

FAQs for use at the 6 May 2010 UKPGE

Questions arising from dissolution of Parliament	Answer	Cross reference with guidance and other material
What if the (A)RO is unable to act?	The appointment of a deputy with full powers should be made in advance of the election. However, should the (A)RO become unable to act after the election has commenced and no deputies with full powers have been appointed, the Council would need to appoint an ERO to undertake the duties of the (A)RO and be personally responsible for the conduct of the election. The appointed (A)RO should make provision for internal legal advice and support to be available during the period of the election.as well as checking that appropriate insurance cover is in place.	Guidance for appointment of deputies for (Acting) Returning Officers, Part A, pages 9 & 10.
Writ not received or lost in transit	Contact Royal Mail	Royal Mail 0856 564 998
Questions regarding Business Continuity arrangements		
Loss of main premises/storage facility or any key building	Business continuity plan should highlight contingency arrangements. All data/prime documents should be accessible from an alternative site or copied onto memory stick for ease of access making sure all care is taken to with portable storage devices.	Essentials of effective election management page 12.
Questions about the nomination process and campaigning		
I want to pay my deposit electronically/credit or debit card. What should I do?	Refer agent/candidate to (A)RO explaining that any such arrangement is at the discretion of the (A)RO who will specify if the facility is	C & A guidance – part B, para. 3.64 – 3.66

	available and, if so, what the arrangements are.	
I am not sure if I am eligible to stand as a candidate in the UKPGE? How can I check?	Potential candidates should be directed to the C & A guidance but if doubts remain they should undertake their own checking regarding eligibility.	C & A guidance – part B, HoC Disqualification Act 1975 (as amended).
I am intending to stand as a candidate in the forthcoming election. How can I get a register for the constituency?	On dissolution of Parliament all persons intending to stand as a candidate can obtain a copy of the constituency register from the local authority electoral registration office.	C & A guidance – part B, paras. 3.11 – 3.13 Register request form on the http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections
I want to register a new party for the forthcoming elections. How can I do this?	Those wanting to register a party to contest the election must apply by 12 April	C & A guidance – part B, para. 3.77 and EC circular 12/2010
Can a candidate subscribe his/her own nomination paper?	Yes – provided the candidate is registered in the constituency they wish to stand in.	
Can I stand in more than one constituency.	No – a candidate cannot stand in more than one constituency at the same UKPGE.	C & A, part B, para. 3.7
My candidate will be out of the country during the nomination period. What should I do?	Ensure the candidate signs and has witnessed the consent to nomination prior to departing the country. Consent must be signed and witnessed within one calendar month before close of nominations. Also, if the candidate intends to use a party emblem, they must sign a written request to use the emblem. The above certificate of authorisation can also be sent electronically or by fax.	C&A guidance – part B, paras. 3.49 – 3.51
I am a candidate/agent and want to hold an election meeting but am not sure who I should contact about the use of rooms?	The ERO (England & Wales) and Proper Officer of the Council (Scotland) will have a list of meeting rooms including schools that can be used as the notice of election is published until the day before polling day. when Parliament is dissolved.	C & A guidance – part B paras. 4.11 – 4.16

<p>I want to organise a hustings but don't want to invite all the candidates. Can I do this?</p>	<p>For further information contact 020 7271 0616</p>	<p>www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents.</p>
<p>What can I include in my freepost leaflet?</p>	<p>All agents/candidates are urged to contact Royal Mail for information about the freepost service.</p>	<p>www.royalmail.com/candidatemail Telephone No. 0856 607 6416</p>
<p>The X party campaign leaflets are offensive. What is the Commission going to do about them; doesn't that break some kind of rule?</p>	<p>The Commission does not regulate the content of political campaigns nor does it investigate allegations of malpractice as these are a matter for the police.</p>	<p>C & A guidance – part B paras. 4.42 – 4.57</p>
<p>I want to appoint an election agent but the office address is not in the constituency or an adjacent constituency. What should I do?</p>	<p>Advise the candidate that the office address given for the agent must be in the constituency or an adjoining area.</p>	<p>C & A guidance – part B, paras. 2.20 – 2.23</p>
<p>Postal workers are refusing to deliver our leaflets. How can we challenge Royal Mail about their unfair practices?</p>	<p>All validly nominated candidates are entitled to free postage on an election address to electors in the constituency. Pass on to Royal Mail Election Support Team (0845 607 6416)</p>	<p>C & A guidance – part B, paras. 4.17, 4.18 and 4.19.</p>
<p>Why can't I see where local candidates live – their address used to be on the Statement of Persons Nominated and the ballot paper – I only want to vote for a local person.</p>	<p>Candidates can now request that their address is not made public but instead they must state the name of the constituency where they live (or the country where they live if outside the UK)</p>	<p>C & A guidance – part B, paras. 3.47 – 3.48</p>
<p>I want to use the prefix 'Dr' on my nomination form.</p>	<p>Prefixes will only appear on the statement of persons nominated and the ballot paper if the candidate includes the prefix in the 'commonly used forename' box on the nomination form.</p>	<p>C & A guidance – part B, Para. 3.27</p>
<p>(A)RO believes that at close of nominations a candidate's commonly used name may confuse the electors.</p>	<p>(A)RO may wish to obtain a legal view before advising the candidate that the commonly used name cannot be allowed and the formal full name must be used instead.</p>	<p>Guidance for (A)RO's, Part B, paras. 4.46, 4.53 and 4.131</p>

Questions about poll cards and postal voting		
The printer dealing with poll cards/postal votes advises that either/both of the above cannot be processed (for example, because of over commitment or failure of machines)	Refer to risk register and the actions to mitigate this risk i.e. check out in house facilities/ local printers/AEA contacts or phone the British Printing Industries Federation.	Contact for BPIF: Farringdon Point 29-35 Farringdon Road London EC1M 3JF Tel: 020 7915 8319 www.britishprint.com
An (A)RO advises that the postal ballot papers have been despatched with the wrong postal vote statements. What action should the (A)RO take?	(A)RO should consult own legal support who would probably advise to re-issue under the (A)RO's power to correct procedural errors with an explanatory note making sure that the re-issue can be identified from the original issue e.g. the postal vote statement could be printed on a different colour and the ballot paper numbers could be from a different range..	
Someone from the X party came to my home and offered to help me fill in my postal vote and post it for me. Is this allowed?	Political parties and candidates are asked to adhere to the code of conduct which states that candidates and agents should not touch the ballot papers and any help should be provided by the (A)RO's staff. Parties and candidates may encourage voters to complete and return their postal votes.. It should be stressed that the elector's vote is secret.	Code of conduct – C & A guidance – Appendix D.
The dog has chewed up my postal vote. What can I do?	You can obtain a replacement by 5 p.m. on polling day by contacting the Returning Officer at your local authority election office– the remaining parts of the postal vote pack should be returned and some form of ID may be required.	Managing a UKPGE – Part C, Section 6.
It becomes evident that some postal vote packs have not been delivered in certain areas (for example, as a result of Royal Mail local disputes).	Contact Royal Mail. Hand-deliver replacements that can be separately identified from the original issue i.e. different colour PVS and different numbering range. Establish local delivery points for the	Royal Mail contact details 0845 607 6416

	<p>return of the postal votes. Advise candidates and agents. Publicise arrangements emphasising they can be returned to the polling station.</p>	
<p>A journalist/blogger has given an indication of the result after attending a postal vote opening session. Is this illegal? What is the Commission going to do about this?</p>	<p>At postal vote opening all postal votes are handled face down. All persons attending postal vote opening are bound by the requirements of secrecy section 66 of the RPA 1983. Anyone found guilty of attempting to ascertain at the proceedings in connection with the receipt of ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtained at the proceedings could face a fine up to £5,000 or imprisonment of up to 6 months.</p>	<p>Guidance for (A)ROs, Part C, page 41.</p>
<p>Questions on polling day</p>		
<p>A polling station was vandalised and is not now available.</p>	<p>If time allows identify alternative venue and designate it formally through Council. If incident happens very close to the poll and assuming space available adjacent to the vandalised building establish a portable building or use one of the Council's vehicles (if the seats can be removed). As part of contingency arrangements having a vehicle or other solutions available should be considered.</p>	
<p>A Presiding Officer reports that the ballot box with all of the ballot papers and stationery was stolen from their car outside their house.</p>	<p>If the official mark has been pre-printed on the ballot papers, these are live ballot papers. Establish the number range of the ballot papers that were stolen. Report incident to the police and the candidates and agents. Provide duplicate set of</p>	

	stationery etc. and new range of ballot papers to the PO.	
Voters are complaining that a polling station in constituency X is not accessible. What are you going to do about this?	All polling places should be accessible. The Commission provides a checklist in the Polling Station handbook to guide the Presiding Officer in setting up the polling station. Contact the (A)RO/Electoral Services to make them aware of the complaint.	Polling Station Handbook Appendix 11 Essentials of effective election management – Legislation and the DDA 1995 (DDA)
Turnout is likely to be higher than expected and the capacity of some of the ballot boxes will not be sufficient. What action should be taken?	If necessary additional ballot boxes should be acquired and made available for sealing in front of any agents/candidates before the poll opens.	
The ballot paper is exceptionally long – how should it be folded?	It should be folded in such a way that it will fit into the aperture of the ballot box but must be opened out fully when handed to the voter so that they can see all of the candidates on the ballot paper. The voter should be encouraged to refold the ballot paper after marking it so that the number on the back can be shown to the PO before being placed in the ballot box..	Handbook for polling station staff UKPGE page 14; Combined UKPGE/local government page 15.
The ballot paper does not bear the unique identifying mark / official mark	The presiding officer should only issue those ballot papers that contain the UIM and should contact the (A)RO for further advice if the official mark is missing.	Handbook for polling station staff (combined) page 15 UKPGE pages 15 & 16
My name was already crossed off the list when I went into the polling station to vote	The PO should have explained the procedures to be followed as below. You should have been given a tendered (probably pink) ballot paper after the Presiding Officer had asked you the prescribed questions, and you had answered them satisfactorily. This procedure is documented by the PO and provides evidence to candidates, electors and the (A)RO about the way the poll	Polling Station Handbook: Appendix 6a – The prescribed question; Appendix 6b – Tendered ballot papers.

	has been conducted. A tendered ballot paper is not put into the ballot box but is sealed by the PO and returned with the other sealed mater to the (A)RO..	
The polling station staff wrote my electoral number on a list against the ballot paper number. Surely this action will disclose how I have voted?	Your vote is secret as the two lists will not be matched up unless there is a challenge to the result and in those circumstances the sealed documents are scrutinised under strictly controlled secrecy conditions. The election rules require that the issue of a ballot paper must be recorded to avoid the potential for counterfeit ballot papers being introduced.	Polling Station Handbook – Appendix 10.
There is a group of intimidating party workers/protesters outside a polling station in X and voters are afraid to enter the polling station. What is the Commission’s view?	It is the (A)RO’s/Presiding Officer’s responsibility to keep order in and around the polling station. That person can call the police if there is any threat to the electors and the voting process. The police have a responsibility for keeping public order.	Polling Station Handbook – Appendix 9 ‘Health & Safety C & A guidance, Appendix ‘C’ – Tellers in and around polling places..
Party X is complaining that they are not being allowed to put their seals on the ballot boxes at close of poll. What is the Commission going to do about this?	The Commission do not run elections but do have responsibility for providing advice and assistance to (A)ROs. Re-emphasise the guidance in the polling station handbook as quoted..	Polling Station Handbook – Section 6 – Close of Poll
Questions about the election count		
When will I know the result of the election and where will it be published?	A new duty imposed by the Constitutional Reform and Governance Act 2010 places a duty on the (A)RO to take reasonable steps to begin counting the votes on ballot papers for UKPGE as soon as practicable within four hours of the close of poll. Individual constituency results must be publicly displayed by the (A)RO and should also be	Various news agencies’ websites will also provide results for the whole country. EC circular 13/2010

	published on their website.	
When returning the box at the close of poll, a Presiding Officer has reported issuing all the tendered ballot papers by mistake at the start of the day.	Advise the candidates and agents of the situation and state that although the ballot papers are a different colour they will be counted and included with the ordinary white ballot papers as they were not issued as part of the tendered procedure..	
When arriving at the count a presiding officer advises that the elector numbers had been written on the back of the ballot papers of the first 32 issued.	Schedule 1 of the RPA 83 – rule 47 states that any ballot paper on which anything is written or marked by which the voter can be identified except the printed number and other unique identifying mark on the back must be rejected.	Dealing with doubtful ballot papers, page 7, paras. 3.9 – 3.13.
Questions after polling day		
I don't think the results were right in X constituency – what can I do about it?	A voter, a person claiming the right to have been elected or returned, or a person alleging to have been a candidate can challenge the election result.	Managing a UKPGE in GB – Guidance for (Acting) Returning Officers – Part F, para. 4, page 12.. C & A guidance, part B, chapter 6.