Part E – The poll

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1 Introduction

1.1 The Commission has produced a *Handbook for polling station staff* designed to assist Presiding Officers and Poll Clerks. It covers the procedures involved in managing a polling station and should be referred to for any questions relating to the duties of polling station staff.

Combination
For those areas in England with combined European Parliamentary and local government elections, the Commission has prepared a separate *Handbook for polling station staff*.

1.2 This part of the guidance manual does not replicate the content of these handbooks, but instead aims to cover the key issues that affect Electoral Registration Officers, Local Returning Officers and electoral administrators on polling day.

Copies of the *Handbook for polling station staff* for European Parliamentary elections and the *Handbook for polling station staff* for combined European Parliamentary and local government elections will be available for download from the Commission's website, and hard copies will also be sent to those Returning Officers who have ordered them from the Commission.

Legislative changes

1.3 It is important to be familiar with those aspects of polling day that have changed since the last European Parliamentary election.

The following list highlights the key changes introduced by the EAA which are now also applied to European Parliamentary elections:

- extending attendance at polling day proceedings to accredited observers and Electoral Commission representatives, as well as to persons under the age of 18 accompanying voters in polling stations
- the replacement of ballot paper counterfoils with a corresponding number list
- allowing for replacement postal ballot packs to be issued up to 5pm on polling day
- ability to issue a tendered ballot paper at any time to electors or proxies on the postal voters list who claim not to have applied to vote by post
- ability to issue a tendered ballot paper after 5pm to electors or proxies who claim to have lost or not received their postal ballot paper
- giving Electoral Registration Officers the power to correct clerical errors on the register up to 9pm on polling day
- allowing Electoral Registration Officers to grant emergency proxy applications up to 5pm on polling day, making it necessary to institute procedures to communicate applications granted to polling station staff

- ability to collect postal votes from polling stations throughout polling day
- variation to the standard voting procedure for anonymously registered electors

2 Polling day issues for Local Returning Officers and staff

Hours of poll

2.1 The hours of poll for the European Parliamentary elections in the UK, and for any elections where the polls have been combined, are **7am** to **10pm**.

Public enquiries

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

2.3 One of the most frequent enquiries on polling day is likely to be from members of the public who arrive at a polling station and find that they do not appear on the electoral register and are therefore unable to vote. If they have either not made an application for registration or have not submitted an application in time to be added to the register for the elections, Presiding Officers could be instructed to offer to forward the person's contact details to the Electoral Registration Officer so that a rolling registration form can be sent to them. Alternatively, Presiding Officers could be supplied with rolling registration forms to provide directly to any such people.

2.4 If, however, a person is insistent that they have made an application to the Electoral Registration Officer to register to vote, Presiding Officers should be instructed to direct any such person to the Electoral Registration Officer because the electoral register can be amended up to 9pm on polling day in the event of a clerical error.[1] Further information on clerical errors can be found in Section 4, 'The register of electors'.

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

2.6 It is particularly important to anticipate any enquiries that may arise in relation to the recent changes to the voting procedure, e.g. concerns about the secrecy of the ballot as a result of the use of the corresponding number list, which contains both the ballot paper number and the voter's elector number.

A template of frequently asked questions (FAQs) for frontline staff will be produced by the Commission and will be available for download from the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/european-parliamentary-elections

[1] Section 13B, Representation of the People Act 1983 (RPA 1983), as amended by RPA 1985 and 2000.

This template will be available in Word format so that it can be adapted to fit local circumstances. It is designed for use by staff who do not normally work in elections, such as call centre staff, to increase their awareness and understanding in order to enable them to deal with general enquiries and to assist in promoting good practice and good customer service. Staff using this template should be instructed to direct any queries not covered in the document to the election office.

FAQs for polling station staff are contained in both versions of the *Handbook for polling station staff*.

Emergency proxy applications

An elector may appoint a proxy up to **5pm** on polling day, if they became disabled after 5pm on the sixth working day before the day of the poll, i.e. they could not have applied for an absent vote under the normal procedure.[2]

2.7 Local Returning Officers will need to alert polling staff to this possibility and liaise with Electoral Registration Officers to set up procedures for receiving applications on polling day and for contacting Presiding Officers should any applications be granted after the list of proxies has been despatched to the polling station.

2.8 The application must be made to the Electoral Registration Officer. If the application is made on polling day or after the list of proxies has been despatched to the polling station, it will be necessary to find a way to communicate the information to the Presiding Officer at the polling station where the proxy will be voting, as clearly the emergency proxy will not be on the list of proxies originally supplied.

2.9 It is suggested that the proxy of any voter whose application has been accepted should be given a letter authorising them to act as a proxy, which should include details of the person for whom they are voting. The proxy should be instructed to take that authorisation with them when they go to vote and hand it to the Presiding Officer. The letter can then be retained with the list of proxies as a record that the proxy has been issued with a ballot paper.

2.10 It is also suggested that every effort be made to contact the appropriate Presiding Officer directly to warn them that an emergency proxy has been appointed, particularly as there is no requirement in law that the proxy must provide any documentation in order to be permitted to vote on behalf of the elector who is ill or disabled. Wherever possible, it is recommended that a supplementary list of proxies be issued to the polling station, which should then be added to the list originally supplied.

[2] Paragraph 26(4), Schedule 2, European Parliamentary Elections Regulations (EPE Regulations) 2004, as amended by EPE (Amendment) Regulations 2009.

As a matter of good practice, Local Returning Officers may wish to provide Presiding Officers with some application forms, which electors who have suffered a medical emergency after 5pm on the sixth working day before the poll can use to apply for an emergency proxy. 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 its website at www.aboutmyvote.co.uk. Further information on emergency proxy applications is provided in Part D, 'Absent voting', Section 4, 'Proxy voting'.

Replacements for lost or spoilt postal ballot packs

2.11 Postal voters and postal proxy voters can apply to the Local Returning Officer for a replacement postal ballot pack up to 5pm on polling day if they have not received a postal ballot pack, or have lost or spoilt some or all of the contents. In addition, replacement postal ballot packs may be issued to those electors or proxies appearing on the list of postal or postal proxy voters but who claim never to have applied for a postal vote and who have not received one.

The Commission has produced a template form on which the details of any elector or proxy claiming not to have applied for a postal vote may be recorded, and which includes a space for electors or proxies to sign. Completion of this form, although not required, would provide a signature which could then be checked against the original absent vote application form after the election, and forwarded to the police, if appropriate. This template form will be available to download from the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/european-parliamentary-elections

2.12 As replacements can only be issued by hand from 5pm on the day before polling day, 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 members are able to advise on the suitable forms of identification the elector will be required to present when applying for a replacement postal ballot pack.

Further advice on these forms of identification and the general process of issuing replacement postal ballot packs can be found in Part D, 'Absent voting', Section 9, 'Replacement postal votes'.

Polling station visits

2.13 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 Local Returning Officers to determine, they can be used for a number of purposes, such as to check that all the notices inside and outside polling booths are properly displayed and that

polling booths have been set up in a way that ensures people can mark their vote in secret. These visits could also be used to make an assessment of accessibility issues and to answer any enquiries that Presiding Officers may have.

An accessibility checklist for polling stations can be found in Section 7, 'Resources' and in both versions of the *Handbook for polling station staff.*

2.14 Visiting officers could also carry with them spare equipment, stationery and other items such as forms, envelopes and copies of the register of electors, in case of any problems at polling stations, e.g. shortages or missing items, or non-working stamping instruments (if being used).

2.15 Postal votes can be returned by hand to the polling station throughout polling day,[3] so Local Returning Officers may use these polling station visits to collect any such postal votes. 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. For example, postal votes should be transported in a sealed packet and a log could be used to record the number of postal vote envelopes removed, together with the time of collection and the details of the person who collected them.

Combination
Where the issue of postal votes has been combined, it will be the Returning Officer for the local government election who will be the person in charge of collecting postal votes from polling stations.

Where the decision was taken not to combine the issue of postal votes, the Local Returning Officer for the European Parliamentary election and the Returning Officer for the local government election will be responsible for collecting their respective postal votes.

However, in practice, many Local Returning Officers in England will have been appointed as deputy Returning Officers by the Returning Officer for the local government election and may have been asked to collect the postal votes on behalf of the local government Returning Officer as part of their delegated functions.

For further information on postal voting, please see Part D, 'Absent voting'.

Responding to emergencies

2.16 Various emergencies may occur on polling day, e.g. a fire at a polling station, a Presiding Officer running out of ballot papers, or polling staff being

[3] Rule 51(2)(a), European Parliamentary Elections Rules (EPE Rules), Schedule 1, EPE Regulations; Paragraph 55(1), Schedule 2, EPE Regulations.

taken ill. The Local Returning Officer will have previously developed a series of contingency plans to deal with such emergencies.

Part B, 'Preparing for a European Parliamentary election' of this manual provides further information on risk management which should be undertaken as part of the election planning process. The Commission has also developed a template contingency planner available for download from the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/european-parliamentary-elections

Combination
For those with combined European Parliamentary and local government elections in England, the Commission has also developed a combined risk register. It is aimed at county Returning Officers as they are legally responsible for certain functions of the Local Returning Officer at the European Parliamentary election. However, it may also be useful for those Local Returning Officers who have been appointed as deputy Returning Officers by county Returning Officers.

All templates have been developed in Word format, allowing for customisation to fit local circumstances.

2.17 It is important that Local Returning Officers make clear to Presiding Officers who they should contact in the event of an emergency. They should be provided with at least one contact telephone number for the election office, which should be staffed throughout polling day. Staff based in the election office should have mobile phone numbers for any visiting officers, particularly as they may be closest to any polling station in which an emergency has occurred, and so may be best placed to respond quickly.

2.18 Presiding Officers should also be given a contact number for the police. Polling stations may be visited by police during polling hours.

The exchange of contact details between visiting police officers and Presiding Officers should be encouraged. Every police officer should have a pocket guide covering electoral integrity issues on which the details of the Presiding Officer may be noted.

Further details on promoting electoral integrity and establishing contacts with the police are available in Part B, 'Preparing for a European Parliamentary election', Section 8, 'Electoral integrity', and on the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/integrity-guidance/electoral-events

3 Managing the polling station

Briefings for polling station staff

3.1 All polling station staff are required to attend a briefing session shortly before polling day. This session should give Presiding Officers and Poll Clerks all the information that they require to run the poll, including any relevant local information.

Several resources to support the training of polling station staff will be made available by the Commission, including downloadable template lesson plans and a template PowerPoint presentation to support Returning Officers in the training and briefing of polling station staff.

3.2 Particular issues that training for polling station staff should cover include ensuring Presiding Officers are advised on how to correctly fill in the ballot paper account. A correctly completed ballot paper account is the foundation of an accurate verification and count, and it is therefore essential that Presiding Officers are adequately trained.

The ballot paper account should contain the following:[4]

- total number of ordinary ballot papers issued to the Presiding Officer
- number of ballot papers issued (usually via a calculation made on the account)
- number of unused ballot papers
- number of spoilt ballot papers
- number of and use of tendered ballot papers

3.3 Additionally, the Commission recommends that training for polling station staff also includes information on improving accessibility. While any training or briefing session should cover disability access issues, access to the electoral process for all electors is of key importance. Not every elector will have the same needs and so polling station staff should be trained to focus on customer service and address any requirements on an individual basis.

3.4 Evaluation of all briefing sessions should be carried out in order to gauge their effectiveness. One possible method of evaluation would be to require all attendees to complete a questionnaire, either at the conclusion of the session or perhaps after the close of poll, when staff will be in a position to determine whether their briefing had equipped them to carry out their duties successfully on polling day. The findings of such an evaluation could then be used to inform the development of any future training programme for polling station staff.

[4] Rule 49(3), EPE Rules.

Equipment

3.5 The Local Returning Officer is required to provide each polling station with sufficient equipment for the poll, including ballot boxes, ballot papers, a copy of the register of electors, the corresponding number list, the lists of postal voters, proxy voters and postal proxies, and the relevant notices, forms and packets.[5]

> It is important to note that the corresponding number list for use in the polling station must **not** include the unique identifying marks of the ballot papers.[6]

> **Combination**
> The provision of equipment to polling stations in those areas in England with combined elections will be the responsibility of the Returning Officer for the local government election. However, the Local Returning Officer should work closely with the Returning Officer for the other election to ensure that all of the equipment specific to the European Parliamentary election is supplied in a timely fashion and no equipment or documentation is missed out.

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

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

Persons entitled to attend proceedings on polling day

3.8 The law restricts who may be present inside a polling station. In addition to voters and members of the Returning Officer's staff, only the following people may attend:[7]

- persons under the age of 18 years who are accompanying voters
- candidates at the election, their election agents and sub-agents
- polling agents (only one polling agent per party list or individual candidate at any given time)
- police officers on duty
- Electoral Commission representatives
- observers accredited by the Commission
- companions of disabled voters

[5] Rule 32, EPE Rules.
[6] Rule 23, EPE Rules.
[7] Rule 36, EPE Rules.

Persons under the age of 18 years who are accompanying voters

3.9 Persons under the age of 18 years may accompany voters into the polling station.[8] The Presiding Officer may limit the number of under-18s in the polling station at any one time,[9] but this power should only be used where their attendance hinders the proceedings in some way.

Electoral Commission representatives

3.10 Representatives of the Commission are entitled to observe various electoral procedures in addition to the working practices of Electoral Registration Officers, Returning Officers, referendum Counting Officers and staff appointed by them.[10] This includes attending polling stations during, before and after polling hours. They may ask questions of the Returning Officer and their staff, of candidates and agents, and of electors. Commission representatives are instructed not to interfere with the proceedings in any way.

Accredited observers

3.11 Individuals and organisations may apply to the Commission to be accredited to observe the proceedings at the issue and receipt of postal ballot papers, the poll and the counting of the votes.

3.12 Observers accredited by the Commission do not need to give advance notification of where they intend to observe. Every observer must, however, carry photographic identification issued by the Commission and should not be allowed to observe proceedings without it. Sample observer badges can be found in Part B, 'Preparing for a European Parliamentary election', Section 8, 'Electoral integrity', in the polling station handbooks and on the Commission's website.

3.13 The Local Returning Officer and their staff can check the status of those seeking to gain access to procedures as observers at any time by downloading the registers of accredited observers from the Commission's website. Since accreditation does not become effective until three days after an observer has been added to the online register, the registers effectively 'close' three days before polling day.

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 the observation. Although Returning Officers are entitled to limit the number of accredited observers who may be present at any proceedings,[11] 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

[8] Rule 36(1)(b), EPE Rules.
[9] Rule 36(2), EPE Rules.
[10] Sections 6A and 6B, Political Parties, Elections and Referendums Act (PPERA) 2000.
[11] Section 6E, PPERA.

the locations used as polling stations or for postal vote opening sessions, ensuring that sufficient space is made available for observers.

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.

Accredited observers and Commission representatives are obliged to follow a Code of practice, which is available on the Commission's website at www.electoralcommission.org.uk/elections/electoral_observers

Presiding Officers should be familiar with the salient points of the Code and should be instructed to notify the Returning Officer of any potential breaches.

Returning Officers should report any allegations to the Commission as soon as possible.

The Commission has also issued separate guidance to Returning Officers and Presiding Officers on the exercise of their powers in relation to observers, as it is required to do by statute. This guidance has been incorporated into the Code of practice for observers referred to above. Returning Officers and Presiding Officers are required to refer to this guidance before exercising any of their powers in relation to observers, such as excluding them from polling stations.

The media

3.14 Elections can attract considerable media interest and so it is important that polling station staff are made aware that the media has no right to enter a polling station (other than as an elector seeking to cast their vote). Local Returning Officers may want to consider providing Presiding Officers with contact details of election staff or other relevant council communications staff in case they are approached by members of the media.

Part B, 'Preparing for a European Parliamentary', Section 9, 'Publicity and the media' offers further guidance for Local Returning Officers on dealing with the media.

Provision of informal turnout information by Presiding Officers

3.15 The Commission is aware of varying practices among Returning Officers in respect of whether their Presiding Officers are permitted to release turnout information to candidates and agents throughout polling day.

3.16 Electoral legislation neither requires nor prohibits the disclosure of turnout information by Presiding Officers. The secrecy provisions in Regulation 29 of the EPE Regulations, which mirror Section 66 of the RPA 1983, only impose the following restrictions on the communication of information before the close of poll:

- the name of anyone who has or has not applied for a ballot paper or voted at a polling station
- the elector number of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station
- the official mark or other unique identifying mark

3.17 As long as Local Returning Officers are satisfied that releasing turnout figures will not in any way hinder the conduct of the poll or risk breaching the provisions of Regulation 29 of the EPE Regulations, they may instruct Presiding Officers to release informal turnout information to candidates and agents.

3.18 Any decision as to whether to supply turnout figures will need to be balanced against the administrative burden that this may impose on Presiding Officers. Local Returning Officers should also liaise with their Regional Returning Officer and keep them informed of any decision taken.

3.19 Party list and individual candidates and their agents should be made aware in advance of the election of what the Local Returning Officer decides in respect of the release of turnout information. The circumstances in which figures may be requested should be clearly defined, e.g. only at certain times of the day and/or when there are no electors inside the polling station. Information to this effect could be included in any candidate briefing pack or supplied alongside guidance for candidates and agents and the Code of conduct on the handling of postal votes, and reinforced at any pre-election briefing session for parties, individual candidates, their agents and polling station staff.

Personation

3.20 On rare occasions, a member of the polling station team, another elector, a candidate on a party list or an individual candidate, an election agent or a polling agent may suspect that a person requesting a ballot paper is not who they claim to be. Presiding Officers can ask the prescribed questions before issuing any ballot papers, but if the questions are answered satisfactorily, then a ballot paper must be issued. There are no provisions for any further questioning of the elector by the Presiding Officer. To aid with any future investigation, Presiding Officers could be advised to record a witness statement, noting the key facts and any observations. The Commission has developed a template form, available for download from its website, which could be used for recording such a statement.

Further advice to Presiding Officers on how to deal with allegations of personation can be found in the *Handbook for polling station staff*.

Anonymous electors

3.21 There may be some electors who have anonymous entries on the electoral register. Anonymous electors will appear on the register without their name and address: their entry on the register will consist of their elector number and the letter 'N', and will be found at the end of the register under the 'Other electors' section. The voting procedure for anonymous electors differs from that for ordinary electors: anonymous electors **must** have their poll card in order to vote.

Full details of the appropriate voting procedure for electors with an anonymous entry are set out in the *Handbook for polling station staff* and should be highlighted at the pre-election briefing session for polling station staff.

4 The register of electors

4.1 Each Presiding Officer should be provided with the appropriate register of electors for their polling station. 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. All the categories and associated markers are included in the *Handbook for polling station staff*.

Combination
The franchise for European Parliamentary elections is different to that of local government elections. Where the European Parliamentary election is combined with a local government election, it is essential that whoever takes responsibility for briefing polling station staff instructs them to pay particular attention to the identifying letters printed next to electors' names. These identifying letters indicate whether an elector can vote at the European Parliamentary election, a local government election, or both. The different franchises will be covered in the combined version of the Commission's *Handbook for polling station staff.*

A list of all possible franchise markers that could appear next to electors' names, together with an explanation of those electors' eligibility to vote, is also contained in the Commission's guidance manual *Managing electoral registration in Great Britain*, Part B, 'Entitlement to register', Section 2, 'Entitlement to vote'. This manual can be downloaded from the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/electoral-registration/managing-electoral-registration-services

Clerical errors

The deadline for correcting clerical errors on the register is 9pm on polling day.[12]

4.2 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 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

4.3 Differing views have been expressed 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. However, the

[12] Section 13B, RPA 1983.

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.

4.4 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.

4.5 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 legitimately answer the statutory questions satisfactorily. However, Presiding Officers should be instructed to act consistently in any such cases, and where there is any doubt, they should contact the Electoral Registration Officer.

4.6 When an Electoral Registration Officer makes a determination to correct a clerical error in order to enable an elector to vote, they must issue a notice in accordance with the legislation and should notify the Presiding Officer.[13] If the Electoral Registration Officer determines that a correctly completed application form was received but the person's details have not been entered onto the register as a result of a clerical error, the Electoral Registration Officer must issue an instruction (either written or verbal) to the Presiding Officer by 9pm to allow that person to vote up to 10pm on polling day. This clearly requires that the Electoral Registration Officer liaises with the Local Returning Officer to ensure that adequate communication systems are in place.

4.7 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. 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.[14]

4.8 The legislation is silent on how the Presiding Officer should make this written record. A blank form could, for example, be attached to each polling station register to allow Presiding Officers to write down the name and elector number of any such electors, if and when they are communicated. Electoral Registration Officers may wish to liaise with their suppliers to check whether their software systems could produce registers with such a blank page appended.

4.9 Once the instruction has been received, the Presiding Officer must issue the ballot paper in the usual manner, and either the instruction notice issued

[13] Rule 47, EPE Rules.
[14] Rule 47(6), EPE Rules.

by the Returning Officer or the Presiding Officer's written record must be marked to show that the elector has voted.[15]

4.10 The legislation requires that both the marked copy of the register of electors and any marked copy notices issued to correct clerical errors are included in the same sealed packet at the close of poll.[16] Where the notice has been communicated orally, the packet should also include the Presiding Officer's marked written record.

[15] Rule 41(3), EPE Rules.
[16] Rule 49(1)(d), EPE Rules.

5 Tellers, polling agents and campaigners

5.1 It is a well-established practice for parties, candidates or their agents to appoint 'tellers' positioned outside polling stations 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.

The Commission has consulted on guidance on the activities of tellers. This guidance can be found in the Commission's *Handbook for polling station staff* and in the Commission's *Guidance for candidates and agents*. These documents can be ordered in hard copy but are also available to download from the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/european-parliamentary-elections

Local Returning Officers may wish to supply polling stations with copies of the guidance on the activities of tellers that could be handed out to tellers by polling station staff on polling day.

5.2 It is important to remember that the Local Returning Officer is in charge of the conduct of the election, and 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.

5.3 If any reports of incidents occurring at polling stations are received, members of staff charged with conducting polling station inspections should be directed to attend immediately with a view to resolving any issues. It is also advisable to have the telephone number of the local police available in case of any incidents that cannot be resolved amicably.

Polling agents

5.4 Registered political parties who have submitted a list of candidates and individual candidates can have polling agents work on their behalf on election day in polling stations, although there is no obligation to appoint any such agents.[17] Any person, apart from officials employed by the Local Returning Officer, can be appointed to act as polling agents. There is no limit to the number of polling agents that may be appointed.

5.5 Polling agents can be appointed by the election agent and any sub-agents of an individual candidate or registered political party standing nominated, or by any person authorised in writing by them.

5.6 The Local Returning Officer must be notified in writing of the names and addresses of any polling agents no later than Thursday 28 May 2009.[18]

[17] Rule 33, EPE Rules.
[18] Rule 33(4), EPE Rules.

More information on the appointment process for polling agents and counting agents can be found in Part C, 'Action before the poll', Section 4, 'Appointment of election, polling and counting agents'.

5.7 Polling agents are required to maintain the secrecy of voting and are subject to the important legal requirements relating to secrecy contained in Regulation 29 of the EPE Regulations.

What does a polling agent do?

5.8 Polling agents serve a number of purposes for registered political parties and individual candidates. They may:

- observe the Presiding Officer showing the empty ballot box prior to sealing[19]
- require the Presiding Officer to put the statutory questions to any elector suspected of personation or attempting to vote twice before they are issued with a ballot paper[20]
- be present when the Presiding Officer marks ballot papers at the request of electors[21]
- mark off on their copy of the register of electors who has applied for a ballot paper[22]
- be present at the close of poll when the various packets of documents are sealed and attach their seal to them, including the ballot box[23]

5.9 Polling agents must maintain the secrecy of the ballot. They must not give information to anyone as to who has or has not voted, or a person's elector number, or the official mark. Polling agents may mark off on their copy of the register of electors those voters who have applied for ballot papers. If they leave the polling station during the hours of polling, however, their marked copy of the register should be left in the polling station in order not to breach the secrecy requirements.

5.10 An election agent or sub-agent can also do any of the things that a polling agent is authorised to do.[24] However, just because a polling agent is entitled to witness various aspects of the polling procedure, the procedure is not invalidated if they have not witnessed it.[25]

5.11 Not more than one polling agent on behalf of the same registered political party or individual candidate may be admitted into a particular polling station at any time.[26] Any agent may be appointed to attend more than one polling station.

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[19] Rule 38, EPE Rules.
[20] Rule 39(1)(b), EPE Rules.
[21] Rule 42(1), EPE Rules.
[22] Regulation 29(1)(b), EPE Regulations.
[23] Rule 49, EPE Rules.
[24] Rule 33(10), EPE Rules.
[25] Rule 33(11), EPE Rules.
[26] Rule 36(3), EPE Rules.

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 clear instructions on what they are expected to do after the close of poll. Poll Clerks should be instructed to deal with notices, polling screens and such like in order to allow Presiding Officers to concentrate on the important paperwork.

6.2 All polling station staff should be made aware that at the close of poll any polling agents who are present at the polling station can ask to affix their own seal(s) to the ballot box and packets of documents, and should be allowed to do so.[27]

6.3 Clear instructions should be provided to Presiding Officers about the arrangements for the collection of the ballot boxes and ballot paper accounts, and their onward delivery to the verification venue. Clear instructions about the arrangements for delivery should also be provided for those who are required to transport the boxes to the verification venue. In this case, Presiding Officers should be advised as to the location of the verification 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.

6.4 A contact number should be provided to Presiding Officers in case they experience any difficulties or delays in getting to the verification venue. It is important that this number is staffed until all boxes have been accounted for.

6.5 Presiding Officers should have been instructed on how to complete the ballot paper account correctly and about sealing the various packets of documents, with this forming an important part of their training. Instructions on how to complete the ballot paper account and a checklist of all packets are provided in the *Handbook for polling station staff*. It is nevertheless important to make sure that these are then double-checked on arrival at the verification venue.

Templates will be made available on the Commission's website to graphically demonstrate how the paperwork is to be completed and how the different documents are to be sealed up at the close of poll.

Combination
Consideration should be given to colour coding the ballot paper accounts to match the ballot papers for the different elections. This will minimise the risk of Presiding Officers recording the number of ballot papers issued for the European Parliamentary election on the form for the local government election, and vice versa.

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

[27] Rule 49, EPE Rules.

station separately from any other documentation to be handed in at the verification venue.

6.7 The receipt of the following documents should also be recorded on arrival at the verification venue:

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

6.8 It is helpful to supply Presiding Officers with different sacks, clearly labelled and perhaps colour coded, including one for the packets of documents to be returned to the appropriate officer for storage and another for other items of stationery. Presiding Officers should be advised to dispose of any rubbish at the polling station.

6.9 It can be useful to appoint staff who are solely responsible for receiving and checking items into the verification venue until all materials have been received from the polling stations.

7 Resources

Equipment checklist

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

- ballot box(es)
- relevant part of the register and any notices issued under Section 13B(3B) or (3D) of RPA 1983
- corresponding number list(s)
- absent voters lists – postal voters, proxy voters and postal proxies
- ballot papers
- ballot paper account(s)
- tendered ballot papers
- stamping instrument (if official mark is not pre-printed)
- voting device for use by blind or partially sighted voters
- copy of the statutory questions
- copy of the requirements as to secrecy (Regulation 29, EPE Regulations)
- forms of declaration by companions of voters with disabilities
- form of list of tendered votes
- form of list of votes marked by the Presiding Officer
- form of statement of number of votes marked by the Presiding Officer
- form of list of voters with disabilities assisted by companions
- direction for guidance of voters
- large-print version of the ballot paper(s)
- enlarged hand-held sample copy of the ballot paper(s)
- voting compartment notices
- polling station notices
- polling screens
- plastic seals or locks for sealing the ballot box[28]
- pencils for use by voters, and string to attach them to the polling booths
- notepaper for use by polling station staff
- stationery items as required, e.g. paper clips, drawing pins, Blu-Tack, adhesive tape
- envelopes, preferably with seals, in which to place postal ballot papers returned to the polling station
- envelopes for making up packets
- plastic sacks for returning stationery and equipment to the verification venue
- form to record errors on the register of electors (which may form part of a polling station log or be appended to the polling station register)
- form of list to record electors marked as postal voters but who claim not to have applied for one

[28] The Commission does not recommend the use of sealing wax for health and safety reasons. However, if this method is used, it is important that staff are instructed to exercise extreme caution.

Accessibility checklist for polling day – setting up a polling station

7.2 The initial setting up of a polling station can determine whether it is accessible or not. It is therefore important that polling staff who are responsible for setting up polling stations are made aware of the following considerations.

Signage at polling stations

- Signs should be positioned so that electors can be directed to the entrance for disabled voters, if this is different from the main entrance to the polling station.
- All signs should be placed at an appropriate 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 station sign should be visible from the main road.

Car parking for disabled people

- 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, check the parking spaces throughout polling day to ensure that they are kept available for use by disabled people.

Level access to polling stations

- If temporary ramps are to be used at a polling station, the Presiding Officer should be informed beforehand and ideally be shown how to install them if they will not be 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 and are not presenting a hazard to electors.

Entrances to polling stations

- Heavy doors that are difficult to open can be a major access barrier to some electors. Propping doors open can help, although this is not ideal if polling station 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

- 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 station staff should set up the polling station considering the best place to site themselves, the ballot box and the polling booths so that people have enough space to get in and out of the polling station.

Lighting of polling stations

- 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 version of the ballot paper is displayed, is vital.
- Lighting outside the polling station, particularly in the area leading up to the entrance, should be adequate.
- Lighting inside 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 station staff need to be aware of the lighting conditions in the polling station and should switch on whatever lights are necessary.

Low-level polling booths and ballot boxes

- 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 box 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 cast their vote independently and confidentially.
- A white strip placed around the slot of the ballot box helps visually impaired people to locate the opening more easily.

Guidance to voters

- The notice which must be displayed in every compartment of every polling station explaining how to fill in the ballot paper can be produced in a graphical format or in any other way that makes the information more accessible to persons who might not otherwise have reasonable access to the information.[29]

[29] Regulation 122A, EPE Regulations.

Large-print notice of ballot paper and hand-held sample copy

- Large-print notices are important to people with visual impairments and can allow someone to vote independently.
- At least one large-print version of the ballot paper must be displayed inside the polling station for the assistance of voters who are blind or partially sighted. However, it is helpful to provide more than one large-print version of the ballot paper.
- The legislation also requires that an enlarged hand-held copy of the ballot paper, marked as 'sample', is available to anyone who requires it. This 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

- It is a legal requirement to provide a tactile voting device at every polling station. The tactile template is a device that allows someone who is blind or partially sighted to mark the ballot paper themselves once the details on the ballot paper have been read out, either by their companion or by the Presiding Officer.
- Polling station staff should be made aware that the provision of a tactile template is a legal requirement and should be trained in the use of the device in order to be able to assist those who wish to vote using the device.[30]
- In many cases, voters who may find the template useful may not be aware that it is available for them to use. It may, therefore, be helpful for polling station staff to suggest to electors that they may wish to use the device where it appears appropriate. The right approach is important to avoid causing offence.

Seating

- 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

- All electors, including 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.

[30] Rule 32(5)(b), EPE Rules.

- Seeking feedback from disabled voters as to the access and disabled facilities at their polling station may help to highlight any previously unnoticed issues and drive future improvements.

Notification of secrecy requirements

Regulation 29 of the European Parliamentary Election Regulations 2004 (as amended)

29.—(1) The following persons—
(a) every local 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 2000 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 or other unique identifying mark 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.

[…]

(4) 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 way in 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 way in 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 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 way in which he has voted.

[…]

(6) No person having undertaken to assist a voter with disabilities to vote shall communicate at any time to any person any information as to the way in which 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.

(7) If a person acts in contravention of this regulation 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.