Referenda Returning Officers (DRROs) reserve the right to include within any written warnings one or more sanctions to mitigate any unfair advantage gained through a breach of the election rules. A sanction is an action a campaigner must either undertake or refrain from undertaking before the close of voting.
- GR08 Student Officers
- GR08.1 Unless recognised as a Lead Campaigner, Cross-Campus Officers and Local Officers will need to take annual leave during the physical campaigning and voting period of a referendum if they wish to campaign (they may still attend UHI and HISA meetings where necessary).
- GR08.2 Cross-Campus Officers and Local Officers cannot use HISA facilities or resources (i.e. computers, printers, offices, parking permits/ spaces etc...) whilst campaigning in referendums.
- GR08.3 Cross-Campus Officers and Local Officers continue to have the same voting rights as they would as a lay student.
- GR09 Student Trustees may engage and participate in any Students' Association referendum in their capacity as Student Members but cannot use any HISA facilities or resources available to them in their Trustee roles.
- GR10 HISA career staff members are not permitted to endorse or support either a particular campaigner(s) or stance(s) in Students' Association referendums and must remain neutral.
- GR11 HISA student staff members may engage and participate in any Students' Association referendum in their capacity as a Student Member but must not use any HISA facilities or resources available to them in their role whilst campaigning and must remain impartial whilst carrying out the duties for which they are employed.
- GR12 Except for Postgraduate Research (PGR)/ PhD Students, staff members within the UHI Partnership are not permitted to endorse or support either a particular campaigner(s) or stance(s) in Students' Association referendums and must remain neutral. Postgraduate Research (PGR)/ PhD Students may engage and participate in any Students' Association referendum in their capacity as a Student Members but must not use any facilities or resources available to them in their role as a Lecturer/ Seminar Leader/ Teacher whilst campaigning and must remain impartial whilst carrying out the duties for which they are employed.



- GR13 Campaigners must attend any compulsory events or meetings with the Referenda Returning Officer (RRO) and/ or Deputy Referenda Returning Officers (DRROs).
- GR14 If a campaigner is in any doubt as to any referendum rule(s), they are advised to contact the Deputy Referendum Returning Officers (DRROs) at the earliest possible opportunity in order to obtain a clarification, interpretation or ruling.
- GR15 Clarifications, interpretations, and rulings of the Deputy Referendum Returning Officers (DRROs) shall be communicated to all candidates.

## General Campaigning Rules

- GC01 If you are concerned that an aspect of your campaigning may breach the Referendum Rules or a referendum ruling you must contact the Deputy Referenda Returning Officers (DRROs) before you undertake the said aspect of your campaign. Failure to comply with this rule may result in you being banned from campaigning in the referendum.
- GC02 Under no circumstances can campaigners use HISA offices or facilities to advertise their campaign. This includes the storage of campaigner's personal belongings and campaign materials.
- GC04 Campaigners should not attempt to assist or help any student to vote. Any student requiring assistance or help to vote should be advised to contact either [elections.hisa@uhi.ac.uk](mailto:elections.hisa@uhi.ac.uk) or speak to a member of the Students' Association's Referendums Team.
- GC05 Corrupt practices within any HISA referendum will not be tolerated. Corrupt practices are defined as:
  - GC05.1 Giving money or making any gift to or for any voter in order to procure the vote of that voter.
  - GC05.2 Giving, providing or paying, wholly or in part, for any food, drink or entertainment for any voter in order to bribe the vote of that voter.
  - GC05.3 Making use of or threatening to make use of any force, violence, or restraint in order to induce or compel that person to vote or refrain from campaigning.
  - GC05.4 Falsification of any document or information that is a requirement of the referendum process.
  - GC05.5 Any other serious misconduct or behaviour that undermines the freeness and/ or fairness of the referendum as determined by the Referenda Returning Officer (RRO) and/ or Deputy Referenda Returning Officers (DRROs).
- GC06 Personal attacks on other campaigners are not permitted. Campaigners must ensure criticisms made of other campaigners must be related to their stance on the referendum motion, and not of their character, appearance or belief system. Campaigners must also adhere to UHI's Student Code of Conduct at all times.
- GC07 Except for National Union of Student (NUS) Officers, no external campaigners are permitted. External campaigners are defined as:
  - GC07.1 Any individual that is not a Student Member or Associate Member of the Students' Association.
  - GC07.2 Any group or organisation not belonging to the Students' Association.
- GC08 National Union of Students (NUS) Officers wishing to campaign in a Students' Association referendum must register as a Campaigner with the Deputy Referenda Returning Officers (DRROs) by the date and time outlined in the relevant Referendum Campaigning Pack.

## Online Campaigning Rules

- OC01 No online campaigning must take place before the date and time outlined in the relevant Referendum Campaigning Pack.
- OC02 Campaigners may use and/or create their own website and social networking page to promote their campaign. Any costs incurred for this must be included within their referendum expenses.
- OC03 Campaigners may not use Brightspace, the UHI's Virtual Learning Environment (VLE), to promote themselves or their campaign.
- OC04 Campaigners may not use any UHI or HISA contact or mailing lists to promote their stance on the referendum motion. Campaigners may create their own contact/ mailing list for the purposes of promoting their stance; however any such lists must not contain or use any information collected from any third party source (i.e. contact lists, email lists, social media groups, etc...) and must be General Data Protection Regulation (GDPR) compliant.



OC05 Campaigners may not use Bluetooth or Push Messaging to promote themselves or their campaign.

### Physical Campaigning Rules

- PC01 No physical campaigning must take place before the date and time outlined in the relevant Referendum Campaigning Pack.
- PC02 Physical campaigning is defined as (but limited to) the distributing of leaflets and posters, as well as the use of t-shirts and banners. Physical campaigning also includes in-person lobbying such as door knocking and lecture shoutouts.
- PC03 Campaigners must not disrupt timetabled learning and teaching on campus. Permission to conduct 'lecture shouts' at the beginning or the end of lectures should be sought in advance from the relevant lecturer/ teacher.
- PC04 Campaigners can assume that they have permission to campaign as well as to display and distribute campaigning material around UHI campuses and learning centres, however they must be prepared to cease any campaigning and/ or remove any campaigning materials from a particular area if asked to do so by either a HISA Elections Team member or UHI staff member.
- PC05 Campaigners may only alter, move or remove their own physical campaign materials.
- PC06 HISA and UHI staff members reserve the right to remove any campaign materials that are deemed to have been placed in an inappropriate location. You will not necessarily receive this material back and any costs for the printing or creation of these materials must still be included in your final budget.
- PC07 All stunts must be risk assessed, and permission sought from the Deputy Referenda Returning Officer (DRROs) before they occur. Stunts include flash mobs, performances etc. No food can be given out apart from individually wrapped sweets.
- PC08 Campaigners must not display or use the Students' Association's logo or any UHI logo on their physical or electronic campaign materials.
- PC09 Where the Students' Association organises a polling station, no campaigner may campaign within a five-metre radius of the polling station.
- PC10 Campaigners may not use laptops, tablets and smartphones to collect votes during the voting period.
- PC11 Campaigners must respect that every student has the right to cast their vote freely and confidentially. Once a student starts the process of voting on a device (i.e. logging on to the Students' Association website) campaigners should move at least two metres away to give them privacy and should make no further attempts to influence their vote in any way.

### Referendum Expenses Rules

- RE01 All campaign expenses incurred by campaigners must be recorded on a Referendum Expenses Form and must be submitted (along with copies of receipts) by the deadline outlined in the relevant Referendum Campaigning Pack. Campaigners must submit a Referendum Expenses Form regardless of whether they have spent anything on campaign materials.
- RE02 All items, materials and services used by a campaigner, except for those that are readily and freely available to all (i.e. cardboard boxes), must be included and recorded on a Referendum Expenses Form. Basic campaigning costs such as personal printing, colouring pens, and notice board pins will be allocated a fixed cost in HISA's Campaigns Catalogue. Campaigners must contact the Deputy Referenda Returning Officers (DRROs) to request a cost be assigned for items, materials and services not included in HISA's Campaign Catalogue and where a receipt or proof of purchase cannot be produced.
- RE03 All campaigners may spend up to £10 of their own money on campaigning (excluding inter-campus travel and/ or accommodation costs).
- RE04 Lead Campaigners can claim and spend up to £60 of funding from HISA on their campaign (excluding inter-campus travel and/ or accommodation costs).
- RE05 Lead Campaigners can claim and spend up to £75 of funding from HISA on pre-authorised inter-campus travel and/ or accommodation costs to campaign. Lead Campaigners may also spend up to £50 of their own money on pre-authorised inter-campus travel and/ or accommodation costs to campaign.
- RE06 Lead Campaigners will only be reimbursed for items, materials and services where a receipt or proof of purchase is provided.



- RE07 Campaigners may only take advantage of deals and promotions that are available to the general public and must not use or take advantage of any personal favours (mates' rates) when purchasing items, materials or services.

### Referendum Count Rules

- RC01 The count shall take place following a one (1) hour period for the scrutiny of Referendum Expenses Forms, after the close of voting, and only once any deliberations of the Referenda Returning Officer (RRO) and/ or Deputy Referenda Returning Officers (DRROs) are completed.
- RC02 Admission to, and participation in the count will be at the discretion of the Referendum Returning Officer (RRO) and/ or Deputy Referendum Returning Officers (DRROs).
- RC03 A full breakdown of the vote count shall be published on the Students' Association's website within five working days of the result announcement.

### Referendum Complaints Rules

- RC01 Only correctly completed Referendum Complaint Forms will be considered by the Deputy Referend Returning Officers (DRROs).
- RC02 Complaints must normally be received prior to the close of voting and should be submitted as soon as possible to enable the Deputy Referenda Returning Officer(s) to make appropriate rulings.
- RC03 Once the count has begun the only complaints that can normally be submitted are in relation to the conduct of the count.
- RC04 The Deputy Referenda Returning Officers (DRROs) shall make a ruling(s) on any properly submitted complaints within twenty-four (24) hours of receipt.
- RC05 The Referenda Returning Officer (RRO) and the Deputy Referenda Returning Officers (DRROs) reserve the right to act without the receipt of a complaint if they deem it necessary.

### Referendum Appeals Rules

- RA01 Candidates may appeal to the Referenda Returning Officer (RRO) any clarifications, interpretations, sanctions, rulings or written warnings issued by the Deputy Referenda Returning Officers (DRROs).
- RA02 Appeals to the Referenda Returning Officer (RRO) must be submitted to [elections.hisa@uhi.ac.uk](mailto:elections.hisa@uhi.ac.uk) within twelve (12) hours of the clarification/ interpretation/ sanction(s)/ ruling/ written warning being issued by the Deputy Referenda Returning Officers (DRROs), or one hour after the close of voting, whichever is sooner.
- RA03 Campaigners are required to observe the rulings of the Deputy Referenda Officers (DRROs) whilst any appeal is being reviewed by the Referendum Returning Officer (RRO).
- RA04 Decisions of the Referenda Returning Officer (RRO) are final and cannot be appealed.