

# Part E – Verifying and counting the votes

European Parliamentary election on 22  
May 2014: guidance for Local Returning  
Officers

In this guidance we use 'must' when we refer to a specific legal requirement. We use 'should' for items we consider to be recommended practice, but which are not legal requirements.

## Translations and other formats

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# 1 Principles for an effective verification and count

1.1 You should ensure that your verification and count arrangements can deliver the key principles for an effective verification and count, which are as follows:

- All processes are transparent, with a clear and unambiguous audit trail.
- The verification produces an accurate result. This means that the number of ballot papers in each box either matches the number of ballot papers issued as stated on the ballot paper account or, if it does not:
  - the source of the variance has been identified and can be explained, and/or
  - the box has been recounted at least twice, until the same number of ballot papers is counted on two consecutive occasions.
- The count produces an accurate result, where the total number of votes cast for each registered party and individual candidate and rejected votes matches the total number of ballot papers given on the verification statement for your counting area.
- The verification and count are timely.
- The secrecy of the vote is maintained at all times.
- The security of ballot papers and other stationery is maintained at all times

## 2 Preparing for the count

2.1 There are a variety of methods for arranging verification and count processes and it is for you as Local Returning Officer (LRO) in discussion with the Regional Returning Officer (RRO) and considering any direction that the RRO decides to issue regarding the verification and count process to decide which approach is most appropriate for your local circumstances. Your project plan should include your arrangements for the management of the verification and count.

### Timing of the verification and count

2.2 You are required to make arrangements for the verification of ballot paper accounts as soon as practicable after the close of polls, and this should be done in discussion with the RRO and in line with any direction issued by them. You will also need to process any postal votes received on polling day, including those delivered to polling stations. You must determine the time during which verification will take place and give the RRO notice in writing of the time and place at which the verification will begin.

2.3 You are required to make arrangements for counting the votes so that the statement of local totals is completed as soon as practicable after the 'material time', i.e., 10pm on Sunday 25 May, once polling has closed across the whole of the European Union. While you can begin counting the votes at any time once verification is complete, you and your staff must not disclose the number of votes cast for any party or individual candidate (including provisional local totals) to anyone except the RRO or their clerks until after the material time. Regardless of the stage the count has reached by the material time, the count cannot be considered in law to be completed until after that time and none of the procedures that must be followed on completion of counting (for example, sharing provisional local totals with any candidates and agents present or declaring the local totals) can take place until after that time. You should make this clear to candidates and agents and other attendees in the information you provide to them about the arrangements for the count, and in your communications at the count event itself.

### Staffing and training

2.4 In order to ensure that voters can have confidence that their vote will be counted in the way they intended, you will need to put in place appropriate resources to ensure the verification and count is timely.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to put in place appropriate resources to ensure the verification and count is timely.

To demonstrate that the outcome can be met you will need to set out how the verification and count is to be organised and managed, including the process you followed to arrive at your decision.



Further guidance on staffing the verification and count and the training of verification and count staff can be found in [Part B – Planning and organisation](#).

## Layout of verification and count venue



Further guidance on identifying and selecting verification and count venues can be found in [Part B – Planning and organisation](#).

2.5 Layout plans of your verification and count venue should be prepared at an early stage. A good layout will be informed by the verification and count model you decide to adopt, consideration of the workflows you intend to follow and the space you will have available.

2.6 To be able to ensure that candidates can have confidence that the count process is well-managed and can have confidence in the results, you will need to ensure that all your processes are transparent, with everything at the verification and count carried out in clear view of all those entitled to attend.



To be able to achieve the outcome set out in [performance standard 2](#), you will need to ensure count processes are transparent, with everything at the verification and count carried out in clear view of all those entitled to attend, with information provided to attendees on the processes to be followed.

To demonstrate that the outcome can be delivered you will need to have in place a layout plan of the count and have in place information to be provided to attendees at the count.

2.7 In considering how to organise the verification and count, along with any guidance or direction that the RRO gives, the following factors should also be taken into account:

- The number of tables required – there should be a sufficient number to accommodate the number of counting assistants you have appointed and for the processes that this particular election will require.
- The layout of the tables – they should allow easy viewing by all of those entitled to be present and take into account the number of parties and individual candidates standing, as well as the size of the ballot paper.
- Circulation areas and the amount of space available around the tables – this space should be maximised, and any obstructions such as stored furniture should be removed.

- Seating – sufficient seating should be provided for those entitled to attend proceedings.
- Access – the room should be laid out in a way that ensures that all of the proceedings are accessible to anyone entitled to attend, including disabled people.
- Public address systems – these should be tested to ensure they are in working order and to find out the effective range of the system so that attendees at the count can be informed of where in the venue they will be able to clearly hear announcements.
- Media requirements – consider providing a separate area for the media as they are likely to require space for their specialist equipment, which may be bulky.
- Health and safety – you have a responsibility for the health and safety of all persons present and this responsibility should be kept in mind when deciding on the layout of the venue. For example, any cabling from equipment or media cameras should not present a trip hazard to anyone at the proceedings; and free access to emergency exits should not be obstructed in any way. Maximum venue capacity should not be exceeded, and there should be appropriate security to ensure that only those eligible to attend actually do so.

2.8 Areas should be designated for different functions and then appropriately furnished and equipped. You should consider designating the following areas:

## Outside the venue

2.9 Car parking and vehicle access – The organisation of vehicle access around the verification and count venue should be considered carefully. It is advisable to designate different parking areas for candidates, agents and observers, and for staff. It can also be helpful to have a designated entrance and exit to the car park, which may help to avoid congestion, such as when ballot boxes are arriving from the polling stations.

2.10 It may be useful to have staff supervising the car park at this time. Any staff working in the car parking area should be equipped with appropriate safety wear such as high-visibility jackets, and should be trained to deal with a large volume of traffic including, for example, counting agents arriving at the proceedings and polling station staff arriving with ballot boxes.

## Inside the venue

2.11 Receiving area – This area is where ballot boxes, ballot paper accounts and other polling station stationery and equipment will arrive for checking in and sorting. Ideally, this area should have an entrance separate from that used by other staff, candidates, agents and observers, with direct access from the car park or loading area. Staff should be positioned here to receive the materials and should be equipped with a checklist to mark off the ballot boxes as they arrive.

2.12 Verification and reconciliation tables – This is where the verification staff will verify the contents of the ballot boxes and reconcile the total number of votes. If laptops are to be used, cabling arrangements should be taken into account and contingency arrangements should be considered in the event of equipment failure.

2.13 LRO's table – This is where law textbooks, Electoral Commission guidance, procedure notes, spare staff instructions, staff lists, stationery and other guidance materials should be available for reference.

2.14 Area for communication with the RRO – You will need to be able to communicate with the RRO throughout the count. You should therefore liaise with the RRO, having regard to their results collation protocol, to discuss any requirements to enable this communication to take place.

2.15 Count tables – These should provide proper separation for the staff and counting agents. Where space permits, chairs could be provided close to these tables for counting agents and observers.

2.16 Postal voting – Where postal votes are to be opened and verified at the verification and count venue, a separate area should be allocated for processing unopened postal votes received from polling stations. The opening of postal votes must be carried out in full view of the candidates, agents and observers present. Adequate space should be allocated to receive and verify these postal votes, and to allow observation of this process. Where the personal identifier verification is to be undertaken via an automated system, network and cabling arrangements should be considered.

2.17 Tables for counted ballot papers – Once ballot papers have been sorted and counted they should be placed in bundles and put on a separate table, so that all of the votes for each political party and individual candidate are kept together, with card dividers used to show an agreed number, such as 100.

2.18 Area for candidates, agents, observers and guests – It may be beneficial to have a separate area set aside for candidates, agents, observers and guests. If space permits, a television set could be provided in an adjacent room.

2.19 Area for refreshments – Consider providing an area where counting assistants and other staff can get drinks and snacks. It is important to have adequate refreshments available to help to maintain staff energy and concentration levels throughout the process. You should not allow counting assistants to eat or drink at the counting tables in order to avoid the possibility of any spillages. You should consider whether to provide refreshments for candidates, agents, observers and other attendees, and whether or not to charge for them.

2.20 Media area – The requirements for the media area will depend upon the types of media represented and their respective needs. For example, if television cameras are present, any lighting should not cause undue heat or glare which might impair the efficiency of the count, and cameras must not be



allowed to film close-ups of the ballot papers. In addition, it is important that there are no trailing cables for count attendees to trip over, and that any equipment installed is safely positioned.

## Equipment and set-up

2.21 You should ensure that all equipment is tested in advance of the verification and count, including:

- public announcement systems
- telephone lines
- general IT equipment
- if the final opening of postal votes is to take place at the verification and count venue, equipment for verifying personal identifiers
- power points

2.22 Whatever systems and equipment are used for transmitting information and local totals to the RRO, these should be set up and tested in advance of the verification and count, and in accordance with any directions or guidance issued by the RRO.

2.23 Contingency plans should be in place in case of an equipment or power malfunction.

2.24 You should prepare a checklist of all materials, including stationery and equipment, that will be needed at the verification and count venue, which could include:

- signing-in sheets for staff
- list of all staff
- spare copies of instructions for staff
- sample entrance passes, including samples of the identification badges held by Commission representatives and accredited observers
- verification sheets – if a laptop is to be used, the spreadsheets should be prepared in advance. It is advisable to also have paper copies of the spreadsheets in case of equipment failure
- postal ballot boxes and related envelopes
- PC/laptop, printer and photocopier
- local total sheets
- directions/guidance/protocol from the RRO and any stationery to be used for communicating with the RRO
- 'rejected' stamp and ink pad
- 'provisionally rejected' stamp for any final postal vote opening
- sorting trays (which could be marked with the names of parties and individual candidates)
- cards to divide counted ballot papers, e.g. marked in 100s
- electoral law reference books
- Electoral Commission guidance
- letter openers and scissors

- sacks and ties for counted ballot papers
- packets or envelopes for rejected ballot papers
- assorted stationery items, including marker pens, pencils, rulers, adhesive tape, notepaper, string, rubber thimbles, paper clips and rubber bands
- calculators
- large box or other receptacle for the mixing and storage of verified ballot papers if empty ballot boxes are not to be used for that purpose

## Ensuring the security of ballot papers



To be able to achieve the outcome set out in [performance standard 1](#), you will need to maintain the secure storage of ballot papers at all times.

To demonstrate that the outcome can be delivered you will need to have in place arrangements for securely storing ballot papers.

**2.25** You should take all necessary steps to ensure the security of ballot papers and relevant stationery from close of poll through to the declaration of the local totals, particularly where a break in proceedings will require the ballots to be stored securely between the conclusion of the verification and the commencement of the count.

**2.26** You should ensure the security of the ballot papers at all times by storing them in sealed ballot boxes in a secure place, allowing agents to attach their seals to the ballot boxes. At the start of the count, you should open the sealed ballot boxes in clear view of any candidates and agents present, so they can satisfy themselves that nobody has interfered with the ballot papers and the ballot boxes.

**2.27** You should consider liaising with your local police Single Point of Contact (SPOC) when deciding on the most appropriate method for ensuring secure storage.

**2.28** You should also brief candidates and agents about your arrangements, so that they can have confidence in the integrity of the count.

# 3 Managing attendance at the verification and count



To be able to achieve the outcome set out in [performance standard 2](#), you will need to ensure count processes are transparent, with everything at the verification and count carried out in clear view of all those entitled to attend, with information provided to attendees on the processes to be followed.

To demonstrate that the outcome can be delivered you will need to have a layout plan of the count, and have in place information to be provided to attendees at the count and arrangements to communicate progress at the count.

3.1 The following people are entitled to attend the verification and count:

- the RRO and their staff
- you and your staff
- individual and party list candidates
- one guest per individual and party list candidate
- election agents (any sub-agent appointed for an area falling within the counting area may attend while the election agent is not present)
- counting agents
- Commission representatives
- accredited observers
- any other person permitted by you to attend (see paragraph 3.5 below)

3.2 You have a legal duty to give counting agents reasonable facilities for overseeing the verification and counting of the votes. You should also ensure that anyone else who is entitled to attend has an unrestricted view of the proceedings, while also ensuring that they will not be able to interfere with the work of your staff.

3.3 You should take all necessary steps to ensure that anyone attending does not interfere with or compromise the secrecy of the vote. You are legally required to make such arrangements as you think fit to ensure that all attendees are provided with a copy of the relevant [secrecy requirements](#).

3.4 There is no requirement for those attending to arrive by a certain time, and so those entitled to attend should be admitted whenever they arrive. Also, a procedure should be in place so that any attendee who wishes to leave and return later is not prevented from doing so.

3.5 The legislation provides that you can, at your discretion, permit other people to attend the proceedings if:


- you are satisfied that it will not impede the verification or efficient counting of votes and,
- in respect of the count, you have also consulted the election agents and sub-agents (if any) or thought it impracticable to do so.

3.6 Although not required by law, you should consult the election agents and any sub-agents when allowing people to attend the verification at your discretion.

## Controlling admission


3.7 Excluding accredited observers and Commission representatives, tickets or entrance passes should be issued to everyone entitled to attend the count. You should give consideration to issuing different-coloured tickets or passes to identify the different categories of attendees.

3.8 You should provide lists of those persons entitled to attend at the entrance to the verification and count, and instruct security staff/door attendants to check the passes of anyone seeking to attend. However, security staff should also be briefed that Commission representatives and accredited observers do not need to provide advance notification of where they intend to observe and therefore may not appear on their list but are nevertheless entitled to access the verification and count venue on production of their observer or Commission representative identification badge.

 Further guidance on accredited observers and Commission representatives, including a quick guide to the observer badge types, can be found in [Part B – Planning and organisation](#).

3.9 You should, for health, safety and security reasons, record the names of everyone who actually attends the verification and count. This will also help security staff/door attendants identify whether a particular sub-agent is entitled to attend, as sub-agents are only entitled to attend by right if the election agent is not present. However, you do have the discretion to allow sub-agents to attend in addition to election agents as set out in paragraph 3.5 above.

## Counting agents

 Guidance on the appointment of counting agents can be found in [Part C – Administering the poll](#).

3.10 You have a legal duty to give counting agents reasonable facilities for overseeing the verification and counting of the votes, and to provide them with relevant information. In particular, the law requires that where votes are counted by sorting the ballot papers according to the registered party or individual candidate for whom the vote is given and then counting each set of

ballot papers, the counting agents are entitled to satisfy themselves that the ballot papers are correctly sorted.

## Accredited observers

3.11 Legislation allows you to limit the number of observers who may be present at any one time during the verification and count. However, you should use caution in doing so. 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 any observations. You are not entitled to bar all observers from the verification and count, only to limit the number of observers present at any one time, and this discretion should be exercised reasonably.

3.12 You must have regard to the [Commission's Code of practice for observers](#) when managing the attendance of observers.



Further guidance on accredited observers can be found in [Part B – Planning and organisation](#).

## Commission representatives

3.13 Commission representatives are also entitled to attend the verification and count and to observe your working practices. They can ask questions of your staff and of agents, but will not do so if this would obstruct or disturb the conduct of proceedings. You are not allowed to limit the number of Commission representatives at the verification and count.

## The media

3.14 The RRO will have a media plan for the region as a whole and you should consult with the RRO to ensure your messages and approach at the verification and count are consistent with those elsewhere in the electoral region.

3.15 You should include space and opportunity for the media to report on the local totals. You have discretion to decide which representatives of the media you allow to attend. As with all attendees, you must ensure that media representatives do not interfere with the process or compromise the secrecy of the vote.

3.16 You should consider doing the following in preparation for representatives of the media attending your verification and count:

- Contact principal broadcast organisations in advance.
- Outline the press facilities available.
- Provide an opportunity for media representatives to inspect the verification and count venue to see what space and facilities are

available, and give them the opportunity to raise any issues or requirements with you.

- Make arrangements for the procedures to be followed for the declaration of local totals.
- Arrange for sound systems to be used for the announcements and for any live feeds.
- Make accreditation arrangements for journalists, technicians and photographers attending.
- Designate an area of the count venue for media use.
- Provide media passes.
- Ensure that there is a nominated media spokesperson in place for the count, and that everyone is aware who this is and that all media questions should be directed to that person.
- Make sure that the media are aware of any restricted areas and procedures – for example, ensure that camera operators are aware that they must not overview sensitive information (such as close-ups of ballot papers) or obstruct count staff.

3.17 You should ensure that the local authority's public relations team are present to deal with media enquiries. You should ensure they are briefed with any lines the RRO may have provided on the election and are provided with any contact details for the RRO's media team ahead of the verification and count. You should make sure that they know who to approach if they are asked any technical electoral questions.

3.18 In addition to making practical arrangements for their attendance, any early contact with the media should be made within the media framework that the RRO has produced and may include an explanation of the processes to be followed and the expected finish and local totals declaration times.

3.19 If media representatives are accredited by the Commission as observers and are attending in such a capacity, they have the same rights and obligations as any other accredited observer. Like any other observers, they are required to have regard to the [Commission's Code of practice for observers](#) and must abide by any decision that you make on the use of cameras and other recording equipment.

# 4 Communicating during the verification and count



To be able to achieve the outcome set out in [performance standard 2](#) you will need to ensure that count processes are transparent, with everything at the verification and count carried out in clear view of all those entitled to attend, with information provided to attendees on the processes to be followed.

To demonstrate that the outcome can be delivered you will need to have a layout plan of the count, and have in place information to be provided to attendees at the count and arrangements to communicate progress at the count.

4.1 You should consider the following when determining what information you will provide to anyone attending the verification and count on the processes to be followed, and how you will provide it:

- Placing information posters and boards throughout the verification and count venue, which show the key members of staff and provide an overview of the procedures to be followed in order to help attendees identify what is happening and where. You may wish to provide pictures of yourself and your key staff to help attendees identify you at the count. This information could also be provided in advance of the count, for example as part of an information booklet.
- Providing a layout plan of the venue, indicating the key areas of interest for counting agents and observers.
- Appointing a member of staff to respond to queries and to act as liaison between candidates, agents, observers and key staff.
- Using a public address system to make announcements about what is happening where and when throughout the verification and count processes.
- Providing a hand-out listing all ballot box numbers and the names of the polling stations they relate to.

4.2 You should distribute an information pack to everyone attending the count. A [checklist of information to be provided in a pack for attendees](#) has been developed by the Commission.

4.3 Before the verification and count begin, you should address candidates, agents and all others in attendance to explain the different processes that you are going to follow and how agents can observe and participate in the adjudication of doubtful ballot papers. Your prior testing of the public address system will identify where the announcements can be heard and you should inform those present of the range of the equipment. If some candidates and agents arrive after the verification or count has commenced you should offer to brief them or alternatively make a further public announcement.

4.4 Good communication, both at candidate and agent briefings in advance of the count and at the event itself, allows those present to properly scrutinise all of the processes and will help to build confidence in the administration of the verification and count. Providing information on the process can also help to lower the number of queries raised by candidates and agents, thus reducing the pressure on staff.

4.5 You should also remind attendees that smoking is not allowed within the building and advise on any policy regarding drinking and using mobile phones, any health and safety issues such as evacuation procedures and fire drills, and any other relevant information.

4.6 Further announcements should be made throughout the verification and count, setting out what parts of the process are being carried out where and when: for example, to let everyone know when verification has been completed, what the local turnout figure is and when and where the adjudication of doubtful ballot papers is to be carried out.

4.7 If agents or observers are dissatisfied in any way with the manner in which the proceedings are being carried out, the opportunity should always be available for them to make direct representations to you at the earliest opportunity so that any concerns may be considered, explanations and reassurances given, and any corrective action taken if necessary.



# 5 Receipt of polling station materials and sealed boxes of postal ballot papers



To be able to achieve the outcomes set out in [performance standards 1 and 2](#), you will need to ensure count processes are designed and managed to secure an accurate result, with a clear audit trail.

To demonstrate that the outcomes can be delivered you will need to have in place arrangements to maintain a clear audit trail of the count processes.

5.1 In preparation, you should produce templates of all documents which will be completed at the verification and count to provide a clear audit trail. Further guidance on maintaining a clear audit trail of the count processes can be found throughout this section, in [Section 6 – Verification](#) and in [Section 7 – The count](#).

5.2 The correct and orderly receipt of ballot boxes and materials from polling stations is a key component of an accurate verification process. Your team of staff receiving materials from polling stations should use a checklist to ensure that all ballot boxes and ballot paper accounts are accurately accounted for, as well as any packets containing postal votes handed in at polling stations.

5.3 Where Presiding Officers are required to transport the ballot boxes to the verification and count venue, it should be made clear to the staff receiving the ballot boxes that no Presiding Officer should be allowed to leave until their ballot box and all of the documents and packets have been received and checked off by the designated staff member and, if possible, a cursory check of the ballot paper account has been made. Staff receiving ballot boxes should be instructed to ensure that they have the ballot paper account for each ballot box.

5.4 Following receipt, the ballot paper accounts can be taken to the staff dealing with the management of the ballot box verification process and all of the materials received back from polling stations can be released by receiving staff to the relevant teams, which allows the process of the verification of the unused ballot papers and the opening of postal votes to commence.

5.5 The sacks containing the documents that need to be stored, such as sealed corresponding number lists, should be separated from those containing items that will be reused, such as general stationery items. The packets and parcels from polling stations should be organised in such a way as to enable easy location of any packet.

5.6 All packets of spoilt and unused ballot papers must be opened and counted and then resealed, with the numbers counted supplied to those staff

members responsible for the verification process. You are prohibited from opening the sealed packets of tendered ballot papers, but you must open and then reseal the packet containing the tendered votes list.

5.7 You are not permitted to open the sealed packets containing the corresponding number lists and certificates of employment, the marked copies of the register and the lists of proxies. You should ensure that the materials that you must keep sealed are placed in a designated and secure area for the duration of the verification and count.

## Receipt of sealed boxes of postal ballot papers

5.8 Postal ballot papers previously received and opened will have been processed and should be brought to the verification and count venue in sealed ballot boxes, with an accompanying ballot paper account for each postal ballot box. Staff receiving the postal ballot boxes should use a checklist to ensure that all postal ballot boxes and postal ballot paper accounts are accurately accounted for.

5.9 All packets and ballot boxes containing postal ballot papers must be subject to verification in the same way as any ballot box from a polling station. As these will often be some of the first boxes being verified, they present an opportunity to create confidence in the process and in the count as a whole.

# 6 Verification

6.1 Verification has two main purposes – to ensure and demonstrate that all ballot papers issued at polling stations and all returned postal ballot papers have been brought to the count, and to provide the figure with which the local totals in the counting area must reconcile. You should keep both purposes in mind when conducting the verification process.

6.2 The training of Presiding Officers in the completion of ballot paper accounts, coupled with ballot paper accounts produced in a clear, easy-to-complete format, should help to provide a firm foundation for the verification process.



Information on the training of polling station staff, including a sample [ballot paper account exercise](#), is provided in [Part B – Planning and organisation](#).

6.3 The verification of the used, unused and spoilt ballot papers is a legal requirement, and is central to the declaration of accurate local totals.

6.4 You have a legal duty to verify each ballot paper account and draw up a statement as to the result of the verification. This is a record of the number of ballot papers expected and the number of ballot papers counted, along with an explanation for any variances. Any agent may make a copy of this, and indeed you should make available copies of this for the agents present once verification has been completed.

6.5 The key stages of the verification process are as follows:

- a. Staff must open the packets of unused ballot papers and ascertain the number of ballot papers that were not issued by noting the number of books and number of ballot papers remaining in any part book of ballot papers inside the packet. The packets of spoilt ballot papers must also, by law, be opened and counted. Both unused and spoilt ballot papers must be resealed after they have been counted.
- b. Staff must open the ballot boxes in the presence of any counting agents and observers that are present. When a box has had a seal attached by an agent at the close of the poll, particular care should be taken to show to any agents and observers present that this seal is still intact prior to it being broken. The ballot papers should be carefully tipped onto the table, ensuring that none have fallen onto the floor and that the box is empty.
- c. You have a legal duty to keep the ballot papers **face down** at all times during the verification.

- d. You should show the empty box to the agents and observers so that they can be satisfied that it is indeed empty. The counting assistants should then unfold the ballot papers and count them into bundles. Accuracy at this stage is vital, so bundles should be passed to another assistant for rechecking. Any tendered ballot papers that have been mistakenly placed in the ballot box during the day should be removed and handed to the supervisor.
- e. The totals given on the ballot paper account must be compared against the number of ballot papers counted and recorded as being present inside the ballot box. You must compare the unused and spoilt ballot papers, as well as the tendered votes list, against the figures on each ballot paper account. The total number of ballot papers in the ballot box should agree with the total on the ballot paper account, and reconcile with the total number of unused ballot papers.

**6.6** If a ballot paper account does not reconcile, you should undertake the following procedure and document the outcome on the verification statement:

- a. Make a full check of the arithmetic on the ballot paper account. Check the other packets of returned materials and any polling station logbook to try to identify any reason for missing or additional ballot papers. Ensure that returned postal ballots have not been added to the number of votes cast in the polling station. You should consider contacting the Presiding Officer to ask them to try to explain any discrepancies.
- b. Check the record of issued ballot boxes to see if more than one ballot box was issued to the polling station and ensure that all boxes allocated to the station are opened and accounted for.
- c. Check whether the ballot box has come from a multiple polling station location and, if it has, complete the verification of the ballot paper account(s) for the other polling station(s) within that location to see if there is a compensating error.
- d. If the ballot box is from a single polling station or if there is no compensating error in the figures from the other polling station(s) in that polling place, recount the ballot papers in the box at least twice or until the same figure is achieved on two consecutive occasions.
- e. If, after following the procedures outlined above, any discrepancy still remains, use the number of ballot papers counted and recounted by the count staff as the verified figure and make an appropriate note on the ballot paper account.
- f. Add the verified total and the variance between that and the number on the ballot paper account to the statement as to the result of the verification, if possible with an explanation of why that variance has occurred, and discuss this with any agents and observers present.

6.7 Verification can only be completed once all postal ballot papers, including those received at polling stations, have been opened and processed, and have been through the verification process.

6.8 You must ensure that the verification statement containing the result of the verification of each ballot box is completed. The statement must include the total number of postal ballot papers and the total number of ballot papers verified for the poll. You should sign the statement. You must then share the contents of the statement with the RRO in accordance with any guidance or direction given by them, and make copies available to any agents present.

6.9 You should take all necessary steps to ensure the security of the ballot papers and the relevant stationery during any break in the verification and count proceedings. Further guidance on ensuring the security of ballot boxes can be found in paragraph [2.26](#) above.

6.10 If on completion of verification, you do not proceed immediately to the counting of the votes, you must place the ballot papers and other documents relating to the election in secure packets under your own seal and the seals of any agents present who wish to affix their own seals.

# 7 The count

## Counting the votes

7.1 In deciding how you will undertake the count, exercise your powers and carry out your duties you should have regard to any guidance and must follow any directions given by the RRO.

### Receipt of the boxes

7.2 If the boxes containing the verified ballot papers are being stored away from the count venue, the delivery of these boxes does not have to take place in the presence of agents or during the time of the count, but the boxes must not be opened at this time. There should, however, be a check of the number of boxes delivered against the number that were put into secure storage, with a system in place to ensure that all the relevant boxes have been returned, ready to be opened at the start of the count process.

7.3 No box can be opened until the start time of the count, as this is the time that will have been notified to candidates, agents and others entitled to attend the count. All boxes should be opened in full view of any agents that are present. When a box has had a seal attached by an agent, particular care should be taken to show to any agents present that this seal is still intact prior to it being broken.

### Mixing

7.4 You must mix the ballot papers so that ballot papers from each ballot box are mixed with ballot papers from at least one other ballot box, and mix the postal ballot papers with ballot papers from at least one other ballot box before sorting and counting the votes.

### Sorting and counting

7.5 Unlike at the verification, ballot papers must be kept face upwards throughout the counting process in order to prevent the number and other unique identifying mark on the back of the ballot paper being seen. The ballot papers should be visible at all times to any candidates, agents and observers present.

7.6 Counting assistants should sort the ballot papers into votes for each political party or individual candidate. Any doubtful ballot papers should be placed aside for adjudication.

7.7 The number of votes given for each political party or individual candidate should then be counted and placed into bundles of a predetermined number, e.g., bundles of 20, 25, 50 or 100. A slip bearing the political party or individual

candidate's name, together with the number in the bundle, should be attached to the front. It may be helpful to colour-code the slips. The bundles should then be recounted by another counting assistant in order to ensure the accuracy of the bundle.

7.8 Before removing any bundles from the counting staff, supervisors should flick through the bundles in order to ensure that all of the votes in the bundle are marked in the same way.

7.9 It is unlikely that the number of votes in the final bundle will equal the predetermined bundle number, and so a note should be made of the number of votes in those incomplete bundles and attached to the front of the bundle.

## Doubtful ballot papers

7.10 You should adjudicate doubtful ballot papers regularly as the count proceeds: the adjudication of doubtful ballot papers should not be left until the end of the count. You should have regard to the Commission's [booklet on doubtful ballot papers](#) throughout the adjudication process. The booklet contains examples of allowed and rejected votes and the key principles to be followed in the adjudication of doubtful ballot papers. Examples of allowed and rejected ballot papers are also set out on a [doubtful ballot paper placemat](#) which you should have on display at the count for candidates, agents and observers to refer to.

7.11 When adjudicating doubtful ballot papers, you should:

- always be clear and consistent
- take time to ensure that a considered decision is given in every case
- determine whether the intention of the voter clearly appears on the ballot paper.

7.12 As part of this, you will need to:

- consider the whole of the ballot paper
- consider whether the way a ballot paper has been marked means that a vote for one individual candidate or party is clearly apparent

7.13 The legislation provides that you must reject a ballot paper:

- that does not bear the official mark (not the unique identifying mark)
- that contains a vote for more than one party or individual candidate
- on which anything is written or marked by which the voter can be identified (except the printed ballot paper number or other unique identifying mark)
- that is unmarked or void for uncertainty

7.14 However, the legislation states that unless the way the ballot paper is marked identifies the voter, a ballot paper on which the vote is marked in the following ways must not be rejected if the voter's intention is clear:

- elsewhere than in the proper place
- otherwise than by means of a cross, or
- by more than one mark

7.15 In addition, ballot papers displaying any of the following may require further consideration:

- any ballot paper with anything unusual about it (for example, any ballot paper that appears to have been altered, either with a clearly different writing instrument or with correction fluid)
- any ballot paper torn or damaged in any way

7.16 Ballot papers that appear to be altered, either with a clearly different writing instrument or with correction fluid, should be treated as 'doubtful' and put forward for adjudication, where you must decide on their validity in the presence of candidates, agents and observers. Those that are subsequently declared as valid must be counted and included in the total number of votes cast for the appropriate party or candidate at the election.

7.17 Your decision on any question arising in respect of a ballot paper is final and can only be challenged by way of an election petition. You have a legal duty to draw up a statement showing the number of ballot papers rejected and for what reason. You should therefore have a system in place throughout the adjudication process for sorting the rejected ballot papers into the following headings:

- want of official mark
- voting for more than one registered party or individual candidate
- writing or mark by which voter could be identified
- unmarked or void for uncertainty

7.18 You should have regard to the Commission's guidance and any guidance issued by the RRO to ensure accurate and consistent categorisation of rejection for reporting on the statement.

7.19 The legislation requires that each rejected ballot paper must have the word 'rejected' marked on it as appropriate, and the words 'rejection objected to' must be added if a counting agent objects to your decision. Although observers should be able to observe this process, unlike agents, they do not have the legal right to object to the rejection of a ballot paper.

7.20 A copy of the rejection statement should be placed in the package for rejected ballot papers.

## Reconciliation

7.21 Once all of the ballot papers have been sorted and any doubtful ballots adjudicated, the key task of reconciliation can begin.



7.22 All of the bundles and part bundles of ballot papers showing a valid vote for each party and individual candidate must be counted. The total for each party and individual candidate must then be added to the total number of rejected ballot papers, and this total figure should match exactly the figure giving the total number of ballot papers obtained at the end of the verification process. If the two figures agree, you should proceed to the process of consulting the RRO on the provisional local total.

7.23 You should be satisfied that the total reflects the ballots received and so if the figures do not reconcile, the following procedure should be undertaken in order to try to identify and rectify the discrepancy:

- Check the storage area and check to ensure that all ballot boxes have been opened and are empty.
- Check all floors and surfaces for ballot papers that may have been dropped in the count venue.
- Re-check the verification figures and reconciliation for calculation mistakes.
- Ensure that all rejected ballot papers have been accounted for.
- Check that all bundles and part bundles have been counted.
- Consider recounting the ballot papers in the bundles.

7.24 You should also carry out any other checks you deem necessary.

## Provisional local totals and recounts

7.25 You should be satisfied that the number of votes for each party and individual candidate is accurate before proceeding to sharing the provisional local totals.

7.26 Once satisfied, you must advise the RRO of the provisional local totals. The RRO will provide you with guidance or directions as to how the processes for sharing provisional local totals and dealing with any requests for recounts should be managed.

7.27 The candidates and agents, including the designated counting agent for each party and individual candidate, should also be given the provisional local totals, but this cannot be done before 10pm on Sunday 25 May. There must be no disclosure of the local totals to anyone other than the RRO or his staff until after the material time of 10pm on Sunday 25 May.

7.28 You should give the candidates, election agents and relevant counting agents sufficient time to digest the provisional local total. You should make clear to them that it is at this point that any candidate, election agent or designated counting agent for each party and individual candidate may request to have the votes for the counting area recounted or, following a recount, recounted again. No other counting agents or persons attending at the count, including observers, can request a recount.

7.29 This process should be undertaken within the framework of maximum openness and transparency implemented throughout the various processes so that all candidates and agents can have confidence in the processes and the provisional local total provided.

7.30

7.31 You must consider any request for a recount but may refuse it if, in your opinion, the request is unreasonable. You may, however, consider offering the candidates and agents the opportunity to inspect the bundles of ballot papers as a means of reassuring them that the result is accurate.

7.32 If you agree to recount the votes, the candidates and agents present at the count should be informed before the recount commences and briefed on the processes you are going to follow. As with the original count, any recount should be carried out in full view of those present. You are entitled to reconsider which ballot papers should be rejected during the recount (or any further recount).

7.33 The RRO should be informed and the candidates, election agents and relevant counting agents must be consulted on the revised provisional local total in the same way as they were consulted on the previous provisional total.

7.34 It is possible to have more than one recount. Again, it is for you to consider any request, and you may refuse if in your opinion the request is unreasonable.

7.35 Once the provisional local total has been considered by the RRO and the candidates and agents, which includes considering any requests for and undertaking any recount(s), you can declare the local total.

7.36 Once you have completed any recounts you must draw up a statement showing:

- the total number of votes given for each political party and each individual candidate
- the total number of rejected ballot papers

7.37 Once the statement is completed you must inform the RRO of its contents. The RRO will have developed a protocol for the sharing of the local totals, which should be followed.

7.38

7.39 Once the RRO has authorised you to do so, you must give public notice of the statement and also of the statement of rejected ballot papers, divided into the relevant categories.

7.40 In addition to communicating the contents of the statements to those in attendance at the count, you should also ensure that the local totals are

communicated to voters by, for example, publishing the statements on the local authority website and in any places within the authority frequented by electors.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure that the local totals are communicated to voters in a clear and timely way.

To demonstrate that the outcomes can be delivered you will need to have in place arrangements for communicating local totals to voters.

## Allocation of seats

7.41 The RRO is responsible for carrying out the calculation on the allocation of seats in the electoral region.



Guidance on the allocation of seats and the declaration of the result for the electoral region is included in our [guidance for RROs](#).

For guidance on what you will need to do after the declaration of the result for the electoral region, see [Part F: After the declaration of result](#).