

Liverpool Guild of Students

Guidance Document: Preferenda & Referenda

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Referenda

General Principles

1. A referendum is a general vote by the Full Members of the Guild on a single question that has been referred to them for a direct decision.
2. A decision made by referendum is binding on the Guild unless by the determination of the Board of Trustees:
 - 2.1. has or may have any adverse financial implications for the Guild;
 - 2.2. is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires).
 - 2.3. is not or may not be in the best interests of the Guild or all or any of its charitable objects.
 - 2.4. will or may otherwise affect the discharge of any or all of the responsibilities referred to in Article 43.2.
3. A resolution or question may not be put to a referendum if:
 - 3.1. it relates to a matter which is private, confidential or otherwise privileged;
 - 3.2. is inconsistent with the Articles of Association or Bye-laws; or
 - 3.3. is vexatious, frivolous or unlawful.

Calling a Referendum

4. A Referendum may be called on any issue by:
 - 4.1. a simple majority resolution of the Trustees;
 - 4.2. a simple majority resolution of the Members at a quorate Members' meeting; or
 - 4.3. a Secure Petition signed or agreed to by at least 3% of Full Members, in accordance with Byelaw 12.
5. A Referendum may not be called on the same issue more than once each academic year.

Quorum

6. Ballots from 3% of the Full Members must be returned in a referendum to make its decision valid except:
 - 6.1. In the case of a Referendum on a vote of no confidence 3% of Full Members must vote in favour of removal with a two-thirds majority in accordance with Article 15.2.2.
 - 6.2. In the case of a Referendum on Affiliations 5% of Full Members must vote in accordance with Article 15.2.5.

Petitions

7. Petitions must be submitted in accordance with Bye-law 12.

Campaign Teams

8. There shall be one Official Campaign Team for those opposing the resolution or question and one Official Campaign Team for those supporting the resolution or question.
9. The Official Campaign Teams shall be determined by the Deputy Returning Officer.



10. Each Official Campaign Team must have at least two students who shall be the principle contacts for the Guild. Any students who wish to campaign for either option shall be signposted to the relevant Official Campaign Team.
11. Each Official Campaign Team shall be responsible for the actions of its supporters.
12. Official Campaign Teams must register at least one week prior to the opening of voting.
13. The Guild must make balanced and unbiased provisions for Members to debate the question before the start of voting.

Support

14. The Guild may provide Official Campaign Teams with any materials and support it determines appropriate provided that both Official Campaign Teams receive equal support.
15. No external organisation may provide financial or in kind support to any Official Campaign Team.

Timing

16. Referenda should ordinarily be held on the scheduled Guild election dates. The Deputy Returning Officer shall determine whether a referendum should be held outside of these times.
17. A referendum may be held outside scheduled election days where:
 - 17.1. The issue being discussed is pressing or would otherwise have reduced effect if a decision is delayed.

Postponing Referenda

18. The Returning Officer or Deputy Returning Officer shall have the power to postpone a referendum under the following circumstances:
 - 18.1. If additional time is required to ensure that issues relating to and/ or impacting on the referendum can be resolved to ensure that the referendum takes place in a fair, balanced and democratic manner.
 - 18.2. If the referendum is taking place in a manner contrary to the Articles of Association or the Bye-laws.

Voting

19. Voting shall take place using the Guild's online voting platform.
20. Voting shall take place for at least three consecutive days; voting may close before the close of business on the final day to permit the count to take place.
21. Only Full Members of the Guild shall be entitled to vote.
22. Members shall be able to vote in favour, against or abstain.

Count

23. The count shall occur as soon as is practicable after the close of poll, unless the Returning Officer finds reason to delay the count.
24. The Returning Officer or Deputy Returning Officer shall preside over the count.
25. The Returning Officer at their discretion may initiate recounts.
26. The option which receives a simple majority of votes shall be the winner.



27. In the event of a tie the resolution or question will have deemed to have fallen.
28. The result of the poll shall be declared as soon as practicable after the Returning Officer is satisfied that a true and accurate result has been confirmed.

Amendments

29. Minor amendments for clarity may be made to the referendum question or answers by the Returning Officer or Deputy Returning Officer provided that any such amendments do not alter the meaning of those questions or answers.

Notification

30. Notice of a referendum must be given in accordance with Bye-law 11.
31. Notice may be given by placing on the Guild website, emailing members, on displays within the Guild building and/or University buildings and by any other method the Trustees deem suitable.
32. Notice shall be given to every Full Member and to the Trustees.
33. Any accidental failure to give notice to one or more persons shall be disregarded for the purpose of determining whether notice of the meeting or resolution (as the case may be) is duly given.

Complaints

34. Complaints shall be directed in accordance with the Bye-laws.
35. The result of a referendum may not be appealed.

Restrictions

36. A Referendum may overturn policy set by referendum but may not overturn policy set by Members at a quorate Members' meeting in accordance with Article 15.2.4.

Returning Officer & Deputy Returning Officer

37. The Returning Officer and Deputy Returning Officer shall be appointed as directed in the Bye-laws and act in accordance with the *Returning Officer & Deputy Returning Officer Role Descriptions Guidance Document*.

Supporting Documents

Articles of Association: s.15 - Referenda

s.39 - Removal of Trustees by the Members

s.41.2 - Removal of Elected Officers

s.43.3 – Trustees' general authority

Bye-laws: 1 – Membership

10 – Preferenda

12 - Petitions

Guidance: Returning Officer & Deputy Returning Officer Role Description



Preferenda

General Principles

1. A preferendum is a general vote by the Full Members of the Guild on a single question that has been referred to them for a direct decision whereby multiple options are ranked in preference order and counted using a Modified Borda Count.
2. A decision made by preferendum is binding on the Guild unless by the determination of the Board of Trustees it:
 - 2.1. has or may have any adverse financial implications for the Guild;
 - 2.2. is or may be in breach of, contrary to or otherwise inconsistent with charity or education law or any other legal requirements (including ultra vires).
 - 2.3. is not or may not be in the best interests of the Guild or all or any of its charitable objects.
 - 2.4. will or may otherwise affect the discharge of any or all of the responsibilities referred to in Article 43.2.
3. A resolution or question may not be put to a preferendum if:
 - 3.1. it relates to a matter which is private, confidential or otherwise privileged;
 - 3.2. is inconsistent with the Articles of Association or Bye-laws; or
 - 3.3. is vexatious, frivolous or unlawful.

Calling a Preferendum

4. A Preferendum may be called on any issue by:
 - 4.1. a simple majority resolution of the Trustees;
 - 4.2. a Secure Petition signed or agreed to by at least 1% of the Members in response to a decision passed at Guild Summit in accordance with Article 16.1.2 and Byelaw 12; or
 - 4.3. a decision by Guild Summit to refer a matter to a Preferendum.
5. A Preferendum shall be held on a motion following a failure of Guild Summit to reach a consensus on that motion in accordance with Article 16.2

Quorum

6. Ballots from 3% of the Full Members must be returned in a preferendum to make its decision valid, in accordance with Article 16.4.

Petitions

7. Petitions must be submitted in accordance with Bye-law 12.

Campaign Teams

8. There shall be one Official Campaign Team for each response option on the ballot.
9. The Official Campaign Teams shall be determined by the Deputy Returning Officer.
10. Each Official Campaign Team must have at least two students who shall be the principle contacts for the Guild. Any students who wish to campaign for either option shall be signposted to the relevant Official Campaign Team.
11. Each Official Campaign Team shall be responsible for the actions of its supporters.



12. Official Campaign Teams must register at least one week prior to the opening of voting.
13. The Guild must make balanced and unbiased provisions for Members to debate the question before the start of voting.

Support

14. The Guild may provide Official Campaign Teams with any materials and support it determines appropriate provided that both Official Campaign Teams receive equal support.
15. No external organisation or individual may provide financial or in kind support to any Official Campaign Team.

Timing

16. Preferenda should be held on the scheduled Guild election dates.
17. Any Preferendum called after the final election date of the academic year shall be deferred to the following academic year.

Postponing Preferenda

18. The Returning Officer or Deputy Returning Officer shall have the power to postpone a preferendum under the following circumstances:
 - 18.1. If additional time is required to ensure that issues relating to and/ or impacting on the referendum can be resolved to ensure that the referendum takes place in a fair, balanced and democratic manner.
 - 18.2. If the preferendum is taking place in a manner contrary to the Articles of Association or the Bye-laws.

Voting

19. Voting shall take place using the Guild's online voting platform.
20. Voting shall take place for at least three consecutive days; voting may close before the close of business on the final day to permit the count to take place.
21. Only Full Members of the Guild shall be entitled to vote.
22. Members shall rank the proposed options in order of preference with higher weighting given to those considering the full spectrum of options.

Count

23. The count shall occur as soon as is practicable after the close of poll, unless the Returning Officer finds reason to delay the count.
24. The Returning Officer or Deputy Returning Officer shall preside over the count.
25. The Returning Officer at their discretion may initiate recounts.
26. In the event of a tie for first place the remaining two options shall be put to a referendum.
27. The result of the poll shall be declared as soon as practicable after the Returning Officer is satisfied that a true and accurate result has been confirmed.



Amendments

28. Minor amendments for clarity may be made to the preferendum question or answers by the Returning Officer or Deputy Returning Officer provided that any such amendments do not alter the meaning of those questions or answers.

Notification

29. Notice of a preferendum must be given in accordance with Bye-law 10.
30. Notice may be given by placing on the Guild website, emailing members, on displays within the Guild building and/or University buildings and by any other method the Trustees deem suitable.
31. Notice shall be given to every Full Member and to the Trustees.
32. Any accidental failure to give notice to one or more persons shall be disregarded for the purpose of determining whether notice of the meeting or resolution (as the case may be) is duly given.

Complaints

33. Complaints shall be directed in accordance with the Bye-laws.
34. The result of a preferendum may not be appealed.

Returning Officer & Deputy Returning Officer

35. The Returning Officer and Deputy Returning Officer shall be appointed as directed in the Bye-laws and act in accordance with the *Returning Officer & Deputy Returning Officer Role Descriptions Guidance Document*.

Supporting Documents

Articles of Association:	s.16	Preferenda
	s.43.3	Trustees' general authority
Bye-laws:	1	Membership
	10	Preferenda
	12	Petitions
Guidance:	Returning Officer & Deputy Returning Officer Role Description	

