

The
Electoral
Commission

Media handbook

Local government elections in England

Thursday 6 May 2021

Media contacts and resources

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Websites

www.gov.uk/register-to-vote

The public can visit this website in order to register to vote. It is quick and easy to use. Since its launch in June 2014, millions of applications to register to vote have been submitted. Wherever possible, please refer to this site in media coverage about the election to ensure members of the public know where to register.

www.electoralcommission.org.uk

The Electoral Commission website has a dedicated section for journalists featuring its press releases and statements. It has information on donations made to political parties and campaigners and has a guidance section with information for candidates and those administering the election.

The website also 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.

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Logistics

What elections are taking place on 6 May?

- **Local government elections** (district, borough, county borough and unitary authority elections) will take place in every region of England apart from Greater London. Voters will elect councillors, who make decisions on services in the local area.
- **Police and Crime Commissioner and Police, Fire and Crime Commissioner elections** in every part of England and Wales (excluding London, Manchester and West Yorkshire, where this role is carried out by the elected Mayor). There is a [separate handbook](#) for these elections.
- **Combined authority mayoral elections** in some areas of England. A combined authority mayor is elected to represent several neighbouring councils. They are responsible for services such as transport, planning and skills provision.
- **Local authority mayoral elections** in some areas of England. A local authority mayor is responsible for running the council.
- **Greater London Authority (GLA) and Mayor of London elections.** The GLA is made up of one directly elected Mayor and 25 London Assembly Members. The Mayor of London is responsible for making plans, strategies and policies for Londoners, as well as managing the budget to run transport, police and fire services. There is a [separate handbook](#) for these elections.

For information about local authority and combined authority mayoral elections and the rules for standing, see **Appendix A**.

Roles and responsibilities at the poll

Returning Officer (RO)

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

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.

Presiding Officers

Presiding Officers are appointed by 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.

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 these elections is to:

- produce guidance for ROs and EROs, set performance standards and report on how electoral administrators perform against these standards
- produce guidance for candidates standing for election and their agents
- produce guidance for parties that are campaigning at the election
- produce guidance for non-party campaigners that are campaigning at the election
- register political parties and non-party campaigners
- raise public awareness of the elections and how to take part in them
- report on the conduct of the elections
- publish details of where political parties get their money from and how they spend it

Local government election timetable

Event	Election	Date (deadline if not midnight)
Publication of notice of election	All	Not later than Monday 29 March
Deadline for delivery of nomination papers	All	4pm on Thursday 8 April
Deadline for withdrawing nominations	All	4pm on Thursday 8 April
Making objections to nomination papers	Combined authority mayoral	Between 10am and 12 noon on Thursday 8 April objections can be made to all delivered nominations Between 12 noon and 5pm on Thursday 8 April objections can only be made to nominations delivered after 4pm on Wednesday 7 April
Publication of statement of persons nominated	All	Not later than 4pm on Friday 9 April
Deadline to apply to register to vote	All	Monday 19 April
Deadline to apply to vote by post, postal proxy applications, and for changes to existing postal or proxy votes	All	5pm on Tuesday 20 April
Deadline for new proxy vote applications	All	5pm on Tuesday 27 April
Publication of notice of poll	All	Not later than Tuesday 27 April
Polling day	All	7am to 10pm on Thursday 6 May
Deadline to apply for a replacement for spoilt or lost postal votes	All	5pm on Thursday 6 May
Deadline for emergency proxy applications	All	5pm on Thursday 6 May

Candidates

Becoming a candidate at a local election

Who can become a candidate?

Anyone who wants to be able to stand as a candidate at a local government election on 6 May 2021 must be:

- at least 18 years old
- 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.
- Their main or only place of work must be in the local authority area that they are standing in. This applies to the 12 months prior to the day of their nomination and the day of election.
- 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.

Are there any rules barring a candidate from standing?

The rules around standing for election and the disqualifications that apply are complex. Further information can be found in [Part 1 of the Electoral Commission's guidance for candidates and agents](#).

Can someone stand for election in more than one ward within the same local authority?

Anyone who wants to stand as a candidate can submit nomination papers for more than one ward, but they cannot stand for election in more than one ward within the same local authority after the deadline of withdrawals.

When does someone become a candidate?

The earliest that a person can officially become a candidate is the last day for the publication of notice of election, which is 29 March 2021. 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 that they will be a candidate at the elections after 29 March 2021, they become a candidate on that day, or the date they formally submit their nominations papers – whichever is earliest.

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

All prospective candidates must submit the following to the local Returning Officer by 4pm on Thursday 8 April 2021.

- A completed nomination form. Prospective candidates cannot submit the nomination form until the date stated on the notice of election
- The consent to nomination
- The home address form
- 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 2 registered electors for their respective electoral area.

On our website, we have further [guidance for candidates and agents on standing for election](#).

When will we know who all of the candidates are?

The relevant local Returning Officer will publish the full list of candidates standing in their constituency. This will happen in most cases by 4pm on Friday 9 April 2021.

This information will usually be available on the respective local authority website.

Campaigning at the election

When can candidates start campaigning?

Candidates can start campaigning at any time. They do not have to wait until they are validly nominated to declare that they will run for election, ask people to support them or publish campaign material.

Election spending limits apply from the day after a person officially becomes a candidate.

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 influence the result of the 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 a regulatory role in relation to the content of campaign material or what candidates say about each other, though we encourage all campaigners to undertake their vital role responsibly and to support campaign transparency.

Are there any electoral rules regarding campaign materials?

By law, candidates, parties and non-party campaigners must use 'imprints' on all their printed campaign material. An imprint includes the name and address of the printer and promoter (the person who authorised the material to be printed). It must be included on all printed material such as posters, placards and leaflets. 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 printed election material.

Though it is not currently a legal requirement, the Electoral Commission recommends that candidates, parties and non-party campaigners wherever possible, place an imprint on their electronic materials (e.g. websites, emails and social media platforms). Voters need to know who is targeting them with political messages online and we have called for the law to be changed.

In October 2020, the Government launched a consultation on the introduction of digital imprints. This would deliver an important increase in transparency for voters.

Can candidates see the electoral register?

Once someone becomes a candidate, they 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 electoral area that they are contesting.

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

Candidates must not release any details that appear in the electoral register only (and not on the open register which is available for general sale).

Spending limits and rules on accepting donations

Regulated Period

What is the regulated period for the May elections?

The regulated period for the 2021 local government elections begins the day after someone officially becomes a candidate and ends on polling day, 6 May 2021.

The earliest someone can officially become a candidate is on Monday 29 March 2021

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

Spending

What are the spending limits?

The spending limit for these elections has recently been increased.

For local government election candidates, the spending limit for the regulated period is £806, plus 7p per local government elector registered to vote on the last day for publication of the notice of election 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 electoral registration officer will be able to provide candidates with the number of registered electors in the ward.

Spending limits for joint candidates

Joint candidates are candidates that stand in the same ward and:

- have the same election agent
- use the same campaign rooms
- publish joint material

Joint candidates have lower spending limits. On our website, we have further [guidance on spending and donations for joint candidates](#).

What activities count towards the spending limit?

Candidate spending includes the costs of:

- advertising of any kind, such as posters, newspaper adverts, websites or social media
- 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 or candidate's campaigners
- public meetings
- staff costs, such as an agent's salary, or staff seconded to a candidate
- accommodation, such as a campaign office
- administrative costs, such as telephone bills, stationery, photocopying and the use of databases

Activities that do not count include:

- anything appearing in a newspaper or on a licensed broadcast channel with the exception of adverts
- costs that are reasonably attributable to the candidate's disability
- facilities used because the candidate is entitled to do so as a candidate, such as a public room for a meeting
- volunteer time including time spent by staff that the candidate does 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
- use of someone's computing or printing equipment acquired principally for that person's personal use and provided free of charge

Who is responsible for candidate spending?

It is the responsibility of the candidate's agent (or the candidate, if they act as their own agent) to fully and accurately report spending. Both the candidate and the agent should ensure they understand the rules and that all spending is properly authorised, recorded and reported. Both the candidate and the agent must make a declaration that their reporting is accurate, making this statement falsely is an offence.

Donations

What counts as a donation?

A donation is money, goods, property or services which are given to a candidate, without charge or on non-commercial terms, and have a value of over £50.

Anything with a value of £50 or less does not count as a donation.

Who can make donations to candidates?

Candidates must ensure that any donation worth more than £50 is only accepted if it is from a permissible source. This applies to cash donations and donations in kind.

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, including overseas electors
- a GB registered political party
- a UK registered company which is incorporated in the UK and carries on business in the UK
- a UK registered trade union
- a UK registered building society
- a UK registered limited liability partnership that carries on business in the UK
- a UK registered friendly society
- a UK based unincorporated association that carries on business or other activity wholly or mainly in the UK and has its main office in the UK

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 and the agent does not need to treat them as donations to the candidate, unless the donations are specially made towards the candidate's election campaign.

However, candidates will need to report donations from the local party that are made for the purpose of meeting their campaign spending.

What are the rules on crowdfunding?

Candidates can raise donations from crowdfunding websites towards their campaign. The candidate must know who the money comes from so that they can carry out the permissibility checks, and ensure that there are measures in place to return donations that are from impermissible sources.

[The Commission has published guidance on crowdfunding donations and the rules on permissibility.](#)

Reporting

Who do candidates report their regulated spending to and when?

Details of the candidate's spending and donations must be reported to the local Returning Officer together with declarations from the agent and candidate confirming the return is complete and correct no later than 35 days after the election result is declared.

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

What happens if a candidate exceeds their spending limit?

Exceeding the spending limit can be a criminal offence. Allegations relating to the Representation of the People Act (RPA), including candidate spending offences, are generally made to the relevant local police force to consider.

Whilst the Electoral Commission has 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.

What are the rules for non-party campaigners?

Non-party campaigners are individuals and organisations that campaign in the run up to elections but do not stand as political parties or candidates.

Under candidate 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.

Local non-party campaigners can spend up to £50 plus 0.5p per local government elector in the ward who is registered to vote on the last day of the publication of the notice of election in the ward. A local non-party campaigner cannot spend more than £50 plus 0.5p per elector without a candidate's authorisation. Further information is in [our guidance for candidates and agents](#).

Voters

Registering to vote

Who can vote in the 6 May elections?

A person can vote in the 6 May elections if they are on the local government register in an area where elections are taking place.

A person can register to vote if they 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.

More information on eligibility can be found on our website at www.electoralcommission.org.uk/i-am-a/voter.

What is the registration deadline?

The deadline to apply to register is midnight on Monday 19 April 2021.

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

The deadline to apply for a postal vote is 5pm, Tuesday 20 April 2021.

The deadline to apply for a proxy vote, except in an emergency, is 5pm, Tuesday 27 April 2021.

The deadline to apply for a proxy vote as a result of an emergency is 5pm, Thursday 6 May 2021.

How can someone register to vote?

Voters can register to vote online at 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 on the [UK Government's website](http://www.gov.uk).

Can someone register at two different addresses?

In some cases voters may be eligible to register at two different addresses, for example, if they own two homes or if they 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 local authority areas, then at May's local elections, they are legally entitled to vote in both of those areas.

However, it is an offence to vote twice in the same election, for example at a general election.

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.

Can prisoners vote?

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

In some limited circumstances prisoners released on temporary licence may meet the criteria to register to vote.

The voting process

The Electoral Commission has produced a [media handbook](#) with further information on how the voting process will take place against the backdrop of the Covid-19 pandemic. Information in that handbook supplements the information here.

When will polling stations be open?

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

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.

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. In some authorities there may be two or more seats to fill in each ward, in this instance 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.

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).

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. The ballot paper will indicate how many candidates the voter may choose.

The elections on Thursday 6 May 2021 are combined, which means that electors will be voting not just for councillors, but for other representatives as well. To differentiate between the polls, the colour of the ballot papers for each poll must be different. The local Returning Officers decide on the ballot paper colours.

Voting in person

Registered voters can visit their local **polling station** between 7am and 10pm on Thursday 6 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.

Voting by post

If voters do not wish, 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, Tuesday 20 April 2021.

- 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 6 May.

- Votes arriving after 10pm on Thursday 6 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.
- 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.

Voting 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, Tuesday 27 April 2021.

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

It is a legal requirement to provide a tactile voting device at every polling station. This 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 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 consider how voting can be made 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 provides guidance to polling station staff, to help them make sure that polling stations are accessible to everyone. This information is available for staff who are running the [local government and PCC elections in England](#), or [local government and combined authority mayoral elections in England](#).

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, we advise against taking any photos inside polling stations.

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 report the matter to the police.

The count and declaration of results

The Electoral Commission has produced a [media handbook](#) with further information on how the count process will take place against the backdrop of the Covid-19 pandemic. Information in that handbook supplements the information here.

Who is responsible for the count?

The relevant local Returning Officer has overall responsibility for counting the votes at their respective election.

To support electoral administrators with the count process we have published [supplementary guidance on verification and count considerations for the May polls](#).

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.

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**
 - a. Staff count the postal ballot papers and verify that the number of ballot papers in postal ballot boxes matches the numbers recorded by the relevant local Returning Officer.

- b. 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.
- c. The local 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

- a. At all scheduled local government elections excluding mayoral elections with three or more candidates or a combined authority mayoral (CAM) election where there are three or more candidates, the following steps are taken.
 - Staff sort ballot papers by candidate.
 - Staff then count the number of votes cast for each candidate.
 - The relevant local 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 local Returning Officer can refuse the request if they think it's unreasonable
- b. At mayoral elections or CAM elections where there are three or more candidates, the following steps are taken.
 - 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 relevant local 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 local 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 then 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 relevant local 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 relevant local Returning Officer can refuse the request if they think it's unreasonable.
4. **Declaration of the result:** the local 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.

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 local 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.

The local Returning Officer will announce how many ballot papers were rejected when they announce the results of the election.

Any ballot papers which are considered 'good' in this process are returned and allocated to the relevant candidate.

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 local Returning Officer must give candidates at least 48 hours' notice of when and where the sessions will take place. At each opening session, the local 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 local 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. Ballot papers are handled 'face down' at postal vote opening sessions. 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.

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 can be presented by:

- a person claiming to have been a candidate at the election, or
- four people who voted as electors at the election or had a right to vote at the election, except for electors registered anonymously

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.

In 2020, [the Law Commissions recommended 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. The Electoral Commission supports this recommendation. For more information on challenging the result of an election, see [Part 6 of our Guidance for candidates and agents](#).

Electoral fraud

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. 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.

What are the criminal offences that relate to electoral fraud?

- **Personation** – It is an offence to vote 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 attempt to influence someone's vote by:
 - using or threatening force, violence or restraint
 - inflicting or threatening injury, damage, loss or harm
 - impeding or preventing someone 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 (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 offer food, drink or entertainment to corruptly influence any voter. 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 you are not allowed to 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 for a postal or proxy vote.

What safeguards are in place to ensure postal voting is secure?

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 local 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 national insurance number, before going on to provide the additional information above if they want to cast their vote by post.

Responsibilities for combatting electoral fraud

How does the 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 includes the following guidance for parties, candidates and campaigners.

- Do not 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.
- Do not handle or take any completed ballot papers 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.

The law does not prohibit postal votes from being handled by candidates, parties and campaigners. We want the law changed so that candidates, parties and campaigners do not handle or take completed absent vote applications or postal ballot packs from voters.

What happens if a political party breaches the Code of Conduct?

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

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

The primary responsibility lies with the local Returning Officer and the Electoral Registration Officer(s) for each area. They work closely with their local police force.

[Guidance on policing elections](#) 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.

Appendix A

Local authority mayoral elections and combined authority mayoral elections

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

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

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

The UK government has [published a table outlining how many subscribers are required for each combined authority area](#), that candidates should consult.

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 per registered elector in the local authority area in which the candidate is standing.

The local Electoral Registration Officer will be able to give candidates the number of registered electors in the local authority in which they are standing.

For the combined authority mayoral election the spending limit applies during the regulated period and is calculated using a fixed 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 local Returning Officer or Combined Authority Returning Officer 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

Where there are more than two candidates, mayors are elected using the Supplementary Vote system. Voters need to make a first and second choice when voting. If a candidate receives more than half of all first choice votes, they are elected.

If this doesn't happen, the two candidates with the most first choice votes go through to a second stage. All other candidates are eliminated from the contest, but the second choice votes for either of the top two candidates are added to the totals for those two candidates which remain in the contest.

If there are only two candidates standing at the election, the mayor is elected under the first-past-the-post electoral system, where the candidate with the most votes is elected.

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 voters only mark a first choice, their vote will still be counted – they can choose not to mark a second choice candidate. However, if voters only mark a second choice candidate, their vote will not be counted. If voters give the same candidate their first and second choice, only their first choice will be counted.