

# Media Handbook

Local government elections in England

**Thursday 3 May 2018**

# Media contacts and resources

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## Websites

[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

The Commission's website has a dedicated section for journalists featuring the Electoral Commission's news and views – including our press releases and statements. Our website has information on political party donations in the run-up to the election and has a 'Guidance' area with information for candidates and those administering the election.

[www.yourvotematters.co.uk](http://www.yourvotematters.co.uk)

This website provides information for the public on how to register and vote, including forms they can print off to register and apply to vote by post or proxy. It has a postcode search facility allowing people to find contact details for their local electoral registration office as well as polling station and candidate details.

[www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote)

This website is where the public can register to vote online. It is quick and easy to use. Since its launch in June 2014, millions of applications to register to vote have been submitted. We encourage referring to this site in media coverage about the election to ensure members of the public know where they can register.

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# SECTION A - Logistics

## 1. Who's who at the 3 May elections

The following polls are taking place on 3 May 2018:

- Local government elections (district, borough, county borough and unitary authority elections) will take place in 32 London boroughs and every region of England

Region	LAs holding elections	Total LAs in the region
East	23	47
East Midlands	4	40
London	32	33
North East	6	12
North West	26	39
South East	29	67
South West	5	37
West Midlands	15	30
Yorkshire and the Humber	11	21

- There are local authority mayoral elections taking place in the London Boroughs of Hackney, Lewisham, Newham, Tower Hamlets and in Watford
- A Combined Authority Mayoral election is taking place in Sheffield

For information about these elections and the rules for standing, see our **Appendix**, page 36.

### 1.1 Returning Officer (RO)

The local government RO is personally responsible for the conduct of the local government election, including the nomination process, counting the votes and declaring the result.

## 1.2 Electoral Registration Officers (EROs)

Electoral Registration Officers (or EROs) are responsible for the preparation and maintenance of the electoral registers and list of absent voters within their area. They must ensure that the electoral registers are as accurate and complete as possible.

## 1.3 Presiding Officers

Presiding Officers are appointed by local government ROs and local ROs to run polling stations. Duties include organising the layout of the polling station, supervising poll clerks, issuing ballot papers, assisting voters, accounting for all ballot papers and ensuring that ballot boxes are transported securely to the count venue.

## 1.4 The Electoral Commission

The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity. Our role in the May elections is:

- producing guidance for ROs, setting performance standards and reporting on how well they have done
- producing guidance for candidates standing for election and their agents
- registering political parties
- promoting public awareness of the elections and how to take part in them.
- reporting on the conduct of the elections
- publishing details of where political parties and candidates get their money from and how they spend it

## 2. Timetable for elections

<b>Event</b>	<b>Date (deadline if not midnight)</b>
Publication of notice of election	Not later than Tuesday 27 March
Regulated period for campaign spending by candidates begins	No earlier than Wednesday 28 March for candidates
Delivery of nomination papers	From the date stated on the notice of election up to 4pm on Friday 6 April
Deadline for withdrawals of nomination	4pm on Friday 6 April
Publication of statement of persons nominated	Not later than 4pm on Monday 9 April
Deadline to apply to register to vote	Tuesday 17 April
Deadline to apply to vote by post	5pm on Wednesday 18 April
Deadline to apply to vote by proxy (except for emergency proxies)	5pm on Wednesday 25 April
First date that electors can apply for a replacement for lost postal votes	5pm on Thursday 3 May
Polling day	Thursday 3 May
Last time that electors can apply for a replacement for spoilt or lost postal votes	5pm on Thursday 3 May
Deadline for emergency proxy applications	5pm on Thursday 3 May
Election count	Results expected to be announced from Friday 4 May onwards
Last day for submission of candidate spending returns	If result declared on 3 May: Thursday 7 June If result declared on 4 May: Friday 8 June

# SECTION B - Candidates

## 3. Becoming a candidate at a local election

### 3.1 Who can become a candidate?

Anyone that wants to become a candidate in the polls on 3 May 2018 must be:

- At least 18 years old on the day of the candidate's nomination
- A British or qualifying Commonwealth citizen, or a citizen of a European Union country

They must also meet at least one of the following four qualifications:

- Be, and continue to be, registered as a local government elector in the local authority area that they are standing in from the day of their nomination onwards.
- Occupy as owner or tenant any land or other premises in the local authority area that they are standing in during the whole of the 12 months before the day of their nomination and the day of election.
- Have as a main or only place of work during the 12 months prior to the day of their nomination and the day of election in the local authority area that they are standing in.
- Have lived in the local authority area that they are standing in during the whole of the 12 months before the day of their nomination and the day of election.

### 3.2 Are there any rules barring a candidate from standing?

In all cases the rules around standing for election and the disqualifications that apply are complex. For more detailed guidance on what disqualifies someone from standing to be a candidate in May's elections, see [Part 1 of the relevant Electoral Commission guidance for candidates and agents](#):

### 3.3 How does someone become a candidate?

The earliest that a person can officially become a candidate is on the last day for the publication of notice of election, which is 27 March 2018. If a person has already

declared themselves as a candidate at the election then they will officially become a candidate on this date.

If they declare after 27 March 2018, that they will be a candidate at the elections then they become a candidate on that day, or the date they formally submit their nominations papers – whichever is earliest.

### 3.4 What does someone have to do to stand as a candidate?

All prospective candidates must submit the following to the Returning Officer by 4pm on Friday 6 April 2018:

- A completed nomination form
- Their consent to nomination
- A certificate from a political party authorising them to stand (if they are standing for a registered political party).

In addition, local election candidates require the signatures of 10 registered electors for their respective ward.

Further information on standing for election can be found in the Electoral Commission's [guidance for candidates and agents](#).

### 3.5 Who are the candidates?

The deadline for prospective candidates to submit nomination papers is 4pm on 6 April 2018. The relevant Returning Officer will publish a statement of persons nominated not later than 4pm on Monday 9 April 2018. This will usually be available on the respective local authority website. Once this has been published, you will be able to see the full list of candidates for each poll.

## 4 Campaigning at the election

### 4.1 What can candidates say about one another during the campaign?

As at all elections, it is illegal to make a false statement about the personal character of a candidate in order to affect their election. Rules about defamation also apply to election materials.

The police may investigate allegations of the specific electoral offence of making a false statement. Defamation issues are a matter for the civil courts.

As with all elections, the Electoral Commission does not have any regulatory role in relation to the content of campaign material or what candidates say about each other.

On 13 December 2017, the Committee for Standards in Public Life (CSPL) published its [final report](#) following a review of intimidation experienced by Parliamentary candidates at the general election in June 2017.

Following this year's general election, many candidates and MPs also raised concerns with the Electoral Commission about intimidation they had experienced during the campaign. Our [survey of general election candidates](#) found this issue was raised unprompted by 4% of respondents.

On 6 February 2018, the Prime Minister wrote to the CSPL announcing measures in response to the Committee's findings. The Prime Minister announced that the UK Government will consult on the introduction of a new offence in electoral law on intimidating candidates and campaigners.

It also plans to remove the requirement that candidates for local government elections include their home addresses on ballot papers. These measures are expected to come into force ahead of local elections in May 2019.

### 4.2 Are there any electoral rules regarding campaign materials?

Yes, by law, candidates must use "imprints" on all their printed campaign material.

All printed material (e.g. posters, placards and leaflets) must include the name and address of the printer and promoter (the person who authorised the material to be printed). This is so that electors can be clear about the source of the campaign material. It is an offence not to include an imprint on election material.

Though it is not a legal requirement, the Electoral Commission recommends that candidates, wherever possible, place an imprint on their electronic materials (e.g. websites, emails and social media platforms).

We have previously made recommendations that the law in this area should be changed to extend the requirement to online material. We believe that this would increase transparency and trust around campaigning, make political party finance regulation easier and help to put a stop to candidate intimidation.

### 4.3 Can candidates see the electoral register?

Yes. Candidates (once they officially become one) are entitled to receive, free of charge, a copy of the full electoral register and the lists of people voting by post or proxy (the absent voters' lists) for the ward that they are contesting.

Candidates may only use the full electoral register to help them complete their nomination form, campaign and to check that donations they receive come from a permissible source.

# 5 Candidate spending limits and rules on accepting donations

## 5.1 What is the regulated period for the May elections?

The regulated period for the 2018 local government elections begins on the **day after the date** a person officially becomes a candidate and ends on polling day, **3 May 2018**.

This also applies to the local authority mayoral elections and the combined authority mayoral election in England.

The earliest date a person can officially become a candidate is the last date for publication of the notice of election, which will be **Tuesday 27 March 2018**.

## 5.2 What are the spending limits?

For local government election candidates, the spending limit is calculated using a base figure of **£740**, plus **6p** per local government elector in the ward where the candidate is standing.

To assist candidates and agents in calculating their spending limit for the local government election, the local government RO will be able to provide candidates with the number of electors in the ward.

The candidate or their agent must request this information in writing and the local government RO must provide it as soon as practicable after they receive their request.

## 5.3 What activities count towards the spending limit?

Candidate spending includes the costs of:

- advertising of any kind, such as posters, newspaper adverts, websites or YouTube videos
- unsolicited material sent to voters, such as letters, leaflets or emails that are not sent in response to specific queries
- transport costs, such as hire cars or public transport for the candidate's campaigner
- public meetings
- staff costs (e.g. an agent's salary, or staff seconded to you by their employer)
- accommodation (e.g. a campaign office)

- administrative costs (e.g. telephone bills, stationery, photocopying and the use of databases)

## 5.4 Are there any activities that don't count towards the spending limit?

Yes. Activities that do not count include:

- anything (except adverts) appearing in a newspaper or on a licensed broadcast channel
- use of public meeting rooms
- volunteer time including time spent by your staff that you do not pay them for
- use of someone's main residence, provided free of charge
- use of someone's personal car or other means of transport acquired principally for that person's personal use and provided free of charge
- general computer equipment bought for the candidate's personal use

## 5.5 Is there a limit on donations a local government candidate can accept?

No. However, candidates can only accept donations, cash or in-kind, worth more than £50 towards their campaign spending from a permissible UK-based source.

All donations worth more than £50 must be published in the candidate's spending return. Candidates are not required to declare donations with a value of £50 or less in their spending return.

## 5.6 Who can make donations to candidates?

Anyone can make a donation worth less than £50 to candidates.

Candidates must ensure they only accept donations of more than £50 from a permissible source. Donations that are not from a permissible source must be returned to the donor within 30 days. After that, the donation may be forfeited.

Permissible donors in the UK are defined as:

- an individual on a UK electoral register
- a GB registered political party
- a UK registered company which is incorporated within the EU and carries on business in the UK
- a UK registered trade union

- a UK registered building society
- a UK registered limited liability partnership
- a UK registered friendly society
- a UK based unincorporated association

## 5.7 To what extent can political parties fund their candidates?

Many political parties run a local ‘fighting fund’ for their candidate. If the fund is managed and controlled by the party and not the candidate, then donations to the fund are usually treated as having been made to the party.

However, during the regulated period, any donations made by the party to a candidate above £50 must be reported in the candidate’s spending return.

## 5.8 What are the rules for non-party campaigners?

Under local campaigning rules, where a non-party campaigner campaigns for or against one or more candidates in a particular constituency, ward or other electoral area, certain rules apply to spending on this activity within the regulated period.

We have produced a factsheet on how these rules applied to the local elections held in May 2017, which can be found [here](#). The rules are the same for the elections taking place in May 2018, but the dates of the regulated period for candidates differs.

The spending limit is **£50 plus 0.5p** per local government elector in the ward who is registered to vote on the last day for publication of the notice of election in the ward.

At local government elections, non-party campaigners are required to comply with the rules set out in the Representation of the People Act (RPA) 1983. Any allegation that a non-party campaigner has not complied with the rules would be a matter for the relevant police force.

## 5.9 Who do candidates report their regulated spending to and when?

Candidates at the local elections must submit their campaign spending returns to their local government Returning Officer within **35 days of the election result being declared**.

If no spending is incurred, a nil return must be submitted by the candidate (or their agent).

## 5.10 What happens if a candidate exceeds their spending limit?

Allegations relating to the RPA, including candidate spending offences, are generally made to the relevant local police force to consider.

Whilst the Electoral Commission does have a statutory duty to monitor compliance with parts of the RPA relating to candidate and agent expenses, it is not legally empowered to investigate and impose sanctions for offences under the RPA.

# SECTION C - Electoral fraud

## 6 Voting offences

The Representation of the People Act 1983 specifies a number of criminal offences relating to electoral fraud. The relevant police force for the area in which the election is taking place would investigate any allegations that an offence may have taken place.

Every police force has designated a Single Point of Contact officer (known as a SPOC) to lead on election-related crime, who will give advice to local police officers. Anyone making an allegation should be prepared to give the police a statement and substantiate their concerns. People can also choose to contact Crimestoppers anonymously on 0800 555 111.

Anyone, including candidates, politicians and members of the public, who has evidence of electoral fraud taking place should report it to the police immediately, using the 101 non-emergency number, unless there is a crime in progress.

### 6.1 What are the different types of voting offences?

Offences include:

#### **Personation**

This is where an individual votes as someone else (whether that person is living, dead or fictitious), either by post or at a polling station, in person or as a proxy.

#### **Undue influence / Intimidation**

A person is guilty of undue influence if they directly or indirectly make use of or threaten to make use of force, violence or restraint, or inflict or threaten to inflict injury, damage, loss or harm, in order to induce or compel any voter to vote or refrain from voting.

A person may also be guilty of undue influence if they impede or prevent any voter from freely exercising their right to vote – even where the attempt is unsuccessful.

#### **Bribery**

A person is guilty of bribery if they directly or indirectly offer any reward (whether financial or otherwise) in order to induce any voter to vote or refrain from voting.

## **Treating**

A person is guilty of treating if either before, during, or after an election they directly or indirectly give or provide any food, drink, entertainment or provision to corruptly influence any voter to vote or refrain from voting. Treating requires a corrupt intent - it does not apply to ordinary hospitality.

## **False statements**

It is an offence to make or publish a false statement of fact about the personal character or conduct of a candidate in order to affect the return of a candidate at an election.

False statements that are not about a candidate's personal character or conduct are not illegal under electoral law, but could be considered as libel or slander.

It is an offence to knowingly provide a false statement on a nomination paper.

## **Multiple voting and proxy voting offences**

There are various offences regarding multiple voting and proxy voting, including voting (whether in person, by post or by proxy) when subject to a legal incapacity to vote and voting more than once in the same election.

## **False information in connection with registration and absent voting**

It is an offence to supply false registration information to an Electoral Registration Officer. It is also an offence to supply false information in connection with an application for a postal or proxy vote.

## **6.2 How confident can the electorate feel about postal voting?**

Postal voting on demand is used by around 20% of the electorate nationally.

Postal voters have to provide their signature and date of birth when applying for a postal vote and also when casting their postal vote. Both records are checked. If the Returning Officer is not satisfied that they match, the ballot paper is not counted.

The system has been further strengthened by the introduction of Individual Electoral Registration in 2014. Anyone applying to register to vote first has to provide their date of birth and National Insurance number, before going on to provide the additional information above if they want to cast their vote by post.

# 7 Responsibilities for combatting electoral fraud

## 7.1 How does the Electoral Commission work with political parties to prevent postal vote fraud?

The Electoral Commission has developed a [Code of Conduct](#) for campaigners, which applies to all political parties, candidates and their supporters. It covers the handling of postal vote applications and postal ballot packs, behaviour outside polling stations and the reporting of allegations of electoral fraud.

In particular the Code says that parties, candidates and campaigners:

- should **never** assist in completing a ballot paper - instead, campaigners should always refer the voter to the Returning Officer's staff who may be able to arrange a home visit or provide assistance at the polling station.
- should **never** handle or take any completed ballot paper from voters. Instead, voters should be encouraged to post their postal ballot pack themselves - alternatively, the Returning Officer's staff may be able to arrange for it to be collected.

Some Returning Officers may also identify the need to develop and seek agreement to specific local provisions which supplement the terms of the nationally agreed Code, in order to address identified local risks.

## 7.2 What happens if a political party breaches the code of conduct?

The Electoral Commission asks political parties to investigate any reported breaches and take action to ensure that any problems are not repeated. This includes parties potentially taking disciplinary action against their members.

## 7.3 Who is responsible for putting in place plans to deal with electoral fraud?

The primary responsibility for ensuring that robust plans to prevent and detect fraud are in place lies with the Returning Officer and the Electoral Registration Officer(s) for each constituency. They must work closely with their local police force.

[Guidance](#) has been published to support police officers and SPOCs as they put in place plans to prevent and detect electoral fraud in England and Wales. This guidance, which builds on work previously carried out by the Electoral Commission and the National Police Chiefs Council, now forms part of the College of Policing's Authorised Professional Practice for police forces in England and Wales.

## 7.4 What is the Electoral Commission doing to prevent fraud at the 2018 elections?

The Commission is working particularly closely with Returning Officers and local police forces in areas where there have been allegations of electoral fraud at previous elections, and where additional measures may therefore need to be put in place. We are confident that Returning Officers and local police forces in these areas are building on experience to put robust plans in place, and are supporting them by sharing information and examples of good practice to help strengthen their plans up to and beyond the May elections.

We have focused on their:

- plans for dealing with registration and absent voting applications (for example, ensuring properties where large numbers of people have applied to be on the electoral register are checked).
- arrangements with the relevant police force for identifying and responding to potential electoral fraud are in place.
- training for polling station staff on the risk of personation.

The Electoral Commission has produced [detailed guidance](#) to help all Returning Officers across England, Scotland and Wales put in place plans to prevent and detect electoral fraud. **Equally importantly, candidates and political parties must ensure that their supporters don't cross the line between robust and lively campaigns and electoral fraud.**

The Commission is also working with Crimestoppers to make sure people can report concerns about electoral fraud anonymously by calling 0800 555 111. This includes making available a suite of resources as part of a campaign to raise awareness of and prevent electoral fraud.

The campaign, which we are delivering in conjunction with Crimestoppers and the Cabinet Office, aims to reach people that may feel pressured into casting their vote a certain way.

The resources will highlight what constitutes electoral fraud, and aim to empower people to not let it happen to them. They will also encourage people to report anything that may be an offence to Crimestoppers.

Resources will include a poster, a leaflet, online banners, video animations, social posts, template press releases and a social content schedule.

## 8 Voter ID pilots

### 8.1 Why are voter ID pilots taking place?

Our January 2014 [report on electoral fraud vulnerabilities in the UK](#) concluded that the lack of a requirement for electors at polling stations in Great Britain to provide proof of their identity represents a significant electoral fraud vulnerability.

We recommended that electors in Great Britain should be required to show photographic proof of their identity before they can be issued with a ballot paper at polling stations for elections and referendums, as they are already required to do in many other countries, including in Northern Ireland since 2003.

Following a recommendation made by Sir Eric Pickles' review of electoral fraud in 2016, the UK Government indicated its intention to explore a range of options for the types of ID that voters could be asked to produce at polling stations.

### 8.2 Which areas will be piloting voter ID?

Voters in five local authorities will be required to show ID before they can vote in the local government elections in May 2018. Local authorities in Woking, Gosport, Bromley, Watford and Swindon have volunteered to take part in a trial, which will require voters to produce ID before being issued with a ballot paper.

In addition, Tower Hamlets, Peterborough and Slough will run a separate postal voting pilot, looking at the postal vote security and providing additional guidance in postal vote packs.

### 8.3 What form of identification will be required?

The required form of identification will be set by the councils and will differ in each area. The pilots will involve trialling both photo ID and non-photo ID to see what is most effective and efficient.

### 8.4 What is the Electoral Commission's view on the pilots?

We welcome the voter ID pilots as a positive first step towards implementing our 2014 recommendation that an accessible, proportionate voter identification scheme should be introduced in Great Britain.

The Electoral Commission is responsible for carrying out an independent, statutory evaluation of the pilot schemes and we will publish our findings following the May elections, in the summer of 2018. It is not responsible for running the pilots.

# SECTION D – The voter

## 9 Registering to vote

### 9.1 Who can vote in 3 May elections?

A person can vote if they are on the local government register in an area where elections are taking place; and are:

- Aged 18 or over on polling day
- A British citizen
- An Irish, EU or qualifying Commonwealth citizen

British citizens living overseas who are registered as overseas electors cannot vote in local government elections. Service voters stationed abroad are still eligible to vote in local government elections.

### 9.2 What is the registration deadline?

The deadline to apply to register is **Tuesday 17 April 2018**.

### 9.3 What is the deadline for applying to vote by post or by proxy?

The deadline for applying for a postal vote is **5pm, Tuesday 18 April 2018**.

The deadline for applying for a proxy vote, except in an emergency, is **5pm, Wednesday 25 April 2018**.

The deadline for applying for a proxy vote as a result of an emergency is **5pm, Thursday 3 May 2018**.

### 9.4 How can someone register to vote?

Voters can now go online to apply to register at [www.gov.uk/register-to-vote](http://www.gov.uk/register-to-vote).

People can still apply by completing a paper registration form if they prefer. They can contact their local electoral registration office for forms or download them [here](#).

## 9.5 Can someone register at two different addresses?

Yes. In some cases you can be eligible to register to vote at two different addresses. For example, they could be someone who owns two homes or are a student living away from home. It is for the local Electoral Registration Officer to determine whether someone is eligible to register.

If an individual is registered to vote in two different electoral areas, then At May's local elections, they are legally entitled to vote in both of those electoral areas. However, it is an offence to vote twice in a general election.

## 9.6 How do members of the armed services register and vote?

Service personnel and their spouses or civil partners, serving in the UK or overseas, can register either at their home address or their barracks in the usual way, or as a 'service voter'. Service voters fill out an armed services declaration so they can be registered when away from their home address on duty.

## 9.7 Can prisoners vote?

Remand prisoners (those who have not been convicted and sentenced) can vote. Convicted prisoners detained because of their sentence cannot.

# 10 The voting process

## 10.1 When will polling stations be open?

All polling stations open at 7am and close at 10pm.

## 10.2 What happens if someone is in a queue to enter a polling station at 10pm?

Any voter who arrives at their polling station before 10pm and is in a queue waiting to vote at 10pm **will be able to vote**.

Legislation was changed by the UK Government in 2013 to allow this to happen following a recommendation by the Electoral Commission.

## 10.3 What voting system is used in the local government elections?

The electoral system used to elect councillors is 'first past the post'. Under this system, the candidate with the most votes is elected first, then if required the candidate with the second highest number of votes is elected, then the third placed candidate. No candidate needs to get more than half of the votes cast.

In the event of a tie, then a candidate is selected by the drawing of lots (i.e. a method of selection by chance such as tossing a coin or picking a name out of a hat).

## 10.4 How do voters complete their ballot paper for the local government elections?

Voters can choose from a list of candidates on the ballot paper who will either be part of a political party or standing as an independent candidate. In order to cast a vote, a voter should simply put an X (a cross) next to the one candidate that they wish to vote for.

## 10.5 What different ways are there for someone to vote in these elections?

People can choose to vote in one of three ways: in person, by post or by proxy.

## 10.6 In person

Registered voters can visit their local **polling station** between 7am and 10pm on Thursday 3 May to cast their votes. Voters should arrive in plenty of time to avoid missing out on having their say.

- Before polling day, voters will be sent a 'poll card' which includes details of where their polling station is.
- Voters can only vote at the polling station specified on this card.
- Polling station staff will be on hand to explain the ballot paper(s) and how to vote.
- Voters do not need to take their poll card with them to the polling station but doing so will speed up the process.

Note – there will be different arrangements for those authorities running Voter ID pilots. For information about this please contact the relevant local authority.

## 10.7 By post

If voters do not wish to, or are unable to go to a polling station, they may apply for a postal vote. Voters may apply for a postal vote for a specific election, a specific period of time, or for all elections. To vote by post, registered electors need to apply for a postal vote before 5pm, Wednesday 18 April 2018.

- Postal ballot papers will be sent directly to voters about a week before polling day.
- Voters should complete their ballot papers and send them back straight away, so they arrive before 10pm on Thursday 3 May.
- Votes arriving after 10pm on Thursday 3 May will not be counted. The only exception is if a person is in a queue at a polling station at 10pm for the purpose of returning a completed postal ballot. In that limited circumstance, the postal ballot may be returned after 10pm.
- If voters don't leave enough time to post their vote, they may take it by hand to a polling station in their voting area from 7am to 10pm on polling day.
- Voters must also remember to complete the postal voting statement – with their signature and date of birth or their vote will not be counted.

## 10.8 By proxy

Voters can register for a '**proxy vote**'. This means they ask someone they trust to vote on their behalf for the candidate they wish to vote for. They need to complete and sign a form and return it to their local electoral registration office by 5pm, Wednesday 25 April 2018.

## 10.9 What provisions are made to make voting more accessible to voters with disabilities?

Our guidance for Returning Officers states that they should take all necessary steps to ensure that polling stations are laid out with the voter in mind. In particular, the needs of voters with a range of disabilities should be taken into account. The positioning of all of the required furniture and equipment, as well as where all of the notices should be displayed, should also be considered, along with the placement of signage within the polling station and external signage.

It is a legal requirement to provide a tactile voting device at every polling station. The tactile template is a device that allows someone who is blind or partially sighted to mark the ballot paper themselves, once the details on the ballot paper have been read out either by their companion or the Presiding Officer. In addition, a large-print version of the ballot paper must be displayed inside the polling station for the assistance of voters who are blind or partially sighted. Enlarged hand-held copies, marked as 'sample', must also be available to anyone who requires them.

The Commission works closely with the accessibility of elections group, run by the Cabinet Office, to see what changes can be made to make polling stations more accessible. The Commission has [responded](#) to a UK Government Call for Evidence with recommendations on how elections can be made more accessible. The Commission is awaiting the UK Government's response.

## 10.10 What guidance does the Commission provide?

The Commission provides guidance to [polling station staff](#), (appendix 1 makes reference to accessibility issues) to help them make sure that polling stations are accessible to everyone. This information is available for staff who are running the May 2018 local elections.

## 10.11 What is the Commission's view of accessibility at elections?

In November 2017 we released our report '[Elections for everyone](#)' where we heard from people with learning and physical disabilities as well as people living with mental illness about their experiences with the voting and registration process.

When publishing our report, our Chair of the Electoral Commission, Sir John Holmes said: "It is disappointing that we continue to hear about people with disabilities being unable to vote in secret, or even turned away from a polling station. This cannot be allowed to happen in our democracy. Voters with a disability should have access to the right support to ensure they can cast their vote with confidence. The Commission will step up its work with the UK's governments, disability organisations and everyone involved in running elections to ensure there are no barriers to voting."

## 10.12 Is it mandatory to use pencils in polling stations? Can a pen be used?

There is nothing in law which states whether a pen or a pencil should be used to mark a ballot paper. Pencils have been used to mark ballot papers for practical reasons: for example, with ink pens there is a chance the ink may dry or spill. Also, ink may cause some transfer of the mark the voter has made on the ballot paper when they fold it, thus potentially leading to a rejection as it may look like they have voted for more candidates than they are entitled to. Should a voter wish to, they are able to use a pen to mark their ballot paper.

## 10.13 Can voters take selfies or other photos in the polling station?

The law relating to obtaining information in polling stations and disclosing such information is complex. Given the risk that someone taking a photo inside a polling station may be in breach of the law, whether intentionally or not, our advice is against taking any photos inside polling stations.

## 10.14 Is it ok for someone to take a picture of their postal ballot and post it on social media showing how they have voted?

Postal ballot papers are treated differently in electoral law, compared to polling station ballot papers. A postal voter may take a picture of their own postal ballot paper and publicise it (including via social media).

However, while the postal voter themselves may publicise the information, if someone else persuades or induces them to make this information available, they would be committing an offence. If there are any suggestions or allegations that this could be happening, the person making the complaint should be advised to report the matter to the police.

# 11 Raising awareness of voter registration

## 11.1 What are Electoral Registration Officers (EROs) doing to encourage people to register to vote?

EROs are legally responsible for maintaining the electoral register for their local authority area and are at the forefront of efforts to get as many people as possible onto the registers.

EROs will have detailed plans in place to raise awareness of voter registration in their areas. These plans will also set out how they will encourage groups who are less likely to be registered to vote to do so before the registration deadline.

EROs will use a range of advertising methods to reach their local residents, including sending letters to households encouraging people to register to vote and many have developed partnerships with local schools and colleges to encourage young people to register to vote.

## 11.2 What is the Electoral Commission doing to encourage people to register to vote?

The Commission's voter registration campaign will launch on 12 March and run until the registration deadline of 17 April. Advertising will span video-on-demand, online radio, search, outdoor and social channels, and this will be supported by dedicated organic PR and social activity covering both registration and wider voter information.

Additionally, the Commission is providing resources for local authorities and other partners to use as part of their public engagement work on key voter registration and information messages.

## 11.3 How can other organisations help encourage people to register to vote?

Like at all recent elections, the Electoral Commission will be working with a range of partner organisations – from the corporate, public and voluntary sectors – to try and reach traditionally under-registered voters and encourages them to register to vote.

This spans more bespoke partnership work for specific audiences to providing more generic resources for them to use.

Any organisation that would like to promote these messages should visit our website at [www.yourvotematters.co.uk/get-involved](http://www.yourvotematters.co.uk/get-involved), where they can also sign up for our voter registration newsletter, 'Roll Call'.

# SECTION E – Count events

## 12 The count and declaration of results

### 12.1 Who is responsible for the count?

The relevant Local Government Returning Officer has overall responsibility for the counting of the votes at their respective election. This includes ensuring Presiding Officers transport ballot boxes from polling stations to the count venue in a secure and timely manner; and that those recruited to count ballot papers have been well trained in how to carry out their duties.

### 12.2 When will counts start?

The relevant returning officer should take reasonable steps to begin counting the votes given on the ballot papers as soon as practicable after the close of the poll. Polls close at 10pm.

### 12.3 How will I know when the results will be declared in different areas?

The relevant local authority will be able to provide projected count times.

### 12.4 Who is entitled to attend the count?

The following people are entitled by law to attend the count:

- The relevant Returning Officer and their staff
- candidates and one guest
- election agents
- counting agents
- Electoral Commission representatives
- accredited observers
- the elected mayor (only at local authority mayoral election counts)
- any other person permitted to attend by the returning officer

Members of the media and photographers who want to attend a count must contact the relevant Returning Officer to request permission to attend the count and declaration of the results.

## 12.5 How are the votes counted and the results announced?

There are four stages to the count process.

### 1) Receipt of ballot boxes

- Postal ballot boxes and ballot boxes from the polling stations arrive at the count venue.

### 2) Verification

- Staff count the postal ballot papers and verify that the number of ballot papers in postal ballot boxes matches the numbers recorded by the Returning Officer.
- Staff also count the ballot papers from each polling station. They verify that the number of ballot papers matches the number of papers issued, as recorded on the Presiding Officer's ballot paper accounts.
- The Returning Officer produces a statement showing how many ballot papers have been received against how many ballot papers were expected.

### 3) Counting of the votes

All scheduled local government elections excluding mayoral elections with three or more candidates or CAM election where there are three or more candidates:

- Staff sort ballot papers by candidate.
- Staff then count the number of votes cast for each candidate.
- The Returning Officer will share the provisional result with candidates and their agents. At this point, a candidate or their agent can ask for a recount of the votes. The Returning Officer can refuse the request if they think it's unreasonable.

Mayoral elections or CAM election where there are three or more candidates:

- Staff sort ballot papers by candidate according to the first choice.
- Staff then count the number of first choice votes cast for each candidate.
- The Returning Officer will share the provisional result with candidates and their agents. At a CAM election this will be the provisional local total. At this point, a candidate or their agent can ask for a recount of the votes. At a CAM election, recounts can only be requested at local authority level; combined authority-wide recounts are not allowed. The Returning Officer can refuse the request if they think it's unreasonable.

- If a candidate obtains more than 50% of the first choice votes across the whole of the local authority (for local authority mayoral elections) or across the combined authority (for combined authority mayoral elections) they are declared elected.
- If no candidate obtains more than 50% of the first choice votes, the top two candidates (or more if there is a tie) remain in the contest while the rest are eliminated.
- The ballot papers for the eliminated candidates will now be sorted according to their second choice.
- Staff will then count the number of second choice votes for the remaining candidates and this figure will be added to the first choice votes
- The Returning Officer will share the provisional result with the remaining candidates and their agents. At a CAM election this will be the provisional local total. At this point, a candidate or their agent can ask for a recount of the votes. At a CAM election, recounts can only be requested at local authority level; combined authority-wide recounts are not allowed. The Returning Officer can refuse the request if they think it's unreasonable.

#### **4) Declaration of the result**

The Returning Officer will declare the number of votes cast for each candidate and will then announce the name of the candidate(s) with the most votes as duly elected.

## **12.6 What happens with spoilt ballot papers?**

Once the verification phase of the count is complete, ballot papers will be sorted by candidate and any doubtful ballot papers will be identified. The returning officer will adjudicate any doubtful ballot papers in the presence of candidates and agents and the Commission has provided guidance to help them do this.

Spoilt ballot papers are sealed separately to other ballot papers and then the returning officer will announce how many ballot papers were rejected after they have announced the results of the election.

## **12.7 How does the opening of postal votes fit into this process?**

It's likely that several postal vote opening sessions will take place before polling day, as well as on polling day itself.

The returning officer must give candidates at least 48 hours' notice of when and where the sessions will take place. At each opening session, the returning officer will decide whether or not the date of birth and signatures provided by electors on their postal voting statements match the signature and date of birth previously provided

and held on record. If the returning officer is not satisfied that they match, the vote is rejected.

Candidates can observe the process or appoint a postal voting agent to do so. Anyone attending an opening session must not attempt to look at identifying marks or numbers on ballot papers, disclose how any particular ballot paper has been marked or pass on any such information gained from the session.

All valid ballot papers are placed into ballot boxes and stored securely before being delivered to the count venue for counting after the close of poll.

## 12.8 Can the result be challenged after it has been announced?

Someone can challenge the result of an election by issuing an election petition. This is a legal action and will be adjudicated by a judge in court.

A petition at a local government election must normally be presented within 21 calendar days after the day on which the election was held. Further time may be allowed in certain circumstances.

There is also a separate judicial process for challenging the election of a councillor, combined authority mayor, or local authority mayor on the grounds that they were, or are, disqualified, by application to the High Court.

The Law Commissions published a [joint interim report](#) on 4 February 2016 recommending that the process for challenging elections should be modernised, making it easier for parties to understand and use, and that judges be given the power, in appropriate cases, to limit the potential costs for challengers.

For more information challenging the result of an election, see Part 6 of our Guidance for candidates and agents for [principal area elections](#).

## 12.9 Can I film at count events?

Anyone wishing to attend and film at count events must seek advance permission from the relevant local government Returning Officer.

# Appendix

## Local authority mayoral elections and combined authority mayoral elections

Local authority mayoral elections are taking place in the London Boroughs of Hackney, Lewisham, Newham, Tower Hamlets and in Watford.

Please see our guidance on becoming a candidate at a [local authority mayoral election](#). In order to stand candidates will need:

- The signatures of 30 registered electors from the local authority
- A deposit of £500, returnable if they receive more than 5% of the valid first preference votes

A Combined Authority Mayoral election is taking place in Sheffield.

Please see our guidance on becoming a candidate at a [combined authority mayoral election](#). In order to stand the candidate will need:

- The signatures of at least 100 registered electors in the combined authority area, with at least 10 from each constituent council
- A deposit of £5,000, returnable if they receive more than 5% of the valid first preference votes

## Candidate spending limits and rules on accepting donations

For local authority mayoral elections the spending limit applies during the regulated period and is calculated using a base amount of **£2,362**

- **plus 5.9p** for every entry in the register of electors to be used at the election.

For the combined authority mayoral election the spending limit applies during the regulated period and is calculated using a base amount of **£2,362**

- **multiplied** by the total number of constituent councils
- **plus 5.9p** for every entry in the register of electors to be used at the election.

To assist candidates and agents in calculating their spending limit for the Combined Authority Mayoral Elections, the Returning Officer (RO) or Combined Authority Returning Officer (CAR) will be able to provide candidates with:

- the number of constituent councils in the local authority or combined authority area
- the number of electors in the local authority or combined authority area

## Voting systems

If there are only two candidates standing at the election, the mayor is elected under the first-past-the-post electoral system, whereby the candidate with the most votes is elected. If there are more than two candidates, the mayor is elected under the supplementary vote system. Voters can vote for a first and second choice candidate they want to elect.

## How do voters complete their ballot?

The ballot paper will list all the candidates and voters will vote for their first choice candidate by marking an 'X' in the first choice column and for their second choice candidate by marking an 'X' in the second choice column.

If a candidate obtains more than 50% of the first choice votes, they will be declared elected. If no candidate obtains more than 50% of the first choice votes, all candidates except for those in first and second place are eliminated. The ballot papers showing a first preference for one of the eliminated candidates are checked for their second preference. Any second preference votes for the remaining two candidates are then added to their first preference votes and the candidate with the most votes is elected.