

# Part F – After the declaration of results

Greater London authority elections:  
guidance for Returning Officers

## Translations and other formats

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# Contents

1	Storage and disposal of documents .....	1
2	Post-election activity .....	3
	Publicising the results .....	3
	Statement as to postal ballot papers .....	3
	Data collection and feedback .....	4
	Accounting for the election .....	4
	Return of equipment .....	4
	Candidates' election spending .....	5
3	Challenges to the result of the election.....	7
4	Review of election procedures.....	8
	The review.....	8

# 1 Storage and disposal of documents

1.1 As a requirement to meet [performance standard 5a – Forwarding and storage of documents](#), you must put arrangements in place at an early stage for forwarding documentation. While the responsibility for the storage and disposal of documents remains with the relevant Electoral Registration Officer, the Greater London Returning Officer may make arrangements to undertake that storage on the Electoral Registration Officer's behalf. Therefore you may be asked to forward some or all of the documents as advised by the Greater London Returning Officer.

1.2 If you are not also the relevant Electoral Registration Officer you should liaise with them at an early stage to make arrangements for the forwarding of the prescribed documents after the declaration of results.



To demonstrate that you have met [performance standard 5a](#), you must provide the Commission with confirmation that you have in place arrangements for forwarding documentation.

1.3 Even if you are also the relevant Electoral Registration Officer, you should make sure that the packaging process is as transparent as possible. In either case, in order to meet [performance standard 5a](#), you must maintain a clear audit trail when packaging and forwarding the documents in order to enable anyone wishing to inspect public documents to do so.



To demonstrate that you have met [performance standard 5a](#), you must provide the Commission with confirmation that you have in place arrangements to maintain a clear audit trail to cover the packaging and forwarding of documents.

1.4 A clear audit trail and transparent process can be achieved by:

- Producing clear labels for each packet. You have a legal duty to seal all of the relevant documentation in separate packets and to mark each packet with a description of its contents, the date of the election and the name of the Assembly constituency to which it relates. In addition, the labels should state for how long the packet is to be kept and when it is to be destroyed. The labels for documents open to public inspection and for documents that are not open to public inspection should be different. As a minimum, the packets containing documents not open to public inspection should clearly state this fact.

- Ensuring that you have factored in the parcelling up of documents to your count planning.
- Covering packing instructions as part of your training for polling station staff and when training postal voting and count supervisors. Providing written instructions should also help to reduce the risk of documents being packaged wrongly.
- Creating a list of all documents to be forwarded. You should keep a record of all of the materials that you have a duty to send to the Electoral Registration Officer, and ensure that all of the items are accounted for.

1.5 All packets and receptacles containing election documents should be stored securely before being transferred to the Electoral Registration Officer so that no unauthorised persons can tamper with them.

## 2 Post-election activity

### Publicising the results

2.1 Guidance on the declaration of the Constituency result and for giving notice of the local totals for the Mayoral and London-wide member polls can be found in [Part E – Verifying and Counting the Votes](#).

2.2 You should ensure that all interested parties and the public have access to the results and local totals, including by publishing them on the local authority's website including links to the relevant page of the Greater London Returning Office's website where the results will be kept.

### Statement as to postal ballot papers

2.3 You have a legal duty to complete a statement as to postal ballot papers for the election. The statement as to postal ballot papers is also evidence to demonstrate that you have met [Performance standard 3b – Issuing of postal votes](#) and [Performance standard 3c – Receiving and opening postal votes](#).

2.4 This statement provides an audit trail for the postal voting process throughout the election. You should complete this statement accurately using the figures obtained during the issue, receipt, opening and verification of postal votes.

2.5 This document is vital for the accounting of postal votes and for ensuring confidence in the results. To ensure accuracy, the data used to complete the form should be gathered systematically at relevant points in the postal voting process.



Further details on record-keeping throughout the administration of the postal voting process are provided in [Part D – Absent voting](#).

2.6 The Commission has produced a [template statement as to postal ballot papers](#) for the election. The accompanying guidance notes should support you in completing this.

2.7 You have a legal duty to forward a copy of the completed statement to the Electoral Registration Officer at the same time as you forward the other election documents. You also have a legal duty to provide a copy of the statement to the Commission and the Secretary of State. The statement must not be provided before the tenth calendar day after the poll but must arrive no later than the twenty-fifth calendar day after polling day (if either of these dates is not a working day, the date refers to the next working day).

# Data collection and feedback

2.8 You will also be requested to send information and data to the Commission relating to the elections.

2.9 Forms for collecting information and data, and accompanying guidance notes for completion, as well as a Commission feedback form, will be circulated separately and will also be available on the Commission's website at [www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/greater-london-authority](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/greater-london-authority).

# Accounting for the election

2.10 GLA elections are paid for by the Greater London Authority. The GLRO will provide the Returning Officer with instructions for accounting for the elections.

## Payment of creditors

2.11 You should keep receipts throughout the period of the election for all services/work provided, and pay all creditors as soon as possible after the election.

## Payment of fees to staff

2.12 Staff should be paid as soon as possible after the election.

### National Insurance

2.13 The Social Security (Categorisation of Earners) Regulations 1978 (SI 1978/1689) provide that there is no liability for National Insurance contributions for employment as or by the Returning Officer. Therefore, National Insurance should not be deducted.

### Income tax

2.14 Income tax should be deducted at the basic rate of tax except where employees are able to complete a 'P527 Certificate of taxable income'. In such cases, fees can be paid gross. In addition, employees may wish to have income tax deducted from their fees at the higher rate, if applicable. In order to ensure that the procedures adopted are acceptable, you should consider consulting the Inspector of Taxes for your area.

# Return of equipment

2.15 You should make arrangements to return any equipment, such as the polling booths, to storage. This should be covered in your project plan.

# Candidates' election spending

## Candidates' returns – election spending

2.16 By law, all election agents for the constituency election candidates must submit a candidate's spending return to you, together with relevant invoices and receipts, and a declaration from the agent confirming the accuracy of the return. The spending return and the election agent's declaration must be submitted within 35 calendar days of the declaration of result of the election.

2.17 The Greater London Returning Officer takes receipt of candidate spending returns for the Mayoral and London-member candidates. Any queries regarding submission of such candidate's spending returns should therefore be directed to the Greater London Returning Officer.

2.18 Constituency candidates must also submit declarations to confirm that their spending returns are correct and complete. Candidates have seven working days after the election agent has submitted the spending return to submit their declaration to you.

2.19 You must retain a copy of each election spending return, declarations and accompanying documents for a period of two years and, and during that period, make copies available for public inspection without charge. Anyone can request copies of the returns, declarations and accompanying documents, which should be supplied on payment of the relevant fee. The addresses of individuals, who have made donations to candidates, must be removed from all inspection copies and copies supplied on request. At the end of the two-year period if the candidate or the relevant election agent requests them, they must, by law, be returned to the candidate. Otherwise the returns, declarations and accompanying documents may be destroyed.

2.20 The Commission has produced [guidance for candidates and agents](#) on their legal requirements regarding accounting for their spending; in addition candidates and agents can also download the return of candidate election spending form with integrated explanatory notes, the declaration by the election agent as to election spending and the declaration by the candidate as to their election spending. These documents can all be downloaded from our website at: [www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/greater-london-authority-elections](http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents/greater-london-authority-elections).

## Returns to the Electoral Commission

2.21 Legislation imposes spending limits and reporting requirements for candidates' campaigns, and gives the Electoral Commission the function of monitoring compliance with the rules on candidates' election spending and donations to candidates.

2.22 As a requirement to meet [performance standard 5a – Forwarding and storage of documents](#), you must forward copies of all the candidate returns you receive and hold to the Commission. This refers to copies of these documents, the originals must, by law, be kept by you for inspection. Additionally you should also forward:

- a copy of the statement of persons nominated, and
- confirmation of who has not submitted a return
- information on when returns were submitted e.g. a date stamp showing date of receipt

2.23 In a selected number of constituencies we will also be requesting copies of invoices and receipts. In most cases we will inform you before the election if we need this information from your constituency, but may request this after the election.

2.24 Please forward copies of all documents to the following address:

Party and Election Finance  
The Electoral Commission  
3 Bunhill Row  
London  
EC1Y 8YZ

2.25 Alternatively you can email PDF copies to [pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk). If you send the copies by email, please quote 'GLA 2012 spending returns' in the subject header.

2.26 If you have any questions, please contact your [local Commission office](#).

## Non-submission of returns or declarations

2.27 The Commission will provide guidance on [how to deal with the non-submission of returns and declarations](#).

## Return of deposits

2.28 You must, by law, return the deposit of any constituency candidate who polled more than 5% of the valid votes for all the candidates in the constituency election. The deposit must, by law, be returned by the next working day after the result to the person making the deposit or their personal representative.

# Challenges to the result of the election

2.29 Election petitions can be used to challenge the result of GLA elections.

2.30 An election petition can be presented by:

- four or more persons who voted as electors at the election or had a right to vote (except anonymous electors); or
- a person claiming to have been a candidate at the election

2.31 The allowable grounds for a petition are that:

- the person whose election is questioned was disqualified at the time of the election; or
- the person whose election is questioned was not duly elected; or
- the election was avoided by corrupt or illegal practices, general corruption or corrupt agents

2.32 The person whose election is questioned by the petition will most probably be made a respondent to the petition. You will also most probably be a respondent to the petition if the petition relates to the conduct of the election in your constituency for any of the polls.

2.33 A petition must be presented within 21 days after the day on which the election was held and can be presented at any time up to, but not later than, midnight on the last day. If, however, the petition complains of corrupt or illegal practices involving the payment of money or other reward that have taken place since the election, or an illegal practice relating to election expenses, further time may be allowed.

2.34 Any person who is considering submitting an election petition should be advised to take their own legal advice. Further information about the process of submitting a petition can be obtained from:

Supreme Court Cost Office  
Room 2.14  
Cliffords Inn  
Fetter Lane  
London EC4A 1DQ  
Tel: 020 7947 6423  
Fax: 020 7947 6247

# 3 Review of election procedures

3.1 As a requirement to meet [performance standard 5b – Review of election procedures](#), you must carry out a thorough evaluation of all processes outlined in your project plan, seeking feedback from appropriate stakeholders, and produce a lessons learnt document which will be used to inform the project plan and risk register for future electoral events.



To demonstrate that you have met [performance standard 5b](#), you must provide the Commission with confirmation that your project plan for this election includes a plan to evaluate procedures post-election. For further information on preparing a project plan see [Part B – Planning and organisation](#).

In addition, you are also required to provide the Commission with confirmation that you have produced a lessons learnt document in order to demonstrate that you have met [performance standard 5b](#).

## The review

3.2 The scope of the review should cover all aspects of the election. Your project plan should be used as the starting point for the review, and each process that was planned for and carried out should be reviewed.

3.3 A key part of the review will be the consideration of the aims and objectives set out in your project plan and measuring your performance against these.

3.4 You should pay particular attention to reviewing:

- your project planning
- whether you were able to secure adequate resources
- the equipment and stationery used
- how contractors have been managed and whether they delivered work to the required specification
- recruitment and training of staff
- the suitability of venues used
- the management of nominations, polling stations, the absent voting process, and the verification and count
- the processing and handling of queries
- any issues affecting the security/integrity of the election

3.5 As part of the review, in order to meet [performance standard 5b](#), you must seek feedback from appropriate stakeholders.

3.6 You should seek feedback from the following:

- staff
- electors
- candidates, agents and political parties
- local organisations of disabled people, older people and minority ethnic groups, and the council's access officers

3.7 To obtain feedback from staff, for example, you should consider inviting a number of staff, including polling station staff, to a discussion in order to address all aspects of the polling station process, from training and briefing sessions through to dealing with difficult situations on polling day. You could also take into account any feedback provided in reports returned by Presiding Officers and polling station inspectors.

3.8 Once you have reviewed all aspects of the election and sought feedback from appropriate stakeholders, in order to meet [performance standard 5b](#), you must produce a lessons learnt document. The lessons learnt document should include an analysis of what practices were successful and where these could be used elsewhere, what you would do again or do differently, and key recommendations. The lessons learnt report should then be used to inform the project plan and risk register for future electoral events.