

# Part E – The poll

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# 1 Introduction

**1.1** The Commission has produced a separate *Handbook for polling station staff*, designed to assist Presiding Officers, Poll Clerks and Information Officers, which covers the procedures involved in managing a polling station and which should be referred to for any questions relating to the duties of polling station staff. This part of the guidance manual does not replicate the content of this handbook but instead aims to cover the key issues around polling day that affect Electoral Registration Officers, Returning Officers and electoral administrators.



A copy of the *Handbook for polling station staff* will be available for download from eXtra, and hard copies will also be sent to councils as per previously submitted orders.

## Legislative changes

**1.2** Following the enactment of new primary and secondary legislation, including new rules for conducting the Scottish Parliamentary and local government elections, it is important to be familiar with, and to brief staff on, the various new procedures that are now in place.

**1.3** It is particularly important to be familiar with the following aspects of polling day which will be different from previous elections:

- persons entitled to attend at polling day proceedings
- standard voting procedure, in particular with regard to the replacement of ballot paper counterfoils with corresponding number lists
- ability to issue tendered ballot papers to electors or proxies on the postal voters lists who claim not to have applied to vote by post
- ability to correct clerical errors on the register up to 9pm on polling day
- emergency proxy applications
- collecting postal votes from polling stations throughout polling day
- allowing for replacement postal ballot packs to be issued up to 5pm on polling day

## 2 Polling day issues for the Returning Officer and staff

### Hours of poll

2.1 The hours of poll for the Scottish Parliamentary and local government elections on 3 May 2007 are 7am to 10pm.

### Public enquiries

2.2 In the weeks leading up to polling day, the Returning Officer's staff can expect to receive an increasing number of enquiries from members of the public ranging from people who do not know where their polling station is to various queries about electoral registration matters.

2.3 One of the most frequent enquiries on polling day will likely be from members of the public who arrive at a polling station to find that they do not appear on the register of electors, and thus are unable to vote. There is usually very little that can be done, other than sending them a rolling registration form.

2.4 Presiding Officers should be instructed, however, to direct any person who is insistent that they made an application to register to the Electoral Registration Officer due to the new provision to amend the register up to 9pm on polling day in the event of a clerical error.<sup>1</sup> Further information on clerical errors can be found in Section 4, The register of electors.

2.5 The Returning Officer's staff can also expect to receive many varied enquiries from electors, candidates and agents, party activists and polling staff.

2.6 It is particularly important to anticipate any enquiries that may arise in relation to the changes to the electoral system and the voting

procedure, or concerns about the secrecy of the ballot following the introduction of the corresponding number lists, containing both the ballot paper number and the voter's elector number, and the barcoding of ballot papers.



Some suggested frequently asked questions for frontline staff will be produced by the Electoral Commission and will be available for download from eXtra. These are designed for use by frontline staff who do not usually work in the field of elections in dealing with general enquiries to increase their awareness and understanding and to assist in promoting good practice and customer service. FAQs for polling station staff are contained in the *Handbook for polling station staff*.

### Emergency proxy applications

2.7 Electors can now apply to appoint a proxy on medical grounds up until 5pm on polling day.<sup>2</sup> Returning Officers will need to alert polling staff to this possibility and, with Electoral Registration Officers, set up procedures for receiving applications on polling day and contacting Presiding Officers should any applications be received. It is suggested that all proxies appointed under this procedure should be provided with documentation authorising them to vote as a proxy at a particular polling station. This document can then be handed to the Presiding Officer and kept with the absent voters lists as a record that the proxy has been issued with the ballot papers. Returning Officers may consider applying some form of security marking to any such documentation,

<sup>1</sup> Section 13B, RPA 1983 (as inserted by Section 11, EAA).

<sup>2</sup> Paragraph 5, Schedule 3, Scottish Parliament Order; Regulation 10, RP (AV) Regulations.

particularly if direct contact with the polling station staff is difficult.



As a matter of good practice, Returning Officers may wish to provide Presiding Officers with some application forms for appointing proxies in a medical emergency. This prevents the elector having to locate a form and expedites the process for both the elector and the Electoral Registration Officer. The Commission has provided downloadable forms on eXtra at [www.electoralcommission.org.uk/elections/electoralforms.cfm](http://www.electoralcommission.org.uk/elections/electoralforms.cfm).

## Replacement of lost or spoilt ballot packs

**2.8** Electors can apply for a replacement postal ballot pack up to 5pm on polling day if they have lost or spoilt the contents.<sup>3</sup> In addition, replacement ballot packs may be issued to those electors claiming never to have applied for a postal vote and who have never received one.

**2.9** Suitable staff need to be available on polling day to deal with these requests and any associated queries. It is important to make sure that these staff are able to advise on the suitable forms of identification the elector needs to present when applying for a replacement.



Further advice on these forms of identification and the general process of replacing postal ballot packs can be found in Part D – Absent voting.

## Polling station visits

**2.10** Many Returning Officers undertake polling station visits themselves and also instruct other members of staff to carry out visits on their behalf. Although the exact nature of these visits is for the Returning Officer to determine, they can be used for a number of reasons, such as to check that polling stations have been set up correctly, including checking accessibility issues, and to answer any enquiries that Presiding Officers may have.

**2.11** It is advisable for visiting officers to carry with them spare stationery and other items such as forms, envelopes and copies of the register of electors, in case of any problems encountered at polling stations, e.g. shortages or missing items.

**2.12** It is now possible to collect postal votes from polling stations, so Returning Officers may use these visits to collect any postal votes that have been delivered by hand to the polling station.<sup>4</sup> It is important to ensure that postal votes removed from the polling station before the close of poll are transmitted in a secure manner and that there is a clear audit trail.

## Responding to emergencies

**2.13** Various emergencies may occur on polling day, e.g. a fire at a polling place, a Presiding Officer running out of ballot papers, polling staff being taken ill, etc. The Returning Officer will have previously developed a series of contingency plans to deal with unexpected emergencies.

<sup>3</sup> Paragraphs 13 and 14, Schedule 4, Scottish Parliament Order; Regulations 15 and 16, RP (PV) Regulations.

<sup>4</sup> Paragraph 17(3) and (4), Schedule 4, Scottish Parliament Order; Regulation 17(3) and (4), RP (PV) Regulations.

**2.14** What is important is that Presiding Officers at the polling stations know who to contact in the event of any such emergency. They should be provided with a contact telephone number which should be staffed throughout polling day. Presiding Officers should also be given a contact number for the police. Staff based in the election office should have mobile phone numbers for any visiting officers because they may be closer to any polling station in which an emergency occurs.

## 3 Managing the polling station

### Briefing sessions for polling staff

**3.1** A briefing session should be held for all polling staff shortly before polling day. This should give Presiding Officers, Information Officers and Poll Clerks all the information that they require to run the poll, any relevant local information and details of what to do at the close of the poll.

**3.2** Given the fact that this is the first time that the Additional Member System (AMS) and the Single Transferable Vote (STV) system have been used at a combined election in Scotland, it is anticipated that there will be an even higher than usual number of requests for clarification from voters in the polling place on the voting process. Training of polling staff should ensure that they are equipped to answer questions on the electoral systems and the voting process.

### Equipment

**3.3** The Returning Officer is required to provide each polling station with sufficient equipment for the poll, including ballot boxes, ballot papers, registers, the corresponding number lists, the lists of postal voters, proxy voters and postal proxies, and the relevant notices, forms and envelopes.<sup>5</sup>



It is important to note that the corresponding number lists for use in the polling station must **not** include the unique identifying marks of the ballot papers.<sup>6</sup>

**3.4** Each Presiding Officer should be given a copy of the list of the equipment that they are provided with so that they can check that they have everything on polling day.



The Commission has developed several resources to support the training of polling station staff.

The Commission has produced a separate *Handbook for polling station staff*, which will be available to download from eXtra. Copies will be sent to those Returning Officers who ordered them from the Commission. This handbook covers all procedures involved in running a polling station and should be referred to for any questions relating to the duties of Presiding Officers and other polling station staff.

The Commission will make also available on eXtra downloadable template lesson plans and a template PowerPoint presentation to support councils in the training and briefing of polling station staff.



A full checklist of equipment is included in Section 7, Resources.

**3.5** A different type of ballot box will be used for the first time at the May 2007 elections, designed to keep ballot papers flat in order to facilitate the electronic counting of the votes after the close of poll. These boxes will need to be assembled prior to the opening of poll, and the Returning Officer will need to consider whether this task is one that will be carried out by election staff in advance of polling day or if Presiding Officers will be instructed to make up their ballot boxes on arrival at the polling station. Even if Presiding Officers are not required to make up the boxes themselves,

<sup>5</sup> Rule 38, Scottish Parliament Order; Rule 24, Local Government Rules.

<sup>6</sup> Rule 38(3)(d), Scottish Parliament Order; Rule 24(3)(e), Local Government Rules.

they should be shown how to attach the chutes through which voters will insert their ballot papers to the ballot boxes. They should also be instructed in the use of the security seals that will be used to seal the ballot boxes. When covering this point at the briefing sessions for polling staff, the need to show any candidates and agents present before the opening of the poll the empty ballot box before applying the seal should be reiterated.

## Information in the polling place

**3.6** Although the VoteScotland national information campaign being conducted by the Electoral Commission and the Scottish Executive and the supporting activities undertaken by Returning Officers and councils in advance of polling day will seek to ensure that electors are sufficiently informed to vote validly in both the AMS and STV elections, the role of information in the polling place should not be underestimated. The elector is at their most focused on voting and so most receptive to information on the process when in the polling place, and so it is essential to ensure that this last opportunity to inform electors is fully utilised.

**3.7** Returning Officers are encouraged to consider appointing Information Officers in polling places to assist electors who have requests for further information, particularly given that there is to be provision made in the Scottish Parliamentary Fees and Charges Order allowing for the appointment of such staff.



For further consideration of the role of the Information Officer, see Part B – Preparing for the Scottish Parliamentary and local government elections, Section 6, Staffing.

**3.8** To support Information Officers in the polling place, cardboard ‘pop-ups’ will be supplied to Returning Officers for display at every polling place. It is envisaged that these will be situated at the entrance of the polling place and will provide electors with information on how to vote validly in both elections, setting out in a pictorial format the information to be contained in the information for voters notice. The pop-up has been designed in such a way that if Information Officers are unavailable in any polling place, it will be capable of acting as a stand-alone information point, providing information to electors in a clear, easy to understand format.

**3.9** Within the constraints of the building, it is suggested that large-print versions of the ballot papers should be displayed between the entrance and the polling station desk where electors will be handed their ballot papers. This will show electors what ballot papers they can expect to receive and will provide them with a further opportunity to obtain any additional information or guidance they may require before receiving, and then filling in, their ballot papers.

**3.10** The guidance for voters notice for display in every polling booth may now be produced in a graphical form or in any other way which makes the information accessible to persons who might not otherwise have reasonable access to the information. The Commission is developing a pictorial version of the notice, which will be made available on eXtra for download and printing locally, and strongly recommends its use.

## Persons entitled to attend proceedings on polling day

### Persons under the age of 18 years who accompany voters

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**3.11** Persons under the age of 18 years are now able to accompany voters into the polling station.<sup>7</sup> Although it has previously been common practice to allow persons under the age of 18 years to accompany voters into the polling station, it is worth being aware that it is now a requirement to allow them in, although the Presiding Officer may limit the number of under-18s in the polling station at any one time.<sup>8</sup> This power should, however, only be used when their attendance hinders the proceedings in some way.

### Representatives of the Electoral Commission

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**3.12** For the first time, representatives of the Electoral Commission are entitled to observe various electoral procedures relating to Scottish Parliamentary elections.<sup>9</sup> This includes attending the polling station during, before and after polling hours. They may also attend any postal vote opening sessions that occur on polling day. Commission representatives are instructed not to interfere with the proceedings in any way.

### Observers

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**3.13** In addition, observers may also attend at any polling station or any other official proceedings on polling day.<sup>10</sup>

**3.14** Electoral observation is a legitimate and valuable part of the electoral process, and care should be taken not to hinder or obstruct the conduct of any observation. Although Returning Officers are entitled to limit the number of observers who may be present at any proceedings,<sup>11</sup> the Commission advises that caution should be used in the exercise of this power. It is important to note that no officer is entitled to bar all observers from the entire process, only to limit the number of observers present at any one time. Careful consideration therefore needs to be given to the locations used as polling stations or for postal vote opening sessions, ensuring that sufficient space is available for observers.

**3.15** In all instances, officers should only seek to limit the number of observers if their presence is hindering the conduct of the proceedings or jeopardising the secrecy of the ballot.

**3.16** Following a period of consultation, the Commission has now produced the required Code of practice for observers which will apply in respect of Scottish Parliamentary elections,<sup>12</sup> and this has been published on the Commission's website. Accredited observers are obliged to follow this Code of conduct. Scottish Ministers will also produce a Code of conduct in respect of Scottish local government elections.<sup>13</sup> It is expected that this code will, as far as possible, mirror that produced by the Commission.

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<sup>7</sup> Rule 41(1), Scottish Parliament Order; Rule 27(1)(b), Local Government Rules.

<sup>8</sup> Rule 41(1), Scottish Parliament Order; Rule 27(2), Local Government Rules.

<sup>9</sup> Section 6A, PPERA (as inserted by Section 29, EAA).

<sup>10</sup> Sections 6C and 6D, PPERA (as inserted by Section 29, EAA); Sections 8 and 9, LEARS Act.

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<sup>11</sup> Section 6E, PPERA (as inserted by Section 29, EAA); Section 10, LEARS Act.

<sup>12</sup> Section 6F, PPERA (as inserted by Section 29, EAA).

<sup>13</sup> Section 11, LEARS Act.

**3.17** Presiding Officers should be familiar with the salient points of the codes and should be instructed to notify Returning Officers of any potential breaches. Returning Officers should report any allegations to the Commission as soon as possible.

**3.18** The Commission has also issued separate guidance to Returning Officers and Presiding Officers on the exercise of their powers in relation to observers at the Scottish Parliamentary elections, as we are required to do by statute. Returning Officers and Presiding Officers are required to refer to this guidance before exercising any of their powers in relation to observers at Scottish Parliamentary elections, such as excluding them from polling stations.

## 4 The register of electors

**4.1** Each Presiding Officer should be provided with the appropriate register of electors for their polling stations. They should also be made aware of the various categories of electors shown on the register. It can be useful to include these as a separate sheet or on the cover sheet of the register. Additionally, all the categories and associated markers are included in the *Handbook for polling station staff*.

### Clerical errors



The deadline for correcting clerical errors on the register has been changed to 9pm on polling day.<sup>14</sup>

**4.2** The correction of errors on polling day will in practice take effect from the time of determination, despite the fact that the notice of alteration will not be published until 9pm on polling day. This is because Section 13B(3B) of the RPA 1983 (inserted by the EAA) states that the alteration shall take effect as from the beginning of the day on which the notice is issued.

**4.3** There are two types of clerical error that may come to the Electoral Registration Officer's attention on polling day:

- those where an elector has been entered on the register incorrectly, e.g. mis-spelling of a name or transposed or incorrect inputting of numbers in a date of birth indicating that the elector is under 18
- those where a registration form has been received by the Electoral Registration Officer but no entry has been made on the register

**4.4** Differing views have been expressed in the past concerning the extent of the Electoral Registration Officer's power in relation to the correction of clerical errors. Within the strict wording of the legislation, the Electoral Registration Officer can determine that the register 'contains' a clerical error.

**4.5** However, the Commission's view is that this corrective ability is intended to encompass any clerical errors, including the omission of names clearly shown on a registration application form received by the Electoral Registration Officer in time for the election in question and where an error has been made during the processing of the application form. The register in such a case contains a clerical error in the omission from it of the name on the application form. If, however, the elector has made an error in completing the application form and the Electoral Registration Officer has processed the form correctly, this does not amount to a clerical error and so is not covered by the clerical errors provision.

**4.6** It is unlikely to be necessary to correct clerical errors on polling day where the elector appears on the register in some form and is able to answer the statutory questions satisfactorily. However, Presiding Officers should be instructed to act consistently in such cases and where there is any doubt they should contact the Electoral Registration Officer.

**4.7** When an Electoral Registration Officer makes a determination to correct a clerical error to enable an elector to vote, they must issue a notice in accordance with the legislation and should notify the Returning Officer.<sup>15</sup>

<sup>14</sup> Section 13B, RPA 1983 (as inserted by Section 11, EAA).

<sup>15</sup> Regulation 36, RPR 2001.

**4.8** The Electoral Registration Officer must take reasonable steps to communicate the notice to the appropriate Presiding Officer (either in writing or orally) in order to ensure that the person who is the subject of the notice is permitted to vote.<sup>16</sup> If the notice is communicated orally, which includes by telephone, the Presiding Officer must make a written record of the elector's name and number.<sup>17</sup> Once the instruction has been received, the Presiding Officer must issue the ballot papers in the usual manner and either the instruction notice issued by the Returning Officer or the Presiding Officer's written record must be marked to show that the elector has voted.<sup>18</sup>

**4.9** The legislation is silent on how the Presiding Officer should make a written record of those instructions received orally. The Commission's view is that a separate list should be made available to Presiding Officers to allow them in effect to add names to the list if and when they are communicated. The legislation requires that both the marked copy of the register of electors and any marked copy notices issued to correct clerical errors have to be included in the same sealed packet at the close of poll.

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<sup>16</sup> Regulation 36A(1), RPR 2001.

<sup>17</sup> Regulation 36A(2) and (3), RPR 2001.

<sup>18</sup> Rule 46(4), Scottish Parliament Order; Rule 32(3), Local Government Rules.

## 5 Tellers and campaigners

**5.1** It is a well-established practice for candidates or their agents to appoint 'tellers' positioned outside polling places to record the names of electors who have voted, usually by asking for their poll card or elector number. This is for the purpose of assisting party workers to identify potential supporters who have yet to vote.

**5.2** It is important to remember that the Returning Officer is in charge of the conduct of the election, so if they feel that the poll is being adversely affected by the activities of tellers, they should request that tellers either comply with agreed behaviour or leave the polling place. If any reports of incidents occurring at polling places are received, members of staff charged with conducting polling place inspections should be directed to attend immediately with a view to resolving any issues. It is also useful to have the telephone number of the local police available in case of any incidents that cannot be resolved amicably.



The Commission has recently consulted on a new form of guidance on the activities of tellers. The revised guidance can be found in the *Handbook for polling station staff* and in the Commission's *Guidance for candidates and agents – Scottish Parliamentary elections on 3 May 2007* and *Guidance for candidates and agents – local government elections in Scotland on 3 May 2007*.

## 6 Procedure on close of poll

**6.1** Presiding Officers should be briefed to close their polling stations punctually at 10pm. They should be given instructions on what they are expected to do after the close of poll.

**6.2** Clear instructions should be provided to Presiding Officers about the arrangements for the collection of the boxes for onward delivery to the count location or, for those who are required to transport the boxes to the count venue, about the arrangements for delivery, including the location of the count venue; any parking arrangements; at which entrance they should deliver their ballot boxes; and procedures for handing in the boxes, ballot paper accounts, any postal votes handed in at the polling station and any other election stationery, including the marked registers. A contact number should have been provided to Presiding Officers in case they experience any difficulties or delays in getting to the count venue. It is important that this number is continually staffed in the event of such a situation.

**6.3** The Presiding Officer should have been instructed on how to complete the ballot paper accounts correctly and about sealing the various packets of documents. A checklist is provided in the *Handbook for polling station staff* but it is important to make sure these are then double-checked when arriving at the count venue.

**6.4** It is useful to appoint staff who are solely responsible for receiving and checking items into the count venue until all materials have been received from the polling stations.



To aid efficiency, the Presiding Officer should hand in the ballot paper account and the packet containing any postal votes returned to the polling station separately.

**6.5** The following documents should also be checked on arrival at the count venue:

- the marked copy of the register (including any marked copies of notices of alteration) and the list of proxies
- the unused and spoilt ballot papers
- the used and tendered ballot papers
- the corresponding number lists of all used ballot papers (ordinary and tendered)
- the spoilt ballot papers and the certificates of employment
- the tendered votes list, the list of voters with disabilities assisted by companions, the list of votes marked by the Presiding Officer and accompanying statement, and the declarations made by the companions of voters with disabilities

**6.6** It is helpful to supply Presiding Officers with two different sacks: a clear one for the packets of documents to be returned to the Sheriff Clerk or Proper Officer and an opaque sack for other items of stationery. Presiding Officers should also be advised to dispose of any rubbish at the polling station.

# 7 Resources

## Equipment checklist

The full list of items that must be provided at each polling station is as follows:

- ballot boxes – one each for the Scottish Parliamentary and local government elections, plus any additional boxes as necessary
- relevant part of the register and any notices issued under Section 13B(3B) or (3D) of the RPA 1983
- the corresponding number lists
- absent voters lists – postal voters, proxy voters and postal proxies
- ballot papers
- ballot paper accounts
- tendered ballot papers
- voting devices for use by blind or partially sighted voters
- copy of the statutory questions
- copy of the requirements as to secrecy
- forms of declaration by the companion of a voter with disabilities
- form of list of tendered votes
- form of list of votes marked by Presiding Officers
- form of list of voters with disabilities assisted by companions
- form of statement of number of votes marked by the Presiding Officer
- directions for the guidance of voters
- large-print versions of the ballot papers
- enlarged hand-held sample copy of the ballot papers

- voting compartment notices
- polling station notices
- polling screens
- seals for sealing the ballot boxes
- pencils or pens for use by voters and string to attach them to the polling booths
- notepaper for use by polling staff
- stationery items as required, e.g. paper clips, drawing pins, Blu-tack, adhesive tape
- envelope in which to place postal ballot papers returned to the polling station
- envelopes for making up packets
- plastic sacks (one clear, one opaque) for returning stationery and equipment to the count
- form to record errors in the register of electors
- form of list to record electors marked as postal voters but who claim not to have applied for a postal vote

## Accessibility checklist for polling day: setting up a polling station

The initial setting up of a polling station can make all the difference as to whether or not it is accessible. It is thus important that polling staff who are responsible for setting up polling stations should be made aware of the following:

### Signage at polling places and polling stations

- Signs should be placed so that electors can be directed to the entrance of the polling place and to the entrance for disabled voters, if this is different to the main entrance to the polling place.

- All signs should be placed at a height so that someone in a wheelchair can read them without difficulty.
- A simple notice could be displayed outside the polling station to advise voters to ask the Presiding Officer to provide help if required.
- A large polling place sign should be visible from the main road.

### **Car parking for disabled people**

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- Any car parking spaces for disabled people should be clearly marked.
- Polling station staff should not park their own cars in these spaces and should, if possible, keep an eye on them throughout polling day to ensure that they are kept available for use by disabled people.

### **Level access to polling places**

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- If temporary ramps are to be used at a polling place, the Presiding Officer should be informed beforehand and ideally shown how to install the ramp, if it is not in place before polling day.
- Ramps should be secure and stable with a low gradient. If they are not fitted properly, they can be dangerous and could cause injury to electors.
- Ramps should be kept clear of any obstructions.
- Polling station staff should check any temporary ramps at regular intervals, to make sure that they have not become dislodged or are presenting a hazard to electors.

### **Entrances to polling places**

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- Heavy doors which are difficult to open can be a major access barrier to some electors. Propping doors open can help, although this

is obviously not ideal if polling staff are left sitting in a cold draught and electors have to vote in cold conditions.

- Any loose mats should be removed if they are likely to present a trip hazard.
- If there is separate access for disabled people, this should be clearly signed and kept open.

### **Inside the polling station**

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- Inadequate space inside the polling station causes problems for wheelchair users and people with mobility impairments who may need more space to manoeuvre. It also means that people cannot be assured that their vote is secret and unobserved by other voters.
- Polling staff should set up the polling station considering the best place to site themselves, the ballot boxes and polling booths so that people have enough space to get in and out of the polling station.

### **Lighting of polling stations**

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- Adequate lighting is important for people with visual impairments. Many people's vision is dependent on the quality of lighting, especially for reading and writing. Good lighting both in the polling booth and where the large-print versions of the ballot papers are displayed is vital.
- Lighting in the entrance, corridors and room where the polling booths are situated is also important so that voters can get to and from the polling booth easily.
- Polling staff need to be aware of the lighting conditions in the polling station and switch on whatever lights are necessary.

### **Low-level polling booths and ballot boxes**

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- Low-level polling booths are an easy way to improve the accessibility of polling stations and should be installed in every polling station.
- The ballot boxes should be placed on a chair rather than a table as this allows wheelchair users and other people who are not able to reach ballot boxes on tables the opportunity to post their vote independently and confidentially.

### **Guidance for voters**

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- The information for voters notice, which can be printed and laid out in any format that clearly presents the information within it, must be displayed either inside or outside every polling station, although it is good practice to display the notice both inside and outside the polling station.
- The guidance for voters notice, which can be produced in a graphical format or in any other way which makes the information accessible to persons who might not otherwise have reasonable access to the information, must be displayed in every compartment of every polling station. The Commission is developing this notice in a graphical format, and this will be available for download from eXtra.

### **Large-print notice of ballot papers and hand-held sample copy**

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- Large-print notices are important to people with visual impairments and can allow someone to vote independently.
- The law enables at least one large-print version of each ballot paper to be displayed inside the polling station for the assistance of voters who are blind or partially sighted.

However, it is helpful to supply more than one large-print version of each ballot paper.

- The law requires that an enlarged copy of each ballot paper, marked 'sample', is available for anyone who requires it. These can be given to voters to take into the polling booth with them. If these are laminated, it helps to prevent them getting torn or dirty.

### **Device to enable voters who are blind or partially sighted to vote without assistance**

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- It is a legal requirement to provide such a device at every polling station.
- It is important that polling station staff are aware of this requirement and are trained in the use of the device and are able to assist voters who wish to vote using it.
- In many cases voters who may find the device useful may not be aware that this is available for them to use. It may, therefore, be helpful for polling station staff to suggest to voters that they may wish to use the device where it appears appropriate. The right approach is important to avoid causing offence.

### **Seating**

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- Chairs can be provided in polling stations for anyone who needs a rest. However, chairs should not be placed so that they get in the way of other voters, nor should they overlook people casting their votes.

### **General**

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- All disabled people and older people should be treated as individuals. The manner in which such people are approached is important: if you think someone needs assistance, ask them first, rather than make assumptions.

- Presiding Officers can set up a table in the polling station with all the materials for disabled voters, so that they or their companions can see everything that is available to assist them, including the enlarged sample copies of the ballot papers and the devices to assist voters who are blind or partially sighted.

## NOTIFICATION OF SECRECY REQUIREMENTS

### The Scottish Parliament (Elections etc.) Order 2007, Article 32

(1) The following persons attending at a polling station, namely –

- (a) a returning officer or a member of his staff;
- (b) a presiding officer or clerk;
- (c) a candidate (including a candidate on a party's regional list);
- (d) a nominating officer of a registered party which has submitted a regional list;
- (e) an election agent;
- (f) a polling agent;
- (g) a person attending by virtue of sections 6A to 6D of the 2000 Political Parties Act

shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to –

- (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
- (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
- (iii) the official mark.

[...]

(3) No person shall –

- (a) interfere with or attempt to interfere with a voter when recording his vote;
- (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom or, as the case may be, the registered party for which, a voter in that station is about to vote or has voted;
- (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom or, as the case may be, the registered party for which a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of a ballot paper given to a voter at that station;
- (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom or, as the case may be, the registered political party for which, he has or has not voted.

[...]

(5) No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom or, as the case may be, the registered political party for which, that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of a ballot paper given for the use of that voter.

(6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding the amount specified as level 5 on the standard scale or to imprisonment for a term not exceeding three months.

## NOTIFICATION OF SECRECY REQUIREMENTS

### Representation of the People Act 1983, Section 66

(1) The following persons –

- (a) every returning officer and every presiding officer or clerk attending at a polling station,
- (b) every candidate or election agent or polling agent so attending
- (c) every person so attending by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000

shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to –

- (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
- (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
- (iii) the official mark.

[...]

(3) No person shall –

- (a) interfere with or attempt to interfere with a voter when recording his vote;
- (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
- (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given to a voter at that station;
- (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.

[...]

(5) No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.

(6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months.