

A Candidate's Guide

for the Election of a Parish/Town Councillor on Thursday, 4 May 2023

These guidance notes are only a brief outline of the main areas of interest to any candidate at an election of a Parish/Town Councillor in England and Wales. They are not intended to be taken as a full statement of electoral law. Candidates should refer to the Representation of the People Acts and related Regulations and The Political Parties, Elections and Referendums Act 2000 and take their own legal advice. For more detailed information you can go to www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales

Prepared, printed and published by
Returning Officer

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Part One

Election Staff and the Election Timetable

1. Returning Officer and Elections Staff

The Returning Officer is Andy Bates, and the elections office is at Follaton House, Plymouth Road, Totnes, South Devon, TQ9 5NE. Elections Office staff can be contacted by email elections@southhams.gov.uk or by calling 01803 861434.

2. Timetable

The elections process is governed by a statutory timetable (See Appendix A). Within this Guide you will find further references to the matters required by the timetable and, where necessary, additional information will be supplied to candidates between the close of nominations and the day of the poll.

Part Two

Candidates – Nomination and Withdrawal

3. Qualifications for Candidature

To qualify as a candidate a person must be 18 years of age and a Commonwealth citizen, citizen of the Republic of Ireland or a citizen of another Member State of the European Union and either

- (a) be registered as a local government elector within the electoral area; or
- (b) have occupied as owner or tenant any land or other premises within the electoral area during the whole of the previous twelve months; or
- (c) his/her principal or only place of work during the previous twelve months has been in the area of the electoral area; or
- (d) You have lived in the parish/community area or within 4.8km (three miles) of it during the whole of the 12 months before the day of your nomination and the day of election.

(The 'previous twelve months' means the twelve months preceding the day on which he/she is nominated as a candidate).

There are certain disqualifications for election and holding office as a member of a parish council these are set out in the legislation attached to the consent to nomination form and should be read carefully.

If you are not sure if you are eligible to stand as a candidate you should contact the Electoral Commission or seek your own legal advice.

4. Nomination

Please note the nomination paper MUST be hand delivered (but not limited to yourself) however it should NOT be posted. The person delivering should wait for the nomination paper to be checked.

There are three forms that you **must** submit for your nomination to be valid (all of which are included in this pack).

- the nomination form
- a home address form
- your consent to nomination

Great care must be taken in the completion of Nomination Papers, to ensure that nominations are not ruled to be invalid, and the information contained in the following paragraphs should be read and adhered to.

Each candidate must be nominated on a separate Nomination Paper in the prescribed form. The Nomination Paper must give the full names of the candidate. There is a separate home address form to complete and you must make sure that the person that witnesses this form is the same person witnessing your consent to nomination form. There are restrictions as to the unauthorised use of a description that may lead voters to associate a candidate with a registered political party (see paragraph 7 for further information).

The use of a description is optional – if you want the word ‘independent’ to appear on the ballot paper underneath your name, you need to state this on the nomination form. Alternatively, you may use a description of no more than six words. It can be any description providing it is sufficient to identify you and is unlikely to associate you with a political party registered with the Electoral Commission. Examples include ‘farmer’, ‘Baker in the High Street’, ‘member of village action team’, etc. Note that the six-word limit is set out in law and the Returning Officer will have to reject your nomination if you exceed it. You may choose not to have a description at all by leaving the description box blank.

Where a candidate is commonly known by a name other than their first name or surname this can be included - for example, it could be entered as Jones, Anthony and the commonly used forenames section could show "Tony". This would mean that the ballot paper would read "Jones, Tony". This would then appear on all the various notices as well as the ballot paper.

Signatures of subscribers

The nomination paper needs to be signed (subscribed) by two registered electors as **proposer** and **seconder**, from the area (parish or parish ward) in which the person wants to stand as a candidate.

When collecting subscriber information, you should point out what the information will be used for, how personal data will be processed and kept secure. The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in Representation of the People Act 1983 and associated regulations. You should also explain that the information will be shared with the Returning Officer.

Where a nomination paper has the signatures of more than the required number of persons as proposing, seconding or assenting to the nomination, only the first two signatures will be accepted. Care should be taken to ensure that the nomination paper is accurately subscribed, because any other names provided after the number required will not be considered, even if one of the first names is not in fact a registered elector and therefore is not entitled to subscribe the nomination, thus making it invalid.

The candidate must ensure that the names of the people signing their nomination paper appear on the relevant electoral register for the area where they wish to stand. The register is published by 1 December each year, and alterations are published at the beginning of each month thereafter. The register as at the last day for the publication of the notice of election (i.e. the register as at **1 March 2023**) will be the valid electoral register for the purpose of nominations.

The electoral number of each elector, including the distinctive numbers or letters of the polling district, must be entered on the nomination paper. The rules require these persons to sign the Nomination Paper using their usual signatures, even if the Register of Electors entry happens to be different or inaccurate. **ON NO ACCOUNT SHOULD THE SURNAME BE WRITTEN FIRST** as is the order in the Register, or names written in full, unless that is their normal signature. It would be very helpful if they could also **PRINT THEIR NAME AS SIGNED** alongside their signature, in the column provided.

No person shall sign more Nomination Papers than there are vacancies in the electoral area or sign more than one Nomination Paper in respect of the same candidate.

In order to ensure the validity of the nomination, and to reduce the likelihood of its validity being challenged, you are advised to ensure that Nomination Papers are free of errors and crossings out. **The use of tippex or other corrective fluids must not be used.**

In the event of a Nomination Paper being declared invalid, any person who signed the nomination cannot sign another Nomination Paper if this results in that person having signed more Nomination Papers than there are Members to be elected for that electoral area.

5. Home Address Form

All candidates **must** complete a home address form and may choose for their home address not to be published on the statement of persons nominated or the ballot paper. The form must state:-

- your full name
- your home address in full – this must be your current home address
- 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
- the full name and the home address in full of the person witnessing the form (this must be the same person who signs the consent to nomination).
- if you choose for your home address not to be published on the statement of persons nominated or the ballot paper then you must sign the statement to that effect and give the name of the relevant area in which your home address is situated i.e. the district council area

6. Consent to Nomination

The candidate must, on or within one month before the last day and time for the delivery of Nomination Papers, deliver **BY HAND** (but not limited to yourself) to the Returning Officer a Consent to Nomination signed by him/her and containing a statement declaring with reference to the day of his/her nomination that to the best of his/her belief he/she is qualified to be elected, and giving particulars of the qualification. The consent must be attested by a witness. The witness **must be** the same person as the Home Address Form. The nomination is NOT valid unless the consent, properly completed and attested, is delivered within the time stated.

A Consent Form is included with the Nomination Papers attached to this Guide. As mentioned above there are several qualifications for candidature, and these are set out on the consent form - all candidates are recommended to indicate (by deleting those which are not applicable) as many of the qualifications which apply to them. Although failure to indicate more than one qualification will not, in itself, affect the validity of the nomination, it is good practice and could avoid a future loss of qualification.

The extract from the legislation **MUST** be attached to the Consent to nomination form when it is delivered to the Returning Officer.

If you are not sure if you are eligible to stand as a candidate you should contact the Electoral Commission or seek your own legal advice.

7. Use of Name of Registered Political Party

As a consequence of the Political Parties, Elections and Referendums Act 2000, a nomination paper may NOT include a description of a candidate which is likely to lead voters to associate the candidate with a registered political party, unless the description is authorised by a certificate which is :-

- (a) issued on or on behalf of the registered nominating officer of the party, and
- (b) received by the Returning Officer during the period for the delivery of nomination papers.

If the Returning Officer is of the opinion that a nomination paper does not meet the requirements outlined above, at the close of the period for delivery of nomination papers he will declare the nomination invalid.

Because of the confusion that the mistaken or unauthorised use of a political description could cause, candidates are strongly advised to consider their use of any such description carefully before submitting a nomination paper. They should ensure that the proper authorisation certificate has been made and that it is submitted to the Returning Officer within the specified period, preferably at the same time as the submission of the nomination paper. A party description can be one of the 12 permissible descriptions registered with the Electoral Commission in respect of the relevant party.

Please note – if standing for a political party, please ensure the description is correct and completed before the proposer and seconder has signed the nomination form.

8. Request for use of Political Party Emblem

Where a candidate has been properly authorised by a Party's Nominating Officer to use a description, a candidate may request that the ballot paper contains against their particulars the party's registered emblem.

The request for use of the registered emblem must be made in writing to the Returning Officer and be received by him during the period for delivery of nomination papers.

9. Hand Delivery of Nomination Papers

Nomination Papers (and the Home Address Form and Consent to Nomination Form) must be hand delivered to the Returning Officer at the Election Office, Civic Entrance, Follaton House, Plymouth Road, Totnes, South Devon, TQ9 5NE **by 4PM on Tuesday, 4 April 2023** at the LATEST. The Notice of Election will be published on **23 March 2023** and nominations may be delivered from the date of the notice, between the hours of 10 a.m. and 4 p.m. on Mondays to Fridays (excluding bank holidays).

Candidates are requested to submit the completed Nomination Papers as soon as they possibly can after the publication of the Notice of Election. In particular, nominations should not be left until the last two days if this can at all be avoided, as in the case of an error being discovered, the candidate may not have time to submit a fresh Nomination Paper.

Please note nomination papers may not be faxed or emailed.

If a candidate is nominated by more than one Nomination Paper he/she is asked to indicate the one selected to be used for the purpose of the Notice of Poll. If he/she does not do so, the Returning Officer will select the one to be used.

Please note the requirement for the Nomination Paper, Home Address Form and the Consent to be hand delivered to the Election Office by 4PM on 4 April 2023. On no account will any Nomination Paper, Home Address or Consent form be accepted after that time. The hand delivery by a candidate (or other person) of documents to an office other than the Election Office or to another of the Council's office locations will not be sufficient to meet this requirement.

10. Validity of Nomination

The Returning Officer or Deputy will decide upon the validity or otherwise of nominations as soon as practicable after delivery of the Nomination Paper - where possible an informal indication will be given at the time of delivery, in the presence of the candidate, however this may not always be possible, especially at busy periods. A notice of the decision on the validity of the Nomination will be sent to each candidate.

Being validly nominated in more than one ward

If the parish/town is warded and you are validly nominated in more than one ward in that parish/town, you must withdraw from all wards but one before the deadline for withdrawals (i.e. by 4pm on the 19th working day before the poll). If you do not withdraw from all but one ward, you will be deemed to have withdrawn from all of the wards.

11. Statement of Persons Nominated

A Statement of Persons Nominated has to be published not later than 4pm on 5 April 2023. As well as showing the persons who stand nominated, it will show the reasons why any other person nominated no longer stands nominated.

12. Withdrawal from Candidature

A candidate may withdraw their candidature if a notice of withdrawal signed by themselves and attested by one witness is **HAND** delivered to the Returning Officer by 4PM on 4 April 2023.

Please note that this is the same time for delivering nomination papers. You cannot withdraw after this time. Previously you could withdraw after the names of candidates became public however this is no longer an option.

13. Register of Electors

Each candidate is entitled to one free copy of the Register for the area in which they are intending to stand. This will be supplied upon written request, after 27 March 2023, and, unless a *printed version is preferred, will be supplied in data format. See appendix C for a register request form. (*a printed version of the register is a PDF which will be supplied via email)

Please note that the deadline for someone to apply to be included on the Electoral Register in time to vote in these elections is Monday, 17 April 2023

PART THREE

Additional Information, Absent Voting and Secrecy

14. Additional Arrangements

As soon as possible after nominations have closed, the Candidate will be notified of the polling station arrangements, arrangements for the opening of postal voters' ballot papers, appointment of polling and counting agents and agents for the opening of postal voters' ballot papers (as to which see also paragraphs 18 to 20 below), and arrangements for the counting of votes.

15. Voter ID

From May 2023, people will need to produce an accepted form of photographic ID to prove their identity before they are issued with a ballot paper in the polling stations. This includes people acting as a proxy for a voter. This national change has been implemented as part of the Elections Act 2022. For a list of accepted ID and information on how to apply for a Voter Authority Certificate (for someone how does not have suitable ID) please see the South Hams District Council website www.southhams.gov.uk/voter-ID

16. Absent Voters

Supplies of forms for persons to apply to vote by post or proxy are available online at www.southhams.gov.uk/elections or www.electoralcommission.org.uk/i-am-a/voter

The final date for postal vote applications is 5pm on Tuesday, 18 April 2023.

The final date for proxy voting applications in respect of this election is 5pm on Tuesday 25 April 2023. A scanned image/photograph of the signed application forms can be emailed to SH-Postalvoting@swdevon.gov.uk or SH-Proxyvoting@swdevon.gov.uk

The final date for late proxy voting or applications on the grounds of a medical emergency, unexpected work commitments, loss of photo ID (these must be countersigned by a suitably qualified person) is 5pm on Thursday, 4 May 2023.

Please note that the above deadlines are absolute and that properly completed applications must be received at the Electoral Services Office, Follaton House, Plymouth Road, Totnes, South Devon, TQ9 5NE, by the times and dates shown. Each candidate is entitled to a copy of the lists of absent voters. These will be supplied, upon written request (Appendix C), as soon as possible after the last time for the receipt of applications - i.e. Tuesday, 18 April 2023

17. Requirement for Secrecy

Candidates and all other persons concerned with the elections will be required to ensure the secrecy of the ballot in all its stages. Candidates, polling and counting agents, and agents appointed for the opening of postal ballot papers will be issued with a copy of the secrecy requirements.

18. Notice of Poll and Poll Cards

Where an election is contested a Notice of Poll will be published, giving the details of the candidates and polling arrangements, and a copy of the Notice will be sent to all candidates.

PART FOUR

Tellers, Polling/Counting Agents and Agents for Postal Vote Proceedings

19. Tellers at Polling Stations

It is common practice for some candidates to appoint 'tellers' to stand outside polling stations and identify electors who have voted, but their activities can sometimes be confusing or intimidating to voters. Tellers are not permitted to be inside the polling station other than to exercise their own vote or to vote as a proxy.

It must be noted that Tellers have no status as far as electoral law is concerned and should concern themselves only with checking who has voted. Anything else could give rise to the risk of allegations of undue influence or antagonising voters.

20. Polling Agents

The appointment of any polling agents has to be notified to the Returning Officer no later than Wednesday 26 April 2023.

There is often confusion as to the necessity to appoint polling agents and as to their purpose. Please note therefore:

- (i) that there is no requirement for polling agents to be appointed;
- (ii) that the purpose of polling agents is to detect personation in polling stations;
- (iii) that a polling agent may mark a copy of the register at the polling station with the details of electors who have voted, but that a register will NOT be supplied by the Returning Officer for this purpose and the marked register must not be removed from the polling station during the hours of the poll;
- (iv) that not more than one polling agent may be admitted at the same time to a polling station on behalf of the same candidate; and
- (v) that not more than four polling agents may attend at any particular polling station unless the Returning Officer, by notice, allows a greater number. In the event of a greater number being appointed, the Returning Officer shall draw lots to determine which agents are permitted to attend.

21. Counting Agents

Every candidate may appoint counting agents to attend at the counting of the votes. Notice of the appointment must be given no later than Wednesday 26 April 2023 and a form is enclosed in your pack. The number of counting agents who can be appointed on behalf of each candidate is 3.

22. Agents for the Opening of Postal Ballot Papers

A candidate may attend the opening of postal ballot papers and may also appoint agents to attend. Notice of the time/place for the opening and of the number of agents who may be appointed for each candidate will be given as soon as possible after the close of nominations. Notice of any appointments must be given not later than the date and time fixed for opening, and a form for the purpose is in your pack.

PART FIVE

Polling Day, the Count and “After the Election”

23. Hours of Poll

The hours of the poll will be 7.00 A.M. to 10.00 P.M. and will be combined with any contested District Council polls. There are provisions for a poll not to take place or to be abandoned or adjourned in the event of the death of a candidate or of "riot or open violence". In the event of any of these circumstances arising, the candidates will be advised as soon as possible.

24. Polling Stations – Location and Admission

Details of polling stations will be forwarded after the close of nominations.

The only persons entitled to be in a polling station are as follows:

- The Returning Officer and members of his staff
- Presiding Officer
- Poll Clerk(s)
- Police Officer
- Voter (and person assisting voter with disabilities)

- Candidate
- Polling Agents
- Official Observers

As mentioned in paragraph 16, all persons in attendance at the polling station must adhere to the statutory provisions relating to the requirement for secrecy.

25. The Count

Details of the venue and time of the count will be notified in due course. The candidate and his/her guest are entitled to attend the count in addition to 3 counting agents. A form is supplied for you to appoint by the deadline.

Please note that only the Returning Officer and his staff can enter the enclosed Counting area.

26. Acceptance of Office

The appointment of successful candidates as councillors becomes effective on the fourth day after the election. If successfully elected, the candidate may not act as councillor (attend and vote at meetings etc.) until they have signed the acceptance of office. By signing the declaration of acceptance of office, the new councillor agrees to follow the council's Code of Conduct in the performance of their duties.

The declaration must be made in the presence of a member of the parish/community council or of the proper officer of the parish/community council. The declaration must be made and delivered to the council before or at the first meeting of the parish or community council after your election (unless the council at that meeting permits you to do so before or at a later meeting fixed by the council). If you fail to submit your declaration by this deadline, the seat will be declared vacant and a by-election will be held.

Election petitions

27. Questioning an Election

A local election can be questioned only by way of an election petition. The petition must normally be presented to the High Court within 21 days after the date on which the election was held. If presented on the grounds of a corrupt or illegal practice after the election, or of a complaint relating to election expenses, it may, in certain cases, be presented at a later date.

PART SIX

Election Expenses and Candidate Briefing

28. Election Expenses

The Return of Election Expenses must be submitted within 28 days of the declaration of result. Claim forms are enclosed and the Electoral Commission's Guidance for Candidates on Spending and Donations is included in your pack. You are recommended to read it carefully as the law relating to election expenses is complex.

29. Definition of Candidate

A person becomes a candidate at an election under the local government Act either:-

- (a) on the last day for publication of notice of an election if on or before that day he has been declared by himself (or by someone else) to be a candidate; or otherwise, either;
- (b) on the day on which he declares himself (or is so declared by someone else) to be a candidate; or
- (c) on the day on which he is nominated as a candidate at the election (whichever is the earlier)

30. Election Expenses Limit

Election expenses must not exceed £806 with an additional 7p for every entry in the register for the Ward as at the time of publication of the Notice of Election (23 March 2023). Where there are two joint candidates for the same area then the maximum amount mentioned above shall be reduced by a quarter and if there are more than two joint candidates by one-third. Joint candidates are candidates who employ the same clerks or messengers, or hire or use the same committee room or publish a joint address, circular or notice at the election. Where the poll is countermanded or abandoned because of the death of a candidate, the maximum for any other candidates remaining validly nominated is twice the amount calculated as above.

31. Payment of Election Expenses

Every payment made by a candidate in respect of election expenses must, except where the amount is less than £10, be vouched for by a bill stating the particulars, or by a receipt. Every claim against any person in respect of any election expenses incurred by or on behalf of a candidate must be sent to him/her within 14 days of the day of the election. If not so sent, it must not be paid except by order of a court.

All election expenses must be paid within 21 days of the day of election, unless later payment is allowed by a court.

32. Return of Election Expenses

Within 28 days after the declaration of the election result every candidate must deliver to the Proper Officer of the District Council a return of all election expenses incurred by the candidate together with the bills or receipts for amounts of £10 and over. This return must be accompanied by a declaration, in a prescribed form, made by the candidate declaring that to the best of his/her knowledge and belief the return is accurate. **This return is required for the purpose of confirming that the expenses incurred do not exceed the authorised amount. It does not, of course, entitle the candidate to any refund of such expenses from the Council.**

The necessary forms are included in this pack. Failure by a candidate to deliver the return or declaration within the prescribed time constitutes an illegal practice; knowingly making a false declaration constitutes a corrupt practice. A candidate may in certain instances, e.g. illness or inadvertence, apply to a court for an 'authorised excuse'.

N.B. Even if you have not incurred any expenses (Nil returns), the forms are a legal requirement and **MUST** be completed and submitted.

Candidates should be aware that the returns and declarations must be kept by the Proper Officer at the Electoral Services Office, Follaton House, Plymouth Road, Totnes,

South Devon, TQ9 5NE for a period of twelve months after they have been delivered, and during that time they are available for inspection by any person. Copies may also be taken upon payment of the prescribed fee.

It is not the Returning Officers duty to remind Candidates who have not delivered their returns and declarations on time, nor to check any part of the returns or declarations.

33. Display of Advertisements

Posters are subject to other town and country planning controls and the permission of site owners should always be obtained. Contact the Planning Office for further details.

Any advertisements, posters etc. relating specifically to a pending election must be removed within fourteen days after the close of the poll.

34. Using Imprints on Leaflets etc.

An imprint must, by law, be added to campaign material to show who is responsible for its production. It helps to ensure that the campaign is transparent.

What do you need to include?

On printed material, such as leaflets and posters, you must include the name and address of:

- the printer
- the promoter
- any person on behalf of whom the material is being published (and who is not the promoter)

The promoter is the person who has authorised the material to be printed. If the promoter is acting on behalf of a group or organisation, the group or organisation's name and address must also be included.

You can use either home or office addresses.

If you are putting an advert in a newspaper, your advert does not need to include the printer's details.

Disclaimer

The above guide is intended to provide helpful guidance to candidates. Candidates should always seek their own legal advice on matters of electoral law. Furthermore, whilst every effort has been made to ensure the accuracy of the contents of this guide, the Returning Officer or Deputy Returning Officer can accept no responsibility for any consequences arising from any errors or omissions in this guide.

Local Government Elections Timetable of Proceedings for Thursday 4 May 2023

Event	Date
Publication of Notice of Election	Thursday 23 March 2023
Start of Nomination Process	10:00a.m. Thursday 23 March 2023
Deadline for Receipt of Nominations	4:00 p.m. Tuesday 4 April 2023
Deadline for withdrawal of Candidate	4:00 p.m. Tuesday 4 April 2023
Deadline for appointment of Election Agents	4:00 p.m. Tuesday 4 April 2023
Publication of Notice of Election Agents	4:00 p.m. Tuesday 4 April 2023
Publication of Statements of Persons Nominated	4:00 p.m. Wednesday 5 April 2023
Last Date for Registration	Monday 17 April 2023
Deadline for Receipt of Postal Vote Applications	5:00 p.m. Tuesday 18 April 2023
Publication of Notice of Poll	Tuesday 25 April 2023
Deadline for Receipt of Proxy Vote Applications	5:00 p.m. Tuesday 25 April 2023
Deadline for Voter ID Card Applications	5:00 p.m. Tuesday 25 April 2023
Deadline for appointment of Poll and Count Agents	Wednesday 26 April 2023
First Day to Issue Replacement/Lost Postal Ballot Papers	Thursday 27 April 2023
Last Day to Issue Replacement/Lost Postal Ballot Papers	5:00 p.m. Thursday 4 May 2023
Receipt of Emergency Proxy Vote Applications	5:00 p.m. Thursday 4 May 2023
Day of Poll	7:00 a.m. to 10:00 p.m. Thursday 4 May 2023
Return of Election Expenses (Town/Parish)	Thursday 1 June 2023
Return of Election Expenses (District)	Thursday 8 June 2023



SOCIAL MEDIA WARNING

Below are extracts from the Representation of the People Act 1983 regarding secrecy requirements. **Do not communicate information about the process through FACEBOOK, TWITTER or any other social media sites.**

DECLARATION OF SECRECY

Applies to all candidates, election agents and polling agents, and to every person attending at the polling stations, the issue and receipt of postal ballot papers, the verification and the count

REPRESENTATION OF THE PEOPLE ACT 1983, Section 66

1. The following persons:-
 - (a) every Returning Officer and every Presiding Officer or clerk attending at a polling station,
 - (b) every candidate or election agent or polling agent so attending,
 - (c) every person so attending by virtue of any sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000, shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to -
 - (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
 - (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or (iii) the official mark.
2. Every person attending at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not -
 - (a) ascertain or attempt to ascertain at the counting of the votes the number or other unique identifying mark on the back of any ballot paper;
 - (b) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.
3. No person shall -
 - (a) interfere with or attempt to interfere with a voter when recording his vote;
 - (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
 - (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given to a voter at that station;
 - (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.
4. Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not -
 - (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or
 - (b) except for some purpose authorised by law, communicate to any person at any time information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person; or
 - (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper; or
 - (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at those proceedings.
5. No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.
6. If a person acts in contravention of this section, he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding six months.



Application for the Supply of the Elector Register and/or Absent Voter List

Regulation 117 Representation of the People (England and Wales) [or Scotland] Regulations 2001

Name			
Address			
Capacity in which requesting the register and/or lists	Representative of the Electoral Commission	<input type="checkbox"/>	
	Elected Representative	<input type="checkbox"/>	
	Local Constituency Party	<input type="checkbox"/>	
	Registered Political Party	<input type="checkbox"/>	
	Candidate at the election	<input type="checkbox"/>	
	Police or Security Agency	<input type="checkbox"/>	
	Government Department	<input type="checkbox"/>	
Specify which document(s) you wish to receive	Register of Electors	<input type="checkbox"/>	
	Absent Voters List	<input type="checkbox"/>	
	** specify in what format (tick as appropriate) Please supply email address :-	Paper (PDF)	Data
Email:			
State the electoral area(s) required			
State the purpose to which the information will be used			

(For Candidates)

In accordance with the Representation of the People Regulations,

I hereby undertake not to:-

(a) supply a copy of the register to any person;

(b) disclose any information contained in it (that is not contained in the open register);

(c) make use of any such information other than for electoral purposes

(Any person who is found guilty of breaching these conditions may face a fine of up to £5000)

I also undertake to return this Register of Electors to the Returning Officer in the event of my not standing as a Candidate in the above election.

(For All)

Signature:

Date:

Code of conduct for campaigners: electoral registration, postal voting, proxy voting, voter authority certificates and polling stations

Campaigners are an essential element of a healthy democracy, and their right to put their arguments to voters should be supported and protected. It is equally important, however, to ensure that the activities of campaigners do not bring into question the integrity of the electoral process.

This Code provides a guide for campaigners, electoral administrators and police forces to what is, and is not, considered acceptable behaviour at polling stations and in the community during the lead-up to polling day.

As a guiding principle, if there is any doubt about a particular activity, campaigners should ask themselves “What would a reasonable observer think?”

More detailed guidance about electoral offences can be found in the guidance for candidates and agents, which is available at: <http://www.electoralcommission.org.uk/i-ama/candidate-or-agent>

The Code has been sent to all registered political parties in Great Britain, and Returning Officers will draw it to the attention of all candidates and parties contesting relevant elections. Some Returning Officers may identify the need to develop and seek agreement to specific local provisions which supplement the terms of this Code, in order to address identified local risks. Returning Officers must consult with local campaigners and the relevant national Nominating Officers as well as police forces to secure appropriate local agreement to such provisions, and should ensure that they are communicated and well understood by campaigners locally.

Scope of this code

This code covers all those actively involved in campaigning **in the run-up to local elections and referendums in England on 4 May 2023**. This version of the code will also apply to the following elections in Great Britain from 4 May 2023 onwards:

- UK general elections (the voter ID requirement will apply from October 2023)
- UK parliamentary by-elections
- Local authority elections in England
- Parish council elections in England
- Local mayoral elections in England
- Combined authority mayoral elections in England
- Greater London Authority (GLA) elections in England

- Police and Crime Commissioner (PCC) elections (and Police, Fire and Crime Commissioners (PFCC elections) in England and Wales
- Local authority referendums in England
- Neighbourhood planning and business referendums in England

Types of campaigners

All references to campaigners in this code include:

Candidates standing at an election, their agents and their staff and supporters

- Political party officers, members and supporters campaigning at an election
- Other people and organisations campaigning for or against a candidate, a group of candidates or a party at an election
- People and organisations campaigning for or against a particular outcome at a referendum

Other elections and referendums in Great Britain

This code does **NOT** apply to any other polls. The code of conduct for campaigners for other types of elections and referendums in Great Britain, can be found [here](#). It covers the following:

- Scottish council elections
- Scottish Parliament elections
- Referendums held under Scottish Parliament legislation
- Senedd Cymru elections
- Welsh local elections
- Referendums held under Senedd Cymru legislation

Compliance with this code

Any concerns that this code has been breached should be raised first with the candidate, political party or campaigner in question.

Any further concerns should be drawn to the attention of the Electoral Commission. The Commission will raise them with the relevant party or campaigner if appropriate, and will agree appropriate actions to remedy or prevent a reoccurrence of any breach.

1. Electoral registration, absent vote and voter authority certificate applications

1.1 Campaigners should be free to encourage voters to register to vote and apply to vote by post or appoint a proxy to vote on their behalf, if that is the most convenient way for them to vote.

Campaigners can help to inform voters about how to participate in elections, and Electoral Registration Officers should support you by providing you with a reasonable number of registration and absent vote application forms on request. Voters can also register online at: www.gov.uk/register-to-vote

1.2 Campaigners should ensure that any electoral registration, postal or proxy voting applications conform fully to the requirements of electoral law, including all the necessary questions and the options open to electors.

You can download electoral registration forms from www.gov.uk/government/publications/register-to-vote-if-youre-living-in-the-uk, and absent vote application forms from www.electoralcommission.org.uk/i-am-a/voter/apply-vote-post.

1.3 Campaigners should ensure that the local Electoral Registration Officer's address is clearly provided as the preferred address for the return of registration and absent vote application forms.

To ensure voters can make their own choice about how to return registration or absent vote application forms, you should always clearly provide the relevant Electoral Registration Officer's address as the preferred return address, even if an alternative address is also given. This will also minimise the risk of suspicion that completed applications could be altered or inadvertently lost or destroyed.

1.4 Campaigners should send on unaltered any completed registration or absent vote application forms given to them to the relevant Electoral Registration Officer's address within two working days of receipt.

To minimise the risk of absent vote applications being refused because completed forms arrive with the Electoral Registration Officer after the statutory deadline before a poll, you should ensure that there is no unnecessary delay in forwarding on application forms which you receive directly.

1.5 Campaigners should always explain to electors the implications of applying to vote by post or appointing a proxy.

It is important that electors understand that they will not be able to vote in person on polling day if they or their proxy apply for and are granted a postal vote, and will not be able to vote in person if their appointed proxy has already voted on their behalf. To avoid duplication and unnecessary administrative pressures for Electoral Registration Officers, campaigners should try to ensure that electors who are included in current postal or proxy voter lists, or have already applied for a postal or proxy vote for a particular poll, do not submit an additional application.

Postal vote applications

1.6 Campaigners should never encourage electors to have their postal ballot pack redirected to anywhere other than the address where they are registered to vote.

Electors should take care to protect their ballot paper and postal ballot pack, and they will be best able to do so at their home address unless there are compelling reasons why receiving the postal ballot pack at the address where they are registered to vote would be impractical. Electors must state on the application form the reason why they need their postal ballot pack sent to another address.

Proxy vote applications

1.7 Electors should be encouraged to explore other options for people to act as a proxy – including relatives or neighbours, for example – before a campaigner agrees to be appointed as a proxy.

To minimise the risk of suspicions that campaigners may be seeking to place undue pressure on electors, electors should not be encouraged to appoint a campaigner as their proxy.

Voter authority certificates

1.8 Campaigners should be free to inform voters that they need photographic identification to vote at certain elections and how to apply for a Voter Authority Certificate.

Campaigners can help to inform voters that they must produce a suitable form of photographic identification to vote in person at a polling station for the elections covered by this code (see scope section above). Campaigners can also encourage voters who lack a suitable form of photographic identification to apply for a Voter Authority Certificate which they can use to vote at their local polling station. Campaigners should encourage voters to check whether they have a suitable photo ID before making an application for a Voter Authority Certificate. [The full list of accepted ID can be found here](#). Campaigners should encourage voters to apply for a Voter Authority Certificate online although it is also possible to apply using a paper form. Voters can [apply online by clicking here](#). Voters can find details for how to [apply using a paper form by clicking here](#).

1.9 Campaigners should not handle paper-based Voter Authority Certificate applications or assist voters with online applications

Voters will have to supply sensitive personal information when they apply for a Voter Authority Certificate, including photographs. Campaigners do not need to have access to this information.

2. Postal voting ballot papers

2.1 Campaigners should never touch or handle anyone else's ballot paper.

If you are asked for assistance in completing a ballot paper, you should always refer the voter to the Returning Officer's staff at the elections office who may be able to arrange a home visit if necessary. Assistance will also be available for electors at polling stations.

2.2 Campaigners should never observe voters completing their ballot paper. If you are with a voter when they complete their ballot paper, remember they should always complete it in secret.

You should ensure that the voter seals both envelopes personally and immediately after completing their ballot paper and postal voting statement. If you are asked to give advice, it is acceptable and often helpful to explain the voting process, but do not offer to help anyone to complete their ballot paper.

2.3 Campaigners should never handle or take any completed ballot paper or postal ballot packs from voters.

Wherever practical, you should encourage voters to post or deliver the completed postal ballot pack themselves. If you are approached or asked for help by a voter who is unable to post their completed postal ballot pack or make any other arrangements for it to be returned in time, you should contact the Returning Officer to ask them to arrange for it to be collected. The Returning Officer may agree that it would be in the voter's best interest for you to deliver the completed postal ballot pack to the relevant office or polling station, if there are no feasible alternative options.

3. Campaigning outside polling places

3.1 Campaigners should be allowed to put their messages to voters on polling day, including in public spaces outside polling places.

Polling station staff and police officers should not seek to discourage or remove campaigners who are otherwise peacefully communicating with voters, as long as they are not within or impeding access to the grounds of the polling place. You should be careful, however, to ensure that your approach is proportionate and should recognise that groups of supporters may be perceived as intimidating by voters.

3.2 Campaigners should keep access to polling places and the pavements around polling places clear to allow voters to enter.

The Presiding Officer is responsible for maintaining order in the polling place, and you may be asked to move by polling station staff or police officers if you are impeding access by voters to a polling place.

4. Complaints and allegations about electoral fraud

4.1 Campaigners should be prepared to give the police a statement and substantiate any allegations of electoral fraud they make.

The police will investigate allegations where someone is prepared to provide evidence or a statement in support of the complaint, but unsubstantiated claims about electoral fraud have the potential to damage confidence in the integrity of the electoral process. You should ensure you are confident that evidence can be provided to the police before considering whether it is appropriate to publicise any specific allegation.

4.2 Campaigners who are concerned or think that electoral fraud may have taken place should raise the matter with their election agent or local party, or with the relevant Electoral Registration Officer or Returning Officer for the area.

They may be able to explain whether or not an election-related crime has been committed, and refer it to the police if appropriate or provide details of the police contact for the relevant area so that campaigners can report their allegation. Concerns about breaches of the political finance rules should be raised directly with the Electoral Commission.

4.3 Any campaigner who has actual evidence that an electoral offence has been committed should report it directly and without delay to the police.

If appropriate, the police will investigate the matter. Every police force has designated a Single Point of Contact (known as a SPOC) to lead on election matters and who will deal directly with the matter or give advice to local police officers. The Electoral Commission can help provide contact details for local police force SPOCs.

Effective from January 2023