

Police and Crime Commissioner elections in England and Wales

Guidance for candidates and agents

Overview document

This document applies to the May 2016 Police and Crime Commissioner election. Our guidance and resources for other elections in the UK can be accessed from our website at:

<http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents>.

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Purpose of our guidance for candidates and agents

1.1 Our guidance aims to provide practical advice for anyone who wants to stand as a candidate or be an agent at a Police and Crime Commissioner election in England (excluding London) and Wales. It covers what you need to do to stand as a candidate, the campaign and election periods, the declaration of the result and election spending. It includes relevant factual material as well as a guide to sources of further information. Standing for election can be complicated, but we hope that our guidance will make it as straightforward as possible.



This guidance has been developed based on the legislation as it currently stands and makes some assumptions about what further legislation will provide for, and so it may be subject to change. We will update and re-publish the guidance as appropriate once the legislation is clear.

How to use our guidance

1.2 Our guidance is made up of six parts, setting out the different stages that candidates and agents need to go through when standing at the Police and Crime Commissioner election in May 2016.

1.3 Each part is accompanied by a number of forms and resources, which can be directly accessed via links in the individual parts. Alternatively, relevant guidance, forms and resources will be available on our [dedicated webpage for candidates and agents](#) at the Police and Crime Commissioner election.

1.4 The following parts make up our full guidance for the Police and Crime Commissioner election:

- [Part 1 – Can you stand for election?](#)
- [Part 2a – Standing as an independent candidate](#)
- [Part 2b – Standing as a party candidate](#)

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- [Part 3 – Spending and donations](#)
- [Part 4 – The campaign](#)
- [Part 5 – Your right to attend key electoral events](#)
- [Part 6 – After the declaration of result](#)

1.5 Before starting the process of standing for election potential candidates need to be confident that they meet all of the requirements. You should therefore first read [Part 1](#) of our guidance, which covers the qualifications and disqualifications.

1.6 Once satisfied that you can stand, you should read [Part 2a](#) of our guidance (if you are standing as an independent candidate) or [Part 2b](#) of our guidance (if you are standing as a party candidate), which deal with the nominations process and guide you through which forms you need to submit and by when.

1.7 Candidates and agents at a Police and Crime Commissioner election must follow rules about how much they can spend, who they can accept donations from, and what they must report after the election. Failure to follow the rules could lead to you committing an offence and losing your seat, if elected. [Part 3](#) of our guidance explains the rules.

1.8 [Part 4](#) covers the rules on publication and display of campaign literature and what you need to bear in mind when campaigning. Each candidate at a PCC election may provide an election address to the PARO for publication on a website and this part explains what you need to do.

1.9 Candidates and agents also have a right to attend key electoral events. These are: the opening of postal votes; the poll; and the count. Others can also be appointed to attend these electoral events. Details on your rights and what to expect at these events are provided in [Part 5](#).

1.10 Finally, there are a number of things candidates and agents will need to do once the result has been declared, including submitting their spending returns to the Police Area Returning Officer. This is covered in [Part 6](#).

1.11 To keep the guidance as relevant to the reader as possible, we have split most guidance parts into an 'Essential information' section, which all candidates and agents should

read as it contains information that is relevant to all, and a 'Supplementary information' section, that will be relevant only to some. You will be directed to the 'Supplementary information' section at relevant points throughout the 'Essential information' section.

The electoral system

1.12 If there are only two candidates standing at the election, the Police and Crime Commissioner is elected under the first-past-the-post electoral system, whereby the candidate with the most votes is elected.

1.13 If there are more than two candidates, the Police and Crime Commissioner is elected under the supplementary vote system. Voters can vote for a first and second choice candidate they want to elect. The ballot paper will list all the candidates and voters will vote for their first choice candidate by marking an 'X' in the first choice column and for their second choice candidate by marking an 'X' in the second choice column. If a candidate obtains more than 50% of the first choice votes, they will be declared elected. If no candidate obtains more than 50% of the first choice votes, all candidates except for those in first and second place are eliminated. The ballot papers showing a first preference for one of the eliminated candidates are checked for their second preference. Any second preference votes for the remaining two candidates are then added to their first preference votes and the candidate with the most votes is elected.

1.14 There are currently 37 police areas in England (excluding London) and 4 police areas in Wales, each of which elects a Police and Crime Commissioner¹. Each of the police areas

¹ At the time of publication, the UK Government had introduced legislation enabling the cancellation of the PCC election in Greater Manchester in

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contains a number of local authority areas. We have produced [a list of police areas](#) which shows the local authority areas that fall within each of them.

2016 and the election for the mayor of the Greater Manchester Combined Authority, who would automatically become the PCC for the area, to take place in May 2017.

[Police and Crime Commissioner election > Candidates and agents > Overview](#)

Who does what at a Police and Crime Commissioner election and how to contact them?

The Police Area Returning Officer

1.15 Each police area has a Police Area Returning Officer who has overall responsibility for the election of the Police and Crime Commissioner in that area. The Police Area Returning Officer is the Acting Returning Officer for a designated UK Parliamentary constituency which falls wholly or partly within the police area. In practice, this means they are normally a senior officer of one of the local authorities in the police area and independent of the authority in respect of their electoral functions.

1.16 The Police Area Returning Officer is responsible for the nomination process and for calculating and declaring the result of the election. The Police Area Returning Officer will liaise with and coordinate the work of Local Returning Officers in their police area, and they also have the power to give directions to Local Returning Officers relating to the discharge of their functions at the election.

1.17 The Police Area Returning Officer will offer briefings ahead of the election and we strongly encourage you or your agent to attend, even if you have been an agent or stood for election before. The Police Area Returning Officer will also be the Local Returning Officer for the individual local authority area they represent.

The Local Returning Officer

1.18 Local Returning Officers are responsible for running the Police and Crime Commissioner election at a local level. They are responsible for administering the conduct of the poll, the issue and opening of postal ballot papers and the counting of votes for their voting area.

1.19 The Local Returning Officer for the Police and Crime Commissioner election is the person who acts as Returning Officer for local elections in that area and is normally a senior officer of the local authority and is independent of the authority in respect of their electoral functions. In Wales, the person who is the Local Returning Officer will also be the Constituency Returning Officer for the National Assembly for Wales election taking place on 5 May 2016.

1.20 Some Local Returning Officers may also offer briefings on local arrangements for the poll.

Contacting the Police Area Returning Officer and Local Returning Officers

1.21 Our [list of police areas](#) contains information on who will be the Police Area Returning Officer for each police area, and how to contact them. The Police Area Returning Officer will also be able to provide contact details for Local Returning Officers

1.22 You will be able to contact the Local Returning Officer for any local authority area by contacting the relevant local authority elections office. You can find the contact details at www.aboutmyvote.co.uk.

The Electoral Registration Officer

1.23 The Electoral Registration Officer is responsible for maintaining the register of electors and absent voters' lists for their local authority area. In England and Wales, the Electoral Registration Officer is normally a senior officer in the local authority and may also be the Local Returning Officer. Contact details for all Electoral Registration Officers can be found at www.aboutmyvote.co.uk.

The Electoral Commission

1.24 We are an independent statutory body established in November 2000 by the Political Parties, Elections and Referendums Act 2000. We are currently headed by nine Commissioners, including a Chair. We report directly to the UK

Parliament through a committee chaired by the Speaker of the House of Commons.

1.25 We are responsible for registering political parties and non-party campaigners, the monitoring and publication of significant donations to registered political parties and the regulation of party and non-party campaigner spending at certain elections. We also have a role in promoting voter awareness. We are required to report on the administration of certain electoral events, including Police and Crime Commissioner elections, to keep electoral matters under review and, if requested, must review and report on any electoral matter. We also accredit observers to be present at election proceedings.

1.26 We do not run elections but have responsibility for providing advice and assistance on electoral matters to all those involved in elections, including Police Area Returning Officers, Local Returning Officers, Electoral Registration Officers, political parties and candidates.

1.27 We are here to help, so please get in touch if you have any questions. Our contact details are below.

Contacting us

If you are a candidate or agent in England

1.28 If your question is about **spending or donations**, please contact us at:

Email: pef@electoralcommission.org.uk

Tel: 0333 103 1928

1.29 For **any other queries**, please contact us at:

Email: infoengland@electoralcommission.org.uk

Tel: 0333 103 1928

If you are a candidate or agent in Wales

1.30 In Wales, you can contact us for **all queries** at:

Email: infowales@electoralcommission.org.uk

Tel: 0333 103 1929