

Referendum on the voting system for
UK Parliamentary elections and
Northern Ireland Assembly and local
government elections – 5 May 2011

Absent voting

This document sets out the Chief Counting
Officer's instructions to the Chief Electoral
Officer for Northern Ireland

Translations and other formats

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1 Overview

Background

1.1 The Parliamentary Voting System and Constituencies Bill¹ makes provision for a referendum to be held on the UK Parliamentary voting system. It is expected that this referendum will be held on 5 May 2011. There will also be Northern Ireland Assembly and local government elections on 5 May 2011.

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

1.3 The Assembly election to be held on 5 May 2011 will be run under the rules contained under the Northern Ireland Assembly Elections Order 2001 (as amended) and the local government elections will be run under the rules contained in the Local Elections (Northern Ireland) Order 1985 (as amended), each with modifications as set out in Schedule 8 of the PVSC Act.

1.4 As Counting Officer you are responsible for the administration of the referendum. In addition, you are responsible for the election-related functions which are taken on by the Counting Officer where polls are combined. As Returning Officer you are responsible for the non-combined aspects of the election, which includes nominations and the counting of votes at the elections.

1.5 As the legislation provides that the Chief Electoral Officer will be the Counting Officer and Returning Officer, you will be personally responsible for the effective running of the referendum and elections across Northern Ireland.

1.6 A referendum held under the Political Parties, Elections and Referendums Act 2000 (PPERA) has a different management and accountability structure compared to any election. It requires a Chief Counting Officer, who will be responsible for certifying the overall result, which at this referendum will be one UK-wide result aggregated from all of the totals produced locally by individual Counting Officers. The Chair of the Electoral Commission, Jenny Watson, will be the Chief Counting Officer at this referendum.

1.7 The Chief Counting Officer has the power to give general or specific directions to Counting Officers relating to the discharge of their functions, including directions requiring Counting Officers to take specified preparatory steps or to provide any information that they have or are entitled to have.² Given

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

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

the UK-wide nature of the referendum, the Chief Counting Officer intends to use this power to ensure that the referendum and combined polls are conducted to the same standards and principles in all voting areas, and to ensure that Counting Officers can deliver the main aims for the polls, which are as follows:

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

Instructions

1.8 The Chief Counting Officer has issued a series of instruction documents to assist you, as Counting Officer, in the discharge of your functions and to ensure consistency of practice in delivering the referendum and combined polls. These instructions refer to your duties under the legislation and contain directions that are issued by the Chief Counting Officer under Paragraph 5(5) of Schedule 1 of the PVSC Act. As Counting Officer, if you are given a direction you must comply with it,³ unless you have been granted an exception.

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

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

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

³ Paragraph 5(8), Schedule 1, PVSC Act.

1.12 Counting Officers are personally responsible for the conduct of the referendum in their area and for complying with all directions given by the Chief Counting Officer.⁴ For this reason, you will need to think carefully about how the Chief Counting Officer's directions will work in Northern Ireland.

1.13 If, as Counting Officer, you consider that you have a legitimate reason for not following these directions, you must apply directly to the Chief Counting Officer for an exception. You may only deviate from these directions if an exception has been granted. The exceptions process is not applicable should you decide in your role as Returning Officer to proceed in a manner that does not comply with any instruction set out in this document.

1.14 The instruction documents are supplemented by a set of resources, which can be accessed on the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/referendums/combined-elections-and-referendums-in-northern-ireland. Where the Chief Counting Officer has directed the use of a particular resource by you as Counting Officer, this will be explicitly stated in the summary of directions at the start of the instruction module and in the directions box at the start of the relevant chapter.

⁴ Paragraph 5(2) and (8), Schedule 1, PVSC Act.

2 Directions

2.1 This module covers the specific tasks that you must carry out in relation to absent voting in order to ensure that the polls on 5 May 2011 are administered consistently and effectively.

2.2 You must follow the directions given below. These directions are supplemented by further recommendations provided in chapters 3–6 of this document.

2.3 The key objective of the directions in this module is to ensure that the absent voting process is conducted in a professional, transparent and secure manner, with a clear audit trail, and in such a way as to ensure that all absent voters share a consistent experience and receive the same high-quality service irrespective of where they are registered.

2.4 The directions therefore require you to take specific actions in order to ensure the effective management and delivery of the production of postal voting stationery. The timely and professional preparation of postal voting stationery will help to engender voter confidence in the electoral process, with easy to use forms ensuring that eligible postal voters will be able to participate in the absent voting process.

2.5 The directions on the timing of the issue of postal votes are designed to ensure that all postal voters receive their postal ballot packs at the earliest possible opportunity in order to give them the maximum available time to receive, complete and return their postal vote.

2.6 In order to maintain integrity and to ensure that everyone can have confidence in the result, you are being directed to take steps to ensure the secure storage and transfer of postal ballots throughout the process.

2.7 The creation and maintenance of a clear and robust audit trail is essential to building confidence in the process, and in order to achieve this you are being directed to put in place arrangements to ensure that accurate records are kept throughout the postal vote issuing, opening and verification processes.

2.8 Transparency is also of key importance, and you are being directed to ensure that all those entitled to attend the postal vote issuing and opening processes are able to see and understand what is being carried out, where and when.

Preparing for the absent voting processes

Ensure that the absent voting process is fully addressed in your project plan and risk register and that these documents are kept under review.

Ensure that polling station staff are trained in order to be able to deal appropriately with proxy voting processes.

Make an assessment of the benefits and risks of combining the issue of postal ballot packs, and combine the issue if you consider it viable to do so.

- At a minimum, you must consider the impact on the voter, previous practice, supplier capability and staffing and venue requirements.
- If you decide not to combine the issue of postal votes, notify the Chief Counting Officer.

Ensure that contingency arrangements are in place in order to be able to deal with any last-minute increase in numbers of postal voters, an unexpected increase in turnout, or varying volumes of postal votes returned on different days.

Ensure that all staff issuing and opening postal votes receive a briefing on the particular procedures to be followed.

Plan the layout of your issuing and opening venues:

- In the development of your layout plans, include the positioning of teams and equipment needed, and outline the workflows to be followed.
- Ensure that the layout is accessible to all those working on the processes and those entitled to observe them.

Ensure the effective management of the production of postal vote stationery:

- Print the name of the relevant Area Electoral Office on all 'A' and 'B' envelopes.
- Produce the referendum ballot paper in accordance with the example template of the prescribed form and directions for printing issued by the Chief Counting Officer.
- Produce a declaration of identity using the Chief Counting Officer's example template.
- Produce a quick start guide for postal voters using the template provided by the Chief Counting Officer, and include a copy in every referendum and combined postal ballot pack.
- If you are outsourcing the production of postal voting stationery, ensure that your software is able to produce a data file that your printers can use to produce the materials to the specification required.
- If you are outsourcing the production of postal voting stationery, take all necessary steps to ensure that any electoral registration data held by the contractors is destroyed as soon as possible after polling day, with written undertakings produced for contractors to sign confirming this.

Decide on a method of delivering postal ballot packs and ensure that the necessary activities arising out of this decision are taken forward.

- If you decide to deliver by hand, plan how this will work in practice. Appoint sufficient staff to be able to deliver postal votes within the same timeframes as would be achieved by delivering using second class post.
- If you decide to deliver by post, obtain proof of postage.
- If you are using Royal Mail or a commercial delivery firm for issuing postal ballot packs, liaise with them regularly, including to discuss any delivery issues.
- Have in place a mechanism for monitoring the delivery of postal ballot packs.

Decide on the number and timing of postal vote issue and opening sessions.

Procedure for issuing and distributing postal votes

Ensure that all those entitled to attend the issuing process are able to do so.

The first issue of postal votes must take place by not later than 18 April 2011.

Where the issue of postal votes has been combined, put in place a system to ensure that electors who are only entitled to vote by post in either the referendum or the elections are issued with the correct postal ballot pack.

Quality-assure the issuing process:

- Instruct a member of your staff to carry out regular spot checks during each issuing session.

If you are not delivering the postal ballot packs by hand, make arrangements for the secure transfer of the postal ballot packs to Royal Mail or a commercial delivery firm.

If you are considering re-issuing to rectify a procedural error, consult with the Chief Counting Officer before doing so.

Receiving and opening postal votes

Liaise with Royal Mail to confirm arrangements for the return of postal votes, and arrange for a final sweep on polling day.

Maintain a clear audit trail of the receipt and opening of postal ballot packs.

- Keep a record of the total number of envelopes received at your office and placed in a postal voters' ballot box, and check this against the number of envelopes counted as part of the opening process.
- Keep a record of all of the boxes that have been used for postal votes.
- Ensure that all of the figures required for completion of the statement as to postal ballot papers are accurately recorded.

- Ensure the security of the contents of the postal voters' ballot box by sealing it and storing it in a secure place until the next scheduled opening of postal votes.

Transport postal votes securely to the opening and count venues.

Maintain secure storage of postal ballots at all times.

Ensure that those entitled to attend opening sessions are able to follow what is happening, where and when.

Ensure that you have robust procedures in place for checking the returned declarations of identity, following the principles contained in the Commission and Forensic Science Service guidance on signature checking.

Put in place systems to allow you to issue replacements for spoilt ballot papers or declarations of identity up until 5pm on the day before polling day.

Maintain a robust audit trail of the opening process.

- Prepare a schedule recording the total number of postal votes placed in each postal ballot box, as well as the total number of such boxes.
- Complete a postal vote ballot paper account for every postal ballot box.

3 Absent voting timetable

Timetable for absent voting

3.1 The deadline for changes (including cancellations) to existing absent vote arrangements (i.e., postal, proxy and postal proxy) is **5pm on 11 April 2011**.⁵ The deadline for new postal, postal proxy and ordinary proxy applications is also **5pm on 11 April 2011**.

3.2 Shortly after these application deadlines, as Electoral Registration Officer, you will need to produce the absent voters' lists, i.e., the postal voters' list, the proxy postal voters' list and the list of proxies.

3.3 The legislation also allows for a late absent vote application in the case of an emergency medical condition, illness or disability arising after the deadline for ordinary proxy applications, subject to the appropriate attestation being provided. The deadline for this is **5pm on 21 April 2011**. Mental health patients who are detained under civil powers (i.e., who are not detained offenders) are also entitled to appoint a proxy up to **5pm on 21 April 2011**.

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4 Preparing for the absent voting processes

Directions

Ensure that the absent voting process is fully addressed in your project plan and risk register and that these documents are kept under review.

Ensure that polling station staff are trained in order to be able to deal appropriately with proxy voting processes.

Make an assessment of the benefits and risks of combining the issue of postal ballot packs, and combine the issue if you consider it viable to do so.

- At a minimum, you must consider the impact on the voter, previous practice, supplier capability and staffing and venue requirements.
- If you decide not to combine the issue of postal votes, notify the Chief Counting Officer.

Ensure that contingency arrangements are in place in order to be able to deal with any last-minute increase in numbers of postal voters, an unexpected increase in turnout, or varying volumes of postal votes returned on different days.

Ensure that all staff issuing and opening postal votes receive a briefing on the particular procedures to be followed.

Plan the layout of your issuing and opening venues:

- In the development of your layout plans, include the positioning of teams and equipment needed, and outline the workflows to be followed.
- Ensure that the layout is accessible to all those working on the processes and those entitled to observe them.

Ensure the effective management of the production of postal vote stationery:

- Print the name of the relevant Area Electoral Office on all 'A' and 'B' envelopes.
- Produce the referendum ballot paper in accordance with the example template of the prescribed form and directions for printing issued by the Chief Counting Officer.
- Produce a declaration of identity using the Chief Counting Officer's example template.
- Produce a quick start guide for postal voters using the template provided by the Chief Counting Officer, and include a copy in every referendum and combined postal ballot pack.

- If you are outsourcing the production of postal voting stationery, ensure that your software is able to produce a data file that your printers can use to produce the materials to the specification required.
- If you are outsourcing the production of postal voting stationery, take all necessary steps to ensure that any electoral registration data held by the contractors is destroyed as soon as possible after polling day, with written undertakings produced for contractors to sign confirming this.

Decide on a method of delivering postal ballot packs and ensure that the necessary activities arising out of this decision are taken forward.

- If you decide to deliver by hand, plan how this will work in practice. Appoint sufficient staff to be able to deliver postal votes within the same timeframes as would be achieved by delivering using second class post.
- If you decide to deliver by post, obtain proof of postage.
- If you are using Royal Mail or a commercial delivery firm for issuing postal ballot packs, liaise with them regularly, including to discuss any delivery issues.
- Have in place a mechanism for monitoring the delivery of postal ballot packs.

Decide on the number and timing of postal vote issue and opening sessions.

Implementing your project plan

4.1 It is important that you remain in control of the management of the absent voting process. To assist you in doing this, you must ensure that the absent voting process is fully addressed in the project plan and risk register that you have been directed to produce in Module 1 – Planning and organisation, and ensure that you keep these documents under regular review.



Further information on planning for the referendum can be found in Module 1 – Planning and organisation.

Proxy voting preparations

4.2 As Electoral Registration Officer, you should prepare the list of all electors who have appointed a proxy to vote on their behalf as soon as practicable after 5pm on 11 April 2011. By law, you must supply polling stations with the relevant parts of this list of proxies.

4.3 The list will also contain details of postal proxies. These proxies must, by law, be sent a postal ballot pack. In this case, you are legally required to mark the polling station register with an 'A' so that the Presiding Officer does not allow the elector, or their proxy, to vote in person at the polling station.

Training of staff

4.4 You must ensure that polling station staff are trained to deal appropriately with proxy voting processes. Proxy voting is also covered in the Commission's Handbook for polling station staff which, as directed in Module 2 – Administering the polls, all polling station staff must be provided with a copy of and instructed to read before polling day.



Further directions and recommendations on the training of polling station staff, including polling station inspectors, can be found in Module 2 – Administering the polls.

Limits on numbers of proxies and voting as proxy

4.5 By law, a person may not have more than one proxy at any time.

4.6 A person is not entitled to vote as proxy on behalf of more than two electors who are not close relatives in the referendum or in the same electoral area at the elections. A person can act as proxy for any number of the following close relatives: spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

4.7 Although a person can be appointed as a proxy by more than two people, the proxy would be committing an offence if they voted on behalf of more than two people who are not close relatives in the same referendum or electoral area at the elections.

Postal voting preparations

Decision to combine or not to combine the issue of postal votes

4.8 By law, you may decide that the issue of postal votes in respect of the referendum and the elections should be combined. You may not decide this without the agreement of the Chief Counting Officer. You may decide to combine the issue of postal votes for all, some or none of the electoral events on 5 May 2011. As part of your decision-making process, you must make an assessment of the benefits and risks of combining the issue of postal ballot packs, and must combine the issue if you consider it viable to do so.

4.9 At a minimum, in deciding whether a combined issue is viable, you must consider the following:

- Impact on the voter – for example, there would be a reduced risk of electors returning postal ballot papers with the wrong declaration of

identity if the issue is combined. Also, a separate issue may generate enquiries from voters asking why they have received a ballot paper for the referendum but not ballot papers for the elections (or vice versa). It could also potentially lead to electors ignoring their second postal ballot pack in the mistaken belief that they have already voted at all the electoral events they are entitled to vote at.

- Previous practice – for example, if you have no previous experience of combining the issue of postal votes, you will need to review your administrative practices and consider what amendments would be necessary in order to be able to cope with a combined issue.
- Supplier capability – for example, you will need to have early discussions with your supplier to determine their ability to produce combined postal ballot packs.
- IT, staffing and venue requirements – for example, you may require additional hardware and IT support if you are considering a separate issue, and there may be additional staffing and venue requirements for opening a higher number of postal votes.

4.10 Whichever decision you take about combining the issue, any risks identified as part of your assessment will need to be mitigated, and both the risks and mitigating actions covered in the risk register you have been directed to produce in Module 1 – Planning and organisation.

4.11 If you have decided not to combine the issue of postal votes, you must notify the Chief Counting Officer.

Staffing and training

4.12 If you have decided in favour of combining the issue of postal votes, as Counting Officer you will be responsible for the issue and opening of postal votes for both the referendum and the elections. If you have decided to issue separate postal ballot packs to electors, you will be responsible as Counting Officer for the referendum postal votes, and as Returning Officer for the postal votes for the elections.

4.13 Your initial assessment of staffing requirements will have been based on the total number of postal voters on the register at the time of the assessment, the estimated turnout of postal voters and whether or not the issue of postal votes is to be combined. Your turnout estimate should be based on the assumption that the turnout of postal voters will not be less than the turnout of postal voters at the last UK Parliamentary election.

4.14 This assessment may need to be revised after you have produced the final postal voters' lists. In any event, you must build sufficient flexibility and contingency into your staffing arrangements to deal with a last-minute increase

in numbers of postal voters, an unexpected increase in turnout, or varying volumes of postal votes being returned on different days.

4.15 All staff dealing with the issue and opening of postal votes must receive a briefing on the particular procedures to be followed. These briefings may be provided immediately prior to commencement of the issuing or opening processes. All staff should, however, be provided with guidance notes in advance.

4.16 Also, you should consider training supervisory staff a day or two in advance of the issuing or opening session so that they are fully aware of their duties and what will be expected of them.

4.17 Any person who will be undertaking the declaration of identity checks and has been delegated the authority by you to make decisions on their validity should be provided with a copy of the Commission and Forensic Science Service guidance on signature checking, and be instructed to follow the principles contained within it. Additionally, you may wish to offer anyone undertaking this role the opportunity to attend Forensic Science Service training on signature checking.

Layout of venues

4.18 You must produce layout plans of your issuing and opening venues. These plans must include the positioning of teams and the equipment needed, and outline the workflows to be followed. When mapping out workflows, you should also take into account any lessons learnt from previous electoral events.

4.19 Going through the process of producing layout plans will help to highlight any potential issues prior to the setting up of the venues and will allow for any modifications to workflow or the positioning of teams or equipment to be made in good time. Layout plans also contribute towards transparency, as these plans can be handed out to anyone entitled to be present in order to help them to follow what is happening, where and when.

4.20 You must ensure that whatever layout you choose, it is accessible to all those working on the processes and those entitled to observe them.

4.21 Even if you have outsourced the issuing of postal votes, you should still seek to obtain layout plans from your contractor in order to ensure that they have made adequate arrangements to administer the issue effectively and in a transparent manner. These plans will also help to ensure that any observers present understand the processes that are being followed, and will be of particular assistance to the member of your staff who has been appointed to conduct spot-checks during the printing, collation and issuing of postal ballot packs.

4.22 If your last postal vote opening session is to take place at the verification and count venues, you must ensure that your count layout plans make provision for this.



Further details on verification and count layout can be found in Module 4 – Verification and count.

Equipment for the issue, receipt and opening of postal votes

4.23 If you are issuing postal votes in-house, you should ensure that you have the necessary equipment in place to do so.

4.24 You should also consider what equipment you will require at the opening of postal votes, and ensure that this is in place.

Producing the postal voting stationery



You must decide whether the production of postal voting stationery and the issuing of postal votes will be carried out in-house or outsourced. You should not automatically assume that outsourcing is your best option when it comes to producing and issuing postal ballot packs. Any decision to outsource must be taken as part of an assessment of costs, risks and benefits.

Directions and recommendations on deciding whether or not to outsource, and on the procurement process and the management of contractors and suppliers if you do decide to outsource, can be found in Module 1 – Planning and organisation.

4.25 If you are outsourcing postal vote production, you must ensure that your software is able to produce a data file that your printers can use to produce the materials to the specification required. It should be agreed at an early stage in your negotiations with your suppliers in what format you will supply the data and in what format they will send you any proofs. This agreement should be included in your specification and contract.

4.26 You should conduct a test-run by submitting sample data to printers in advance of 'live' data being submitted. This will also enable pre-proofs to be developed, so that it is clear which part of the data should go where on the declaration of identity or envelope.

4.27 Electoral registration data held by the contractors should be destroyed as soon as possible after polling day. A written undertaking must be produced for contractors to sign confirming this. It should state that the contractor understands that information from the full electoral register cannot be disclosed at any time, confirming that they will not disclose data to any unauthorised party

and that, after the polls, they will return any discs and paper records provided to them and securely destroy any other electronic or paper copies of the data.

Contents of postal ballot packs

4.28 Beyond the contents required by legislation, all referendum and combined postal ballot packs must also include a copy of the Commission's quick start guide for postal voters.

Envelopes

4.29 The law requires that the outgoing envelope is addressed to the elector at the address they have asked for their ballot paper to be sent to and which is shown in the postal voters' list or the proxy postal voters' list.

4.30 You must also print the name of your Area Electoral Office on all 'A' and 'B' envelopes, as this will help to reduce instances of postal votes becoming undeliverable if, for example, a voter returns the 'A' envelope with both the ballot paper(s) and declaration of identity inside it, without putting it in the 'B' envelope.

The postal ballot paper

4.31 You must produce the referendum ballot paper in accordance with the example template of the prescribed form and directions for printing issued by the Chief Counting Officer.

4.32 The form of the election ballot papers is prescribed in legislation, and you have a legal duty to follow this precisely.



Further details on the printing of ballot papers can be found in Module 2 – Administering the polls.

Declaration of identity

4.33 Regardless of whether you are issuing your postal votes separately or combined, you must produce a declaration of identity using the Chief Counting Officer's example template.

Guidance for postal voters

4.34 You must produce a quick start guide for voters using the template provided by the Chief Counting Officer, and include a copy in every referendum and combined postal ballot pack.

Options for delivering postal ballot packs

4.35 You must decide on a method for delivering postal ballot packs, and reflect this in your project plan. By law, you have a choice of two methods:

- by hand
- by post

4.36 Whichever method you choose, you must ensure that the necessary activities arising out of the decision are taken forward.

By hand

4.37 If you decide to deliver postal votes by hand, you must plan for how this will work in practice. You must appoint sufficient staff to enable the delivery of postal votes to be completed within the same timeframes as would be achieved by delivering them using second class post, i.e. within three working days, including Saturdays. You must also have in place a mechanism for monitoring the delivery of postal ballot packs, with a view to ensuring that they have been delivered across the whole of the voting area and to agreed timeframes. This may include requiring delivery staff to fill in log sheets, having supervisors carry out spot-checks, and monitoring any unusually low returns of completed postal ballots by polling districts.

By post

4.38 By law, you may use Royal Mail or any other commercial delivery firm for the delivery of postal votes. In all instances, you must obtain proof of postage when delivering postal votes by post and have in place a mechanism for monitoring the delivery of postal ballot packs, with a view to ensuring that they have been delivered across the whole of the local authority and to agreed timeframes. If possible, you should have arrangements in place to track deliveries in order to assist with responding to any enquiries from electors regarding the delivery of their postal ballot pack.

4.39 If you are posting postal ballot packs, you must liaise regularly with either Royal Mail or the commercial delivery firm you have contracted, including to discuss any delivery issues.

4.40 If you are using Royal Mail to deliver your postal votes, you should put in place arrangements for the relevant licenses and Business Reply numbers as soon as possible and confirm that your proposed stationery meets their specifications in order to avoid any potential delays at the time when your postal ballot packs are due to be distributed to electors. If you are using a commercial delivery firm, you should make similar arrangements as appropriate.

4.41 If you are using Royal Mail to deliver your postal votes, you should ensure that you have an up-to-date copy of Royal Mail's best practice guidance on postal voting, *Managing Postal Voting* .

Dispatch of data to printers

4.42 If you are outsourcing the issue of postal votes, you should dispatch the postal ballot pack data to the printers as soon as practicable, with a final update to be sent after the registration and postal voting deadline.

Number and timing of postal vote opening sessions

4.43 You must decide on the number and timing of postal vote opening sessions. The number of postal vote opening sessions that you will require will depend largely on the total number of postal voters that you have and your estimated turnout of postal voters. Your turnout estimate should be based on the assumption that the turnout of postal voters will not be less than the turnout of postal voters at the last UK Parliamentary election. The resources you have available to conduct these processes, including numbers of staff and size of venues, will also be a relevant consideration.

4.44 Your first opening session should be held several days after the issuing of postal ballot packs has been commenced. Even if you have not received a high number of returned postal votes by then, you should still conduct a session at that time and take the opportunity to assess your workflows under real conditions. After this first session you should gauge whether your estimate of the number of postal vote opening sessions required is sufficient or whether it will need to be revised. There is nothing in law that prevents the opening of postal votes to be carried out on a Saturday, Sunday or bank holiday,⁶ and indeed you may wish to consider doing so if additional postal vote opening sessions are found to be required.

Marking of polling station registers

4.45 To indicate that an elector is entitled to vote by post and must not be given an ordinary ballot paper at a polling station, you are required by law to mark the polling station registers with an 'A' using the information contained in the postal voters' list.

⁶ This is because there is no express provision in the legislation as to when postal votes must be opened. The computation of time provisions in the referendum rules and in the election rules do not apply.

5 Procedure for issuing and distributing postal votes

Directions

Ensure that all those entitled to attend the issuing process are able to do so.

The first issue of postal votes must take place by not later than 18 April 2011.

Where the issue of postal votes has been combined, put in place a system to ensure that electors who are only entitled to vote by post in either the referendum or the elections are issued with the correct postal ballot pack.

Quality-assure the issuing process:

- Instruct a member of your staff to carry out regular spot checks during each issuing session.

Accurately record the number of postal votes issued at the end of each issuing session.

Put in place systems to allow you to issue replacements for spoilt ballot papers or declarations of identity up until 5pm on the day before polling day.

If you are not delivering the postal ballot packs by hand, make arrangements for the secure transfer of the postal ballot packs to Royal Mail or a commercial delivery firm.

Who can attend?

5.1 In addition to you and your staff, Commission representatives, accredited observers, candidates, their agents, referendum agents and agents specifically appointed to observe the postal vote issue are all entitled to attend the issuing process at a combined issue of postal votes.

5.2 If you have issued separately, then the following may attend the issue of referendum postal ballot papers:

- **you and your staff**
- **Commission representatives**
- **accredited observers**
- **referendum agents**
- **agents appointed by referendum agents to observe the postal vote issue**

5.3 The following may attend the separate issue of election postal ballot papers:

- you and your staff
- Commission representatives
- accredited observers
- candidates
- election agents
- agents appointed by candidates/election agents to observe the postal vote issue

5.4 If you have outsourced the postal vote issuing process, you must ensure that these persons are able to access the premises of the company conducting the issue. All persons attending the issue are required by law to be provided with a copy of the relevant secrecy provisions.

The issuing process

5.5 The processes to be followed when issuing postal ballot packs are provided for in legislation. If you have decided to issue combined postal ballot packs, you must put in place a system to ensure that electors who are only entitled to vote in either the referendum or the elections are issued with the correct postal ballot pack. You should put in place a system that allows you to maintain the correct numbering sequence for ballot papers to ensure that the ballot paper number printed on the ballot paper envelopes and declarations of identity matches the ballot paper issued.

5.6 The first issue of postal ballot packs must take place by not later than 18 April 2011.

5.7 You must quality-assure the issuing process. As part of this, you must instruct a member of your staff to carry out regular spot checks during each issue to ensure that the correct details appear on the stationery and that the postal ballot packs have been properly collated.

5.8 You must make arrangements for the secure transfer of the postal ballot packs to Royal Mail or a commercial delivery firm.

5.9 You must ensure that the number of postal votes issued is accurately recorded at the end of each issuing session. These numbers will be required for the completion of the statements as to postal ballot papers.

Re-issuing postal ballot packs

5.10 It is possible to re-issue postal ballot packs to replace spoilt postal ballot paper(s) and/or a spoilt declaration of identity.

Re-issuing spoiled postal votes

5.11 If a person spoils their postal ballot paper(s) and/or declaration of identity, it is possible for them to obtain a replacement postal ballot pack. Replacements can be issued up until 5pm on the day before polling day. You must put in place systems to allow you to issue replacements up to that time.

5.12 Before a replacement can be issued, the spoiled ballot paper/papers or spoiled declaration of identity must, by law, be returned to you, along with the remaining ballot paper/papers or declaration of identity, return envelope 'B' and ballot paper envelope 'A', regardless of whether or not these have been spoiled. Where the issue of postal votes has been combined, the ballot paper(s) for the other poll must also be returned. A new postal ballot pack can then be issued to the elector.

6 Receiving and opening postal votes

Directions

Liaise with Royal Mail to confirm arrangements for the return of postal votes, and arrange for a final sweep on polling day.

Maintain a clear audit trail of the receipt and opening of postal ballot packs.

- Keep a record of the total number of envelopes received at your office and placed in a postal voters' ballot box, and check this against the number of envelopes counted as part of the opening process.
- Keep a record of all of the boxes that have been used for postal votes.
- Ensure that all of the figures required for completion of the statement as to postal ballot papers are accurately recorded.
- Ensure the security of the contents of the postal voters' ballot box by sealing it and storing it in a secure place until the next scheduled opening of postal votes.

Transport postal votes securely to the opening and count venues.

Maintain secure storage of postal ballots at all times.

Ensure that those entitled to attend opening sessions are able to follow what is happening, where and when.

Ensure that you have robust procedures in place for checking the returned declarations of identity, following the principles contained in the Commission and Forensic Science Service guidance on signature checking.

Maintain a robust audit trail of the opening process.

- Prepare a schedule recording the total number of postal votes placed in each postal ballot box, as well as the total number of such boxes.
- Complete a postal vote ballot paper account for every postal ballot box.

Receipt of postal votes

6.1 You must liaise with Royal Mail and confirm arrangements for the return of postal votes. You must also make arrangements with Royal Mail for a final sweep on polling day.

6.2 You must ensure that you have a clear audit trail in place, including a record of all of the boxes that have been used for postal votes.

6.3 You must make arrangements to transport postal votes securely to the opening and count venues, particularly if these are taking place in a different building.

Record-keeping

6.4 You must ensure that you maintain a clear audit trail throughout the receipt and opening of postal votes.

6.5 You must keep a record of the total number of envelopes received at your office and placed in a postal voters' ballot box. You must use this record for audit purposes and check it against the number of envelopes counted as part of the opening process.

6.6 You must also complete a postal vote ballot paper account for every postal ballot box. The Commission has produced a template postal vote ballot paper account that you can use for this purpose.

6.7 You must also prepare a schedule recording the total number of postal votes placed in each postal ballot box, as well as the total number of such boxes.

6.8 You are required, by law, to complete a statement as to postal ballot papers for the referendum and for the election, which form a key part of your audit trail.



Further details on the statements as to postal ballot papers and other data to be returned to the Chief Counting Officer and the Commission after the polls are provided in Module 5 – After the declaration of results.

Opening of postal votes

6.9 The postal vote opening process should be transparent. All those entitled to attend must be able to follow what is happening, where and when. Anyone entitled to attend should be provided with information on the opening processes you are going to follow, whether as a verbal explanation or through the provision of written guidance notes. Also, copies of your layout plan could be handed out to anyone entitled to be present in order to help them to follow what is happening, where and when.

Who can attend the opening of postal votes?

6.10 The same persons entitled to attend the issue of postal votes are entitled to attend the opening sessions (see paragraphs 5.1 – 5.3).

Maintaining the secrecy of the ballot at the opening of postal votes

6.11 Although throughout the opening sessions you are legally required to keep the ballot papers face down, there may be occasions when the front of a ballot paper becomes visible. However, anyone attending the opening of postal votes, which includes your staff working at the opening session, is prohibited by law from revealing any information regarding the vote cast on any particular ballot paper and must maintain the secrecy of voting.

Postal vote opening procedure

6.12 The ordinary postal vote opening process is set out in law.

6.13 You must ensure you have robust procedures in place for checking the returned declarations of identity, following the principles contained in the Commission and Forensic Science Service guidance on signature checking. You must also ensure that you complete the necessary paperwork at the end of each session, which includes recording the total number of postal votes opened and completing a postal vote ballot paper account for each postal ballot box in order to help with the creation of an audit trail.

Marking the postal voters' and proxy postal voters' lists

6.14 There is a requirement for you to produce a marked postal voters' list or postal proxy voters' list whenever a declaration of identity is returned, regardless of whether or not it is accompanied by a ballot paper or ballot papers.

The final opening of postal votes

6.15 It is advisable to keep to a minimum the number of postal votes that have still to be opened during the verification and count in order to avoid any potential delay to the verification and count processes.

6.16 Irrespective of whether the last opening of postal votes takes place at the verification and count venue or elsewhere, you must ensure that the opening of postal votes is carried out in full view of those entitled to be present.