

Supporting residents to vote on 5 May 2011

On Thursday 5 May 2011 there will be:

- an election to the Scottish Parliament, and
- a UK-wide referendum on the voting system used to elect MPs to the House of Commons

This leaflet provides more information about what you can do to support residents to participate in both the election and referendum, if they choose to do so.

Why support residents to participate in elections and referendums?

The right to vote is a protected human right. Residents in care homes, have the right to participate in political and public life.

Supporting residents to vote is central to providing a high quality of service which empowers individuals to participate in society and exercise choice.

The national care standards are underpinned by principles of dignity, choice and realising potential which are core to our right to vote. Many of the care standards for care homes for older people relate directly to support to vote, for example, the standards around “Making Choices” or “Exercising your rights”.

You can, and should, support residents to register to vote, regardless of whether you are of the view they have capacity to do so.

More information can be found through the National Care Standards website: www.nationalcarestandards.org/

Who can vote?

Residents can vote in the Scottish Parliament election and the referendum if they are registered to vote in Scotland, are 18 or over on 5 May 2011 and are:

- a British citizen, or
- a qualifying Commonwealth citizen, or
- a citizen of the Irish Republic.

Citizens of other European Union countries registered to vote in Scotland **can** vote in the Scottish Parliament election. However they **can't** vote in the referendum.

Everyone will have to be registered to vote by **Friday 15 April** to vote in the election and referendum.

All providers and managers of services should support and enable residents to vote if that is their wish. While residents with any level or no level of mental capacity may be registered to vote, the decision as to whether and how to vote at an election must be made by the resident themselves and not by any other person on their behalf. Those who may be the carer of a person or who otherwise make decisions on behalf of a person may not make decisions on voting.

It is important that you do not make an assumption about an individual's capacity to vote or apply a "one size fits all" approach to all residents. Each individual must be assessed on a case by case basis at the time of their decision making and in relation to voting. The fact that an individual has dementia, for example, does not necessarily mean that they will lack capacity to vote on 5 May 2011.

Are residents registered to vote?

Most residents would have been registered to vote using the annual canvass form that the local electoral registration office sends to every care home each year. This form is used to update the register of electors every year. If a resident was included in the annual canvass form and their details have not changed then they will be registered to vote.

Any residents whose details were not included on the annual canvass form, or who have moved into the care home since the form was completed, will each need to complete a voter registration form to make sure they can vote on 5 May.

You may be supporting some residents who are using your service for a respite stay. You should check if they would like support to register to vote or find out if they have made alternative arrangements to vote at their home address.

Voter registration forms can be downloaded from www.aboutmyvote.co.uk or you can call your local electoral registration office and ask them to send you some forms. Completed forms will need to be sent to your local electoral registration office to arrive by **Friday 15 April**.

If you aren't sure whether residents are registered or not, contact your local electoral registration office. You can find their contact details on www.aboutmyvote.co.uk

What are the different ways to vote?

There are three ways of voting:

In person on 5 May: Most people vote in person at their polling station which is open from 7am to 10pm on polling day. It is straightforward and a member of staff will be there to help if any of your residents are not sure what to do. Residents will receive a poll card telling them where their polling station is. It is often in a nearby school or community centre. If they do not receive their poll card you can contact the local council to find out where their polling station is.

Polling stations should be as accessible as possible and there are some arrangements in place to help people to vote independently. These include large print versions of ballot papers at all polling stations. If residents need help to vote then they can take a companion with them to assist, or ask the presiding officer at the polling station for help.

If you would like to know more about the accessibility of the polling stations which residents will be using then you should contact your local council for advice.

By post: If residents are not able to, or do not wish to vote at the polling station then they can apply to vote by post. They will need to fill in an application form and send it to arrive at the local electoral registration office by **5pm on Thursday 14 April**. You can download an application form from www.aboutmyvote.co.uk or call your local electoral registration office and ask them to send you some forms.

Residents who are using your service for respite care can continue to vote in their home constituency by arranging for their postal vote to be redirected to them at the care home. They should contact the Electoral Registration Office for the area in which they are already registered to make arrangements for this. They also have the option of voting by proxy and more information on this is provided later in this leaflet.

Residents will need to sign the application form and provide their date of birth. They will need to provide these again when they come to vote so that the signature and date of birth can be compared for security reasons. If the resident is unable to sign the form, or their signature can vary from day to day, then they should contact the local electoral registration office and ask for the requirement for a signature to be waived.

Residents should receive their ballot papers about a week before polling day. If they don't arrive, then they can get a replacement from the local council up to 5pm on Thursday 5 May.

By proxy: If residents can't go to the polling station and don't wish to vote by post, they may be able to vote by proxy. This means allowing somebody they trust to vote on their behalf. The Electoral Commission considers that a person must have mental capacity to appoint or to continue to have a proxy, as that can be taken to be a decision on voting. Residents will need to fill in an application form and send it to arrive at the local electoral registration office by **5pm on Thursday 21 April**. You can download an application form from www.aboutmyvote.co.uk or contact your local electoral registration office and ask them to send you some forms.

When residents apply for a proxy vote they will have to state why they cannot vote in person. Anyone can be their proxy as long as they are eligible to vote in the elections and referendum and are willing to vote on their behalf. A person can only act as a proxy for up to two people who are not their close relatives. Residents will have to tell their proxy how they wish to vote.

If a resident becomes unexpectedly ill or becomes incapacitated 6 days or less before an election then they can apply for an emergency proxy up until 5pm on the day of the election. In this instance you should contact the local electoral registration office as soon as possible to make arrangements for this.

How will residents know how to complete their ballot papers?

All polling stations will have voting instructions displayed in each polling booth and polling station staff will also be able to assist voters. Residents choosing to vote by post will receive instructions as part of their postal ballot pack.

In early April the Electoral Commission will be sending a booklet to every household in Scotland with information on the Scottish Parliament election and the referendum. The booklet can be downloaded now from www.aboutmyvote.co.uk. If you need additional copies of the booklet please call 0800 3 280 280 after 15 April.

Where can I get more information?

You can visit www.aboutmyvote.co.uk for more information about elections and voting.