Guidance note for County Returning Officers

Purpose

1.1   County council elections take place every four years. In some county council areas the election may also be combined with other scheduled elections, such as parish elections, combined authority mayoral elections or local authority mayoral elections, by-elections and/or local referendums. In 2021, the elections will also be combined with the postponed elections from 2020, including district elections and PCC elections.

1.2   The purpose of this document is to assist you, as county RO, by setting out some key considerations relating to the coordination and planning of the county council election in your area. Even if you have run county council elections before, you should be aware that the legislation since the last scheduled polls has changed.

Your role as RO

1.3   As county RO, regardless of whether you have appointed Deputy Returning Officers (DROs) at each district council in your area to carry out functions on your behalf, you are still legally responsible for all aspects of the administration and conduct of the poll in your area. To effectively deliver the poll across the county you will need to cultivate positive working relationships with the DROs in your area. Unlike PAROs at PCC elections, you have no power of direction.

See Part A: Returning Officer role and responsibility for further details on the appointment of deputy ROs and the role of the RO.

Scale and complexity of the election

1.4   In deciding on how you will manage the county council election in your area, you will need to establish the scale of any combination of polls within your area. To do this you will need to work closely with the district ROs in your area to ensure you fully understand the context and challenges across the whole of the county council area. It will be important to agree planning assumptions at an early stage, recognising that these will need to be kept under review to respond appropriately should circumstances change.

1.5   Local knowledge and experience will be key and there is no 'one size fits all approach' which can be applied to, or even within, each county council area. Every county will have its own set of circumstances which will influence your decisions on how best to ensure a consistent, high-quality experience for those voting and standing for election across the county.

Providing leadership

1.6   As county RO, you are responsible for providing leadership and for coordinating the administration of all aspects of the election across the whole of the county to ensure that voters and those standing for election receive a consistently high quality of service regardless of where they live and that the election produces a result that is accepted. This will involve overseeing and coordinating the work of the districts, which should be reflected in the objectives and success measures set out in your project plan. Any risks should be identified in your risk register and mitigating actions taken.

1.7   You should set out at an early stage what you want to achieve and what success would look like for you and as part of this you should consider how you will:

- ensure consistency of the poll across the whole county area, including understanding any particular challenges across your county area
- monitor the delivery of the poll across the county, including the conduct and delivery of work by your appointed deputies
- ensure you have a clear understanding of your statutory functions and a working knowledge of the legislation
- ensure that any guidance and instructions you issue are in accordance with legislation
- ensure you have appropriate insurance and indemnity cover in place

1.8   Your plans should:

- Identify relevant lessons learnt from previous and/or similar electoral events – you will need to consider what worked well previously and what didn't work well and what can be done to mitigate against this.
- Define your objectives and success measures. What will the successful delivery of the election look like for you?

Key considerations

1.9   There will be aspects of the election process where you will particularly want to ensure that there is consistency, most notably in the areas that impact on the voters' experience – for example, the issue of poll cards and postal votes, and the staffing of polling stations – as well as in respect of the verification and counting of votes.

1.10 It is for you to decide, based on factors such as your knowledge, experience and relationships with the DROs in your area, and taking into consideration issues of scope and scale, how to best achieve the objectives set out in your project plan.

1.11 The following checklist sets out some key planning aspects for you to consider.

Have you...?

General planning

☐ Established a project team to support you in carrying out your functions?

☐ Adequate deputy arrangements in place? For example:
- o Have you appointed deputies in your immediate team, e.g. to take over your functions should you be unable to act?
- o Have you appointed deputies across the districts in your county? For example, for the adjudication of postal vote identifiers and doubtful ballot papers?
- o Is it clear in all cases which functions have been delegated?

☐ Established / agreed effective communications plans
- o to communicate with DROs?
- o to communicate with voters?
- o to communicate with candidates and agents?
- o to communicate with any media wishing to attend the count?

☐ Established a mechanism to be able to quality-assure the whole election process and ensure consistency across the county area?

☐ Developed an understanding of the scale and complexities of polls across the county council area?

Part B of our guidance for ROs provides detailed information on specific planning considerations.

We have also produced supplementary guidance on planning for the May 2021 polls in light of the coronavirus pandemic.

Specific election processes

☐ Agreed what role, if any, you will have in the management of actual processes, such as nominations, postal voting and the counting of votes?

☐ Agreed the template for the notice of election, as well as when it will be printed and published and where it will be displayed?

☐ Agreed the print specification of ballot papers and proof-checking arrangements by DROs?

☐ Agreed the allocation of ballot papers to polling stations?

☐ Agreed polling station staffing levels?

☐ Agreed what local information will be provided to candidates and agents?

☐ Agreed the timing of poll card issues across the county area? Electors should receive poll cards as soon as possible so they have the maximum amount of time to act on the information, but you will need to factor in the complexity and scale of any combination of polls.

☐ Agreed the timing of postal vote issues across the county area? Electors should receive their postal vote as soon as possible so they have the maximum amount of time to complete and return it, but you will need to factor in the complexity and scale of any combination of polls.

☐ Agreed whether there will be postal vote sweeps?

☐ Agreed verification and count times?

☐ Agreed how doubtful ballot papers will be adjudicated?

☐ Agreed how the results will be declared and how they will be published?

Part C of our guidance to ROs sets out detailed information about the administration of the polls, including management of nominations, Part D sets out detailed guidance on the absent voting processes and Part E covers verification and counting of votes.

Finance

☐ Agreed appropriate funding mechanism and required audit arrangements?

Public awareness

☐ Agreed how you will raise awareness of the election, registration and how to vote, having regard to any guidance issued by the Electoral Commission?

Information about raising awareness and providing information to electors is included in Chapter 7 of Part B of our guidance for ROs.

Venues and suppliers

☐ Been reassured that suitable venues for all aspects of the poll have been identified and booked?

☐ Have you and DROs reviewed existing contracts with suppliers and contractors and are you reassured that they will be able to deliver those elements of the poll that you and the DROs have asked them to?

Integrity

☐ Engaged with the SPOC and identified specific steps to deal with any potential electoral fraud?

☐ Considered specific risks relating to each district within the county?

☐ Been reassured that risks relating to each district within the county are being adequately addressed locally?

☐ Agreed how you will deal with any problems that arise relating to the integrity of the poll?

☐ Agreed how you will communicate your approach to maintaining electoral integrity?

> Further information about maintaining the integrity of the poll to ensure that the election is free from fraud and the results that you declare are a true and accurate reflection of the will of the electorate, is set out in Chapter 6 of Part B.

Evaluation

☐ Agreed how will you evaluate your procedures post-election and identify lessons learnt?

☐ Agreed how you will involve ROs from the districts and learn lessons from their experiences?

> Further information about conducting post-election evaluations can be found in Chapter 4 of Part F: After the declaration of result.

Guidance and support from the Electoral Commission

1.12 We set standards for elections and we use this framework to support Returning Officers in delivering well-run elections. We are working with all county ROs to help deliver the May 2021 polls and we will be in contact with you in due course, if we haven't contacted you already.

1.13 We have produced comprehensive guidance for the forthcoming elections and this is available on our website. The guidance is supplemented by resources which can be accessed through links contained throughout the guidance. The supplementary resources are also available from a dropdown menu underneath each guidance part on our website.

1.14 Likewise, there is a full suite of guidance and resources available for candidates and agents on our website.

1.15 Should you have any questions about our guidance or any other matter relating to the administration of the election on 6 May 2021, we are available to provide on-going support via your local Commission team. We will also be providing an out-of-hours advice service to deal with urgent electoral administration queries in the run up to and immediately following the election. Further information on the out-of-hours service will be provided through our Bulletin for electoral administrators. We issue

Bulletins on a regular basis. They are one of our key channels for communicating with Returning Officers, Electoral Registration Officers and their staff. You can subscribe to receive our Bulletin here.

1.16 We will deliver our public awareness campaign for the May 2021 polls using a phased approach. The first phase of the campaign will focus on communicating that polling stations will be safe places to vote, there are a range of voting options, and that those who would prefer to vote by post should apply early. Nearer to polling day, we will run our 'Got5?' voter registration campaign.

1.17 We have created a range of resources which electoral administrators and council communications teams can use to support our campaign in your local area. These include social media assets, web banners, posters, and press releases.

1.18 We also publish a voter registration newsletter, Roll Call, which aims to help local council communications teams stay up-to-date with the latest campaign information and resources. You and your council communications team, as well as DROs and their communications teams, can sign up to receive the newsletter here.