

Candidates and agents Briefing

Local government elections

Thursday 4 May 2023

Topics

- who's who
- key dates of the election timetable
- disqualifications
- nominations
- agents
- postal votes
- the poll
- counting of votes
- candidate spending
- contacts

The Electoral Commission

Who's who

- **The Returning Officer** is the person responsible for running the elections. The Returning Officer is Marshal Scott
- **The Electoral Registration Officer** is responsible for maintaining the register of electors and absent voters' lists. The Electoral Registration Officer is also Marshal Scott

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Who's who

- Deputy Returning Officer is Jane Pearson
- Head of Legal and Democratic Services is Mair Hill
- Elections Officer is Jane Horsfield
- Contact details are provided later

Election timetable

Publication of Notice of Election	Not later than Monday 27 March
Nominations commence	From the date stated on the notice
Close of nominations	4pm – Tuesday 4 April
Deadline for withdrawals of nomination	4pm – Tuesday 4 April
Notification of appointment of election agents (excl Parish Councils)	4pm – Tuesday 4 April

Election timetable

Publication of statement of persons nominated	4pm – Wednesday 5 April
Deadline for applications to register to vote	Midnight – Monday 17 April
Deadline for new postal vote and postal proxy applications, and for changes to existing postal or proxy vote applications	5pm – Tuesday 18 April
Publication of notice of poll/situation of polling stations	Tuesday 25 April
Deadline for applications for new proxy votes (not postal proxy or emergency proxies)	5pm – Tuesday 25 April
Deadline for receiving applications for Voter Authority Certificates	5pm – Tuesday 25 April

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Election timetable (cont'd)

Deadline for notification of appointment of counting and polling agents	Wednesday 26 April
First date that electors can apply for replacements for lost postal votes	Thursday 27 April
Polling day	Thursday 4 May – 7am to 10pm
Deadline for emergency proxy applications	5pm – Thursday 4 May
Deadline for production of temporary Voter Authority Certificates	5pm – Thursday 4 May
Last time that electors can apply for a replacement for lost/spoilt postal votes	5pm – Thursday 4 May
Last time for alterations to register due to a clerical error or court appeal	9pm – Thursday 4 May

Election
timetable
(cont'd)

Verification and Borough Count	Friday 5 May
Parish Count	Tuesday 9 May
Deadline for return of parish election expenses	Thursday 1 June
Deadline for return of borough election expenses	8 June 2023

Elections Act 2022

The Election Act contains measures that affect:

- elections and the way we vote
- campaigning and the rules on campaign spending and funding
- parliamentary oversight of the Electoral Commission

The Act - seeks to improve the security, accessibility and transparency of elections and campaigning

- Act has been passed into law
- Measures include
 - Improving accessibility of elections
 - A requirement for voters at polling stations to show photo ID before they receive their ballot paper;
 - Extending imprint rules to digital material
 - Removing the 15 year limit on voting rights for British citizens living overseas.
- Further info at <https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/elections-act>

Nomination Process

[nomination papers](#)

Qualifications

- Candidates must satisfy criteria on the day they are nominated **and** on polling day:
 - be at least 18 years of age
 - be a British, qualifying Commonwealth citizen, or national of an EU member state.
- Also at least one of the following:
 - Registered local government elector for local authority area
 - Occupied as owner or tenant any land or premises in the local authority area during the whole 12 months preceding nomination
 - Principal or only place of work (including unpaid) during last 12 months in local authority area
 - Lived in the local authority area during the last 12 months

Disqualifications (1)

A person **cannot** be a candidate if they:

- are **employed by the local authority** or hold a paid office under the authority (including joint boards or committees). Candidates may be 'employed by the local authority' if they work at certain schools, fire services, police or health services
- are subject of a **Bankruptcy Restrictions Order** (or interim restrictions order)
- have been sentenced to a term of **imprisonment** of three months or more (inc. suspended sentence) without option of a fine, during the 5 years before polling day

Continued on next slide

Disqualifications
(2)

- are serving a disqualification due to being found guilty of a **corrupt or illegal practice** by an election court
- hold a **politically restricted post**
- are subject to the **notification requirement of or under Part 2 of the Sexual Offences Act 2003**

Submitting nomination papers

- The documents that must be submitted by all candidates by **4pm Tuesday 4 April** are -
 - the nomination form
 - their home address form
 - the consent to nomination
- Party candidates will also need to submit, by **4pm Tuesday 4 April**:
 - A certificate authorising the use of a party name/ registered description on the ballot paper
 - A written request to use one of the party's emblems on the ballot paper (optional)

Submitting nomination papers

- Take care when completing your nomination papers, as mistakes may invalidate your nomination
- Complete nomination papers early and arrange for us to provide an informal check
- The nomination form, home address form and consent to nomination **must be delivered by hand** and cannot be submitted by post, fax, email or other electronic means.

Nomination form (1)

- Include your full name
- Optional: use commonly used name box(es) if commonly known by a name other than actual name and wish to use it instead. But you cannot use your first name as a commonly used name to exclude your middle name.
- Description field – 3 options:
 - leave blank
 - Independent
 - party candidates can use party name or description authorised by a certificate issued by or on behalf of the Nominating Officer

Nomination form (2)

- Subscribers: 2 subscribers are required for elections
- Must sign & print and after their names. Check details of subscribers against electoral register
- Only ask subscribers to sign **after** completing the name, address and description fields on the form
- When collecting signatures, it is important that you follow the latest government guidance on how to stay safe and stop the spread of coronavirus
- Data protection requirements

Home address form

- Part 1 of the home address form must state:
 - your full name and home address in full
 - your qualifying address, or, where you have declared on your consent to nomination that you meet more than one qualification, your qualifying addresses
 - which of the qualifications your qualifying address or addresses relate to (a, b, c and/or d)
 - the full name and the home address in full of the witness to your consent to nomination

Home address form (2)

- Part 2 of the home address form must be completed if you do not want your address to be made public:
 - The name of the relevant area in which your home address is situated (if your home address is in the UK),
 - if you live outside the UK, the name of the country in which your home address is situated.

Consent to nomination form

- Must include:
 - name
 - which area standing in
 - confirmation of qualification(s) that apply (at least 1, but select all that apply)
 - date of birth & signature
 - date of consent
 - witness' name, and signature

Certificate of authorisation

- Party candidates must have written permission to use the party name/description from the Nominating Officer (or a person authorised to act on their behalf)
- The certificate may:
 - allow the use of the party name or a particular description
 - allow candidate to choose whether to use the party name or any of the descriptions registered with the Electoral Commission
- Must be submitted by 4pm Tuesday 4 April
- may be delivered by hand or by post, but cannot be delivered by email or other electronic means

Emblem request form

- Party candidates can ask for an emblem to be printed on the ballot paper
- Emblem request form must be submitted by 4pm Tuesday 4 April
- Party candidates should supply an electronic version of the emblem to the Returning Officer if required

Joint party candidates

- Nominated by **more than one party**
- May use registered joint party descriptions
 - must be supported by certificate of authorisation **from each party**
- May use one emblem of one of the parties but there are no joint party emblems

Election agent

- Responsible for the proper management of your election campaign; particularly its financial management.
- Notification of appointment must reach the RO by 4pm – Tuesday 4 April. Form is included in nomination pack.
- You will become your own agent by default if none is appointed.
- (no provision for appointment of agents at parish council elections)

Other agents

- Other agents can be appointed to attend postal vote openings, polling stations and the count on your behalf:
 - You must give notice in writing of any people appointed as polling and counting agents by Wednesday 26 April.
 - The appointment of postal voting agents attending a particular opening session must be made before the start of the session. We will give 48 hours' notice.

Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate:
 - earliest, on Monday 27 March if you, or others declared yourself a candidate
 - once you or others have declared yourself a candidate after this date / date you submit your nomination papers
- Make **written** request to the ERO – forms are available from the office / are included in your nomination pack.

Access to
electoral
register /
absent voting
lists

- Only use data for permitted purposes
 - to complete the nomination form
 - to help you campaign
 - to check that donations/loans are permissible

Registration

- As a candidate you are uniquely placed to encourage people to register to vote.
- You should encourage people to register as soon as possible.
- The deadline for applying for the election is Monday 17 April.
- Individuals can apply to register online at **<https://www.gov.uk/register-to-vote>**. It only takes a few minutes.

Registration

- When discussing registering to vote with individuals, you will need to make them aware that they will need to provide:
 - their National Insurance number
 - date of birth and address
- People who do not have / cannot retrieve their National Insurance number can still register, but they may need to provide further information. If so, they will be contacted by the ERO.

Absent voting

- When talking to electors about voting by post or proxy, you should make them aware of the relevant deadlines and advise them to apply early.
- If you are encouraging people who don't have a postal (or proxy) vote to apply for one, make sure you explain that they will only qualify for one in time for the elections if they are (or will be) registered in time to vote at the elections.

Voter Identification

- Voters in this election will need to provide a form of accepted photographic ID if they wish to vote in person at a polling station.
- Voters will be able to present out of date photographic ID so long as the photograph is still a good likeness.
- If a voter fails to present a form of accepted photographic ID they will not be issued with a ballot paper.
- This includes those who act as a proxy for another person.

Accepted forms of Voter ID

- Voters should be encouraged to check whether they have one of the forms of accepted photographic ID well in advance of the election
- If a voter does not have an accepted form of photographic ID, they can apply for a Voter Authority Certificate either online <https://www.gov.uk/apply-for-photo-id-voter-authority-certificate> or using a paper application form.
- Electors who are registered anonymously must have an Elector's Document to vote in person
- Any applications must be received by the ERO by 5pm on the 6th working day before poll.

Accepted forms
of Voter ID (1)

International travel

Passport (issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country)
Irish Passport Card

Driving and Parking

Driving licence (issued by the UK, any of the Channel Islands, the Isle of Man, or an EEA state)

A Blue Badge

Accepted forms
of Voter ID (2)

Local travel

Older Person's bus pass

Disabled Person's bus
pass

Oyster 60+ Card

Freedom pass

Scottish National
Entitlement card

60 and Over Welsh
Concessionary Travel
Card

Disabled person's Welsh
Concessionary Travel
Card

Senior SmartPass issued
in NI

Registered Blind
SmartPass or Blind
Person's SmartPass
issued in NI

War Disablement
SmartPass issued in NI
60+ SmartPass issued in
NI

Half Fare SmartPass
issued in NI

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Accepted forms of Voter ID (3)

Proof of age

Identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)

Other Government issued documents

Biometric immigration document

Ministry of Defence Form 90 (Defence Identify Card)

Nationality identity card issued by an EEA state

Electoral Identity Card issued in Northern Ireland

Voter Authority Certificate
Anonymous Elector's Document

Campaigning dos and don'ts

- Do use imprints on all your campaign material, including websites.
- Do comply with planning rules relating to advertising hoardings and large banners.
- Do make sure outdoor posters are removed 2 weeks after the election.
- Do not produce material that looks like a poll card.
- Do not pay people to display your adverts (unless they display adverts as part of their normal business).

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Code of conduct for campaigners (1)

- Campaigners are an essential element of a healthy democracy, but their activities should not bring into question the integrity of the electoral process.
- Electoral registration and absent vote applications:
 - Ensure forms fully conform to the requirements of electoral law
 - Include the ERO's address for the return of forms
 - Ensure unaltered applications are sent to ERO within **two working days**.
 - Make sure electors understand implications of applying for an absent vote.
 - Do not encourage postal ballot pack redirection.
 - Do not encourage electors to appoint a campaigner as proxy.
- Voter Authority Certificate Applications:
 - Should not handle paper based Voter Authority Certificate applications and should encourage electors to send them directly to the ERO

Code of conduct for campaigners (2)

- Postal ballot packs:
 - Never touch a postal ballot paper
 - Never observe electors completing their postal vote.
 - Never handle or take any completed ballot paper or postal ballot pack from voters
- Campaigning outside polling stations:
 - You are allowed to put your messages to voters on polling day, including public spaces outside polling places.
 - Keep access to polling places and the pavements around polling places clear to allow voters to enter.
- Tellers

Postal Vote Opening

- Will take place here in Council Chamber
- Mailing will commence around Wednesday 19 April (1st issue), Monday 24 April (2nd issue)
- ‘Scheduled’ opening sessions are (10am)
 - Friday 21 April
 - Potentially each day Monday 24 April – Friday 28 April
 - Tuesday 2 May – Wednesday 3 May
 - Thursday 4 May (also at Roefield in evening)
- All dates dependant on nos. of postal votes received that day...please ring 01200 414411 and check before attending

Polling day

- Polling stations open from 7am to 10pm
- Office open 7am to 10pm for queries or problems relating to the administration of the election
- All candidates contesting the elections and the election agents have the right to enter and to remain in a polling station but they must not disrupt voting or attempt to canvass voters
- Voters in this election will need to present photographic ID in the polling station
- Voters in the polling station or in a queue outside the polling station at 10 pm can apply for a ballot paper
- Postal votes can be handed into stations within the ward or delivered to the elections office until 10pm.
- A person in a queue at a polling station at 10pm waiting to hand in a postal vote can do so after 10pm.
- Polling Station Inspectors

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Polling Agents

- Polling agents have the right to enter and to remain in the polling station and to observe voting. The main purpose of their appointment is to detect personation. They are not permitted to view a voter's ID
- Not more than one polling agent may be admitted at the same time to a polling station on behalf of the same candidate.
- They must not campaign or canvass voters in the polling station. If they do wear a rosette or badge, it should be plain but may display the name of a candidate, party and/ or emblem.
- They have the right to observe the preparation and opening of the polling station and its closure and may add their seal to the ballot box at the close of poll (though not at poll opening).
- During polling hours, polling agents in attendance should be placed at a separate table that is close enough to observe and hear the proceedings, but not in a position that would compromise the secrecy of the ballot

Counting of votes

- The counts will be held at:
 - Borough - Roefield Leisure Centre Fri 5 May
 - Parishes - Council Chamber Tues 9 May
- Count centre open to candidates/agents from 9.45am
- Verification of all ballot boxes (borough & parish) will take place on Friday 5 May
- Make sure appointments for Counting Agents are submitted to the RO prior to the deadline
- Candidates, election agents, counting agents and one other person appointed by the candidate are entitled to attend. But will need a pass to attend (available from Lynne Calver/Danessa Parker 01200 414401)
 - limits to counting agents: 1 per candidate

Spending issues

Candidate spending

- Defined as certain expenses ‘used for the purposes of the candidate’s election’ during the regulated period.
- Responsibility of **election agent**
- Limit on expenses:
 - £806 + 7 pence per elector in ward/division on register in force on date of the publication of the notice of election
 - reduced for joint candidates
- Must get and keep receipts (over £20) – Parish Councils over £10

Candidates' spending returns

- Returns due 35 calendar days after result of election
- Returns made public by **Returning Officer**
- Sample of returns may be reviewed by the **Electoral Commission**
- Failure to submit a spending return is a criminal offence enforceable by police
- No spending will be reimbursed

Contacts

- Elections office – 01200 414411/414426
- Contact centre – 01200 425111

- Highways department – LCC

- Electoral Commission contacts
– 0333 103 1928

Questions