

# Part F – After the declaration of results

Senedd and Police and Crime  
Commissioner elections: guidance for  
Returning Officers

October 2020 (republished March 2021)

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

## Translations and other formats

All of our guidance and resources for these polls are also available in Welsh.

For information on obtaining this publication in another language or in a large-print or Braille version please contact the Electoral Commission:

Tel: 020 7271 0500

Email: [publications@electoralcommission.org.uk](mailto:publications@electoralcommission.org.uk)

## Updates to this document

<b>Updated</b>	<b>Description of change</b>	<b>Paragraph number</b>
March 2016	Re-published to include legal references	N/A
June 2016	Updated to amend telephone number for the Election petitions office	<b>3.8</b>
October 2020	Updated to take account of the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018  Updated to reflect name change from National Assembly for Wales to Senedd	<b>N/A</b>

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# 1 Storage and disposal of documents

1.1 You should maintain a document retention policy which sets out the period in which you will retain all election documents and your reason for doing so. You should ensure that you do not retain documents for longer than the period specified in your document retention policy and that they are securely destroyed at the appropriate point.



Our [resource](#) on Data Protection legislation contains further information on the storage of personal data and on document retention, including what should be included in a document retention policy.

1.2 The election documentation listed in paragraphs **1.8, 1.9 and 1.11** below must be kept securely for one year.

1.3 The election documents must be forwarded to the relevant Electoral Registration Officer (ERO). The relevant ERO is:<sup>1</sup>

## **For the Senedd election<sup>2</sup>**

- the registration officer of the local authority in whose area the constituency is situated, or
- if the constituency comprises any part of the area of more than one local authority, the registration officer of the local authority in whose area the greater or greatest (as the case may be) number of electors is registered

## **For the Police and Crime Commissioner (PCC) election<sup>3</sup>**

- the registration officer of the local authority which comprises the voting area, or
- if the voting area comprises any part of the area of more than one local authority, the registration officer of the local authority in whose area the greater or greatest (as the case may be) number of electors is registered

1.4 If you are not the relevant ERO, you should liaise with them at an early stage to put in place arrangements for the forwarding of the prescribed documents after the declarations of results. You should ensure that all of the documentation is kept secure and accounted for during the process of being forwarded to the relevant registration officer.

1.5 You should make sure that the packaging process is as transparent as possible. You should maintain a clear audit trail when packaging and (if required) forwarding the documents as this will help to ensure that retrieval of documents is facilitated should anyone wish to inspect the public documents. The packaging and labelling system you use should both provide secure storage and support timely retrieval.

1.6 A clear audit trail and transparent process can be achieved by:

- Producing clear labels for each packet.<sup>4</sup> You must seal all of the relevant documentation in separate packets and mark each packet with a description of its contents, the date of the election and the elections to which it relates.
  - In respect of the Senedd election, the label must also include the name of the Senedd constituency, if the packet relates to the regional election, the name of the region. In respect of the PCC election, the label must also include the name of the police area.
  - The labels must also state how long the packet is to be kept and when it is to be destroyed (unless otherwise directed by a court order). The labels for documents open to public inspection and for documents that are not open to public inspection should be different. As a minimum, the packets containing documents not open to public inspection should clearly state this fact.
- Ensuring that you have factored the parcelling up of documents into your verification and count planning.
- Covering packing instructions as part of your training for polling station staff and when training postal voting and count supervisors. Providing written instructions should also help to reduce the risk of documents being packaged wrongly. [A close of poll packing instructions resource](#) is available, which you could adapt and provide to polling station staff.
- Creating a list of all documents to be forwarded. You should keep a record of all of the materials that you have a duty to send to the relevant registration officer, and ensure that all of the items are accounted for and delivered securely in accordance with data protection requirements. Paragraphs 1.8, 1.9 and 11.11 below provide lists of documents that you have a duty to retain. You should also:
  - record the number of parcels you have despatched
  - record the details of the relevant registration officer to whom they have been sent
  - obtain a receipt from the relevant registration officer indicating that the parcels have been safely received

1.7 All packets and receptacles containing election documents should be stored securely before being transferred to the relevant ERO so that no unauthorised persons can tamper with them.

# The documents that you have a duty to forward

1.8 You must seal up the election documents listed below for each poll and, on the completion of the counting of ballot papers, you must forward them to the relevant ERO. If you are not also the ERO, the ERO will need to ensure that they have a mechanism in place to record the date of receipt, so they know when to destroy the documents that have been forwarded.

1.9 From the polling stations:

- the packet containing:<sup>5</sup>
  - list of tendered votes
  - list of voters with disabilities assisted by companions
  - declarations made by companions of voters with disabilities
  - list of votes marked by the Presiding Officer
  - statements relating to votes marked by the Presiding Officer
  - list of persons to whom ballot papers are delivered after the correction of a clerical error or as a result of a decision on a court appeal
- the marked copies of the register of electors, the marked list of proxies and any marked copy notices issued as a result of the correction of a clerical error or a decision on a court appeal
- the packets containing the completed polling station corresponding number lists
- certificates of employment on duty on polling day

1.10 From the postal vote issues and openings for each poll:<sup>6</sup>

- the marked copies of the postal voters' list and proxy postal voters' list
- the packets containing the completed postal vote corresponding number lists
- the packets of postal voting statements accepted as valid
- the packets of rejected postal votes
- the packets of rejected postal ballot paper envelopes
- the lists of cancelled, lost and spoilt postal ballot papers
- the packet of spoilt postal ballot papers and accompanying documents
- the packet of lost postal ballot papers containing any part of the postal ballot pack that was not lost and which was returned to you before you issued a replacement
- the packet of postal ballot papers, statements and envelopes that have been cancelled
- the packets of unused postal ballot papers
- the unopened postal ballot packs received after the close of poll or returned as undelivered (these can be forwarded at a subsequent date)

1.11 You must also forward to the relevant ERO, at the same time as you are forwarding the above election documents, the statement as to postal ballot

papers and the relevant parts of the list of postal votes that have failed the identifier checks.<sup>7</sup> Where the constituency / voting area includes more than one local authority, you must send such extracts of the list as are relevant to the ERO for each of those local authorities. You should also forward at the same time your record of any instances where you suspect an offence may have been committed, so that the ERO knows in which cases they should not send out a postal vote identifier rejection notice.



For further information on the contents of the various lists relating to postal voting, see [Part D: Absent voting](#).

1.12 From the counts, and separately for each of the Senedd constituency election, Senedd regional election and PCC election:<sup>8</sup>

- all ballot papers separately stored as:
  - counted ballot papers
  - rejected ballot papers
  - unused ballot papers (both ordinary and tendered) and spoilt ballot papers (placed together)
  - used tendered ballot papers
- ballot paper accounts, the result of the verification of the ballot paper accounts and the statement of rejected ballot papers

1.13 Retention and inspection guidance for [Senedd elections](#) and [PCC elections](#) to assist with the correct handling of the materials is available for download from our website.

1.14 You should ensure you have processes in place to retrieve data and securely destroy it at the appropriate time in accordance electoral law and with your document retention policy.

## Election notices published on your website

1.15 You will need to consider whether it is appropriate or necessary for the various election notices published on your website to remain there beyond the expiry of the petition period for the election. Where each notice serves a specific purpose, i.e. advising who will be a candidate at the election, once the election is over, and the opportunity to question that election has passed, they serve no further purpose. Therefore, you should either remove such notices published on your website, or remove the personal data contained in these notices, once the petition deadline for that election has passed.

1.16 Data protection legislation does permit personal data to be stored for longer periods if the data will be processed solely for archiving purposes in the public interest, or for scientific, historical, or statistical purposes and



subject to the implementation of appropriate safeguards. For election results, for example, you should retain these on your website as they are for public interest and historical and statistical purposes.

## Destruction of home address forms

1.17 For Senedd elections the home address forms must be kept securely stored for a period of 35 working days after the day the result was declared.

1.18 The home address forms must then be securely destroyed on the next working day after the 35 day period.<sup>9</sup> However, if an election petition relating to the election is presented within the 35 working days, the home address forms must be kept securely until the conclusion of the petition proceedings (including any appeal from such proceedings). They must then be securely destroyed on the next working day following the conclusion of the proceedings or appeal.

1.19 For PCC elections the secure storage and destruction of the home address forms is the responsibility of the Police Area Returning Officer (PARO). The home address forms must be kept securely stored for a period of 21 calendar days after the day the result was declared.

1.20 The home address forms must then be securely destroyed on the next working day after the 21 day period.<sup>10</sup> However, if an election petition relating to the election is presented within the 21 calendar days, the home address forms must be kept securely until the conclusion of the petition proceedings (including any appeal from such proceedings). They must then be securely destroyed on the next working day following the conclusion of the proceedings or appeal.

## 2 Post-election activity

### Providing notice of the results

2.1 For the Senedd constituency election, you must give public notice of the name of the candidate elected, the total number of votes given to each candidate and the number of rejected ballot papers under each heading. You should also include the description (if any) of each candidate. If a candidate has used their commonly used name to stand in the election, you should use both their full name and the commonly used name on the notice.

2.2 After submitting the regional totals for your constituency to the RRO you should also give public notice of these totals.

2.3 If you are also the RRO, for the Senedd regional election you must give public notice of: <sup>11</sup>

- the name of each individual regional candidate elected
- the name of each political party and party list candidate elected
- by constituency, the number of votes for each individual regional candidate and party, together with the number of rejected ballot papers under each head

2.4 If a candidate has used their commonly used name to stand in the election, you should use both their full name and the commonly used name on the notice.

2.5 You should ensure that you provide a copy of the regional notice of result to CROs for them to publish locally.

2.6 At the PCC election, after transmitting the local totals from the first and second counts to the PARO, and once the PARO has authorised you to do so, you must give public notice of the following:

- On conclusion of the first count, the contents of the statement of first preference votes for each candidate and the statement of rejected votes.
- On conclusion of the second count, the contents of the statement of second preference votes for each remaining candidate and the statement of rejected votes.



Further details on drawing up the statements of first and second preference votes can be found in chapter 6 of [Part E – Verifying and counting the votes](#).

2.7 At the PCC election, it is the PARO who produces the notice of result. The PARO must send a copy of the notice to LROs. As soon as practicable after receiving a copy of the notice you must give public notice of it within your voting area.<sup>12</sup>

2.8 In all cases, you should ensure that the notices are made available to all those interested as soon as possible, including by publishing them on your local authority's website.



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

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

## Delivery of certificates to the Clerk of the Senedd

2.9 After the declaration of the Senedd constituency election result, you must complete the prescribed certificate of election (form 'CR') in English or Welsh. The certificate must state:<sup>13</sup>

- the full name of the successful candidate
- in the case of a successful party candidate, the name of the political party
- the address of the successful candidate

2.10 If you are also the RRO, after the declaration of the Senedd regional election result, you must complete the prescribed certificate of election (form 'CS') in English or Welsh. It must state:<sup>14</sup>

- the full name of each successful candidate
- in the case of successful party list candidates, the name of the political party
- the address of each successful candidate

2.11 In each case, a copy of the relevant certificate should be sent to the Clerk of the Senedd as soon as possible, keeping in mind that the taking of the oath of allegiance or the corresponding affirmation may commence as early as 8am on the day following the declaration of results.

2.12 The Senedd Clerk has requested that you send a signed copy of the completed certificate as a scanned image attached to an email immediately after the declaration of the result to:

[Certificates@senedd.Wales](mailto:Certificates@senedd.Wales) or [Tystysgrifau@senedd.Cymru](mailto:Tystysgrifau@senedd.Cymru)

2.13 In addition, the Clerk of the Senedd will supply you with a letter to present to the successful candidate. This sets out the immediate steps they

need to take to ensure they are able to take their oath of allegiance as swiftly as possible. Please present this to the successful candidate.

2.14 If you experience any problems in sending the copies of the certificates to the Senedd, please direct any queries to the mailbox above in the first instance. You may also contact:

Richard Thomas Tel: 0300 200 7323 [richard.thomas@senedd.wales](mailto:richard.thomas@senedd.wales)

As soon as practicable, you must also deliver, or cause to be delivered, the original completed certificate of the constituency or regional election (as appropriate) to:<sup>15</sup>

The Clerk of the Senedd  
Welsh Parliament  
Cardiff Bay  
CF99 1SN

## Deposits<sup>16</sup>

### Senedd election

2.15 The £500 deposit made by or on behalf of a candidate in a Senedd constituency election must be returned if the candidate polled more than 5% of the total number of valid votes cast in the constituency. If the candidate polled equal to or less than 5% of the total number of valid votes cast, the deposit must not be returned.

2.16 If the candidate in the Senedd constituency election polled more than 5% of the valid votes cast, you must return the deposit to the person who made it no later than the next working day after the result of the election is declared.

2.17 The £500 deposit made by or on behalf of an individual regional candidate or a registered political party in a Senedd regional election must be returned if the individual candidate or party polled more than 5% of the total number of valid votes cast in the region. If the individual candidate or party polled equal to or less than 5% of the total number of valid votes cast, the deposit must not be returned.

2.18 If an individual candidate in the Senedd regional election polled more than 5% of the valid votes cast, the RRO must return the deposit to the person who made it no later than the next working day after the result of the election is declared. If a party list polled more than 5% of the valid votes cast, the RRO must return the deposit to the registered Nominating Officer of the party no later than the next working day after the result of the election is declared.

2.19 In all cases, if you are returning a deposit by cheque, it is treated as being returned on the day on which the cheque is posted.

### Forfeited deposits

2.20 If a candidate in a Senedd constituency election or an individual candidate or party in a Senedd regional election does not poll more than 5% of the total number of valid votes cast, their deposit will be forfeited to the Secretary of State. Details of this process will be included in the Fees and Charges guidance for the election, which will be provided by the Welsh Government.

### PCC election

2.21 The PARO is responsible for managing the return and forfeiture of deposits at the PCC election.



Guidance for PAROs on managing the return and forfeiture of deposits can be found in chapter 8 of the [Delivery of key processes](#)

## Statements as to postal ballot papers

2.22 You must complete a statement as to postal ballot papers for the Senedd elections and the PCC election in your constituency and voting area.<sup>17</sup> Even where the issue of postal votes has been combined, you are still required to produce a statement of postal ballots for each of the elections.

2.23 These documents are vital for the accounting of postal votes and for ensuring that voters have confidence that their vote will be counted in the way they intended. The statements should form part of the arrangements that you have in place to maintain a clear audit trail of the postal voting and count processes. You should complete the statements accurately using the figures recorded at the issue, receipt, opening and verification of postal votes.



Further details on record-keeping throughout the administration of the postal voting process are provided in [Part D - Absent voting](#)

2.24 The Commission has produced a template statement as to postal ballot papers for the [Senedd elections](#) and the [PCC election](#), which should be used. The accompanying guidance notes should support you in completing these.

2.25 You must provide a copy of the statement for the Senedd elections, in English or Welsh, to the Secretary of State for Wales and to the Commission. You must also provide a copy of the statement for the PCC election to the Secretary of State and to the Commission. Details of how to provide copies to the Commission will be provided through a Bulletin.<sup>18</sup>

2.26 The statements for the Senedd elections must not be provided before the tenth calendar day after polling day but must arrive no later than the

twenty-fifth calendar day after polling day.<sup>19</sup> For the statements at the Senedd elections, if either of these days is not a working day, the time is extended to the next working day.

2.27 The statement for the PCC elections must not be provided before the tenth working day after polling day but must arrive no later than the twenty-fifth working day after polling day.<sup>20</sup>

## Data collection and feedback

2.28 You will also be requested to send information and data to the Commission relating to the elections.

2.29 Forms for collecting information and data, and accompanying guidance notes for completion, as well as a feedback form, will be circulated separately and will also be [available on the Commission's website](#).

## Accounting for the elections

2.30 Elections to the Senedd are funded by the Welsh Government and guidance and instructions for accounting for the election will be provided by them.

2.31 PCC elections are funded by the UK Government and claims for fees and charges for the election are administered through the Elections Claims Unit, which is part of the Cabinet Office. Detailed guidance and instructions for accounting for the election, including how to apportion costs where polls are combined, will be provided by the Cabinet Office. Contact details for the Elections Claims Unit are as follows:

Email: [returning.officers@cabinetoffice.gov.uk](mailto:returning.officers@cabinetoffice.gov.uk)

Electoral Claims Unit, Cabinet Office  
Ground Floor Roseberry Court  
St Andrews Business Park  
Central Avenue  
Norwich  
NR7 0HS

## Payment of creditors

2.32 You should keep receipts before and throughout the period of the elections for all services/work provided, and pay all creditors as soon as possible after the elections.

## Payment of fees to staff

### Income tax

2.33 Under tax rules a standard starter checklist, which is issued at the time of appointment, must be completed. It needs to be completed only once rather than be reviewed every year. You will need to issue a P60 form to the employee at the end of the tax year.

#### **HMRC real-time information**

2.34 All election payments will be subject to HMRC's real-time information tax payment system. You should ensure that you liaise with your local authority's finance and HR departments to ensure that you can comply with the tax rules for all your employees, including any temporary and short-term contract staff. Further guidance is available from [CThEM](#).

#### **Automatic enrolment into a workplace pension**

2.35 All employers with staff working in the UK must comply with automatic enrolment requirements. Further guidance is available from the [Pension regulator](#).

## Return of equipment

2.36 You should make arrangements to return any equipment, such as the empty ballot boxes, to storage.

## Candidates' and parties' election spending

### Senedd election

2.37 There are legal maximum limits on candidates' and parties' spending at the Senedd elections. Candidates standing in a constituency or individual regional list candidates account for their own spending and donations, whereas the party accounts for spending to promote regional party list candidates and the party generally.

2.38 The Commission is required by law to monitor the compliance of candidates with rules on spending and donations, and regulates spending and fundraising by parties.

2.39 We have produced guidance for candidates and agents on election spending and the required returns; in addition, candidates and agents can also download the return of candidate election spending form with integrated explanatory notes, the declaration by the election agent as to election spending and the declaration by the candidate as to their election spending. These documents can all be downloaded from [our website](#).



Further details about the spending limits for candidates can be found in [Part 3](#) of our guidance for candidates and agents. We have also produced which contains further information on spending limits for parties.

2.40 Election agents for Senedd constituency candidates must deliver a candidate's spending return to you, together with relevant invoices and receipts, within 35 calendar days of the declaration of result of the election.<sup>21</sup>

2.41 Election agents for individual candidates at the Senedd regional election must deliver a candidate's spending return to the RRO, together with relevant invoices and receipts, within 35 calendar days of the declaration of result of the election.<sup>22</sup>

2.42 Election agents and candidates at the Senedd elections must deliver declarations vouching for the candidate's election spending return as follows:

- Constituency candidates and election agents must deliver their declarations to the CRO<sup>23</sup>
- Individual regional candidates and their election agents must deliver their declarations to the RRO<sup>24</sup>

2.43 In all cases, the election agent's declaration must be delivered at the same time as the return. All candidates' declarations must be delivered within 7 working days of the election agent submitting the return. However, if the candidate is out of the UK when the return is delivered to you, they may make the declaration within 14 days after returning to the UK and deliver it to you as soon as possible.<sup>25</sup>

2.44 Within 7 working days of the party submitting their spending return to the Commission, candidates on a regional party list must submit a declaration to the RRO stating that the return is correct to the best of their knowledge.

2.45 For parties that spend £250,000 or under, the party return is due on 6 August, and for parties that spend over £250,000, the party return is due on 6 November. In both cases, the return is submitted directly to the Commission.

2.46 The CRO and RRO must send copies of election spending returns and declarations to the Commission as soon as reasonably practicable after the return or declaration is received.<sup>26</sup>

2.47 Copies of spending returns and declarations should be emailed to [candidates@electoralcommission.org.uk](mailto:candidates@electoralcommission.org.uk). Alternatively, you can post these to:

Party and Election Finance  
The Electoral Commission  
Wales Office  
Companies House  
Crown Way  
Cardiff  
CF14 3UZ



2.48 Please also supply the following information to enable us to carry out our compliance duties:

- electorate figures for each constituency used to calculate the candidates' spending limit
- the candidates' spending limit provided to candidates, if applicable
- a list of all candidates who stood for election, including their party and description (if any) and whether they were elected
- confirmation of who has not delivered a return or declaration, has delivered an incomplete return, or has delivered a late return or declaration and what, if anything, you have already done about such cases
- addresses of election agents for any candidates who failed to deliver returns
- addresses of any candidates on a regional party list who have not completed their declaration

2.49 You must retain a copy of each election spending return and declaration, and any accompanying documents, for a period of two years beginning with the date when the return is delivered and, during that period, make copies available for public inspection on payment of a fee of £1.50. Anyone can also request copies of the returns or declarations and any accompanying documents, which must be supplied on payment of the fee of 15p per page. The addresses of individuals who have made donations to candidates must be removed from all inspection copies and copies supplied on request. At the end of the two-year period if the candidate or the relevant election agent requests them, they must be returned to the candidate. Otherwise the returns, declaration and accompanying documents may be destroyed.<sup>27</sup>

### **Spending returns from non-party campaigners**

2.50 Under Article 46 of the National Assembly for Wales (Representation of the People) Order 2007, individuals and organisations (known as 'local non-party campaigners' may incur spending of up to £500 campaigning for or against one or more candidates in a particular constituency or, £1,000 in a region, without the authorisation of the election agent.

2.51 The election agent for the relevant constituency or individual regional candidate that the campaigning benefits must authorise, in writing, any spending above these amounts. Where a local non-party campaigner spends above these thresholds, they must submit a return to you declaring the amount of election expenses the candidate's agent has authorised them to spend, along with a copy of the written authorisation the election agent has given. This return must be submitted within 21 calendar days of the declaration of the result.

## **PCC election**

2.52 The PARO is responsible for dealing with candidate spending returns at the PCC election.



Guidance for PAROs on their post-election responsibilities can be found in chapter 8 of the [PARO Delivery of key processes](#)

# 3 Challenges to the election results

3.1 Election petitions can be used to challenge the result of elections.

## Who can bring an election petition at a Senedd election and on what grounds?

3.2 An election petition for a Senedd election can be presented by:

- a person claiming to have been a candidate at the election, or
- a person claiming to have had a right to be elected or returned at the election, or
- a person who voted as an elector at the election or who had a right to vote at the election, except for an elector registered anonymously<sup>28</sup>

3.3 The allowable grounds for a petition are that there has been an:

- undue election, or
- undue return<sup>29</sup>

## Who can bring an election petition at a PCC election and on what grounds?

3.4 An election petition for a PCC election can be presented by:

- a person claiming to have been a candidate at the election, or
- four or more persons who voted at the election or who had a right to vote at the election, except for electors registered anonymously<sup>30</sup>

3.5 The allowable grounds for a petition are that:

- the person whose election is questioned was not duly elected
- the person whose election is questioned was disqualified at the time of the election
- the election was avoided by corrupt or illegal practices or on the grounds specified in Sections 164 and 165 of the Representation of the People Act 1983 (as amended)

## Who is made a respondent?

3.6 The person whose election is questioned will most probably be made a respondent to the petition. If the petition relates to the conduct of the election, the relevant Returning Officer(s), (whether CRO, RRO, LRO or PARO), may also be a respondent to the petition.<sup>31</sup>

## Deadlines for bringing petitions

3.7 A petition at a Senedd election must normally be presented within 21 calendar days of the name of the elected candidate being returned to the Clerk.<sup>32</sup> A petition at a PCC 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.<sup>33</sup>

3.8 Any person who is considering presenting an election petition should be advised to take their own legal advice. For any questions relating to election petitions and the process for submitting petitions, including confirmation of the deadlines, you should contact the Elections Petitions Office:

The Election Petitions Office  
Room E113  
Royal Courts of Justice  
Strand  
London WC2A 2LL

Email: [Election\\_Petitions@hmcts.gsi.gov.uk](mailto:Election_Petitions@hmcts.gsi.gov.uk)  
Phone: 020 7947 6877

## Judicial determination of disqualification

3.9 Any person may apply to the High Court for a declaration that a Member of the Senedd or a Police and Crime Commissioner is, or at any time since being elected has been, disqualified from being a Member of the Senedd or Police and Crime Commissioner (as appropriate).

3.10 Any person who is considering applying for a judicial declaration of disqualification should be advised to take their own legal advice.

# 4 Review of election procedures

4.1 You should carry out a thorough evaluation of all processes outlined in your project plan, seeking feedback from appropriate stakeholders, and produce a lessons learnt document which will be used to inform the project plan and risk register for future electoral events.

4.2 The Commission has provided, as part of the [project plan](#) some sample objectives and suggested tools that will allow you to measure the extent to which the conduct of the elections has been successful. The Commission also provides an evaluation plan as part of the template project plan to assist you with the review process.



To be able to achieve the outcome set out in our [performance standards](#), you will need to evaluate planning for and delivery of previous polls and identify lessons learnt, updating plans as required.

To demonstrate that the outcomes can be delivered you will need to have in place planning documentation reflecting lessons learnt.

## The review

4.3 The scope of the review should cover all aspects of the elections. Your project plan should be used as the starting point for the review, and each process that was planned for and carried out should be reviewed.

4.4 A key part of the review will be the consideration of the aims and objectives set out in your project plan and measuring your performance against these.

4.5 You should pay particular attention to reviewing:

- your project planning
- whether you were able to secure adequate resources
- if your constituency or voting area crosses a local authority boundary, what worked well and what could be improved when working with elections staff from the other local authority/authorities
- if you are not also the ERO for some or all of your constituency or voting area, what worked well and what could be improved when working with them
- if you are not also the RRO and/or PARO, what worked well and what could be improved when working with them
- how contractors have been managed and whether they delivered work to the required specification
- the equipment and stationery used

- recruitment and training of staff
- the suitability of venues used
- the management of nominations, polling stations, the absent voting process, and the verification and counts
- the processing and handling of queries
- any issues affecting the security/integrity of the elections

4.6 As part of the review you should seek feedback from appropriate stakeholders.

4.7 You should seek feedback from the following:

- your staff and, if your constituency or voting area crosses a local authority boundary, elections staff from the other local authority/authorities
- if you are not also the RRO, the RRO and their staff
- if you are not also the PARO, the PARO and their staff
- electors
- candidates, agents and political parties
- local organisations of disabled people, older people and minority ethnic groups, and the council's access officers

4.8 To obtain feedback from your staff, for example, you should consider inviting a number of them, including polling station staff, to a discussion in order to address all aspects of the polling station process, from training and briefing sessions through to dealing with difficult situations on polling day. You could also take into account any feedback provided in reports returned by Presiding Officers and polling station inspectors.

4.9 Once you have reviewed all aspects of the election and sought feedback from appropriate stakeholders you should produce a lessons learnt document. The lessons learnt document should include an analysis of what practices were successful and where these could be used elsewhere, what you would do again or do differently, and key recommendations. The lessons learnt report should then be used to inform the project plan and risk register for future electoral events.

# 5 Freedom of Information requests

5.1 Following the elections you may receive requests under the Freedom of Information Act 2000. CROs, RROs, LROs, PAROs and EROs are not a public authority under this Act and, as such, are exempt from the disclosure requirements imposed by it.

5.2 However, where possible, CROs, RROs, LROs, PAROs and EROs should disclose the requested information, provided this information is already in the public domain, or the information requested does not include personal data. An example of non-personal data would be statistical data providing the total number of electors registered in your area or the turnout of postal voters.

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<sup>1</sup> Rule 69 sch 5 National Assembly for Wales (Representation of the People) Order 2007 (NAW rules) and rule 68 sch 3 Police and Crime Commissioner Elections Order 2012(PCC rules)

<sup>2</sup> Electoral Administration Act 2006 s44

<sup>3</sup> Electoral Administration Act 2006 s44

<sup>4</sup> NAW Rules sch 5 rule 66; rule 67 and PCC Rules sch 3 rule 65(1); rule 66

<sup>5</sup> NAW Rules sch 5 rule 53 PCC Rules sch 3 rule 47

<sup>6</sup> NAW Rules sch 3 rules 12,14,15,20,29 PCC Rules sch 2 rules 39,41,42,42A,57

<sup>7</sup> NAW Rules sch 3 rules 27 and 31 PCC Rules sch 2 rules 55 and 59

<sup>8</sup> NAW Rules sch 5 rules 66 and 67 PCC Rules sch 2 rules 39, 41, 42, 48 and 57

<sup>9</sup> NAW Rules sch 5 rule 4 para 8(a) and Rule 6(7)(a) (inserted by the draft 2020 Amendment Order)

<sup>10</sup> PCC Rules 2012 Sch 3 Rule 64

<sup>11</sup> NAW Rules sch 5 rule 64

<sup>12</sup> PCC Rules sch 3 rule 62

<sup>13</sup> NAW Rules sch 5 rule 62

<sup>14</sup> NAW Rules sch 5 rule 64

<sup>15</sup> NAW Rules sch 5 rule 62 and 64

<sup>16</sup> NAW Rules sch 5 rule 65 PCC Rules sch 3 rules 63

<sup>17</sup> NAW Rules sch 3 rule 31 PCC Rules sch 2 rule 59

<sup>18</sup> NAW Rules sch 3 rule 31 PCC Rules sch 2 rule 59

<sup>19</sup> NAW Rules sch 3 rule 31 PCC Rules sch 2 rule 59

<sup>20</sup> PCC Rules Sch.2 para.59 (5) & (6)

<sup>21</sup> NAW Rules Art 52

<sup>22</sup> NAW Rules Art 52

<sup>23</sup> NAW Rules Art 2 and Art 52

<sup>24</sup> NAW Rules Art 2 and Art 52

<sup>25</sup> NAW Rules Art 53 and 54

<sup>26</sup> NAW Rules Art 60

<sup>27</sup> NAW Rules Art 62

<sup>28</sup> NAW Rules Art 87

<sup>29</sup> NAW Rules Art 86

<sup>30</sup> RPA 1983 s 128

<sup>31</sup> NAW Rules Art 87 and RPA 1983 s128

<sup>32</sup> NAW Rules Art 88

<sup>33</sup> RPA 1983 s 129