

Referendum on the UK Parliamentary
voting system and elections to the
Scottish Parliament – 5 May 2011

Planning and organisation

This document sets out the Chief
Counting Officer's instructions to
Counting Officers and the Electoral
Commission's guidance to Returning
Officers

Translations and other formats

For information on obtaining this publication in another language or in a large-print or Braille version please contact the Electoral Commission:

Tel: 020 7271 0500

Email: publications@electoralcommission.org.uk

1 Overview

1.1 The Parliamentary Voting System and Constituencies Bill¹ makes provision for a referendum to be held on the UK Parliamentary voting system. It is expected that this referendum will be held on 5 May 2011. In Scotland there will also be scheduled elections to the Scottish Parliament on 5 May 2011.

1.2 The referendum will be held under the framework provided by the Political Parties, Elections and Referendums Act 2000 (PPERA), while the administrative arrangements are set out in the PVSC Act.

1.3 The Scottish Parliamentary election to be held on 5 May 2011 will be run under the rules contained in the Scottish Parliament (Elections, etc.) Order 2010, with modifications as set out in Schedule 7 of the PVSC Act.

Management structure for the referendum and election

The role of the Chief Counting Officer

1.4 A referendum held under PERA has a different management and accountability structure compared to any election. It requires a Chief Counting Officer, who will be responsible for certifying the overall result.² For this referendum, this overall result will be one UK-wide result aggregated from all of the totals produced locally by individual Counting Officers.

1.5 The Chair of the Electoral Commission, Jenny Watson, will be the Chief Counting Officer at this referendum. The Chief Counting Officer can authorise a Deputy Chief Counting Officer to exercise any of her functions, including the power to direct Counting Officers.³ Max Caller has been appointed as Deputy Chief Counting Officer for this referendum.

1.6 The Chief Counting Officer has the power to give general or specific directions to Counting Officers relating to the discharge of their functions in the referendum, including directions requiring Counting Officers to take specified preparatory steps or to provide any information that they have or are entitled to

¹ Hereinafter referred to as the PVSC Act. All references to the PVSC Act are references to the Parliamentary Voting System and Constituencies Bill as at 23 December 2010. These instructions and the directions contained within them are subject to the passage and commencement of the Bill.

² Section 128(6), PERA.

³ Paragraph 6, Schedule 1, PVSC Act.

have.⁴ Given the UK-wide nature of the event, the Chief Counting Officer intends to use this power to ensure that the referendum is conducted to the same standards and principles in all voting areas.

1.7 As the Chief Counting Officer's power of direction applies to the functions of a Counting Officer, irrespective of whether they relate to the referendum or an election, the power of direction will therefore also apply to any election-related functions which are conferred on the Counting Officer. The Chief Counting Officer's power of direction does not apply to those election-related functions that are not taken on by the Counting Officer. Returning Officers should, however, interpret these directions as guidance by the Electoral Commission in relation to non-combined functions.

Regional Counting Officers

1.8 The PVSC Bill gives the Chief Counting Officer the power to appoint Regional Counting Officers.⁵ Mary Pitcaithly, Chief Executive of Falkirk Council has been appointed as Regional Counting Officer (designate) for the Scotland electoral region. She will co-ordinate the planning and administration of the poll across Scotland, monitor the performance of Counting Officers for each voting area within Scotland, deliver briefing sessions for Counting Officers in conjunction with the Chief Counting Officer, and manage the results collation process in Scotland.

1.9 The Regional Counting Officer can only exercise a power of direction over Counting Officers where the Chief Counting Officer has directed or authorised her to do so.

Counting Officers

1.10 The appointment of Counting Officers for the referendum flows from appointment as constituency Returning Officer for the Scottish Parliamentary election.⁶

1.11 Counting Officers are personally responsible for the conduct of the referendum in their area and for complying with all directions given by the Chief Counting Officer.⁷ For this reason, you will need to think carefully about how the Chief Counting Officer's directions will work in your local area.

1.12 The PVSC Act sets out the rules for the combination of the referendum with the Scottish Parliamentary election taking place on 5 May 2011. The PVSC Bill provides for the Counting Officer to discharge a number of the functions

⁴ Paragraph 5(5), Schedule 1, PVSC Act.

⁵ Paragraph 3, Schedule 1, PVSC Act.

⁶ Paragraph 2(5), Schedule 1, PVSC Act.

⁷ Paragraph 5(5), Schedule 1, PVSC Act.

common to the polls for which a Returning Officer would normally be responsible at an election, such as the provision of polling stations, appointment of Poll Clerks and issuing of combined poll cards.

1.13 The PVSC Act also provides for decisions on most core functions that relate to the conduct of a combined poll to be made at the discretion of the Counting Officer. One exception to this is the decision on whether or not to combine the issue and receipt of postal ballot packs, which is to be made by agreement between the relevant Counting Officer and Returning Officer.

Returning Officers

Constituency Returning Officers

1.14 For a Scottish Parliamentary election, the constituency Returning Officer,⁸ in the case of a constituency wholly situated in one local government area, is the person who is the Returning Officer at elections of councillors for that council area.⁹ In the case of a constituency situated in more than one local authority area, the Secretary of State will designate by Order one of the local government Returning Officers as the constituency Returning Officer.

1.15 As Returning Officer you are responsible for the non-combined aspects of the election, which include constituency nominations and the counting of votes at the Scottish Parliamentary election.

Regional Returning Officers

1.16 The Regional Returning Officer for each Scottish Parliamentary electoral region is appointed by an order created under Section 12(6) of the Scotland Act 1998.

1.17 The Regional Returning Officer is responsible for dealing with regional nominations and for the allocation of regional seats.

The role of the Electoral Commission

1.18 At a referendum held under PPERA, the Electoral Commission is responsible for:

- commenting on the intelligibility of the referendum question
- registering organisations or individuals who want to campaign in the referendum (known as 'permitted participants')
- monitoring and reporting on referendum campaign spending
- appointing organisations as the lead campaigners for each referendum outcome ('designated organisations')

⁸ Throughout the instruction documents, the constituency Returning Officer will be referred to as the Returning Officer.

⁹ Article 15, Scottish Parliament Order.

- ensuring that designated organisations (if appointed) have access to certain assistance
- reporting on the administration of the referendum
- promoting public awareness about the referendum and how to vote in it

1.19 Electoral Commission staff will also support the Chief Counting Officer in carrying out her role.

1.20 The Electoral Commission also has a number of statutory functions and powers in relation to elections, which are set out in PPERA. This includes giving advice and assistance to those involved in the electoral process,¹⁰ and reporting on the administration of Scottish Parliamentary elections.¹¹

Contact

1.21 Any questions relating to the election or referendum should be directed to [the Commission's Scotland Office](#) in the first instance.

The Chief Counting Officer's directions

1.22 The issuing of directions by the Chief Counting Officer is designed to ensure that Counting Officers across the UK can deliver the main aims for the referendum and the combined polls, which are as follows:

- that the polls are consistently administered
- that the process is transparent
- that the polls are professionally delivered
- that they produce accurate results in which all stakeholders are confident
- that all voters have a good experience, with any person who is entitled to vote being able to do so

Instructions and resources

1.23 The Chief Counting Officer has issued a series of instruction documents to assist you, as Counting Officer, in the discharge of your functions and to ensure consistency of practice. These instructions refer to your duties under the PVSC Act and contain directions that are issued by the Chief Counting Officer.¹² As Counting Officer you have a duty to discharge your functions in accordance with these directions,¹³ unless you have been granted an exception.

¹⁰ Section 10, PPERA.

¹¹ Section 5, PPERA.

¹² Paragraph 5(5), Schedule 1, PVSC Act.

¹³ Paragraph 5(8), Schedule 1, PVSC Act.

1.24 The Chief Counting Officer's instructions are divided into five modules, covering the following areas:

- Planning and organisation – module 1
- Administering the polls – module 2
- Absent voting – module 3
- Verification and count – module 4
- After the declaration of results – module 5

1.25 The Chief Counting Officer's directions to Counting Officers are set out at the start of each instruction module and also appear in boxes at the start of each chapter. Additionally, wherever the instructions state that a task 'must' be completed, this constitutes a direction. As Counting Officer, you are being formally directed by the Chief Counting Officer to follow these directions.

1.26 Returning Officers should interpret these directions as guidance from the Electoral Commission in relation to non-combined functions.

1.27 The instructions also include recommended practice ('shoulds') and background information, both of which are included to assist you in understanding and discharging your duties. The recommended practice, background information and legislative references are not issued as formal directions.

1.28 If, as Counting Officer, you consider that you have a legitimate reason for not following these directions, you must apply directly to the Regional Counting Officer for an exception. You may only deviate from these directions if an exception has been granted. The Chief Counting Officer will agree with the Regional Counting Officer how exceptions should be considered and what factors should be taken into account in reaching her decisions. The exceptions process is not applicable should you decide in your role as Returning Officer to proceed in a manner that does not comply with any instruction set out in this document.

1.29 In addition to the directions contained in the Chief Counting Officer's instructions, the Chief Counting Officer may also use her power of direction as and when necessary to address issues as they arise, throughout the planning and preparation stages and during polling day and the count.

1.30 The instruction documents are supplemented by a set of resources. These resources will be directly accessible through the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/referendums/combined-elections-and-referendums-in-scotland. The Commission will also be providing guidance and resources for Returning Officers to support the delivery of those parts of the elections that do not fall to be discharged by the Counting Officer, namely nominations and the counting of votes at the Scottish Parliamentary election.

Monitoring compliance with the Chief Counting Officer's directions

1.31 The Chief Counting Officer will monitor compliance with her directions, including by asking for confirmation that you have completed the required tasks through the completion of checklists at pre-determined points in the electoral process. This real-time monitoring will replace the performance standards framework for the purposes of the 5 May 2011 polls.

1.32 Additionally, as Counting Officer, you must supply to the Chief Counting Officer a copy of your project plan and risk register, along with a statement demonstrating that you have adequate resources in place to enable you to deliver the polls effectively and in line with the legislation and the Chief Counting Officer's directions. These must be provided to the Commission's Scotland office by 28 January 2011.

1.33 The Commission may still also observe those aspects of the elections that remain a function of the Returning Officer, and in those circumstances we will continue to provide feedback and support to Returning Officers as we have done to date as part of our on-going improvement work.

Your role and responsibilities

1.34 You play a central role in the democratic process. Your role is to ensure that the polls are effectively administered and that, as a result, the experience of voters is a positive one. You should set out what you want to achieve and what success would look like for you.

1.35 As Counting Officer you are responsible for the administration of the referendum. In addition, you are responsible for the election-related functions which are taken on by the Counting Officer where polls are combined. These include:

- the provision of polling stations
- the appointment of Presiding Officers and Poll Clerks
- the notice of situation of polling stations
- the equipment of polling stations
- the notification of the secrecy requirements at polling stations
- signing certificates of employment for polling station staff allowing them to vote at the polling station they are working at, as opposed to the one allocated to them
- authorisation to order the removal of persons from polling stations
- verification of all ballot papers at the count
- where it has been decided to combine the issue of postal votes:
 - the postal corresponding number list
 - the issue of postal ballot papers
 - the marking off of returned postal ballot papers

- verification of the personal identifiers on the returned postal voting statements

1.36 As Returning Officer you are responsible for the non-combined aspects of the election, which include nominations and the counting of Scottish Parliamentary election votes.

1.37 As the legislation provides that the Counting Officer is to be the constituency Returning Officer for the Scottish Parliamentary election, you will be personally responsible for the effective running of both the election and referendum in your constituency area. While you can appoint one or more deputies to discharge any or all of your functions, you cannot delegate your personal responsibility for delivering either event.

1.38 You are also subject to the breach of official duty provisions in respect of both events:

- If you, as Counting Officer, or your appointed deputies, are, without reasonable cause, guilty of any act or omission in breach of official duty you (and/or they) are liable on summary conviction to a fine not exceeding £5,000.¹⁴ Failure to comply with a direction issued by the Chief Counting Officer or the Regional Counting Officer could amount to breach of official duty, or could result in the Chief Counting Officer applying for a court order to require you to comply.
- If you, as Returning Officer, or your appointed deputies, are, without reasonable cause, guilty of any act or omission in breach of official duty you (and/or they) are liable on summary conviction to a fine not exceeding £5,000.¹⁵

Your skills and knowledge

1.39 You must have a working knowledge of the relevant legislation governing the conduct of the election and referendum. This means that you must have an overview of what the legislation contains and an understanding of how it affects the administration of the polls, so that you can review, question where necessary, and quality-assure the whole process in your constituency area.

1.40 There are management responsibilities attached to your role. You must:

- take all necessary steps to ensure that the local authority provides the required staff and resources to deliver a well-run election¹⁶ and referendum,¹⁷ as they are required to do by law

¹⁴ Section 63, RPA 1983, as amended by Schedule 4, PVSC Act.

¹⁵ Article 28(1), Scottish Parliament Order.

¹⁶ Article 15, Scottish Parliament Order.

¹⁷ Paragraph 4, Schedule 1, PVSC Act.

- oversee the planning, project management and risk management elements
- identify and oversee any actions necessary to mitigate any risk arising
- support and train the staff administering the election and referendum and provide appropriate oversight of their work
- provide direction to staff, monitor progress and receive regular feedback on activities
- ensure that you and relevant team members attend briefing events organised by the Regional Counting Officer and Chief Counting Officer/Electoral Commission
- maintain an effective working relationship with the Electoral Registration Officer
- maintain an effective working relationship with your police SPOC
- as Counting Officer, liaise with the Chief Counting Officer and the Regional Counting Officer as required
- ensure that accounts are submitted in a timely manner

Deputes

1.41 You may appoint any person to exercise any of your functions on your behalf as Counting Officer¹⁸ and Returning Officer.¹⁹ Deputes can be given full or specific powers appropriate to the tasks they will be required to undertake. The appointment must, by law, be made in writing for both Depute Counting Officers²⁰ and Depute Returning Officers.²¹ The acceptance should also be made in writing.

Powers to correct procedural errors

1.42 You have the power to take such steps as you think appropriate to remedy acts or omissions that arise in connection with any function of the election and referendum and that is not in accordance with the rules.

1.43 This power allows you:

- To correct procedural errors that you, as Counting Officer, an Electoral Registration Officer, a Presiding Officer or a person providing goods or services to you makes.²²
- To correct procedural errors that you, as Returning Officer, an Electoral Registration Officer, a Presiding Officer or a person providing goods or services to you makes.²³

¹⁸ Paragraph 6, Schedule 1, PVSC Act.

¹⁹ Article 16, Scottish Parliament Order.

²⁰ Paragraph 6, Schedule 1, PVSC Act.

²¹ Article 16(1), Scottish Parliament Order.

²² Paragraph 7, Schedule 1, PVSC Act.

²³ Article 94, Scottish Parliament Order.

Direction

The Chief Counting Officer directs that the correction of procedural errors in relation to a function of the Counting Officer must only take place following consultation with the Regional Counting Officer. In such instances, if you have identified a procedural error on the part of you or one of the officers mentioned above – for example, if you have issued postal voters incorrect or incomplete postal ballot packs – you must inform the Regional Counting Officer immediately. The Regional Counting Officer will then work with you to identify and oversee appropriate steps to correct the error, and will ensure that the Chief Counting Officer is informed as necessary.

1.44 Where you remedy an act or omission in full by using your power to correct a procedural error, you will:

- As Counting Officer, not be guilty of an offence of breach of official duty.²⁴ You should remember that the power to correct procedural errors does not apply to the declaration of the result.²⁵
- As Returning Officer, not be guilty of an offence of breach of official duty.²⁶ You should remember that the power to correct procedural errors does not apply to the declaration of the result.²⁷

²⁴ Section 63(4) and (5), RPA 1983, as amended by Schedule 4, PVSC Act.

²⁵ Paragraph 7(2), Schedule 1, PVSC Act.

²⁶ Article 94(4), Scottish Parliament Order.

²⁷ Article 94(2), Scottish Parliament Order.

2 Directions

2.1 This document sets out the preparations that will need to be made in advance of the polls in order to ensure that risks are properly managed and that the events are well run.

2.2 Counting Officers must follow the directions given below. Further recommendations are provided in Sections 3 - 9 of this document.

The planning process

Prepare a project plan, keep it under review and use it as a tool to monitor progress. A first draft must be completed and emailed to the [Commission's Scotland Office](#) by 28 January 2011.

Prepare a risk register and keep it under review. A first draft must be completed and emailed to the [Commission's Scotland office](#) by 28 January 2011.

Ensure that you have appropriate resources in place.

- Identify the resources required.
- Take all necessary steps to ensure that the local authority makes the necessary resources available to you to enable you to discharge your functions.

Staffing

Identify your staffing requirements by 11 February 2011.

Check that the methods used to identify, recruit and employ staff are robust and comply with legal requirements.

Form a project team and identify required support staff.

- Put in place depute arrangements in case you are unable to act in person.
- Any deputies appointed must have the skills and knowledge required to carry out the functions that they have been assigned
- The written appointment must include details of the functions that the depute is authorised to exercise on your behalf.
- Assess whether the election team is adequately staffed or whether you will need to recruit any additional staff.
- Identify and ensure staff are available to assist with handling public enquiries.
- Put in place a process for when staff dealing with public enquiries should escalate queries to the election team.

Identify staffing requirements

- Identify staffing requirements for polling stations and ensure that, when allocating electors and staff to polling stations, you abide by the Chief Counting Officer's ratios:
 - A polling station must not have more than 2,500 electors allocated to it.
 - In addition to a Presiding Officer, there must be one Poll Clerk for polling stations with up to 750 electors.
 - One additional Poll Clerk must be appointed for polling stations with up to 1,500 electors.
 - One further Poll Clerk must be appointed for polling stations with up to the maximum of 2,500 electors.
- Have a minimum of one polling station inspector for every 15 polling places.
- Identify staffing requirements for your postal vote issuing and opening sessions, taking into account the total number of postal voters and projected turnout of postal voters.
- If you are outsourcing the issue of postal votes, designate a member of the project team to attend those parts of the issuing process you have contracted out to monitor the work of the contractor.
- Identify the number and type of staff you will require to run your verification and referendum count in accordance with the Chief Counting Officer's instructions.

Liaise with the Electoral Registration Officer and test your method for exchanging data.

Training and briefing

Attend briefing sessions held by the Regional Counting Officer and Chief Counting Officer, and nominate a member of your project team to attend those briefing sessions designated for core electoral staff.

Identify training needs of permanent and temporary staff and plan for training as required.

- All staff must receive, or have received, training on the legislative requirements and responsibilities relevant to their role, as well as training on ensuring equal access and good customer care.
- Make arrangements for and carry out training for staff as specified in your project plan.

Managing contractors and suppliers

Take decisions as to whether to outsource as part of an assessment of costs, risks and benefits. The risks of outsourcing must be clearly identified, with contingency arrangements built into the process.

If you decide to outsource any part of the process, ensure that appropriate contractors and suppliers are appointed and that contracts are in place in sufficient time to enable effective service delivery.

- Begin the procurement process as soon as possible.
- Document all stages of the procurement process.
- Notify unsuccessful applicants and be prepared to debrief them should they request it

Remain in control at all times of any outsourced work.

- Have a contract in place.
- Prepare a clear specification of the work to be outsourced.
- Take steps to ensure that the selected contractor understands the requirements and has the experience and suitability to undertake the work being outsourced.
- Document all stages of the production process.
- Formally document and sign off any variations to the contract.
- Advise the contractors of any slippage.

Liaise with your Royal Mail account manager on a regular basis.

Venues

Undertake an evaluation of the suitability of your polling stations and ensure that you have taken account of accessibility issues.

- Where access problems exist, documentary evidence of the action taken to try to remedy these issues must be retained.

Identify and book all venues required by 11 February 2011 and ensure contingency arrangements are in place.

- Take into account the Chief Counting Officer's key considerations when selecting venues for postal vote issue and opening sessions.
- Take into account the Chief Counting Officer's key considerations when selecting a venue for the verification and referendum count.
- Prepare a list of alternative venues and have contingency arrangements and emergency protocols in place.
- Brief staff on your contingency arrangements.

Maintaining integrity

Make contact with your local police Single Point of Contact (SPOC).

- Review security arrangements with the local police and consider any risks as part of your contingency planning exercise.
- Refer any allegations or suspicions promptly to your SPOC.

- Take all necessary steps to ensure police officers attend at polling stations, or call in during polling day, as appropriate, and discuss security issues relevant to any other parts of the process.

Raising awareness

Provide public information.

- Have in place a written public awareness strategy, covering internal and external communication, and include this in your project plan.
- Ensure your strategy contains a clear plan for the effective delivery of information.
- Make contact with the communications department at your local authority and seek their input.
- Ensure that all outgoing communications provide appropriate contact details to allow anyone to respond and obtain further information.

3 The planning process

Directions

Prepare a project plan, keep it under review and use it as a tool to monitor progress. A first draft must be completed and emailed to the [Commission's Scotland office](#) by 28 January 2011.

Prepare a risk register and keep it under review. A first draft must be completed and emailed to the [Commission's Scotland office](#) by 28 January 2011.

Ensure that you have appropriate resources in place.

- Identify the resources required.
- Take all necessary steps to ensure that the local authority makes the necessary resources available to you to enable you to discharge your functions.

3.1 You must have formal written plans in place with clearly defined objectives and success measures, as well as contingency arrangements. These plans are integral to well-run polls that deliver a consistent service to all voters across the UK.

3.2 The Chief Counting Officer has produced a template project plan that you can populate and adapt to fit your local circumstances. You must keep your plan under regular review and use it to monitor progress. You must have finalised a first draft and sent it to the Commission's Scotland office by 28 January 2011.

3.3 Before starting the detailed planning required, you should set out what you want to achieve and what success would look like. The Chief Counting Officer has provided some sample aims and suggested tools that will allow you to measure the extent to which the conduct of the polls has been successful as part of the template project plan.

3.4 If you have not already done so, you should conduct a review of previous electoral events to identify what worked well and what did not, which may assist with informing your planning. As part of the review you should take into account the following:

- All reports returned by Presiding Officers and polling station inspectors, and where any issues have been highlighted, remedial action should be identified and taken forward.
- What practices were successful and where these can be used elsewhere.
- Feedback from electors, which can highlight any issues that may have occurred.
- Feedback from candidates, agents and political parties.

- Feedback from local organisations of disabled people, older people and minority ethnic groups, and the council's access officers.

3.5 The Chief Counting Officer has also issued a template calendar, which can be used to assist you in your planning. In addition to containing the statutory deadlines and key dates related to the Chief Counting Officer's directions, the calendar is designed as a template for you to populate with your own dates from your project planner.

3.6 As part of your planning you must identify the resources required. By law, the local authority must provide you with the required staff and equipment to deliver a well-run referendum²⁸ and election.²⁹ You must take all necessary steps to ensure that the local authority makes the necessary resources available to you to enable you to discharge your functions. Once the relevant Charges Orders have been made, you will be able to reconcile your projected costs for planned activities and expenses against the available budget.

3.7 The Chief Counting Officer has also developed a template risk register that you can populate. Your risk register must identify any difficulties and problems that may occur, and the actions taken to mitigate them. The Chief Counting Officer has provided some example risks and suggestions for mitigating those. In addition to the risks identified in the template you must also identify any other risks, including ones specific to your local circumstances, and how you would mitigate those. Your risk register must identify the seriousness of any risk by indicating both the likelihood of risk occurring and what the impact of the risk would be if it did occur. The risk register must be treated as a 'living document' and be kept under regular review. You must have finalised a first draft and sent it to the Commission's Scotland office by 28 January 2011.

²⁸ Paragraph 4, Schedule 1, PVSC Act.

²⁹ Article 15 and 20, Scottish Parliament Order.

4 Staffing

Directions

Identify your staffing requirements by 11 February 2011.

Check that the methods used to identify, recruit and employ staff are robust and comply with all legal requirements.

Form a project team and identify required support staff.

- Put in place depute arrangements in case you are unable to act in person.
- Any deputies appointed must have the skills and knowledge required to carry out the functions that they have been assigned.
- The written appointment must include details of the functions that the depute is authorised to exercise on your behalf.
- Assess whether the election team is adequately staffed or whether you will need to recruit any additional staff.
- Identify and ensure staff are available to assist with handling public enquiries.
- Put in place a process for when staff dealing with public enquiries should escalate queries to the election team.

Identify staffing requirements

- Identify staffing requirements for polling stations and ensure that, when allocating electors and staff to polling stations, you abide by the Chief Counting Officer's ratios:
 - A polling station must not have more than 2,500 electors allocated to it.
 - In addition to a Presiding Officer, there must be one Poll Clerk for polling stations with up to 750 electors.
 - One additional Poll Clerk must be appointed for polling stations with up to 1,500 electors.
 - One further Poll Clerk must be appointed for polling stations with up to the maximum of 2,500 electors.
- Have a minimum of one polling station inspector for every 15 polling places.
- Identify staffing requirements for your postal vote issuing and opening sessions, taking into account the total number of postal voters and projected turnout of postal voters.
- If you are outsourcing the issue of postal votes, designate a member of the project team to attend those parts of the issuing process you have contracted out to monitor the work of the contractor.

- Identify the number and type of staff you will require to run your verification and referendum count in accordance with the Chief Counting Officer's instructions.

Liaise with the Electoral Registration Officer and test your method for exchanging data.

4.1 It is essential that you identify the staff that you will require at the earliest opportunity. You must have completed this task by not later than 11 February 2011.

4.2 You must ensure that the methods used to identify, recruit and employ staff are robust and comply with all legal requirements. You should seek advice from your council's human resources department as necessary.

4.3 Following an assessment of the performance of staff used at previous electoral events, you may wish to write to staff used previously at an early stage in the planning process to check their availability.

Project team

4.4 You must establish a project team to support you in carrying out your functions and in delivering well-run polls. In addition to yourself, your project team should include:

- any appointed deputies
- other election team members
- the Electoral Registration Officer

4.5 At the planning stage, a schedule of meetings should be prepared, and a record of each meeting should be kept as an audit trail of what was discussed and of any decisions made.

Deputes

4.6 As part of your contingency planning, you must put in place deputy arrangements in case you are unable to act personally as Counting Officer or Returning Officer. Any deputies appointed must have the skills and knowledge required to carry out the functions that they have been assigned. The appointment must, by law, be made in writing, for both Deputy Counting Officers³⁰ and Deputy Returning Officers,³¹ and must include details of the functions that the deputy is authorised to exercise on your behalf. The acceptance should also be made in writing.

³⁰ Paragraph 6, Schedule 1, PVSC Act.

³¹ Article 16(1), Scottish Parliament Order.

Election team

4.7 The election team, with their experience of running elections, should be part of the project team. You must assess whether the election team is adequately staffed or whether you will need to recruit any additional staff to support the effective delivery of the polls.

The Electoral Registration Officer

4.8 You will need to closely liaise with the Electoral Registration Officer to obtain the relevant registration and absent voting data. If there is a need for exchanging data electronically, you must agree dates for the exchange of data and carry out a test of the process ahead of the first scheduled transfer.

4.9 The Electoral Registration Officer should consider whether they will need any additional support staff to assist with the processing of registration and absent vote applications in the lead-up to the polls.

Support staff

4.10 You must identify what support staff you require to assist with the various aspects of the polls.

4.11 You must identify and ensure staff are available to assist with any public enquiries you may receive in the run-up to the polls. You should set up a dedicated team (or train front reception or call centre staff) to deal with a range of basic enquiries, such as questions about whether or not a person is registered to vote, postal and proxy voting and the location of polling stations.

4.12 Any staff who will be dealing with public enquiries must receive adequate training to deal with such enquiries and should be provided with responses to frequently asked questions, as well as a list of the locations of polling stations and key dates in the electoral timetable. The Commission has developed a template of FAQs for frontline staff which you can adapt to fit your local circumstances. A process must be in place for the escalation of more complex enquiries to the election team.

Staff for specific processes

4.13 As well as establishing your core project team, you will need to appoint staff to help you undertake the various electoral processes. You must identify staffing requirements and put processes in place for recruiting the necessary staff. You should have access to a database of staff used at previous elections. Staff can also often be recruited from among council employees, and local

authorities must make staff available to you if they are required for the discharge of your duties.³²

Polling station staff

4.14 You have a legal duty to appoint and pay a Presiding Officer and such Poll Clerks as may be necessary to attend at each polling station.³³

4.15 The following ratios (which exclude postal voters) must be abided by when allocating electors and staff to polling stations:

- A polling station must not have more than 2,500 electors allocated to it.
- In addition to a Presiding Officer, there must be at least one Poll Clerk for polling stations with up to 750 electors.
- One additional Poll Clerk must be appointed for polling stations with up to 1,500 electors.
- One further Poll Clerk must be appointed to a polling station with up to the maximum of 2,500 electors.

4.16 If you consider that you have a legitimate reason for not following these ratios, you must apply directly to the Regional Counting Officer for an exception. You may only deviate from these ratios if an exception has been granted.

4.17 You must also make arrangements to appoint polling station inspectors to visit and inspect polling stations on your behalf on polling day. There must be at least one polling station inspector for every 15 polling places.

4.18 You should also consider appointing part-time Poll Clerks to provide assistance at peak times.



Further instructions on the deployment of polling station staff within polling stations can be found in Module 2 – Administering the polls.

Postal vote issue and opening staff

4.19 You must also identify staffing requirements for your postal vote issuing and opening sessions. You must take into account the total number of current postal voters and projected turnout of postal voters when deciding on your staffing arrangements. For planning purposes, you should assume that the turnout of postal voters will be not less than the turnout of postal voters at the last UK Parliamentary election. Also, your review of the last electoral event will give you an indication of how robust your previous staffing assumptions were.

³² Section 128(4), PPERA; Paragraph 4, Schedule 1, PVSC Act.

³³ Rule 14, Schedule 2, PVSC Act.

4.20 Even if you decide to outsource all or part of the postal vote issuing process, you must designate a member of the project team to attend those parts of the issuing process you have contracted out. This person must monitor the work of the contractor, which should include carrying out tasks such as spot checks to ensure that the printer is correctly collating the packs and prioritising those postal votes that need to go overseas. Further instructions on managing contractors and suppliers can be found in Section 6, below.



Further instructions on the postal vote issue and opening processes are provided in Module 3 – Absent voting.

Verification and count staff

4.21 You must identify the number and type of staff you will require to run your verification and referendum count in accordance with the Chief Counting Officer's instructions.



The Chief Counting Officer's instructions on the management of the verification and count processes are contained in Module 4 – Verification and count.

5 Training and briefing

Directions

Attend briefing sessions held by the Regional Counting Officer and Chief Counting Officer, and nominate a member of your project team to attend those briefing sessions designated for core electoral staff.

Identify training needs of permanent and temporary staff and plan for training as required.

- All staff must receive, or have received, training on the legislative requirements and responsibilities relevant to their role, as well as training on ensuring equal access and good customer care.
- Make arrangements for and carry out training for staff as specified in your project plan.

5.1 The Regional Counting Officer will provide briefings for you and your core staff. You must attend one of the sessions designed for Counting Officers. You may only nominate a representative to attend on your behalf with prior consent from the Regional Counting Officer. You must designate a member of your project team to attend any briefing sessions designated for core electoral staff.

5.2 It is vital that each member of the team, whether permanent or temporary, understands their particular role and any statutory obligations associated with the work they are undertaking. All staff must receive, or have received, training relevant to their role on how to ensure good customer care and equal access to the voting process for all electors.

5.3 You must identify the relevant training needs of both permanent and temporary staff and develop a schedule of training activities to meet the needs identified. You should also develop methods of evaluating the training sessions and materials in order to inform future planning. Many local authorities have access to training personnel who may be able to assist you with this process.

5.4 Any training for permanent staff must cover the legislative requirements relevant to the role and the responsibilities you are appointing them to undertake.

5.5 While training activities for temporary staff may not take place until shortly before the polls, planning for those activities should start at the earliest opportunity.

5.6 Presiding Officers, Poll Clerks and other front line staff are frequently the only members of your staff that voters will meet in person. It is therefore essential that such staff are trained to understand their role and to perform their duties professionally and effectively, and are able to provide a high standard of customer care. It is important for such staff to be able to communicate well with

all voters, and so accessibility issues must be covered in training sessions for all external facing staff.



Further instructions on the minimum requirements for training can be found in:

- Module 2 – Administering the polls
- Module 3 – Absent voting
- Module 4 – Verification and count

6 Managing contractors and suppliers

Directions

Take decisions as to whether to outsource as part of an assessment of costs, risks and benefits. The risks of outsourcing must be clearly identified, with contingency arrangements built into the process.

If you decide to outsource any part of the process, ensure that appropriate contractors and suppliers are appointed and that contracts are in place in sufficient time to enable effective service delivery.

- Begin the procurement process as soon as possible.
- Document all stages of the procurement process.
- Notify unsuccessful applicants and be prepared to debrief them should they request it.

Remain in control at all times of any outsourced work.

- Have a contract in place.
- Prepare a clear specification of the work to be outsourced.
- Take steps to ensure that the selected contractor understands the requirements and has the experience and suitability to undertake the work being outsourced.
- Document all stages of the production process.
- Formally document and sign off any variations to the contract.
- Advise the contractors of any slippage.

Liaise with your Royal Mail account manager on a regular basis.

6.1 You can outsource particular work required to deliver the polls, but not the responsibility for ensuring compliance with the rules and regulations.

6.2 Do not automatically assume that outsourcing is your only and best option. The decision to outsource work must always be taken as part of an assessment of the costs, risks and benefits of outsourcing work, as compared to in-house delivery by your staff. Your review of previous electoral events and consideration of the specific requirements for these particular polls will help to inform your decision as to whether or not to outsource a particular function or task.

Procurement

6.3 Where a decision has been made to outsource, you must commence the procurement process as soon as possible. Your council may have adopted

standing orders or regulations relating to procurement and contracts. You should take advice from relevant staff at your local authority on the procedures to be followed and legal requirements for procuring supplies and services. All stages of the procurement process must be documented and the risks of outsourcing must be clearly identified, with contingency arrangements identified and built into the process.

6.4 Good public procurement practice recommends obtaining at least three written quotations from prospective suppliers. Some local authorities may, however, have a standing list of approved contractors who have already been through a tendering process and, in some instances, it may be more effective and economical to use such existing contractors and systems.

6.5 The Chief Counting Officer has produced a checklist designed to highlight key considerations relevant to outsourcing work and managing contracts.

6.6 A detailed specification of requirements is essential for effective procurement, and must be developed for all outsourced work. Suppliers should be able to provide robust information on how they are going to deliver the work as required by the specification.

6.7 When evaluating the bids received the final price in the suppliers' proposals should not be the only consideration in choosing a contractor. The focus should be on 'value for money', with the final decision being a judgement based on the best combination of the cost of the goods or service and the ability to meet your requirements as laid out in the specification. Work must be completed on time and to a high standard, and each bid should be carefully considered to assess exactly what it offers.

6.8 Once you have made your final decision, you must ensure you notify unsuccessful applicants and be prepared to debrief them should they request it. You must also obtain a final quotation from the contractor selected, covering every aspect of the work as detailed in the specification. You must take steps to ensure that the selected contractor understands the requirements and has the experience and suitability to undertake the work being outsourced. The checklist on managing contracts and suppliers sets out the minimum steps you should take to be satisfied that the company will have the capacity to complete any contracted work on time and to the standard required.

6.9 You must have a formal, written contract in place with every contractor to which you have outsourced a function or task. It is essential that statutory requirements and their implications are fully explained wherever contractors are used, and that these requirements are explicitly stated in the contract for any work.

6.10 Contracts should be developed with advice from other departments of the local authority, for example, legal or procurement. Experienced managers in these fields can be used to ensure that appropriate and rigorous procurement and contract management procedures are followed, thereby minimising risk.

6.11 The Improvement and Development Agency (IDeA) provides model contracts on their website that might be of assistance: www.idea.gov.uk.

Contract management

6.12 The key to effective contract management is continuous and open lines of communication with the contractor, underpinned by clear and robust provisions in the contract as to the quality and timescales expected and required.

6.13 In order to assist contractors and suppliers in delivering the work on time, it is essential to keep to agreed timescales for providing the information or data they need to do the job. If there is slippage, for example because of the time required to process bulk last minute postal vote applications, you must advise the contractors as soon as possible.

6.14 You must document all stages of the production processes. In particular, you must keep a formal record in order to be able to demonstrate that the processes were undertaken in accordance with the law.

6.15 Any variations from the agreed specification could result in a breach of legislation or directions and therefore potentially a breach of official duty and so any variations must be formally documented and signed off by you or by someone authorised to act on your behalf.



Further instructions on what to consider if you have outsourced the postal vote issue can be found in Module 3 – Absent voting.

Royal Mail

6.16 You should already be in contact with your Royal Mail account manager, and you must liaise with them on a regular basis.



More information on working with Royal Mail can be found in Module 3 – Absent voting.

Finding printers

6.17 If you decide that you need to outsource production and are having difficulty finding a suitable printer, the British Printing Industries Federation may be contacted for assistance:

British Printing Industries Federation
Farringdon Point

29 – 35 Farringdon Road
London EC1M 3JF
Tel: 02079158319
www.britishprint.com

7 Venues

Directions

Undertake an evaluation of the suitability of your polling stations and ensure that you have taken account of accessibility issues.

- Where access problems exist, documentary evidence of the action taken to try to remedy these issues must be retained.

Identify and book all venues required by 11 February 2011 and ensure contingency arrangements are in place.

- Take into account the Chief Counting Officer's key considerations when selecting venues for postal vote issue and opening sessions.
- Take into account the Chief Counting Officer's key considerations when selecting a venue for the verification and referendum count.
- Prepare a list of alternative venues and have contingency arrangements and emergency protocols in place.
- Brief staff on your contingency arrangements.

7.1 Locating appropriate venues for all of the various electoral activities must be done as early as possible, and in any event by not later than 11 February 2011. The managers of these premises should be contacted at an early stage and informed of the relevant dates, and the necessary booking arrangements made. These activities, done at an early stage in the planning process, will highlight where venues are not available and should allow sufficient time to act on the information and identify alternative premises.

7.2 As part of your review of previous electoral events, you should have undertaken an evaluation of the suitability of venues used. The results of this should be used to inform your planning and to ensure that any identified barriers to access can be overcome in time.

7.3 You should also work closely with people who have particular expertise in relation to access to premises or facilities for disabled people. All local authorities are required to publish a disability equality scheme and you should have regard to this scheme when carrying out your duties. The equalities officer at your local authority should be able to provide you with advice and assistance.

7.4 Contingency arrangements must be put in place for all venues to address the risk of a loss of venue. You must prepare a list of alternative venues, including making arrangements for the use of stand-by portable polling stations/mobile vehicles if necessary. Staff must be briefed on contingency arrangements, for example in the case of a loss of a polling station on polling day, they could be advised to set up a temporary polling station in their car until alternative arrangements can be made.

Polling stations

7.5 You must book all of your polling stations by 11 February 2011.

7.6 You must undertake an evaluation of the suitability of the polling stations you are intending to use.

7.7 Ideally, you will have the choice of a range of fully accessible buildings, conveniently located for electors in the area, with owners willing to hire them out for polling station use at low cost. Unfortunately, in practice, this is often not the case and, in some areas, there may be little choice available. Where access problems exist, documentary evidence of the action taken to try to remedy these issues must be retained.

7.8 Schools that are publicly-funded may be used as polling places free of charge and the legislation allows you to require a room in such schools for use as a polling station.³⁴ You are also entitled to use, free of charge, any local authority-funded room as a polling station.³⁵ You will, however, need to pay for any lighting, heating, etc., costs incurred when using such rooms as polling stations. You should liaise with the relevant schools and managers of local authority-funded rooms at the earliest opportunity to confirm that you want to use certain rooms within their premises as polling stations.

7.9 It is essential that polling stations provide sufficient space for voting to take place.



Instructions and recommendations on polling station layouts can be found in Module 2 – Administering the polls.

Last-minute changes to polling stations

7.10 There may be circumstances (e.g., flooding, fire, vandalism) when a change of polling station may be required at short notice. As part of your planning, you must compile a list of stand-by or portable polling stations that could be used in such circumstances. As local authorities are responsible for designating polling places and polling districts, you should designate a new polling station within the same polling place as far as is possible and practical. As the location of a polling station within a polling place is your responsibility, there would be no need to seek council approval for such a change.

³⁴ Rule 9, Schedule 2, PVSC Act.

³⁵ Rule 9, Schedule 2, PVSC Act.

7.11 If, however, there is a need to change the polling place, council agreement will be required. If delegation procedures are in place, you should follow these and contact the person or persons who are entitled to make changes to the scheme of polling places.

7.12 You should amend the notice of poll to reflect any changes to your polling stations.

7.13 There are a number of mitigating measures you can take to ensure that electors who are affected by a late change to a polling station are able to vote with minimum disruption. You must have a protocol for what to do in case of a last-minute change. As a minimum, you should:

- if time allows, send out a letter to all affected electors informing them of the change to their polling station
- if time allows, use the local media to disseminate information to the affected electors – for example, through issuing press releases
- put up signs at the old polling station informing electors about the change, including directions to the new one
- display clear and visible signage at the new polling station

Postal vote issue and opening venues

7.14 You must identify and book your postal vote issue and opening venues by not later than 11 February 2011.

7.15 As a minimum, you must take into account the following key factors in selecting the venues for postal vote issue and opening sessions:

- lessons learnt from previous electoral events
- intended workflows
- IT requirements
- security requirements
- disabled access, both to and within the venues



Details on preparing for postal vote issue and opening sessions are provided in Module 3 – Absent voting.

Verification and count venue

7.16 You must identify and book your verification and count venue by 11 February 2011.

7.17 As a minimum, you must take into account the following key factors in selecting your verification and count venue:

- lessons learnt from previous electoral events
- access arrangements for vehicles and parking
- entrances for those entitled to attend and staff, and for the delivery of the ballot boxes
- disabled access, both to and within the venue
- size of the venue – taking into account the space required to conduct the verification and count processes, sufficient storage space for parcels, ballot boxes and other equipment, and adequate space for those entitled to attend and observe proceedings at the count
- lighting within the venue
- platform or stage for announcing the results, and for making regular announcements throughout the proceedings as appropriate
- acoustics within the venue
- internal and external IT and communication systems
- facilities for those attending the count
- media requirements
- furniture requirements: if there are insufficient tables and chairs in the venue, for example, these will need to be hired or acquired from another location
- security and storage requirements



Further instructions on the management of the verification and count, including layout, can be found in Module 4 – Verification and count.

8 Maintaining integrity

Directions

Make contact with your local police Single Point of Contact (SPOC).

- Review security arrangements with the local police and consider any risks as part of your contingency planning exercise.
- Refer any allegations or suspicions promptly to your SPOC.
- Take all necessary steps to ensure police officers attend at polling stations, or call in during polling day, as appropriate, and discuss security issues relevant to any other parts of the process.

8.1 You must ensure that links with local police and your Single Point of Contact (SPOC) have been developed.

Offences

8.2 There are a number of electoral offences. Information on these offences can be found in *Factsheet: Integrity at the UK Parliamentary Voting System Referendum 2011* and *Factsheet: Integrity at the Scottish Parliamentary election*.

Dealing with allegations of electoral malpractice

8.3 Although you and your staff are uniquely placed to identify malpractice, you have no power to investigate allegations of fraud or malpractice. Any allegations or suspicions must be promptly referred to the police Single Point of Contact (SPOC).

8.4 If you need additional information or advice on the handling and referral of allegations of electoral malpractice or are having difficulties in making contact with your police SPOC, you can contact:

David Freeland
The Electoral Commission
Senior Electoral Practice & Performance Officer
Tel: 0131 225 0208
Email: dfreeland@electoralcommission.org.uk

Dealing with allegations of financial offences

8.5 Candidates and agents and permitted participants - those who campaign in a referendum –are subject to a financial regime under the Scottish Parliament (Elections etc.) Order 2010, PPERA and the PVSC Act. Any issues relating to referendum campaign finances should be referred to our party and election finance department on 020 7271 0616. Any queries from candidates and

agents on election spending should be referred to the [Commission's Scotland office](#).

Security

8.6 You must review security arrangements with the local police and consider any risks as part of your contingency planning exercise. You must take all necessary steps to ensure police officers attend at polling stations, or call in during polling day, as appropriate, and discuss any security issues relating to any other aspects of the process.



Specific security considerations covering individual electoral processes are provided in the following modules:

Module 2 – Administering the polls

Module 3 – Absent voting

Module 4 – Verification and count

Module 5 – After the declaration of results

9 Raising awareness

Directions

Provide public information.

- Have in place a written public awareness strategy, covering internal and external communication, and include this in your project plan.
- Ensure your strategy contains a clear plan for the effective delivery of information.
- Make contact with the communications department at your local authority and seek their input.
- Ensure that all outgoing communications provide appropriate contact details to allow anyone to respond and obtain further information.

9.1 You have a legal duty to encourage the participation of electors in the election³⁶ and referendum.³⁷ To meet the requirements of your duty, you must have in place a written public awareness strategy, covering internal and external communication. The development of the strategy must be covered in your project plan.

9.2 Regardless of how the strategy is produced and formatted, it must contain a clear plan for the effective delivery of information to electors, including:

- identifying target audiences
- clearly defined objectives and success measures
- risks – identification and mitigation
- resources (financial and staffing)

9.3 Public information activities should support the campaign planned by the Commission. The Commission's campaign will centre around a booklet sent to every household, supported by an advertising campaign including TV, online and radio.

9.4 The Chief Counting Officer will also provide templates and tools for you to adapt to fit local circumstances on dopolitics.org.uk. There will also be a frequently asked questions page on About My Vote, which will have FAQs relating to the election and referendum and which people should be directed to, for example by providing a link from your own web pages to the About My Vote website. The web address for the FAQs page will be www.aboutmyvote.co.uk/faq.

³⁶ Section 69, EA Act.

³⁷ Paragraph 10, Schedule 1, PVSC Act.

Information to electors

9.5 In order to effectively communicate information to electors you must consider who you want to reach through your awareness activity and the method of communication to be used. You must make contact with the communications department at your local authority and seek their input.

9.6 Information covers any information required by the elector in order to successfully participate. This may include information on:

- the election and referendum
- the date and hours of poll
- the location of polling stations
- any key deadlines (e.g. deadlines for applying for postal or proxy votes)
- how to vote (i.e. how to fill in ballot papers correctly)
- what assistance is available to electors (e.g. information for disabled voters)
- how votes are counted
- how the results will be made known

9.7 You must also ensure that all outgoing communications provide appropriate contact details to allow anyone to respond and obtain further information.