

Supporting the Scottish
Parliamentary and local
government elections

The
Electoral
Commission



Handbook for
polling station staff

Translations and other formats

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Tel: 020 7271 0500

Email: publications@electoralcommission.org.uk

The Electoral Commission

We are an independent body that was set up by the UK Parliament. Our mission is to foster public confidence and participation by promoting integrity, involvement and effectiveness in the democratic process.

Handbook for polling station staff

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1 Introduction

This handbook is designed to assist polling station staff working at the Scottish Parliamentary and local government elections on 3 May 2007. It describes the procedures to be followed and how to deal with problems that may arise.

All polling station staff should read the contents carefully in advance of polling day, particularly as there have been significant changes to many of the polling procedures since the last elections.

References are made throughout this manual to the Returning Officer. In practice, however, it is the electoral administrator who is responsible for the day-to-day running of elections. Polling station staff will be given local contact details prior to polling day and this will most likely be, in the first instance, the elections office.

2 The elections

What elections are happening?

On 3 May 2007, elections to the Scottish Parliament will take place alongside elections to each of Scotland's 32 councils.

Voting systems

Scottish Parliamentary elections

Elections to the Scottish Parliament are conducted using the Additional Member System (AMS).

There are 73 constituency Members of the Scottish Parliament (MSPs) in the Scottish Parliament, who are elected using the first-past-the-post system, and there are 56 regional members who are elected using the party list system, which provides an element of proportional representation.

Each voter has two votes in the Scottish Parliamentary election: a constituency vote for a candidate and a regional vote for a political party or candidate standing as an individual (if there are any). The voter will mark their two votes on a combined single ballot sheet, placing one 'X' in each column on the paper.

Local government elections

The local government elections will, for the first time, be conducted under the Single Transferable Vote (STV) electoral system. Electors rank the candidates in order of preference, i.e. by placing a '1' in the box to the right of the name of the candidate of their first choice, a '2' in the box to the right of the name of the candidate of their second choice, a '3' in the box to the right of the name of the candidate of their third choice, a '4' in the box to the right of the name of the candidate of their fourth choice, etc. They may vote for as many

or as few candidates as they wish. They may, if they wish, only place a '1' at the candidate of their first choice and leave the remainder blank, or they may place their order of preference (1, 2, 3, 4, 5, and so on) against the name of each candidate.

Unlike the former first-past-the-post system where one councillor was elected for each ward, voters will now elect either three or four councillors in multi-member wards.

For further information on the electoral systems to be used at the Scottish Parliamentary and local government elections, please see Appendix 1.

Ballot papers

There will be two ballot papers issued to each voter, one for the Scottish Parliamentary elections and one for the local government election.

The ballot paper for each election will be differently coloured as follows:

- Scottish Parliamentary elections – a single ballot sheet consisting of two columns, with the regional vote in the left-hand column and coloured brown, and the constituency vote in the right-hand column, shown in violet
- local government elections – white ballot paper

The ballot papers will be numbered sequentially and will be barcoded. Ballot papers will no longer need to be stamped with the official mark – alternative security markings will be pre-printed on the ballot papers.

Presiding Officers will be provided with pre-printed lists of the ballot paper numbers corresponding to the ballot papers provided to each polling station. These lists are known as the corresponding number lists.

3 The polling station team

The role of the polling station staff is to ensure that voters are able to cast their vote in secret, free from influence and in a calm atmosphere.

Duties of the Presiding Officer

Presiding Officers are responsible for the conduct of the ballot in the polling station and they must have a good knowledge of the voting procedures.

The Presiding Officer's main duties are to:

- comply with any instructions issued by the Returning Officer
- ensure the secrecy and security of the ballot
- instruct and supervise the work of Poll Clerks
- organise the layout of the polling station and liaise if required with the key-holder of the building
- open and close the polling station on time
- maintain order in the polling station
- be polite and professional in dealing with voters, candidates, agents and others entitled to be present in the polling station
- act impartially at all times
- account and be responsible for all the ballot papers, ballot boxes and paperwork
- ensure that the proper procedure for voting is followed
- deal with special voting procedures as required
- issue ballot papers to voters
- receive any postal votes handed in by voters

- manage the attendance of those entitled to be present in the polling station, e.g. candidates and agents, representatives of the Electoral Commission and observers, and ensure that they do not interfere with the voting process
- monitor the activities of tellers outside polling places
- keep the polling place neat and tidy
- ensure that all signs and notices are clear, visible and remain in place

Duties of the Poll Clerk

Poll Clerks do not have the responsibilities of the Presiding Officer, but they must know all the procedures for voting and how to deal with problems.

At least one Poll Clerk will be appointed to each polling station but there may be more than one if the Returning Officer has deemed it necessary for the effective conduct of the election.

The Poll Clerk's main duties are to:

- comply with any instructions issued by the Returning Officer
- assist with the layout of the polling station and prepare for the opening of the poll
- be polite and professional in dealing with voters, candidates, agents and others entitled to be present in the polling station
- act impartially at all times
- check that electors are eligible to vote in the elections and at this polling station
- check and mark elector numbers in the register of electors
- issue ballot papers to voters (in the absence of the Presiding Officer)

- ensure that voters cast their votes in secret
- maintain the secrecy of the ballot at all times
- answer voters' questions, where appropriate, in a friendly and professional way
- help with any other polling station duties on the instruction of the Presiding Officer

Duties of the Presiding Officer (Number one station)

Where there is more than one polling station in the polling place, the Presiding Officer (Number one station) additionally has an overall responsibility for the polling place.

Duties of the Information Officer

In order to ensure electors are sufficiently informed to vote validly in the elections, the Returning Officer may have appointed Information Officers to work at the polling place.

The Information Officer's main duties are to:

- meet voters as they enter the polling place
- direct voters to the correct polling station (where there is more than one polling station in the polling place)
- assist voters with requests for information on the electoral systems and the voting processes
- provide support to the Presiding Officer in the explanation and clarification of special voting procedures
- assist in managing the flow of voters to the polling station, particularly at peak times
- assist the Presiding Officer in carrying out such other duties as may be required (e.g. in dealing with voters who have a difficult disposition)

4 Before polling day

Training for polling station staff

Polling station staff will need to be fully briefed about the elections and cannot rely solely on past experience, particularly as there have been significant changes that will make these elections different from any previous elections. Neither should polling station staff rely only on this handbook. Returning Officers will have scheduled training/briefing sessions and all polling station staff must attend these sessions.

Locating the polling station

The Returning Officer will decide how many polling stations are needed, where they should be situated, and how many Presiding Officers, Poll Clerks and Information Officers are required to staff them.

Do not assume that a polling station will be in the same place as it has been for previous elections. The Returning Officer will provide information on the location of the polling station when appointments are made. All members of the polling station team should know the location of the polling station before polling day.

Polling station staff should consider how long it will take to get to the polling station on the morning of the election and factor this into their plans for the day. Arriving in good time will enable staff to ensure that the polling station is set up in an appropriate manner before the polls open at 7am.

Polling station staff should ensure that they take sufficient food and drink to last for the whole of polling day, as they will not be able to leave the polling place while the polls are open.

Delivery or collection of the ballot boxes

Unless the ballot boxes are being delivered directly to the polling station, the Returning Officer will notify Presiding Officers of the arrangements for the collection of the ballot boxes together with all relevant election materials.

Where the ballot boxes and other election materials are to be collected by the Presiding Officer and then kept at the Presiding Officer's home, great care must be taken to ensure their security at all times. In particular, no election materials are to be left unattended in a car.

5 Polling day: before the poll opens

Arriving at the polling place

Presiding Officers and Poll Clerks must arrive at the polling place not later than 6.30am. Make sure sufficient time is allowed to get to the polling place – do not be late. Polling station staff unavoidably detained or unable to attend the polling place must contact the Returning Officer immediately.

Presiding Officers must check that watches or clocks are accurate to ensure that the poll is opened on time.

What happens if the key-holder does not attend?

First, try to make contact, either by telephone or send a member of the polling station team to their home. Polling station staff should also alert the Returning Officer to the situation. If access cannot be gained, contact the Returning Officer again for further instructions. If necessary, set up a temporary polling station. There may be sufficient space at the entrance to the building, or even outside it. In some cases, Presiding Officers have used the back of a car. Whatever the situation, voters **must** be able to vote in secret from 7am onwards.

Keep any agents and observers in attendance informed of the arrangements you are making.

Checking supplies and materials

Unless supplied by the Returning Officer directly to the polling place, the Presiding Officer will be responsible for the transportation of the ballot boxes and election materials. The larger items, such as the polling booths, will normally have been delivered to the premises beforehand. The Returning Officer will advise Presiding Officers of the arrangements.

A different type of ballot box will be used at these elections, designed to keep the ballot papers flat in order to facilitate the electronic counting of votes. Presiding Officers may have to assemble the boxes themselves and if this is the case will have been given instructions from the Returning Officer on how to do this. Sufficient time will need to be set aside for doing this before the poll opens. Even where Presiding Officers are not asked to make up the ballot boxes themselves, they will still be required to attach the chutes through which voters will insert their ballot papers into the ballot boxes.

A checklist of polling station supplies will be provided with the ballot boxes and other polling station materials. If, on checking the contents, any items of equipment or materials listed on the checklist are missing, contact the Returning Officer immediately. Materials should be checked on receipt. Take care when lifting the materials or equipment; they may be heavy (see Appendix 11).

It is good practice for the Presiding Officer to check the ballot papers are the correct ones for the relevant Scottish Parliamentary constituency and region, and local government ward, and that there are no obvious errors in the numbering of the papers. The numbers on the back of the first ballot papers to be issued should be checked against the ballot paper numbers printed on the corresponding number list before polling begins, and should be those with the lowest numbers. The remaining ballot papers can be checked during the course of the day. If any numbers do not match, contact the Returning Officer immediately. Do not issue ballot papers on which there are errors or where the printing is indistinct or unclear.

Standards of appearance

The atmosphere in the polling station should be business-like and friendly, and polling station staff should dress accordingly. However, staff will be present at the polling station all day and should consider their personal comfort.

Remember that polling station staff are representatives of the Returning Officer and should act impartially at all times. Any badges, slogans or colours which might bring the impartiality of the polling station staff into question must not be worn. If the Returning Officer has supplied a badge indicating your role or title for the day, this should be worn as it will assist voters.

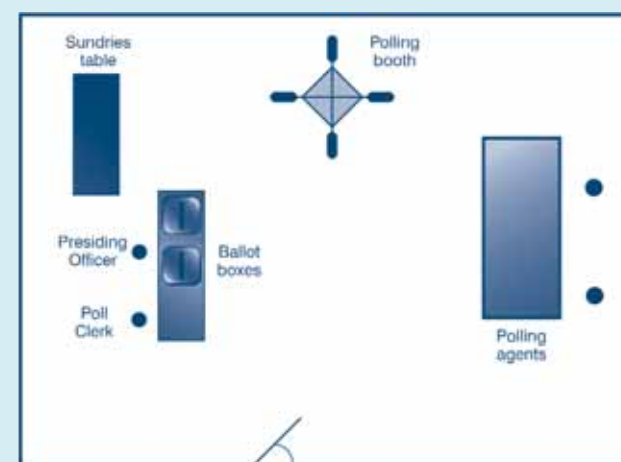
Polling station layout

The first job on arrival will be to set up the polling station, unless this has already been done for you. The layout of the room is important. Poor layout could cause unnecessary confusion and access difficulties.

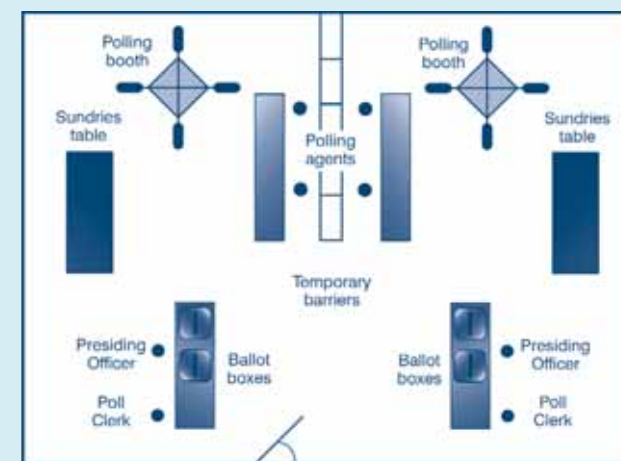
Caretakers may have arranged the room, particularly if the Returning Officer has previously given them instructions on the layout of the polling station. However, it is possible that the polling station staff may have to set up the room or rearrange the furniture. Some polling booths are heavy; be careful when erecting or moving them (see Appendix 11).

Examples of layouts for both a room where there is one polling station and a room where there is more than one polling station are set out below. These are shown as a guide and may have to be adapted to meet local circumstances.

Example of a single polling station layout



Example of a double polling station layout



The ballot boxes and polling booths should be arranged to ensure that they are accessible to electors yet fully visible to polling station staff.

Presiding Officers should position themselves and the ballot boxes in a way that prevents any voter from leaving the polling station without passing them.

Each polling station will have two boxes, a black ballot box for the Scottish Parliamentary election and a white ballot box for the local government election, and the layout of the polling station should provide for these boxes to be positioned side by side.

The layout must work for the voter as well as for the polling station staff. In particular, the needs of voters with a range of disabilities must be considered. For example:

- Are the ballot boxes accessible for all voters?
- Can a wheelchair user easily get around the polling station and its surrounding areas?
- Is the low-level polling booth in the most appropriate position for wheelchair access?
- Are the notices accessible for all voters?
- Are the polling booths positioned to make the best use of the available light?
- Are polling agents and observers positioned so that they do not interfere with the proceedings?

In all cases, make sure that polling booths are not placed so that people outside can see how voters are marking their ballot papers.

Remember that in a room where there is more than one polling station, the ballot boxes must be kept separate. Otherwise voters from one polling station may mistakenly put their ballot paper in the wrong ballot box and the ballot paper accounts for each of the two polling stations will not tally. Even with the ballot boxes kept separate, it is still important to remain vigilant as voters may still become confused as to which ballot boxes they should be using.

Signs and notices

Think what each sign and notice is for when putting it up. Some signs are directional while notices provide information for voters. Ensure that they are positioned so they can be read by all electors, including those in wheelchairs.

The 'Information for Voters' poster provides information regarding the voting procedures in the elections and the purpose of the two different ballot papers. This poster should be displayed both inside and outside the polling station to ensure maximum exposure to voters without disrupting the flow of voters.

A large cardboard 'pop-up' setting out this information in a pictorial format will also be supplied for each polling place. This should be displayed prominently so that voters can see it on entering the polling place. It will be helpful if the Information Officer is positioned near the 'pop-up' in order to be able to provide any further information on the voting process and electoral systems to electors as required.

The notice 'Guidance for Voters' should be displayed in every polling booth.

Notices in Braille or in languages other than English may also be supplied by the Returning Officer. If this is the case, these should be displayed both inside and outside the polling station.

A large sample copy of each of the ballot papers should be displayed inside the polling station, ideally in a well lit location where voters can easily see them before being issued with their ballot papers.

An enlarged hand-held copy of each ballot paper, marked 'sample', will also be supplied

by the Returning Officer. These can be given to voters who are partially sighted to take into the polling booth for reference.

Walk the route the voter is expected to follow, checking all signs and notices.

Make sure that there are no party posters or other material that might be construed as supporting the views of any candidate or political party involved in the elections displayed in or on the premises. If any such materials are found, they must be removed or covered up

Who may be present in the polling station?

The law specifically provides for certain persons to be present in polling stations (in addition to polling station staff and voters). These are:

- the Returning Officer and staff
- candidates, election agents and polling agents
- Police Officers on duty at the polling place
- representatives of the Electoral Commission and observers
- persons under the age of 18 who accompany voters
- companions of voters with disabilities

The Returning Officer and staff

Returning Officers and their staff may visit during the course of the day. This may be to carry out duties such as delivering additional equipment, carry out an inspection of the polling place or to collect postal ballot papers handed in to the polling station by voters.

Candidates, election agents and polling agents

Candidates and 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.

All candidates and political parties contesting these elections may appoint polling agents. They have the right to enter and remain in the polling station and to observe voting. The purpose of their appointment is to detect personation, i.e. people voting in the name of another elector. Not more than one polling agent may be admitted at the same time to a polling station on behalf of the same candidate or registered political party. The Returning Officer will have notified Presiding Officers in advance if any polling agents have been appointed to attend at the polling station.

Polling agents may note on their own copy of the register of electors who has voted but they cannot take this marked copy of the register out of the polling station until after the close of poll. They must not interfere with the voting process and must not campaign or canvass voters in the polling station. They have the right to observe the preparation and opening of the polling station and its closure. During polling hours, polling agents in attendance should be placed at a separate table that is close enough to see and hear the proceedings. If they do wear a rosette, then it should be plain and not refer to a specific candidate or registered political party.

Police Officers on duty at the polling place

Police Officers may be present on duty at the polling station at any time, although it is the Presiding Officer's duty to maintain order

(see Appendix 9). In many areas, it is now common practice to provide mobile policing support to polling stations.

Representatives of the Electoral Commission and observers

Representatives of the Electoral Commission and other individuals or nominated members of organisations granted permission to observe by the Electoral Commission or the Local Government Returning Officer are entitled to attend all polling station proceedings.

Every observer must carry identification and should not be allowed to remain in the polling station without it. Observers granted permission to observe by the Electoral Commission will be issued with specific photographic identification. The Local Government Returning Officer will issue separate identification to observers entitled solely to observe proceedings related to the local government elections. Returning Officers will show you samples of this identification so that you know what to expect.

Both Commission representatives and observers agree to abide by a Code of conduct that includes an agreement that they will not interfere with any proceedings. Presiding Officers may ask observers to leave the polling station if they are obstructing the conduct of the poll or not complying with the Code of conduct, and must record any such incidents and notify the Returning Officer as soon as possible.

You can always check the status of individuals seeking to gain entry to polling stations as observers with the Returning Officer.

Persons under the age of 18 who accompany voters

Persons under the age of 18 may accompany voters into the polling station to observe the voting procedure. Presiding Officers can limit the number of those under 18 allowed in the polling station at any one time if they consider it to be impeding the proceedings in any way.

Companions of voters with disabilities

Certain persons may accompany and assist voters with disabilities in placing their vote. See Appendix 2 for further details.

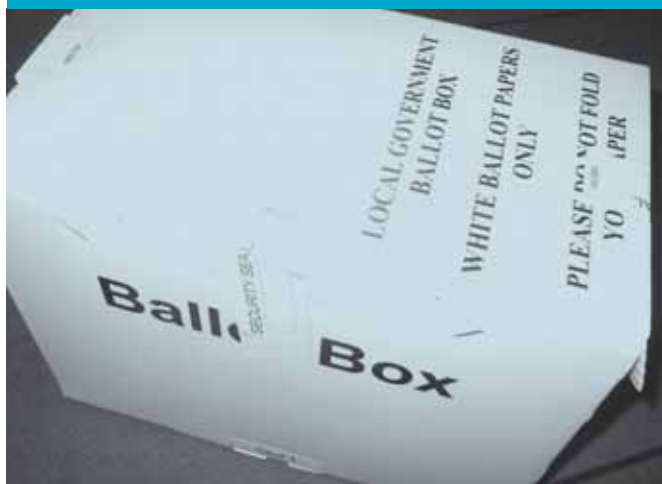
Sealing the ballot boxes

The Presiding Officer should close and seal the ballot boxes a few minutes before 7am, after having shown to all present that they are empty. Each ballot box must be sealed before polling commences.

In the event that more than one ballot box has been issued to the Presiding Officer for each election (because of the number of ballot papers likely to be issued), each ballot box must be sealed before polling commences. However, only one ballot box should be in use for each election at any one time, and additional boxes should be stored securely out of sight.

The Presiding Officer must ensure that the ballot boxes are properly secured.

A sealed ballot box



Some last-minute checks

Just before the polling station is opened, take a few moments to double-check that everything is ready. Make sure that the ballot papers, corresponding number lists, tendered ballot papers and other official documentation are safely out of reach of voters. It is good practice to keep tendered ballot papers separate to ensure that they are not issued in error.

Tendered ballot papers are easily identified as they are a different colour to the ordinary ballot papers. Information on the circumstances in which tendered ballot papers should be issued can be found in Appendix 7.

Check that the ballot papers are in the correct numerical sequence and that the numbers match those pre-printed on the corresponding number list. Ballot papers should be issued in order, commencing with the lowest serial number. This will save a lot of accounting problems at the close of poll. Check that any ballot pencils are sharpened and securely fixed to the polling booth.

6 Polling day: opening and conducting the poll

Opening the polling station

The polling station must open at 7am. Do not be late.

There may be a number of voters waiting for the polling station to open. Greet them and invite them inside as soon as it is 7am. However, do not issue ballot papers before 7am.

Summary of the voting procedure

For the majority of voters who come to the polling station, the process for voting will be straightforward.

Stage one – checking the voter

- Greet the voter, ask them to confirm their name and address and make sure that they are eligible to vote.
- Mark the register of electors against the elector number of the voter by placing a straight line against the voter's entry.
- Read out the polling district reference, the elector number and the name of the voter.

Stage two – issuing the ballot papers

- Write the voter's elector number and the polling district reference on the corresponding number list beside the numbers of the ballot papers to be issued to the voter.
- Hand the ballot papers (unfolded) to the voter.

Stage three – voting

- The voter marks the ballot papers in the privacy of the polling booth.
- Check that the voter places the ballot papers, unfolded, in the correct ballot boxes.

- Say 'goodbye' and thank the voter as they leave the polling station.

The appendices in this handbook show what to do when something out of the ordinary occurs, e.g. establishing entitlement to vote, dealing with proxy and emergency proxy voters, special voting procedures, etc. Presiding Officers should read these sections prior to polling day in order to be prepared.

Stage one – checking the voter

The Poll Clerk is responsible for the register of electors and the Presiding Officer is responsible for issuing the ballot papers. If there are two Poll Clerks, the Presiding Officer may wish to oversee the process, dealing with voters and any special circumstances. In this case, the two Poll Clerks should share duties and could swap over every so often on the instruction of the Presiding Officer.

Greet voters as they approach the table. If there are two polling stations in the room, make sure that voters attend the correct one. Ideally, there should be signs displayed listing the streets or addresses for each station and the Information Officer should be on hand to guide voters.

Most voters bring their poll card with them to show to the Poll Clerk even though this is not a requirement. Offer this card back to voters; it will help them to give information to tellers outside if this is their wish. If the voter declines the poll card, the Poll Clerk should tear up the card before disposing of it.

The Poll Clerk must:

- confirm the voter's name and address and check to see if they are on the register of electors and eligible to vote

- draw a straight line against the voter's entry on the register of electors
- read out the polling district reference, voter's name and elector number from the register of electors (this is a safeguard against personation)

Whose names are on the register of electors?

The register of electors contains the names of all electors allocated to the polling station. Most voters just have their elector number and address. These voters are eligible to vote in any election. Some voters will have a letter or a date preceding their name. These letters indicate their eligibility to vote in certain elections and the date indicates when they will attain voting age.

Who is eligible to vote at these elections?

- electors with no letters or dates before their name
- electors who are 18 years of age or over on polling day – the figures printed before an elector's name indicate the date on which that elector becomes 18 years old
- electors with a G before their name – these are European Union (EU) citizens who can vote in Scottish Parliamentary and local government elections
- electors with a K before their name – these are EU citizens (other than citizens of the UK, the Republic of Ireland, Cyprus or Malta) who can vote in Scottish Parliamentary, local government and European Parliamentary elections

- electors with an L before their name – these are electors who are peers and who may vote in Scottish Parliamentary, local government and European Parliamentary elections

Who is not eligible to vote at these elections?

- electors with a date of birth next to their name which shows that they will not be 18 years old until after polling day
- electors with an A before their name – these are voters who have chosen to vote by post and are not able to vote in person at the polling station
- electors with an E before their name – these are overseas electors who are registered as peers of the realm and who are entitled to vote only in European Parliamentary elections
- electors with an F before their name – these are overseas electors who can vote only in UK and European Parliamentary elections
- electors with an U before their name – these are citizens of another state of the EU who have made a declaration for registration only in respect of European Parliamentary elections

What happens if a voter claims to have made an application but is not on the register of electors?

The Presiding Officer should refer the query or the person to the Electoral Registration Officer. If it is determined that a correctly completed application form was received but the person's details have not been entered on to the register by virtue of clerical error, the Electoral Registration Officer must issue an instruction (either written or oral) to the Presiding Officer

to allow that person to vote up until 9pm on polling day. For further details, see Appendix 5.

For advice on how to deal with specific problems on the register of electors, please refer to Appendix 5.

What happens if someone is listed as a postal voter (or a postal proxy) but claims not to have applied for a postal vote?

Electors or appointed proxies marked as having been issued with a postal vote **cannot** be given an ordinary ballot paper in the polling station.

However, up until 5pm on polling day, they may be issued with a replacement postal ballot pack (see Appendix 6). The Presiding Officer should refer the elector to the Returning Officer for advice on this procedure. Alternatively, the elector is entitled to be issued with a tendered ballot paper (see Appendix 7).

After 5pm, the voter (or proxy) cannot be issued with a replacement postal ballot pack so the Presiding Officer may only issue a tendered ballot paper in accordance with the procedure in Appendix 7.

In all instances, the Presiding Officer should make a record of the elector's details as directed by the Returning Officer.

Stage two – issuing the ballot papers

Ballot papers are numbered and should match the numbers pre-printed on the corresponding number list. Ballot papers must be issued in strict numerical order commencing with the lowest number in the consignment. Otherwise,

problems will be experienced at the close of poll when completing the ballot paper accounts.

If the voter is shown on the register of electors as being eligible to vote, and has, if necessary, answered the prescribed questions satisfactorily (see Appendix 8), then the voter must be issued with the two ballot papers.

The Presiding Officer must:

- write the voter's elector number and polling district reference on the corresponding number list beside the numbers of the ballot papers to be issued to the voter
- hand the ballot papers (unfolded) to the voter

The secrecy of the ballot

Voters may ask why their elector number is written against the numbers of the ballot papers they have been issued with on the corresponding number list. This is done to protect voters against fraud. The completed corresponding number list, the marked copy of the register of electors and used ballot papers are kept separately in an official secure location following the election for a specified time before they are destroyed. The completed corresponding number list and used ballot papers are only open to examination following a court order where there has been an allegation that an election offence has been committed.

This is extremely rare.

There are two reasons for numbering the ballot papers:

- To allow the Returning Officer to know exactly how many (and which ones) have been issued to each Presiding Officer – if any false copies were introduced at the polling station or the count, they could be identified.

- To allow an election court to investigate in cases of personation and to decide which votes should be allowed or disallowed – a court order would be necessary before any sealed envelopes containing election documents could be opened. There are no other circumstances under which ballot papers can be looked at once they have been sealed in packages.

For the above reasons, the ballot is secret and voters should be reassured that their vote will not be traced.

Stage three – voting

Voters must mark the ballot papers in the privacy of the polling booth and then place the ballot papers (unfolded and face downwards) in the correct ballot box so that no one sees the way they have voted.

What is the procedure if the voter makes a mistake and spoils the ballot paper?

Do **not** issue a tendered ballot paper.

Sometimes voters do make mistakes – for example, by making a mark against the ‘wrong’ candidate or party.

If the voter has proved to the satisfaction of the Presiding Officer that only one of the two ballot papers has been ‘spoilt’ inadvertently, the voter must nevertheless give both ballot papers to the Presiding Officer. The Presiding Officer must take the two ballot papers and write ‘cancelled’ on both of them and on the corresponding number list. Place the cancelled ballot papers in the envelope provided for this purpose. **Do not place either the spoilt or the unspoilt ballot paper in the ballot box.**

Issue the voter with two replacement ballot papers, one each for the Scottish Parliamentary and local government elections. Do not forget to write the elector number against the new ballot paper numbers on the corresponding number list.

Alternatively, if the voter proves to the satisfaction of the Presiding Officer that one ballot paper (either the Scottish Parliamentary or local government ballot paper) has been spoilt inadvertently but the other ballot paper has been put in the respective ballot box, the voter must return the spoilt ballot paper to the Presiding Officer. The Presiding Officer must write ‘cancelled’ on the returned ballot paper and on the corresponding number list. The Presiding Officer must issue the voter with a replacement ballot paper in place of the returned (spoilt) ballot paper, writing the elector number against the new ballot paper number on the corresponding number list. When issuing a replacement ballot paper, the Presiding Officer will have to issue both a Scottish Parliamentary and a local government ballot paper, only one of which will be needed as a replacement by the voter. **In addition to cancelling the returned ballot paper, the Presiding Officer must also cancel** whichever replacement ballot paper is **not** needed by the voter. Place the two cancelled ballot papers (the spoilt and the unused) in the envelope provided for this purpose. **Again, do not place either of the cancelled ballot papers in the ballot box.**

Once a spoilt ballot paper has been placed in the ballot box, a replacement ballot paper cannot be issued.

At the close of poll, the Presiding Officer will count and record the number of spoilt ballot papers on the ballot paper accounts.

Providing general assistance to voters

Where an Information Officer has been appointed to the polling place, they will be on hand to provide general assistance to voters and to answer any requests for information on the electoral systems and the voting process.

When giving general assistance, polling station staff must be careful not to lead voters to cast their votes for a specific candidate or political party.

There are a number of written instructions available for voters in the polling station. First of all, there are the instructions on the ballot papers themselves. There are also the 'Information for Voters' and 'Guidance for Voters' notices. If any voter asks for assistance, in some circumstances, it may be helpful to read out these instructions to them.

Additionally, the Returning Officer may have provided instructions or guidance in alternative languages or in pictorial format depending on the requirements within the community. The Presiding Officer should be familiar with what resources are available and provide these as and when appropriate.

Some voters may still find the instructions unclear. They may ask, for example, to have their favoured candidate or political party pointed out to them. Some might also ask where they should mark the ballot paper. In these circumstances, the Presiding Officer should read out the candidates or registered political parties in the order that they appear on the ballot paper.

There are special procedures to follow when assisting disabled voters and these are described in Appendix 2.

Customer care

You have a duty to assist voters in the voting process. Remember, they are your customers: greet them with a smile and take into account any special needs they may have. At the elections on 3 May 2007, voters may need an explanation of the different voting systems to be used and guidance on the voting procedure.

Never be off-hand, prejudiced or patronising. Do not become angry or agitated, even when under pressure.

Remain impartial and never offer an opinion about any political party or candidate.

Listen carefully if you are asked a question. If you are unable to answer a voter's questions or concerns, refer them to the Returning Officer.

Maintenance of the polling place

The Presiding Officer (Number one station) is responsible for the overall supervision of the polling place. As part of this responsibility, the Presiding Officer (Number one station) should check all polling stations regularly and ensure that voters have unimpeded access at all times (See Appendix 9 for guidance on maintaining security at the polling place.)

- Check the signs and notices and replace or repair any that have been defaced or damaged.
- Make sure that the entrance to the polling place, including any ramps, is not blocked.
- Instruct anyone who is campaigning in or around the polling place to stop.

- Make sure that there is sufficient light for voters in the polling booths.
- Make sure that the pencils are still in the booths and sharpen them if necessary.
- Ensure that nothing has been left in the booths, including ballot papers or information on a particular candidate or political party.
- Check the ballot box seals.
- Keep the polling station clean, tidy and free from any hazards, including any passage-ways leading into the polling station.
- Where temporary ramps are being used, ensure they are firmly in place.

Postal votes

Presiding Officers are responsible for receiving any postal votes (or any part of a postal vote, i.e. the postal ballot paper(s) or postal voting statement) handed in at the polling station. For further details on the postal vote procedure, see Appendix 6.

7 The close of poll

Procedures

- Polling must close at 10pm.
- Make sure that the doors to the polling station are closed at exactly 10pm.
- Anyone who has been issued with a ballot paper by 10pm must be allowed to vote.
- No one may be issued with a ballot paper after 10pm even if they are inside the polling station and waiting to receive their ballot papers.

The following are permitted to be present at the close of poll:

- the Returning Officer and staff
- candidates, election agents and polling agents
- Police Officers on duty at the polling place
- representatives of the Electoral Commission and observers

After the close of poll, the Presiding Officer must remove the chute and seal the slot of the ballot boxes. Any candidate, election agent or polling agent present may affix their seal to it.

The Poll Clerk, in the meantime, should take down all the signs and tidy the room. If instructed to do so, polling station staff may also be required to dismantle the polling station furniture and return the room to its original state. Take care when moving heavy items (see Appendix 11).

Candidates, election agents and polling agents are also entitled to be present when the paperwork is being completed and when the various packets of documents are sealed as described below.

Completing the paperwork

The Presiding Officer must complete all official forms. Take care when filling in the paperwork. It is far more important to be accurate than fast.

It is quite possible that some of the official forms have not been needed during the day; no tendered ballot papers have been issued and no ballot papers have been spoilt. If this is the case, still complete the forms, entering a 'nil' return where necessary.

Checklist of official forms to be completed by the Presiding Officer

- the two ballot paper accounts: one for the Scottish Parliamentary ballot papers and one for the local government ballot papers
- the list of voters with disabilities assisted by companions
- the list of votes marked by the Presiding Officer
- the statement of the number of voters whose votes are marked by the Presiding Officer
- the tendered votes list
- the statement of the number of postal votes delivered to the polling station

Completion of the paperwork is easier if all the official forms are laid out with their corresponding envelopes. The front of each of the official envelopes lists the contents. Complete as many of the forms and envelopes as possible during the day, well before the close of poll. Remember to complete all the paperwork, even if it seems there is nothing to report.

Checklist of official packets and envelopes and their contents

- the ballot paper accounts – keep these and their relevant envelopes or folders with the ballot boxes
- postal vote envelopes handed in at the polling station – keep these with the ballot boxes
- the marked copy of the register of electors (including any marked notices as described in Appendix 5), and list of proxies
- unused and spoiled ballot papers (both ordinary and tendered) – if they do not fit, wrap the envelope around them and secure them with string or elastic bands
- the tendered ballot papers
- the completed corresponding number list
- the certificates of employment (see Appendix 6)
- the tendered votes list, the list of voters with disabilities assisted by companions, the list of votes marked by the Presiding Officer, the statement of the number of voters whose votes are marked by the Presiding Officer and the declarations made by the companions of voters with disabilities

The ballot paper accounts

The ballot paper accounts will be colour coded: the Scottish Parliamentary election ballot paper account will be one colour and the local government election ballot paper account will be another.

The ballot paper accounts are the most important of all the paperwork and so these should be filled in first and with care.

The ballot paper accounts reconcile the number of ballot papers dealt with by the Presiding Officer. Remember to check the number of ballot papers issued according to the corresponding number list and include this on the ballot paper accounts.

Example of ballot paper account filled in

Ballot Paper Account
Anytown

Date of Poll: XX.XX.XXXX Polling Place: XA Polling Station: GUILFBALL Anytown Constituency: 16

1. Ordinary Ballot Papers received by Presiding Officers (May be completed by Electoral Services Staff)

From No.	To No.	Total Received
72351	73600	1450

2. Ordinary Ballot Papers issued to Electors (To be completed by the Presiding Officer where marked 'ISS')

Number on NEXT completed to be issued: 73601

REDUCE Number of FIRST Issued Paper Issued: 72351

Total (A): 1250

3. How many spoiled Ballot Papers did you issue replacements for? Total (B): 3

4. Number of Ballot Papers in Ballot Box: Total (C): 1247

In Total (A) MINUS Total (B) = Total (C)

5. Tendered Ballot Papers received and issued (To be completed by the Presiding Officer where marked 'ISS')

RECEIVED		ISSUED	
From No.	To No.	ISSUED	NOT ISSUED
00 10	00 20	0/1	1/1
TOTAL	10	TOTAL	10

Signed: [Signature] Date: XX.XX.XXXX

This account must be completed and signed by the Presiding Officer and DELIVERED SEPARATELY to the Returning Officer

In many instances, the first section of the ballot paper account will have been completed in advance by the Returning Officer. It is the Presiding Officer's duty to complete the remainder of the form.

The forms rely on the serial numbering of the ballot papers. This is why it is so important to issue ballot papers starting with the lowest number as pre-printed on the corresponding number list rather than randomly during the day.

Each ballot paper account must be placed in the correct envelope or folder and kept with the corresponding ballot box. These must be delivered with the sealed postal votes envelopes to the count centre as directed, along with the other documentation. The ballot paper accounts must not be mislaid or placed by mistake in another envelope or with other election materials as this may cause problems and delays at the count.

The rest of the paperwork

Presiding Officers should then attend to the rest of the paperwork. Complete and sign the other forms on the checklist (see page 21). Do not forget to fill in the forms with 'nil' returns if they have not been needed during the day.

Packing materials at the polling station

In order, pack the materials into their official envelopes and packets as shown on the checklist (see page 22). The corresponding number list and the unused ballot papers must be placed separately in the appropriate envelopes. Postal votes (or parts of) handed in at the polling station should also be kept separate as these will be needed quickly at the count centre.

A number of sacks or bags will have been supplied to transport the paperwork and other election materials to the count centre. Make sure the items go in the appropriate sacks or bags.

Transporting election materials to the count centre

The ballot boxes, ballot paper accounts, postal vote envelopes, sacks or bags containing the official envelopes, and other election stationery

and materials must be transported to the count centre.

The Returning Officer will have given instructions regarding the transportation of ballot boxes to the count centre. You should familiarise yourself with the arrangements.

If the Presiding Officer is to deliver the items to the count centre, the Returning Officer will have given instructions on the location of the count centre and the entrance to be used. One of the Poll Clerks may be asked to assist the Presiding Officer if there is too much for one person to carry. **Go to the count centre directly and without delay.** Presiding Officers should contact the Returning Officer immediately if any problems occur that may cause a delay in getting to the count centre.

It may be that the Returning Officer arranges for the materials to be collected from the polling station and taken to the count centre. **Do not leave the ballot boxes unattended at any time** while waiting for transport.

Finally, before leaving the polling station, make sure that any waste material is disposed of appropriately and the premises are left tidy. Return any keys to the appropriate person.

Appendix 1 – the electoral systems

Scottish Parliamentary elections

The electoral system in use at the Scottish Parliamentary elections is called the Additional Member System (AMS).

There are 73 constituency Members of the Scottish Parliament (MSPs) in the Scottish Parliament, who are elected using the first-past-the-post system, and there are 56 regional members who are elected using the party list system, which provides an element of proportional representation to reflect the voting preferences of the electorate in a more representative manner.

Each voter has two votes in the Scottish Parliamentary election: a constituency vote for a candidate and a regional vote for a political party or candidate standing as an individual (if there are any).

The voter will mark their votes on a single ballot paper. The regional vote will appear on the left-hand side of the ballot paper; the voter should mark an 'X' against the political party or individual candidate of their choice from the list of political parties and individual candidates on the brown part of the ballot paper. The constituency vote will be on the right-hand side of the ballot paper; the voter should mark an 'X' against the candidate of their choice from the list of candidates on the violet part of the ballot paper.

The Scottish Parliamentary regions are as follows:

The Central Scotland region contains the constituencies of:

- Airdrie and Shotts
- Coatbridge and Chryston

- Cumbernauld and Kilsyth
- East Kilbride
- Falkirk East
- Falkirk West
- Hamilton North and Bellshill
- Hamilton South
- Kilmarnock and Loudoun
- Motherwell and Wishaw

The Glasgow region contains the constituencies of:

- Glasgow Anniesland
- Glasgow Baillieston
- Glasgow Cathcart
- Glasgow Govan
- Glasgow Kelvin
- Glasgow Maryhill
- Glasgow Pollok
- Glasgow Rutherglen
- Glasgow Shettleston
- Glasgow Springburn

The Highlands and Islands region contains the constituencies of:

- Argyll and Bute
- Caithness, Sutherland and Easter Ross
- Inverness East, Nairn and Lochaber
- Moray
- Orkney
- Ross, Skye and Inverness West
- Shetland
- Western Isles (Eilean Siar)

The Lothian region contains the constituencies of:

- Edinburgh Central
- Edinburgh East and Musselburgh
- Edinburgh North and Leith
- Edinburgh Pentlands
- Edinburgh South
- Edinburgh West
- Linlithgow
- Livingston
- Midlothian

The Mid Scotland and Fife region contains the constituencies of:

- Central Fife
- Dunfermline East
- Dunfermline West
- Kirkcaldy
- North East Fife
- North Tayside
- Ochil
- Perth
- Stirling

The North East Scotland region contains the constituencies of:

- Aberdeen Central
- Aberdeen North
- Aberdeen South
- Angus
- Banff and Buchan
- Dundee East

- Dundee West
- Gordon
- West Aberdeenshire and Kincardine

The South of Scotland region contains the constituencies of:

- Ayr
- Carrick, Cumnock and Doon Valley
- Clydesdale
- Cunninghame South
- Dumfries
- East Lothian
- Galloway and Upper Nithsdale
- Roxburgh and Berwickshire
- Tweeddale, Ettrick and Lauderdale

The West of Scotland region contains the constituencies of:

- Clydebank and Milngavie
- Cunninghame North
- Dumbarton
- Eastwood
- Greenock and Inverclyde
- Paisley North
- Paisley South
- Strathkelvin and Bearsden
- West Renfrewshire

[How do constituency candidates get elected?](#)

Under AMS, constituency candidates are elected using the first-past-the-post system. The Returning Officer declares elected the candidate for whom the most valid votes have been given.

How do regional candidates get elected?

Under AMS, regional members are elected using a party list system.

Each Constituency Returning Officer notifies the Regional Returning Officer of the number of votes cast for each registered political party and individual candidate in the regional contest, as well as details of the number of constituency seats gained by each registered political party. The Regional Returning Officer then totals the constituency level results for each registered political party and individual candidate in the regional ballot, as well as the number of constituency seats won in the region by each registered party.

The number of votes cast in the regional ballot for each registered party or individual candidate is divided by the number of constituency seats

gained, plus one. This allows parties or individual candidates that have not won any constituencies or who have not stood in a constituency contest to be included in the rest of the calculation.

After that calculation is done, the party with the highest resulting figure gains the first regional seat. To allocate the second to seventh additional seats the calculation is redone, but each time any additional seats gained are added into the calculation. By the end of the calculation, the seats won by each party or individual candidate should reflect the voting preferences of the electorate in a more representative manner.

This method of calculation is known as the modified d'Hondt system. An example of how this works is shown in Table 1.

Table 1: The modified d'Hondt system

	Party 1	Party 2	Party 3	Party 4
Regional votes	61,974	63,362	61,189	37,206
Constituency seats	2	4	1	0
1st win: Party 4	$\div 3 = 20,658$	$\div 5 = 12,672$	$\div 2 = 30,595$	$\div 1 = \mathbf{37,206}$
2nd win: Party 3	20,658	12,672	30,595	$\div 2 = 18,603$
3rd win: Party 1	20,658	12,672	$\div 3 = 20,396$	18,603
4th win: Party 3	$\div 4 = 15,494$	12,672	20,396	18,603
5th win: Party 4	15,494	12,672	$\div 4 = 15,297$	18,603
6th win: Party 1	15,494	12,672	15,297	$\div 3 = 12,402$
7th win: Party 3	$\div 5 = 12,395$	12,672	15,297	12,402
Additional seats	2	0	3	2
Total seats in region	4	4	4	2

The seats each political party is entitled to are filled by the candidates in the order in which their names appear on a list of up to 12 names prepared by that political party. The names of the candidates who are on each list can be found on posters in the polling station.

Local government elections

The local government election will be conducted for the first time under the Single Transferable Vote (STV) electoral system. Under this system, voters rank the candidates in order of preference. Unlike the former first-past-the-post system where one councillor was elected for each ward, voters will now elect either three or four councillors in multi-member wards.

Electors record their vote by placing a '1' in the box to the right of the name of the candidate of their first choice, a '2' in the box to the right of the name of the candidate of their second choice, a '3' in the box to the right of the name of the candidate of their third choice, a '4' in the box to the right of the name of the candidate of their fourth choice, and so on. They may vote for as many or as few candidates as they wish. They may, if they wish, only place a '1' by the name of the candidate of their first choice and leave the remainder blank, or they may place their preference (1, 2, 3, 4, 5, and so on) by the name of each candidate.

The numbers used must be in sequence. If a mistake is made, the vote will be valid up to the point where the error was made: for example, if the elector misses out a '4' and just ranks '1, 2, 3 and 5', only the first three preferences will be valid.

How do local government candidates get elected?

The first step is to count the number of valid votes and then calculate the number of votes required by each candidate to be elected. This is known as 'the quota'. To arrive at the quota you divide the total number of valid votes by the number of seats plus one and then add one to the result.

Mathematically the formula is:

$$\left[\frac{\text{Total number of valid votes}}{\text{Seats available} + 1} \right] + 1 = \text{Quota}$$

At the first stage the preferences from each ballot paper are counted. Any candidate who achieves the quota is elected. At the next stage, the surplus votes that a successful candidate has above the quota, are transferred to the remaining candidates. Whenever a transfer of votes happens, it is according to the voters' next preferences.

The remaining candidates' votes are counted to see if they are now above the quota. If no candidate has achieved the quota, the candidate with the lowest number of votes is eliminated, and their votes are transferred to the remaining candidates.

Each of the following stages of the count involves:

- the allocation of votes from the previous stage – either surplus votes from a candidate who has achieved the quota; or votes from the candidate with the lowest number of votes who has been eliminated

- the election of any candidate who has achieved the quota; or if none has achieved the quota, then the exclusion of the candidate with the lowest number of votes

The count progresses through as many stages as are required to elect candidates to the three or four seats to be filled.

At any stage, if the number of candidates elected plus those remaining is equal to the number of seats to be filled; then the remaining candidates are elected (even though they may not have reached the quota).

For a more detailed explanation of the count procedures for the STV system, please refer to the VoteScotland website at www.votescotland.com.

Appendix 2 – equality issues

Disability and elections

The Disability Discrimination Act 1995 established in law the rights of disabled people. Reports from previous elections have found evidence of discrimination in access to the electoral process.

Polling station staff must ensure that disabled voters are not offered a lower standard of service. Reasonable adjustments to practices and procedures must be made so that people with a range of disabilities are not disadvantaged.

Of course, it is the responsibility of the Returning Officer to make arrangements to ensure that disabled voters have, as far as possible, the same access to the electoral process as anyone else. However, it is on the ground that a practical approach can make a difference:

- If car parking spaces are provided for disabled people, make sure that they are available for that purpose throughout the poll.
- In any event, keep parking spaces close to the polling station entrance free for disabled people.
- Ensure good signage for any alternative disabled access.
- Use a purpose-built ramp if available, but make sure it is suitable.
- Are doormats level with the floor? If not, can they be removed if they are potentially dangerous?
- Have a seat available for any elector who may need to rest.

Assistance to electors unable to gain access to the polling station

If an elector is unable to enter the polling station because of physical disability, the Presiding Officer, after informing any agents present, may take the ballot papers out of the polling station to the elector. After the ballot papers have been marked, the Presiding Officer must immediately place the ballot papers into the correct ballot boxes. It is essential that the secrecy of the vote is maintained in all circumstances. The ballot boxes must not be left unattended at any time nor removed from the polling station.

Disabled voters

Disabled voters may request the assistance of the Presiding Officer to mark the ballot papers for them. If so, the Presiding Officer must record this on the list of votes marked by the Presiding Officer. Alternatively, they may be assisted by a companion, with the permission of the Presiding Officer who must be satisfied as to the voter's disabilities.

The companion of a voter with disabilities must be either a close relative (father, mother, brother, sister, husband, wife, civil partner, son or daughter, provided they are over 18 years of age) or a qualified voter. The voter should ask the permission of the Presiding Officer to be assisted by their companion.

The companion must fill out a simple declaration: 'Declaration to be made by the companion of a voter with disabilities'. It is good practice for the Presiding Officer to fill out the declaration on the companion's behalf and ask them to check the information and sign the document.

Deaf people

Profoundly deaf people will have very limited hearing, usually only with the use of a hearing aid. To communicate, a profoundly deaf person in most cases will rely on sign language and lip-reading.

A severely deaf person requires the use of a hearing aid to help gain some hearing. In some cases, a severely deaf person may have the ability to hear certain sounds depending on the loudness or frequency of the sound.

Do:

- get the deaf person's attention before speaking
- tap them gently on the shoulder or wave at them
- face the person being spoken to
- speak slowly and clearly to help lip-reading
- remain patient and repeat if necessary
- maintain eye contact
- use body language and facial expression to help communication – gestures may help
- write down in plain language what is to be communicated

Do not:

- shout – it distorts the face and the voice
- place anything in your mouth
- cover your mouth
- speak too fast
- speak too slowly or exaggerate lip patterns
- turn away or look down
- speak with bright light behind you – this will shadow the face

- have anything in your hand if gesturing
- give up if the deaf person does not understand immediately

Voters with mental health problems or learning disabilities

It is possible that a person who applies for a ballot paper might appear to the Presiding Officer to be suffering from some sort of mental health problem or have a learning disability.

It is the view of the Commission that a person who is registered as an elector or entered on the list of proxies cannot be refused a ballot paper, or in other words be excluded from voting, on the grounds of mental incapacity.

Presiding Officers should be sensitive to the fact that a person may appear to have a mental health illness but may still be capable of voting. Additionally, some people with learning disabilities are sometimes mistakenly judged to have a mental incapacity. In all cases, the Presiding Officer should try to ensure that a person is given appropriate assistance in order to be able to cast their vote. For example, the voter may need the voting process explained to them, or the voter may request the assistance of a companion.

If the person is incapacitated by blindness or has a physical disability, or declares that they are unable to read, the Presiding Officer may mark the voter's ballot paper for them. Alternatively, the voter may ask the Presiding Officer for a companion to be allowed to assist them. Only certain people may act as a companion. The companion of a voter with a disability must be either a close relative (father, mother, brother, sister, husband, wife, civil partner, son or daughter, provided that they are aged 18 years or over) or a qualified voter.

Appendix 3 – access and equality checklist

	Checked		Checked
Car parking		Inside the polling station	
Are there parking spaces reserved for disabled people?	<input type="checkbox"/>	Is the polling station set up to make best use of space?	<input type="checkbox"/>
Are the spaces close to the polling station entrance?	<input type="checkbox"/>	Is best use being made of the lights and natural light available?	<input type="checkbox"/>
Signage		Polling booths/ballot boxes	
Have you ensured good signage for any alternative disabled access and can they be read by someone in a wheelchair?	<input type="checkbox"/>	Can a wheelchair user gain easy access to the ballot boxes?	<input type="checkbox"/>
Level access		Large-print ballot paper	
Is there a suitable ramp clear of obstructions?	<input type="checkbox"/>	Is the large-print ballot paper clearly visible to all voters?	<input type="checkbox"/>
Entrances		Tactile template	
Have double doors been checked to ensure good access for all?	<input type="checkbox"/>	Is the tactile template available and in full view?	<input type="checkbox"/>
Is the door for any separate disabled access properly signed?	<input type="checkbox"/>	Do all staff know how to use it?	<input type="checkbox"/>

Appendix 4 – polling station checklist

	Checked		Checked
Entrance, exit and approaches		Ballot boxes	
Is the approach signage clear and are electors able to easily identify where the polling station is?	<input type="checkbox"/>	Are the boxes placed immediately adjacent to the Presiding Officer?	<input type="checkbox"/>
		Are the boxes correctly sealed?	<input type="checkbox"/>
Official notices correctly displayed and accessible for all voters		Ballot papers	
Is the 'Information for Voters' notice displayed?	<input type="checkbox"/>	Are the ballot papers the correct ones for the polling station and are they numbered correctly?	<input type="checkbox"/>
Is the 'Guidance for Voters' notice displayed?	<input type="checkbox"/>		
Polling booths			
Are they correctly erected and in such a position so as to make best use of the lights and natural light?	<input type="checkbox"/>		
Can the Presiding Officer and Poll Clerk observe them clearly?	<input type="checkbox"/>		
Is there a notice displayed in each polling booth providing information on how to vote?	<input type="checkbox"/>		
Are the pencils in each booth sharpened and available for use?	<input type="checkbox"/>		
Is the string attached to the pencils long enough for the size of ballot papers and to accommodate both right- and left-handed voters?	<input type="checkbox"/>		

Appendix 5 – dealing with problems on the register of electors

Age – entitlement to vote

If persons who are obviously under 18 and are on the register of electors as eligible voters either come to the polling station alone or are accompanied, then they should be warned that they would be guilty of an offence if they vote at this election. The Presiding Officer must ask the statutory questions and the person must answer them unaided (see Appendix 8 for the prescribed questions). If the person answers the questions satisfactorily, then they must be issued with the ballot papers. A note should be made of the voter's name, address and any other particulars, including the time of the incident and details of any person accompanying the voter. The Returning Officer should subsequently be informed.

Mis-spelt names and voters who have changed their name

Sometimes a voter's name has been mis-spelt or the name has legally changed since the completion of a registration form, e.g. by marriage.

Ask the voter the prescribed questions (see Appendix 8). If the voter answers satisfactorily then they must be allowed to vote, and the Presiding Officer should make a note of the inaccuracy and pass it on to the Electoral Registration Officer.

If the elector is insistent that they wish the error to be amended before they vote, the Presiding Officer should contact the elections office for advice or alternatively direct the elector to the Electoral Registration Officer.

Other electors

At the end of some registers is a heading 'Other Electors'. Electors appearing here, which

includes service electors, no longer have a residential qualification but they are able to vote (subject to entitlement). It is unlikely that these electors will have been issued with a poll card.

A person who is not on the register of electors

Usually, the register of electors (or notice) will contain all those entitled to vote at that polling station and little can be done other than to advise the elector to register for any future elections.

If the Electoral Registration Officer discovers that a correctly completed application form has been received and the person was only omitted from the register as a result of a clerical error, the Electoral Registration Officer must correct this error and make provision for the person to be able to vote.

The error may be discovered by the Electoral Registration Officer either before or on polling day, or an elector or a person on their behalf in the polling station.

Clerical errors identified by the Returning Officer before polling day

If an error is identified before polling day but after the register has been produced for the polling station, the Electoral Registration Officer will provide a separate 'notice' including any additions or amendments in addition to the normal register. This notice must be marked instead of the register but all other procedures are the same, including sealing up such a notice with the register at the close of the poll.

Clerical errors identified by the Presiding Officer on polling day

If someone who presents themselves at the polling station is not on the register (or the notice) and is insistent that they made an application to register, the Presiding Officer should refer this to the Electoral Registration Officer immediately.

Clerical errors identified by the Returning Officer on polling day

If it is determined that a correctly completed application form was received and the person was only omitted from the register as a result of a clerical error, the error must be corrected and a notice must be issued to the Presiding Officer to make provision for the person to be able to vote. This notice must be marked instead of the register but all other procedures are the same, including sealing up such a notice with the register at the close of the poll.

Procedure to allow a person to vote following the correction of a clerical error on polling day

The Electoral Registration Officer must issue a notice (either written or verbally, e.g. by telephone) to the Presiding Officer providing the name and elector number of the person. If the notice is communicated verbally, the Presiding Officer must make a written record of the elector's name and number and mark this record when issuing a ballot paper in the usual manner.

When the Presiding Officer receives this information, a ballot paper must be issued in the usual manner. However, the elector's details must be recorded in either the written notice issued by the Electoral Registration Officer or the written record of the notice as produced by the Presiding Officer in the polling station, as appropriate. Any such marked notice must be sealed up with the register at the close of the poll.

Instructions as to how this information will be communicated to the Presiding Officer will be given at the training session.

Anyone else who is not on the register of electors (or the notice) for that polling station must not be allowed to vote. The person may be registered to vote in a different polling district. If the elector requires more help, refer them to the Electoral Registration Officer.

Appendix 6 – procedure for postal and proxy voters

Postal voters

Some electors will have applied to vote by post at the elections. Electors who have chosen to vote by post will have the letter 'A' against their names on the register of electors to be used at the polling station to show that they are postal voters. The names and the addresses where the postal ballot papers have been sent will be shown on the postal voters list. Such electors are not allowed to vote in person at the polling station, even if they state that they have not received their postal ballot papers.

However, completed postal votes may be handed in, by the voter or someone on their behalf, at any polling station within the electoral area. The postal vote should be in a sealed envelope and must be placed by the Presiding Officer, unopened, in the covering envelope provided, ready for delivery to the count centre at the close of poll.

The envelope must be kept secure at all times and delivered to any staff appointed to collect postal votes handed into the polling station in accordance with the Returning Officer's instructions.

Postal votes must not be placed in the ballot boxes.

Collection of postal votes from polling stations

The Returning Officer may arrange for collection of postal votes from polling stations during the day. If postal votes are collected from the polling station they should be made up into a packet, which should be sealed. Polling agents can also add their seals to the packet if they wish.

What happens if an elector has not received, has lost or spoilt their postal ballot paper?

If a voter states that they have not received, have lost or spoilt (all or any part of) their postal ballot papers, they should be advised to apply to the Returning Officer for replacements, as long as this application is made before 5pm on polling day. The Returning Officer can issue replacements up until 5pm on polling day.

If a voter states that they have lost or not received their postal ballot papers and arrives after 5pm on polling day, it may be appropriate to issue a tendered ballot paper for each contest if they answer the prescribed questions satisfactorily (see Appendix 8). Tendered ballot papers **cannot** be issued to such an elector before 5pm.

What happens if someone is listed as a postal voter (or postal proxy) but claims not to have applied for one?

If the voter is in possession of their postal vote, they should return this in the normal manner. Remember, completed postal ballot papers can be handed in at the polling station.

There are special procedures in place for those electors who claim not to have applied for a postal vote (see Appendix 8).

In any case, the voter should be advised to contact the Electoral Registration Officer to inform them of the circumstances, particularly if they wish to cancel the postal voting arrangements for future elections.

Proxy voters

Some electors will have appointed a person to vote on their behalf – a proxy.

Even so, electors may vote in person provided they do so before the proxy. Check the register of electors to see if the elector has already voted before commencing with the following procedure. An elector who has applied to vote by proxy will have the letter 'P' against their name on the register of electors.

If the proxy is also voting themselves then they should do so before voting as a proxy.

Firstly, ask for the voter's name and address and see if they are included on the list of proxies; if so, ask for the proxy's name and address. Draw a straight line against the elector's name on the list of proxies to indicate that the proxy has exercised the elector's vote.

The Poll Clerk should then find the elector's entry on the register of electors and read out loud the elector's name and their elector number. The elector's entry on the register must then be marked in the usual manner.

The Presiding Officer or Poll Clerk responsible for issuing ballot papers must write the elector's elector number (and not the proxy's) on the corresponding number lists beside the appropriate ballot paper numbers to record that these papers have been issued to the proxy voter.

A person can act as a proxy at an election in the same electoral area for not more than two electors who are not immediate members of his or her family (i.e. father, mother, brother, sister, husband, wife, civil partner, son or daughter, grandparent and grandchild). Where a person who has been appointed to act as proxy for more than one elector applies to exercise the electors' votes, the proxy should only be given the ballot papers for one elector at a time.

Remember that ballot papers may only be issued to electors who are eligible to vote in the election. If the elector's entry on the register of electors is prefixed with a letter that does not entitle them to vote in Scottish Parliamentary and local government elections, then the proxy is unable to cast a vote.

Proxies may also be challenged in the same way that an ordinary elector may be if they are suspected of personation. If this happens, ask the relevant prescribed questions (see Appendix 8).

What if the elector turns up to vote instead of their proxy?

An elector who has appointed a proxy is entitled to receive their ballot papers if they apply for them in person, but only if the request is made before ballot papers have been issued on their behalf to the proxy. The list of proxies must not be marked if this happens, but the elector's entry on the register of electors must be marked instead. If the proxy then turns up later, they should not be allowed to vote as a proxy for the voter, but, under certain circumstances (see Appendix 8), tendered ballot papers may be issued.

If the proxy has requested to vote by post, the voter cannot be issued ballot papers. An 'A' marker will appear against the elector's name on the register of electors and the name of the proxy and the address to which the postal vote has been sent will appear on the proxy postal voters list.

Proxies on the grounds of medical emergencies

An elector can now appoint a proxy up to 5pm on polling day in instances of a medical emergency. If anyone does apply on polling

day, the Electoral Registration Officer and Returning Officer will make sure that all polling station staff are informed of the appropriate procedure to follow.

Certificates of employment

Some polling station staff may have been issued with a certificate of employment signed by the Returning Officer allowing them to vote at another polling station in the electoral area other than their prescribed one. Similarly, a police officer may present such a certificate, signed by an inspector (or higher rank). The Presiding Officer will issue the ballot papers and then cancel the certificate and place it in the envelope provided.

Appendix 7 – special voting procedures

Providing assistance to voters who cannot read the ballot paper

The Returning Officer may have supplied the polling stations with copies of notices in alternative formats and languages other than English, in which case these should be displayed where they can be easily seen by voters.

If a voter claims that they cannot read the ballot papers, the Presiding Officer should provide them with assistance. If the voter knows which candidate or political party they wish to vote for, then they must instruct the Presiding Officer, in the secrecy of the polling booth, to mark the ballot papers on their behalf accordingly. The Presiding Officer should follow the same procedure for any voters who, due to a physical incapacity or any other special needs, require the assistance of the Presiding Officer to vote.

If the voter is unsure for whom or for which political party they wish to vote, then the Presiding Officer should read out the names of the individual candidates and political parties in the order they appear on each ballot paper. Once the voter has made a decision, the Presiding Officer must mark the ballot paper accordingly. If polling agents are present, they should be invited to listen and to observe the Presiding Officer, so that they can confirm that each ballot paper is marked in accordance with the wishes of the voter.

Before marking a ballot paper on behalf of a voter, the Presiding Officer must take every possible step to maintain the secrecy of the ballot.

If the Presiding Officer has to mark a ballot paper for a voter, then the name of the voter must be noted on the official form 'List of votes

marked by the Presiding Officer'. At the close of poll, the Presiding Officer must also fill out the 'Statement of the number of voters whose votes are marked by the Presiding Officer'.

What happens if polling station staff suspect someone is personating a voter?

Procedure for personation

There may be rare occasions when a member of the polling station team, another voter, a candidate, election agent or polling agent suspects that the person requesting ballot papers is not who they claim to be. Personation is a serious offence.

Remember that a person, other than a proxy, is not guilty of personation if they apply for a ballot paper by a name that is not their own but is the name under which they have been registered.

Presiding Officers have no right to interrogate a person if they suspect personation. Only the prescribed questions may be asked. The questions must be put to the person before they are issued with ballot papers, and not afterwards (see Appendix 8).

The prescribed questions determine whether the voter is the person who appears on the register of electors (or list of proxies if they are voting as a proxy for someone else), and if they have voted before in the election (or on behalf of that voter if they are the proxy).

If the person answers the questions satisfactorily, then the ballot papers must be issued. The Presiding Officer should, however, report their suspicions to the Returning Officer as soon as possible.

If a person has been arrested on the grounds that they are suspected of committing or being about to commit personation, that person must not be prevented from voting as long as they answer the prescribed questions satisfactorily.

What happens if a candidate, election agent or polling agent challenges a voter?

If a candidate, election agent or polling agent challenges a voter, the voter must not be prevented from voting as long as they answer the prescribed questions satisfactorily.

What happens if someone else (apart from a proxy) appears to have voted on behalf of the voter?

If it appears that someone other than their appointed proxy has voted on behalf of an elector, tendered ballot papers should be issued.

Procedure for tendered ballot papers

The Presiding Officer must make sure that the tendered ballot papers (usually pink) are only issued in the prescribed circumstances. If they are issued in error, the Presiding Officer must make a note of the numbers of the tendered ballots that have been issued by mistake and inform the Returning Officer as soon as possible.

There are rare occasions when a person asks for ballot papers only to find that their name on the register of electors is marked as already having voted. The Poll Clerk should refer the voter to the Presiding Officer who must follow the procedure for issuing tendered ballot papers.

The Presiding Officer should check the entry on the register of electors to confirm that the voter is marked as having voted. The Presiding Officer should explain the circumstances to the voter and must then ask the prescribed questions (see Appendix 8).

If the voter answers the prescribed questions satisfactorily, then the Presiding Officer must issue tendered ballot papers – the voter must not be given ordinary ballot papers. The Presiding Officer should then explain the tendered vote procedure to the voter.

The voter's entry on the register of electors will have been marked already, but the voter's elector number (including the polling district reference) must be written against the ballot paper numbers being issued on the tendered votes list.

Hand the tendered ballot papers to the voter who must vote in secret and return the tendered ballot papers to the Presiding Officer.

The tendered ballot papers must not be placed in the ballot boxes. To make sure this does not happen, the Presiding Officer should stand by the ballot boxes and cover the chutes.

The Presiding Officer must take the tendered ballot papers and endorse them with the name of the voter together with their elector number (including the polling district reference), and place them in the official envelope provided. Enter the voter's elector number and name on the 'List of tendered votes'.

If the voter should enquire further about this procedure, they should be referred to the Returning Officer.

What happens if someone is listed as a postal voter (or proxy postal voter) but claims not to have applied for a postal vote?

There are occasions when a voter or an appointed proxy asks for a ballot paper only to find that they are marked on the register of electors as being a postal voter. The Poll Clerk should refer the voter to the Presiding Officer.

The Presiding Officer should check the entry on the register of electors to confirm that the voter is marked as a postal voter. The Presiding Officer should explain the circumstances to the voter and advise the elector to return their postal vote to any polling station within the electoral area or to the elections office before the close of poll at 10pm. The voter should also be advised to notify the Electoral Registration Officer of the circumstances, particularly if they wish to cancel their postal vote for future elections.

If the voter insists that they have not applied for a postal vote, the following procedure(s) must be followed.

Before 5pm on polling day

Electors marked as having been issued with a postal vote cannot be given a ballot paper in the polling station.

However, up until 5pm on polling day, they may be issued with a replacement ballot pack by the Returning Officer. The Presiding Officer should refer the elector to the Returning Officer for advice on how to have such a replacement issued.

If it is before 5pm but the voter cannot or does not want to make arrangements for a

replacement ballot pack to be issued, the Presiding Officer should issue tendered ballot papers instead (see below). It is important to advise the elector that tendered ballot papers are not counted.

After 5pm on polling day

After 5pm, the voter cannot be issued with a replacement ballot pack, so the Presiding Officer should issue tendered ballot papers instead.

Before issuing tendered ballot papers, the Presiding Officer must ask the appropriate prescribed questions for a person applying as a voter when they are entered on the postal voters list (see Appendix 8).

If the voter answers the prescribed questions satisfactorily, then the Presiding Officer must issue tendered ballot papers – the voter must not be given ordinary ballot papers.

The voter's name and elector number (including the polling district reference) must be written against the tendered ballot papers numbers being issued on the tendered votes list.

The Presiding Officer should then hand the tendered ballot papers to the voter. The voter must vote in secret and return the tendered ballot papers to the Presiding Officer.

The tendered ballot papers must not be placed in the ballot boxes. To make sure this does not happen, the Presiding Officer should stand by the ballot boxes and cover the chutes.

The Presiding Officer must take the tendered ballot papers and endorse them with the name of the voter together with their elector number and place them in the official envelope provided.

If the voter should enquire further about this procedure, they should be referred to the Returning Officer.

Tendered ballot paper procedure for proxy voters

The Presiding Officer should follow the procedure for issuing tendered ballot papers for proxies if a proxy's entry on the list of proxies has already been marked and the entry of the voter on the register of electors has also been marked.

A proxy may come to the polling station to find that the register has been marked to show that the voter has voted. If they return again later and insist that the voter has not voted, the Presiding Officer should follow the procedure for issuing tendered ballot papers for proxies.

The Presiding Officer should follow the procedure for issuing a tendered ballot paper by asking the elector the prescribed questions for proxies (see Appendix 8).

What happens if a voter refuses any particular ballot paper before it has been handed over?

If a voter refuses one of the ballot papers before it has been handed over, the Presiding Officer should issue the requested ballot paper and mark the register of electors accordingly, indicating which ballot paper has been issued, for example, with LG for the local government ballot paper or SP for the Scottish Parliamentary ballot paper. The voter's elector number should be entered on the corresponding number list.

The Presiding Officer must then write 'cancelled' on the ballot paper that the voter has refused and on the corresponding number list and place the cancelled ballot paper in the envelope provided.

The voter may return to the polling station later on polling day to request the vote previously refused, and so following this procedure is important.

If the voter does return to the polling station later in the day, the corresponding number list should be marked, but only the ballot paper for the election that was previously refused should be handed to the voter. The other ballot paper should be marked 'cancelled' and put in the envelope provided. The Presiding Officer should also mark 'cancelled' on the corresponding number list and mark the register of electors to show that both ballot papers have now been issued to that elector.

What happens if a ballot paper has been handed over and the voter decides they do not want it?

The Presiding Officer should try to convince the voter to place the unmarked ballot paper in the appropriate ballot box.

If the voter refuses to do this, the Presiding Officer should take the ballot paper and place it in an envelope, marked accordingly, and make a note on the appropriate ballot paper account that the paper was issued but unused. The Presiding Officer should not re-issue this ballot paper.

Appendix 8 – the prescribed questions

The prescribed questions can be asked of any elector. However, the Presiding Officer must put the prescribed questions precisely and calmly in the following circumstances:

- An elector (who has not appointed a proxy) applies for the ballot papers but the register of electors shows that they have already voted.
- A proxy voter's entry on the list of proxies has already been marked and the entry of the voter on the register of electors has also been marked.
- A proxy voter returns to the polling station, after their application to cast a vote as a proxy has been rejected because the register of electors indicates that the voter has voted in person (the list of proxies in this case would not be marked), and insists that the voter has not voted.
- An elector states that their name is not as shown on the register of electors.
- Polling station staff suspect a voter or a proxy of personation.
- A candidate or an election or polling agent requires the questions to be asked.
- Polling station staff suspect the person may be incapacitated due to alcohol or drugs or for some other reason.
- An elector is registered as eligible to vote but is clearly under age.
- An elector's (or a proxy's) name appears on the postal voters list (or proxy postal voters list) but they state that they did not apply to vote by post.

- An elector (or proxy) whose name appears on the postal voters list (or proxy postal voters list) presents at the polling station after 5pm on polling day and claims to have lost or not received their postal ballot papers.

No enquiry may be made as to the right of any person to vote, other than the statutory questions shown below.

The prescribed questions to be asked of a person applying to vote as an elector

'Are you the person registered on the register of local government electors for this election as follows?' (You then read out loud the whole entry from the register.)

If the would-be voter answers 'no', do not issue ballot papers. If the answer is 'yes', then ask:

'Have you already voted, here or elsewhere, at this election, otherwise than as proxy for some other person?'

If the answer is 'yes', to this question then do not issue the ballot papers. If the person has answered 'yes' to the first question and 'no' to the second question then tendered ballot papers must be issued.

These questions should be asked, if appropriate, in relation to both the Scottish Parliamentary and local government elections.

The Presiding Officer, regardless of any doubt they may have, must issue tendered ballot papers to anyone who has answered the questions correctly. If a person refuses to answer the questions, then the tendered ballot papers cannot be issued. If that person returns

later, then the Presiding Officer must again ask them the prescribed questions.

The prescribed questions to be asked of a person applying to vote as a proxy

The prescribed questions for proxies have a different wording. They are:

‘Are you the person whose name appears as (read out the name that appears on the list of proxies) on the list of proxies for this election as entitled to vote as proxy on behalf of (the name of the elector on the register of electors)?’

If the answer is ‘no’, then do not issue the ballot papers. If the answer is ‘yes’, then ask:

‘Have you already voted, here or elsewhere, at this election, as proxy on behalf of (the name of the elector on the register of electors)?’

If the answer is ‘yes’ to this question, then the ballot papers must not be issued. If the answer is ‘no’, then tendered ballot papers may be issued.

However, the Presiding Officer may, and if required to do so must, put a further question:

‘Are you the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild of (the name of the elector on the register of electors)?’

If the answer is ‘yes’ to this question (and the questions above have been answered satisfactorily), then tendered ballot papers must be issued.

If, however, the answer is ‘no’, then ask:

‘Have you already voted, here or elsewhere, at this election, on behalf of two persons of whom you are not the spouse, civil partner, parent, grandparent, brother, sister, child or grandchild?’

If the answer is ‘yes’ to this question, then do not issue the ballot papers. If the answer is ‘no’ to this question (and the questions above have been answered satisfactorily), then tendered ballot papers must be issued.

These questions should be asked, if appropriate, in relation to both the Scottish Parliamentary and local government elections.

The Presiding Officer, regardless of any doubt they may have, must issue tendered ballot papers to anyone who has answered the questions correctly. If a person refuses to answer the questions, then the tendered ballot papers cannot be issued. If that person returns later, then the Presiding Officer must again ask them the prescribed questions.

The prescribed questions to be asked of a person applying to vote in person when they are shown on the register as a postal voter

The prescribed questions for electors named on the postal voters list but who claim either to have not applied to vote by post or who present themselves at the polling station after 5pm on polling day and claim to have lost or not received their postal ballot papers are as follows:

‘Did you apply to vote by post?’

If the voter answers ‘no’, the tendered ballot papers must be issued to the voter.

If the answer to this question is ‘yes’, then ask:

‘Why have you not voted by post?’

If this question is answered satisfactorily, the Presiding Officer should record the reason and issue the tendered ballot papers. If not, do not issue the tendered ballot papers.

If, however, the elector says that they have not voted by post because they have lost or not received their postal ballot papers, tendered ballot papers can only be issued after 5pm (see Appendix 6).

These questions should be asked, if appropriate, in relation to both the Scottish Parliamentary and local government elections.

The prescribed questions to be asked of a person applying to vote as a proxy, when they are shown as having been issued with postal proxy ballot papers

The prescribed questions for proxies named on the proxy postal voters list but who claim either to have not applied to vote by post or who present themselves at the polling station after 5pm on polling day and claim to have lost or not received their postal ballot papers are as follows:

‘Did you apply to vote by post as proxy?’

If the voter answers ‘no’, the tendered ballot papers must be issued to the voter.

If the answer to this question is ‘yes’, then ask:

‘Why have you not voted by post as proxy?’

If this question is answered satisfactorily, the Presiding Officer should record the reason and issue the tendered ballot papers. If not, do not issue the tendered ballot papers.

If, however, the elector says that they have not voted by post because they have lost or not received their postal ballot papers, tendered ballot papers can only be issued after 5pm (see Appendix 6).

These questions should be asked, if appropriate, in relation to both the Scottish Parliamentary and local government elections.

Appendix 9 – security at the polling place

The Presiding Officer is responsible for the security of the polling station. Where there is more than one polling station in the polling place, the Presiding Officer (Number one station) has an overall responsibility for the polling place. Voters expect polling stations to be run in a calm and orderly manner.

Keeping order

Presiding Officers must maintain order in the polling station. They have the power to order a person's removal from the polling station. Eligible voters must nevertheless be allowed to vote before they are removed. A Presiding Officer who orders the removal of a person should record the details of the incident and pass them on to the Returning Officer.

A person who has been removed from the polling station and has not voted may only be re-admitted on the authority of the Presiding Officer. If the person returns and conducts themselves in an orderly manner, they must be allowed the opportunity to vote.

There is no legal definition of the extent of the polling station but, at a minimum, it is the room in which voting takes place.

Serious disturbances or incidents and the adjournment of the poll

The Returning Officer will have informed the police of the location of polling stations. Police officers may be assigned polling station duties and may visit them during the day. If there is disorder at the polling station during the day, contact the Returning Officer and inform them of the situation. If necessary, call the police to deal with the problem.

In the event of a serious disturbance or incident, e.g. bomb scare, fire, flood, etc., the Presiding Officer may be asked to vacate the premises or may decide to do so. If the emergency services ask for the building to be evacuated, it must be done. Inform the Returning Officer immediately and seek guidance on further actions that should be carried out.

Never put the lives of voters or the polling station staff at risk, or risk any injury to any person. If it is possible to do so without putting personal safety at risk, then all the sensitive election materials (the ballot boxes, ballot papers, register of electors, etc.) may be removed from the building and kept under the care of the polling station staff.

If forced to leave the premises, establish a temporary polling station elsewhere. If it is not possible to return to the original premises, it may be necessary to go to the nearest available polling station and re-establish the polling station there. Regardless of whether there has been an interruption in polling, the polling station must still close at 10pm. However, note the time during which the polling station was unable to operate.

In the most extreme case, the Returning Officer will permit the Presiding Officer to adjourn the poll until the following day. If the poll is adjourned, then the Returning Officer will arrange for the election materials to be collected.

Presiding Officers must not adjourn the poll on their own initiative.

Dealing with difficult voters

It is likely that during the course of polling day polling station staff will encounter voters who have a difficult disposition.

The following steps may assist with potentially troublesome situations:

- **Listen** to the voter – it is good practice to look at the person while they speak, demonstrating your interest.
- **Understand** – let the person know that every effort is being made to understand the problem from their perspective. This emphasises that an informed decision is being considered.
- **Explore** – ask the person if there is any further relevant information to give that might help the process along.
- **Summarise** – give the response and the reason for it. Do not become engaged in an argument.

Dealing with people who are incapacitated (through alcohol or drugs)

Ballot papers cannot be refused to an elector who is incapacitated either through alcohol or drugs. However, if the Presiding Officer or a polling agent suspects that the person is incapable of voting, then the prescribed questions should be asked. If the elector fails to answer correctly, then they must be refused the ballot papers. If that elector returns later, the ballot papers may be issued if the prescribed questions are answered satisfactorily.

Appendix 10 – guidance on tellers, the media and exit polls

Tellers

Tellers work for political parties. They stand outside polling places and record the elector number of voters who have voted. By identifying electors who have not voted and relaying this information to the party, tellers play a vital and important role in elections. Parties may then contact the voters who have not yet been to vote during election day and persuade them to vote, which may help to increase turnout.

There should be no more than one teller at a polling place for each candidate or political party at any time. Where a polling place contains more than one polling station with separate entrances, it may be appropriate for there to be tellers at each entrance, but no more than one per candidate or party.

Tellers have no legal status and voters have the right to refuse to give them any information.

Tellers must:

- always remain outside the polling place
- only enter the polling station to cast their own vote, to vote as a proxy or to accompany a disabled voter
- always comply with the instructions of the Returning Officer and Presiding Officer

Tellers must not:

- be able to see or hear what is happening inside the polling station
- impede, obstruct or intimidate voters on their way in or out of the polling place
- demand any information relating to a voter's elector number, name or address
- ask voters to re-enter the polling station to ascertain their elector number

- have discussions with voters that may give rise to allegations of undue influence (e.g. voting intentions, party affiliations or party campaigns)
- display any campaign material in support of or against any particular political party or individual candidate other than a rosette

Tellers may:

- approach voters for information as they enter or leave the polling place
- display a coloured rosette displaying the name of the candidate and/or political party; the rosette should not bear a slogan and must not be oversized

The Presiding Officer should check on tellers' activities from time to time and make sure that they do not block the entrance or hinder voters from entering the polling place.

The media

Representatives of the media have no right to enter a polling station except as voters. They must not be allowed to film or interview voters in the polling station. If a film crew is filming or interviews are taking place outside the polling place, make sure that voters are not hindered or harassed on their way to vote and are not obstructed at the entrance to the polling station.

Exit polls

Public opinion poll companies may be commissioned to organise an exit poll for these elections. Presiding Officers may have been informed by the Returning Officer if a polling company intends to conduct an exit poll outside the polling place. If that is the case, make sure that the interviewers neither enter nor block the access to the polling place.

Appendix 11 – health and safety

Health and safety of polling station staff and electors

Presiding Officers and Poll Clerks must be aware of any potential risks to safety throughout polling day. This requires an inspection of the premises as a whole and the immediate area outside. If hazards are encountered, some remedy needs to be considered. Liaise with the key-holder first, if possible.

If an accident occurs to any person at the polling station, a record must be made of the incident and the following information recorded:

- full name and address of the person involved
- time of accident
- location of accident
- brief details of accident
- evidence of injury or damage
- name and address of any witnesses
- conditions prevailing at the time
- action taken by polling station staff
- name of doctor or paramedic called
- details of any hospital admission

The Returning Officer should be informed immediately.

Lifting heavy objects

Listed below are some pointers that, if observed, may help to reduce the risk of injury to those who are involved with manual handling operations:

- Before attempting to lift or move any object, test its weight by tilting to determine how heavy the load is and the position of its centre of gravity.
- Before commencing the lifting or moving of objects, ensure that the area in which you are working is clear and free from obstructions.
- Ensure that you have a firm, comfortable grip before lifting.
- Ensure that you have a firm footing before lifting.
- When lifting, keep your head up, your back straight, your feet slightly apart and, wherever possible, lift from the knees using your leg muscles.
- Keep the object you are lifting as close to your body as possible.
- Do not pile objects so high that you or your load might overbalance.
- Do not pile objects so high that you cannot see where you are going.
- If you cannot lift or move the load on your own, ask for assistance.
- Help others to lift or move a load if you are asked.

Appendix 12 – frequently asked questions

Can I vote for my wife because she is ill? I have her poll card with me.

No. You are only allowed to vote for her if she has appointed you as her proxy. Election law now allows an elector to appoint a proxy up to 5pm on polling day, provided the elector became physically incapacitated after 5pm on 25 April 2007. If this applies in your wife's case, you will need to make an application to the Electoral Registration Officer. The application form will have to be signed by a registered medical practitioner or other appropriately qualified person, certifying the date that your wife became incapacitated from voting in person.

I have recently moved into the area. Can I vote here because it is more convenient?

No. Not unless you have changed your registration address and your name is shown on the register of electors. You can apply to the Electoral Registration Officer to re-register at your new address. If you can get to the polling station for your previous address where you are registered, you will be allowed to vote there.

I have forgotten my poll card. Can I still vote?

Yes. We just need to confirm your name and address.

Why are you writing my elector number beside my ballot paper number? Does this mean my vote is not secret?

Ballot papers carry a barcode and are numbered to comply with the requirements of the Representation of the People Acts and of the various Regulations and Rules made under

these Acts. The requirement that the elector number is written on the corresponding number list is included within the election rules.

Clearly, if the ballot papers are barcoded and numbered, it is far more difficult, if not impossible, for an unscrupulous person to introduce copies of official ballot papers into the ballot box. If a fraudulent act has occurred, it would be possible to detect the offence very quickly at the counting process.

There is a safeguard to prevent the ballot paper numbers on the corresponding number list being linked with the marked ballot papers. At the close of poll, the corresponding number list, including the parts completed in the polling stations, are placed in sealed envelopes by the Presiding Officer at the polling station. The sealed envelopes are then taken to the Returning Officer. After the count has taken place, the used ballot papers are also sealed. The only occasion when the sealed packets can be opened is on the order of a sheriff as a result of an election petition or in furtherance of an investigation into an alleged election offence. Even then, it would be very rare for a corresponding number list to be examined except in cases where fraud or personation was being investigated.

Because of the above safeguards, it is virtually impossible for any person to be in a position to marry up information taken from a corresponding number list with a ballot paper. For that reason, electors can be confident that their ballot remains secret. Electors have no grounds to fear that the way in which they voted could be detected, except under the very special circumstances outlined above.

What is the STV electoral system and why is it being introduced only at the local government election?

The Single Transferable Vote electoral system is a form of proportional representation which replaces the former first-past-the-post system in which one councillor was elected for each council ward. Under STV, voters will elect either three or four councillors in multi-member wards. Electors will rank the candidates in order of preference, i.e. 1, 2, 3, 4, 5 and so on. They may vote for as many or as few candidates as they wish, i.e. they may, if they wish, only place a '1' at the candidate of their choice and leave the remainder blank.

The Scottish Parliamentary elections are conducted under a separate form of proportional representation known as the Additional Member System (AMS).

For further information on the electoral systems used at Scottish Parliamentary and local government elections, please see Appendix 1.

Can I have a detailed explanation of the AMS or STV electoral system?

Any voter requiring an explanation of the AMS or STV electoral systems should be directed in the first instance to the Information Officer who should be able to provide an explanation of each voting system. Any voter requiring a more detailed explanation should be referred to the VoteScotland website: www.votescotland.com

In the event that a further explanation is required, the voter should be referred to the Returning Officer.

The Electoral Commission

We are an independent body that was set up by the UK Parliament. Our mission is to foster public confidence and participation by promoting integrity, involvement and effectiveness in the democratic process.

Democracy matters

The Electoral Commission
28 Thistle Street
Edinburgh EH2 1EN

Tel 0131 225 0200
Fax 0131 225 0205
infoscotland@electoralcommission.org.uk
www.electoralcommission.org.uk

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