

Policy Proposal:

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Proposer/s:
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Current Policy/Situation

What happens at the moment?

Standing Order 6 currently covers Special Votes, including Votes of No Confidence against Executive Officers and Student Officers. It can be viewed on the Union website via this link -

<https://www.derbyunion.co.uk/pageassets/change/governance/Standing-Orders-February-2025-v2.pdf>

New Proposal

What is your new proposal? This must include the exact wording that you would like in the Standing Orders?

This proposal is to clarify and update the process of Special Votes, as Student Leaders will not be subject to Votes of No Confidence and will instead be held to account by their individual communities.

Section 6.2.4. has been removed as this is duplicated by section 6.2.9.

Section 6.5 is being removed as this was only needed when this Standing Order was first implemented.

All changes can be seen below, everything being removed is shown crossed through in blue, and everything being added is shown in red.

The Articles of Association will be updated to reflect these changes.

Any sections that have remained unchanged have not been included:

STANDING ORDER 6 – SPECIAL VOTES

6.2. Referendums

6.2.1. Referendums may be called in any of the following procedures:

6.2.1.1. A Referendum may be initiated by unanimous agreement of the Executive Officers.

6.2.1.2. A Referendum may be initiated by a vote at an All Student Meeting; or

~~6.2.1.3. A Referendum.~~

6.2.1.3. A Secure Petition signed by at least 200 members and submitted to the Deputy Returning Officer. The Union shall test the validity of signatures on the Petition on submission.

6.2.2. Referendums initiated under 6.2.1.1 must be agreed by all Executive Officers, regardless of illness or bereavement.

6.2.2.1. Referendums of this type may only be called where the Executive Officers believe that the subject in question would have a significant and major impact on student life or wellbeing and that other means of student voice is not sufficient in getting approval.

6.2.3. Referendums can be initiated under 6.2.1.2 by a single proposal submission to the Student Voice & Insight Manager or to the nominated supervisor of the All Student Meeting

6.2.3.1. Proposals for referendum must be approved by 66% of the members present at All Student Meeting (including votes by proxy).

~~6.2.4. Referendums must require a quorum of 1000 eligible votes and for 66% of the votes cast to be in favour of the resolution to pass.~~

6.2.5. Any referendum shall be supervised by the Returning Officer or nominated person(s) in accordance with accepted practices.

6.2.6. The voting times shall be agreed by the Scrutiny ~~Session Panel~~ and publicised to the members of the Union.

6.2.7. The Scrutiny ~~Session Panel~~ shall be responsible for deciding the wording of the question on the referendum ballot paper. The question shall require a decision either 'FOR', 'AGAINST' or 'ABSTAIN'.

6.2.8. Referendums shall be conducted in accordance with Article 17 of the Articles.

6.2.9. Subject to Article 17 a resolution may only be passed by Referendum if at least 1000 members cast a vote in the Referendum with 66% of votes cast being in favour of the resolution.

6.3. Votes of No Confidence Against **Executive Officers**

~~6.3.1. A vote of no confidence can be initiated against:~~

~~6.3.1.1. An Executive Officer;~~

~~6.3.1.2. A Student Officer; or~~

~~6.3.1.2. An elected student to a position equal to that of a student Officer.~~

6.3.1. A vote against the Executive Officer must be held in accordance with clause 34 of the Unions ~~Constitution~~ **Articles of Association**, with a **Secure Petition of no confidence signed by at least 200 Members** being obtained.

~~6.3.3. A vote against a Student Officer or equivalent elected student can only be held where there is a belief that the Officer has committed an action of gross misconduct; failure to implement or be in the process of implementing their manifesto or where the Officer has failed to be present at three or more consecutive mandatory events or meetings.~~

~~6.3.4. A motion of no confidence against a Student Officer or equivalent shall require a petition of 50 signatures of members; and those members must fall under the demographic of the Officer's role.~~

6.3.2. If a **petition motion** is successfully **obtained** ~~petitioned~~, the Union **President** must call for a **Union All Student** Meeting in which the arguments for each side may be presented.

6.3.2.1 This **Union All Student** Meeting is to present arguments only and give chance for members to hear the different sides of the argument, and the special vote cannot be held in the **meeting ASM**.

~~6.3.3. If a motion of no confidence is successfully petitioned, t~~The Union must **then** hold a special vote within a reasonable time frame to allow members ~~(under the Officer's remit)~~ to vote whether they have confidence or not in the petitioned Officer.

6.3.3.1. The Vote of No Confidence will only be valid if at least 1000 members cast a vote, with 66% of votes cast being in favour of not having confidence in the Executive Officer.

6.3.4. If ~~a motion of no confidence~~ the **Vote of No Confidence** is successfully ~~petitioned~~, **then** the Union **Trustee Board President** will be required to remove the Officer with immediate effect.

6.4. Special Provisions

6.4.1. The Union must ensure that any ~~Student Officer~~ **Executive Officer** who is subject to significant and widespread criticism and examination has the availability of support to ensure that the process does not have an emotional or reputational impact on the student.

- 6.4.2. This support includes the right to allow the student to be represented by another member or for the student to access the Union Advice Team for support in writing up arguments against in the ASM.
- 6.4.3. The Union holds the right to block a VNC against an ~~Executive Officer~~ ~~Student Officer~~ where it is believed that:
- 6.4.3.1. The process would cause such a significant impact ~~on the Student Officer~~ and to lead to long sustaining emotional or physical harm.
 - 6.4.3.2. The ~~Student Officer~~ individual is unable to provide a significant rebuttal of arguments due to the reasons being of a confidential nature.
 - 6.4.3.3. The ~~Student Officer~~ individual has been unable to conduct their role due to incapacity, significant trauma (including the death of a close loved one) or by an act of God.
 - 6.4.3.4. The Union is aware of significant reasons, which under the law, cannot be disclosed to the wider student population in order to either safeguard the student or to protect the rights of that student.
 - 6.4.3.5. The Union has a legal obligation which would be contradicted should the VNC take place (including claims of infringements against an Officer's human rights)
- 6.4.4. Where the Union blocks a VNC, they must give notice to members on the reasons why and ensure an appropriate means to address the issue is provided.
- 6.4.4.1. When giving notice of the reasoning behind blocking a VNC, the Union is only required to list the number and wording of the defence listed in this section and does not need to detail the reasoning.
 - 6.4.4.2. Where giving just the number and wording of the defence would still cause an infringement of the right to privacy or the Union's legal obligations, then the Union does not need to provide the number or wording.

6.5. Miscellaneous

- ~~6.5.1. This Standing Order shall allow the Trustee Board, to make amendments to any other Standing Orders to delete provisions connected to these special votes in order to ensure there is not a conflict of provision.~~
- ~~6.5.2. This Standing Order shall allow the Trustee Board to make amendments to the text or minor provisions within this standing order where a provision in it is impossible to conduct and makes the whole provision invalid.~~
- ~~6.5.3. The Trustee Board may nominate a person to carry out its powers under this section.~~
- ~~6.5.3.1. Any person can only be nominated up to the 31st August of that academic year.~~
 - ~~6.5.3.2. The nominated person must report to the Trustee Board on any decisions taken.~~
- ~~6.5.4. Any amendments made under this section that would have a major impact on how this standing order works; or an impact on how another standing order works more broadly; must be submitted to the All Student Meeting.~~

Rationale for the change

What are the pros and cons of the change? How will any cons be managed/mitigated?

This proposal is to update the terminology following changing societies to Communities and the Student Voice Review. It also removes Student Officers from the Vote of No Confidence process and provides greater clarity by removing sections that were repeated elsewhere in the Standing Order. Section 6, Miscellaneous has been removed as this was only needed when this Standing Order was first implemented.

What consideration or consultation have you taken prior to submitting this proposal? *All proposals go the exec team to be confirmed, so having insufficient consultation/consideration could mean the proposal is rejected.*

The Student Voice was conducted over the previous academic year and spoke to over 1,300 students as part of the consultation process.

Have you considered any impact of the new proposal on any of the protected characteristics as listed in the Equality Act 2010? *What are the impacts and how will any negative impacts be managed/mitigated? For more information on the protected characteristics please see [Equality Act 2010 \(legislation.gov.uk\)](https://legislation.gov.uk)*

Appendices *if necessary.*