

Guidance for Police Area Returning Officers on the delivery of key processes

Police and Crime
Commissioner elections in
England and Wales

October 2019 (updated June 2022)

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. These resources should be provided in English and Welsh.

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

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Updates to this document

Updated	Description of change	Chapter / Paragraph
February 2016	Update on information on election addresses to be submitted to the Minister	Chapter 4, paragraph 4.4 and 4.15
February 2016	Added storage of nomination papers	Chapter 8, paragraph 8.9 and 8.10
March 2016	Re-published to include legal references.	N/A
June 2016	Updated to amend telephone number for the Election petitions office	8.39
October 2019	Updated to include reference to the PCCs in Essex, Staffordshire, North Yorkshire and Northamptonshire also holding Fire and Rescue Authority function	N/A
October 2020	Updated to remove references to May 2020 polls and to reflect legislation changing titles on forms in areas where the PCC also holds the fire and rescue authority function. References added to the combined PCC and Senedd elections in Wales.	
February 2021	Updated with legislative changes to subscriber requirements for nominations for 2021 polls	Chapter 3
July 2021	Updated to clarify when the amended subscriber requirements introduced for May 2021 come to an end	
June 2022	Updated to remove reduced subscriber requirements.	

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1 Introduction

Purpose

1.1 The purpose of this guidance is to support Police Area Returning Officers (PAROs) in carrying out their role at the Police and Crime Commissioner (PCC) elections.



In Essex, North Yorkshire, Northamptonshire and Staffordshire the candidate elected to the role of PCC also holds the fire and rescue authority function¹.

Throughout this guidance, we will highlight any areas where this legislative change has an impact on the forms to be used or your management of the process in Essex, North Yorkshire, Northamptonshire or Staffordshire.

1.2 It has been developed in close consultation with members of the UK Electoral Advisory Board (EAB) and the Elections, Registration and Referendums Working Group (ERRWG). It reflects what we, the EAB and the ERRWG believe that PAROs should expect of their staff in preparing for and delivering PCC elections.

1.3 This guidance has been produced taking account of, and should be read in accordance with, the requirements set out in the following legislation (as amended):

- Representation of the People Acts 1983, 1985 and 2000
- Government of Wales Acts 1998 and 2006
- Political Parties, Elections and Referendums Act 2000
- Representation of the People (England and Wales) Regulations 2001
- Representation of the People (Combination of Polls) (England and Wales) Regulations 2004
- Electoral Administration Act 2006
- The Local Elections (Principal Areas) (England and Wales) Rules 2006
- The Local Elections (Parish and Communities) (England and Wales) Rules 2006
- The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007
- Political Parties and Elections Act 2009
- Police Reform and Social Responsibility Act 2011
- The Local Authorities (Conduct of Referendums) (England) Regulations 2012
- The Neighbourhood Planning (Referendums) Regulations 2012
- The Police and Crime Commissioner Elections Order 2012
- The Police and Crime Commissioner Elections (Functions of Returning Officers) Regulations 2012

- The Police and Crime Commissioner Elections (Designation of Local Authorities) (No.2) Order 2012
- The Police and Crime Commissioner (Disqualification) (Supplementary Provisions) Regulations 2012
- The Police and Crime Commissioner Elections (Returning Officers' Accounts) Regulations 2012
- The Police and Crime Commissioner Elections (LROs' and Police Area Returning Officers' Charges) Order 2012
- The Police and Crime Commissioner Elections (Welsh Forms) Order 2012
- Electoral Registration and Administration Act 2013
- The Transfer of Functions (Police and Crime Commissioner Elections) Order 2015
- The Police and Crime Commissioner Elections (Amendment) Order 2020
- Senedd and Elections (Wales) Act 2020
- The Mayoral and Police and Crime Commissioner Elections (Coronavirus, Nomination of Candidates) (Amendment) Order 2021

1.4 The list above includes only the legislation which currently applies and that is directly relevant to this guidance.

1.5 PAROs are required to have regard to the public sector equality duty contained in Section 149 of the Equality Act 2010 when carrying out their duties. PAROs in Wales must also have regard to the Welsh Language Act 1993 and the Welsh Language (Wales) Measure 2011, which require services in Wales to be delivered equally in English and in Welsh.

How to use this guidance

1.6 This is the second of two parts of guidance to support PAROs with planning for and delivering the polls. The first part, [Planning Guidance for Police Area Returning Officers](#), set out the roles and responsibilities of those involved in the delivery of the elections across England and Wales and highlighted the key considerations in planning for the PCC election, the areas in which you should liaise with stakeholders (particularly Local Returning Officers (LROs) and other Returning Officers (ROs)) to inform your planning in order to ensure consistency across the police area, and the tools you have available to help you achieve this in practice.

1.7 This part covers:

- the nominations process
- candidates' election addresses
- administering the poll
- verifying and counting the votes, results collation and the declaration of the result
- after the declaration of the result

1.8 Each of the chapters of this guidance covers:

- what you are required to do by law ('musts')
- what we expect you will need to have in place and what we would expect to see to be able to be satisfied that the key outcomes of the Commission's performance standards can be delivered
- recommended practice to assist you in understanding and discharging your duties

1.9 This guidance is supplemented by resources which can be accessed through links contained in the guidance.

1.10 This guidance does not cover your role and responsibilities as Local Returning Officer (LRO) or as any other Returning Officer or Counting Officer. The Commission has produced separate guidance for:

- LROs in England (where the [PCC election is a standalone poll](#))
- Local government Returning Officers and LROs (where the poll at a [local government election is combined with the poll at the PCC election in England](#))
- Constituency Returning Officers, Regional Returning Officers and LROs (where the poll at a [Senedd election is combined with the poll at the PCC election in Wales](#))

1.11 Should you have any questions about our guidance or any other matter relating to the administration of the polls, our [local Commission teams](#) are available to provide on-going support. 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 any scheduled polls. Further information on the out-of-hours service will be provided through our Bulletin for electoral administrators.

Terminology

1.12 In this guidance we use the term 'local Returning Officer' or 'local RO' to refer to the local government Returning Officer for a constituent council of the police area who will be responsible for administering the election at a local level.

1.13 A constituent council at a PCC election is defined as either a county council that is wholly or partly within the police area or a district council that is within the police area².

1.14 In areas where there is both a county council and a district council, the election will be administered at district level and the local RO will be RO for the district³.

2 Engaging with candidates and agents

2.1 As Police Area Returning Officer (PARO) you are responsible for all aspects of the nomination process at a Police and Crime Commissioner (PCC) election.⁴

2.2 Where the poll at a PCC election is combined with the poll at local government elections in England, the local government Returning Officer (local government RO) will be responsible for the conduct of the poll for the local government election and that part of the PCC election that is included within their local authority area.⁵

2.3 Where the poll at the PCC election is not combined with any other poll, the Local Returning Officer (LRO) will be responsible for the conduct of the poll for the PCC election in their voting area.

2.4 Where the poll at a PCC election is combined with the poll at a Senedd election in Wales, the Constituency Returning Officer will be responsible for the conduct of the poll for the Senedd election and that part of the PCC election that is included in their constituency.⁶



More detailed information on the roles and responsibilities of the PARO, local government RO and LRO in relation to a PCC election can be found in chapters 3 and 4 of our [Planning Guidance for Police Area Returning Officers](#)

2.5 Your project plan should include details on how you will engage with political parties, candidates and agents and how you will manage the nominations process. It is important that you engage parties, candidates and agents as much as possible so that they receive all the information they need in order to stand for election and they can have confidence that the processes are well-managed.

2.6 For example, it is vital that all candidates know what they need to do in order to stand for election, what the spending limits are, how they can obtain the electoral register and what the restrictions are on the use of the register, including data protection considerations. One difficulty likely to be faced by PAROs is that those intending to stand for election do not always make contact with the elections staff before submitting their nomination papers. You will therefore need to consider how you are going to raise awareness and promote the availability of information and briefings to all candidates and agents before they complete and submit their nomination papers.

2.7 You should liaise with the CROs, local government ROs and LROs (as appropriate) in your police area to determine what information on local processes you require for sharing with candidates and agents at the PCC election and to agree how this information can best be disseminated.



To be able to meet the outcome set out in [performance standard 2](#) you should ensure that information on the election process and spending is easily available for candidates and agents, including through ensuring they are issued with written guidance.

To demonstrate that the outcome can be delivered you will need to have in place written guidance to be issued to candidates.

Briefings

2.8 You should ensure that candidates and election agents are offered a briefing session on the election processes, including local arrangements. The briefings should allow for the fact that there may be people who have little or no knowledge of election rules and procedures or who have not involved themselves in elections for some time.

2.9 While you should invite all potential candidates to a briefing session ahead of or at the start of the nominations period, you may choose to hold an additional briefing session after the list of candidates standing for election has been confirmed after the close of nominations.

2.10 All briefing sessions should highlight the importance of following the election rules.



For further guidance on what the briefing session(s) should cover, see Chapter 6 of our [planning guidance for Police Area Returning Officers](#).

2.11 Your briefing session(s) should also highlight any security arrangements that have been put in place in consultation with the police. You may wish to invite your police single point of contact (SPOC) to attend any briefing sessions, or to provide written material that you can provide to candidates and agents.

2.12 We have also produced a template presentation for candidates and agents at a PCC election that you can use and which is available for download from our website in both [English](#) and in [Welsh](#).

2.13 Further to Chapter 6 of our [planning guidance for Police Area Returning Officers](#), you should also work with local government ROs and LROs (as appropriate) in your police area to determine whether they should provide briefings in their voting area and to agree the content of any such briefing sessions, which could include their local arrangements, such as

details of postal vote issue and openings, polling, and the verification and count.



To be able to achieve the outcome set out in [performance standard 2](#) you will need to ensure that information on the election process and election spending is easily available for candidates and agents.

To demonstrate that the outcome can be delivered you will need to arrange briefing sessions and produce briefing resources.

Providing information on the election processes

2.14 You should ensure that all candidates and election agents have access to written guidance on the election process, including local arrangements. As set out in Chapter 6 of our [Planning guidance for Police Area Returning Officers](#) you should work with CROs, local government ROs and LROs (as appropriate) in your police area to ensure that candidates at the PCC election have easy access to information on any processes that are to be carried out locally, such as the opening of postal votes and the count. The information should be provided in good time to enable candidates and agents to act on it.

2.15 The purpose of providing written guidance is so that parties, candidates and agents have access to authoritative and comprehensive guidance for reference at any time to ensure that they have all the information they need to take part in an election. It need not always be the case that such written guidance must be produced in hard copy – in some instances it may be appropriate to provide candidates and agents with a link to where they can find the relevant information online – and it will be for you to ensure in each case that candidates and agents can easily access the information they need and to do whatever is necessary to facilitate this.



You should also direct candidates and agents to the Commission's [guidance for candidates and agents at a police and crime commissioner election](#), which is available on our website.



To be able to achieve the outcome set out in [performance standard 2](#) you will need to ensure that information on the election process is easily available for candidates and agents.

To demonstrate that the outcome can be delivered you will need to provide candidates and agents with written information on the election process

Nomination packs

2.16 You should prepare a relevant nomination pack for any person who expresses an interest in standing in the PCC election.



In Essex, North Yorkshire, Northamptonshire and Staffordshire the candidate elected to the role of PCC also holds the fire and rescue authority function⁷.



We have produced two sets of nomination papers for standing at a PCC election that contain all the forms needed for nomination for the election of a [Police and Crime Commissioner](#) or a [Police, Fire and Crime Commissioner](#)

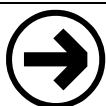
We have also produced a [nominations checklist for PAROs](#) which sets out what you will need to consider and specific things to look out for when determining a nomination.

2.17 The nomination pack should contain:

- a nomination form
- a home address form
- a consent to nomination form
- a form for the candidate (or someone on their behalf) to give notice of appointment of an election agent
- forms for the election agent to give notice of appointment of sub-agents
- forms for the candidate or election agent to give notice of appointment of polling agents, postal voting agents and counting agents
- a certificate of authorisation to allow a candidate to stand on behalf of a registered political party
- a form for a candidate standing on behalf of a registered political party to request the use of an emblem
- details of how the deposit should be paid, including acceptable methods of payment
- written guidance for candidates and agents covering key aspects of the electoral process, including the qualifications and disqualifications for election, the nominations process, campaigning dos and don'ts, accessing electoral proceedings and what happens after the declaration of the result
- contact details for the local LROs
- a copy of the [Code of conduct for campaigners in Great Britain](#) which sets out what is, and is not, considered acceptable behaviour at polling stations, when encouraging electors to vote by post or proxy, and in the community. You may identify the need to develop and seek agreement

to specific local provisions which supplement the terms of the Code in order to address identified local risks.

- details of how to obtain a copy of the electoral register and the absent voters' lists for each voting area in the police area, and forms to make such requests with information on where to send these requests to. You should highlight that the information contained in the electoral register and absent voting lists may only be used in accordance with the Representation of the People Regulations 2001 and in accordance with data protection legislation.
- information on the spending limit for candidates at the election and [guidance for candidates and agents on spending and donations](#)
- a form for a candidate to withdraw from the contest if they decide to do so after they have been validly nominated
- information on local arrangements
- any other relevant information



The Commission's guidance for candidates and agents at a PCC election can be found on our website at: www.electoralcommission.org.uk/i-am-a/candidate-or-agent/police-and-crime-commissioner-elections.

Guidance on spending limits

2.18 Candidates are required by law to follow certain rules regarding how much they can spend, who they can accept donations from, and what they must report after the election.

2.19 You should ensure that candidates and election agents have access to information on the spending limit, spending returns and declarations in order to enable them to meet reporting requirements.

2.20 The Commission has produced guidance for candidates and agents on [spending and donations at a PCC election](#), which you can use to provide candidates and agents with information on spending limits and donation control, as well as returns and declarations in order to enable them to meet their reporting requirements.



To be able to achieve the outcome set out in [performance standard 2](#) you will need to ensure that information on election spending is easily available for candidates and agents.

To demonstrate that the outcome can be delivered you will need to provide candidates and agents with written guidance on election spending.

The register of electors

2.21 Each ERO in the police area is required to supply you with such copies of the electoral register as you may reasonably require for the purposes of the PCC election.

2.22 For nominations, you will need to have access to the local government registers for all voting areas within the police area in order to check whether the subscribers are valid and that subscribers have subscribed only one nomination form within the police area. Chapter 6 of the [Planning Guidance for Police Area Returning Officers](#) sets out options for how you can manage this in practice and the practical considerations you should take into account in reaching your decision.

2.23 Candidates will require access to the electoral registers to:

- complete their nomination form
- help them campaign
- check that donations are permissible

2.24 A candidate at a PCC election can make a written request a copy of the full register and absent voters' lists for every voting area within the police area in which they are standing for electoral purposes.



For further details on when a person becomes a candidate, see [Part 2a](#) and [Part 2b](#) of our guidance for candidates and agents.

2.25 As set out in Chapter 6 of the [Planning Guidance for Police Area Returning Officers](#), while the legal responsibility for receiving requests and supplying registers to candidates rests with the ERO for each voting area, you should agree with EROs at an early stage how best to ensure that all candidates can be supplied with registers in such a way that they have timely and easy access to them. Whatever arrangements you put in place should be clearly communicated to candidates and their agents to ensure they are able to access the registers and subsequently use them to campaign and obtain the necessary subscribers.

The registers must be supplied in data form unless a printed copy has been specifically requested.



The Commission has produced template [electoral register](#) and [absent voters lists](#) request forms that candidates can use.

Detailed information on access and supply of the full electoral register and absent voters lists to candidates, registered political parties (who can request a copy at any time) and others can be found in Maintaining the register throughout the year of our [guidance for EROs](#).

Access needs for candidates

2.26 You should bear in mind that candidates and agents may have specific access needs, and so may need any information or guidance produced in a large-print or other format, such as Braille or audio, or in a language other than English or, in Wales, Welsh.

3 The nominations process at the Police and Crime Commissioner election

3.1 This chapter provides guidance on the administration of the nominations process at the PCC election.

3.2 Questions of eligibility or disqualification are for the candidate only and you should not give advice on such matters. The candidate should be directed to the [Commission's guidance for candidates and agents at a PCC election](#) in the first instance. Should they have any further concerns, they should be advised to seek their own legal advice.

Forms for nomination

3.3 A candidate is deemed to be validly nominated only if you have, by 4pm on the nineteenth working day before poll, received the following completed forms and the deposit of £5,000 (see paragraphs **3.114** to **3.118**)⁸.

- the nomination form⁹
- a home address form
- a consent to nomination

3.4 To stand on behalf of a registered political party, the party must be registered on the Commission's register of political parties at <http://search.electoralcommission.org.uk> and be listed as allowed to field candidates in England (if the candidate is standing in a police area in England) or Wales (if the candidate is standing in a police area in Wales), and the candidate will also need to submit:

- a certificate of authorisation, authorising the use of the party's registered name or one of the party's registered descriptions. This must match the party name or description given on the nomination form or the whole nomination must be held to be invalid
- a written request to use one of the party's registered emblems (if desired)

3.5 Candidates do not have to use the nomination form that you have produced, as long as their nomination form is as prescribed.

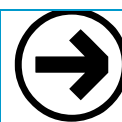
3.6 Nomination forms can only be produced in English or, in Wales, in English and/or Welsh, and not in any alternative languages or formats. However, you are required by law to prepare nomination forms for signature if someone requests. This means providing all of the documents required for

nomination and completing them with all of the information given to you so that only the required signatures need to be added.



In Essex, Staffordshire, North Yorkshire and Northamptonshire the candidate elected to the role of PCC also holds the fire and rescue authority function.

In these police areas the nomination forms must refer to the election of the Police, Fire and Crime Commissioner.¹⁰



The Commission has produced two sets of nomination papers to reflect the change in legislation for the areas above; one covering the election of a [Police and Crime Commissioner](#) and a separate set covering the election of a [Police, Fire and Crime Commissioner](#).

Each set includes all of the forms required for nomination that you can provide to candidates.

We have also produced a [nominations checklist for PAROs](#) which sets out what you will need to consider and specific things to look out for when determining a nomination.

The forms also include enhanced data protection messaging and you should ensure that you are using the most up to date version.

Informal checks

3.7 You should ensure that all candidates have the opportunity to have their nomination papers informally checked prior to their formal submission.

3.8 All candidates should be given an equal opportunity to access an informal check. Informal checks are designed to assist candidates with participating effectively in the electoral process so that, if possible, any errors made by them in completing the paperwork do not deny electors the opportunity to vote for that candidate. You should consider how you are going to manage this process, for example by putting in place an appointment system.

3.9 When conducting an informal check it should be made clear that the nomination papers are being looked at informally. At the conclusion of the informal check, you should offer to return the nomination papers if an issue has been identified. If no issues have been identified, you should offer to accept them formally.



To be able to meet the outcome set out in [performance standard 2](#) you will need to ensure that candidates and agents have the opportunity to have their nomination papers informally checked prior to their formal submission.

To demonstrate that the outcome can be delivered you will need to have in place arrangements for candidates and agents to have their nomination papers informally checked.

Delivery of nomination papers

Time of delivery

3.10 You can accept nomination papers between the hours of 10am and 4pm on any day after the publication of the notice of election until 4pm on the nineteenth working day before the poll.¹¹

3.11 The deadline for nominations is 4pm on the nineteenth working day before poll. This deadline cannot be moved or extended for any reason¹². Delivery is determined as being when the nomination papers are delivered, by hand where this is required, at the place specified in the notice of election. A certificate of authorisation or emblem request must be received by you during the period for delivery of nominations.

3.12 No appointment is required to deliver nomination papers. However, you should consider how you are going to manage the potential volume of nominations that you will receive. This could include offering appointments for informal checks and the formal delivery of the nomination papers.

3.13 It is the responsibility of the candidate to ensure that their nomination papers are delivered in the correct manner and by the required deadline. If a completed set of nomination papers and the deposit have not been delivered by that time, the nomination has not been made which means that you cannot rule the nomination valid or invalid¹³.

Place of delivery

3.14 Nomination papers must be delivered to the location specified by you on the notice of election. The location you choose must be in the police area¹⁴.

3.15 The address given for the delivery of nomination papers should be exact, and include any room name or number. This will avoid any doubt should nominations be delivered close to the deadline.

3.16 You should provide clear signage from the entrance of the building to the room set aside for delivery. This route, or an appropriately signposted alternative, should be fully accessible.

3.17 You or an appointed deputy must be present throughout the period for nominations and the period for objections and only you and your staff should deal with nominations. You should give information to other local authority staff or other staff in the buildings you occupy, such as reception staff, as to what to do if a person tries to deliver a nomination paper to them, making it clear that they should not handle nomination papers and should not offer to deliver them but should instead direct them to you.

Who can deliver nomination papers?

3.18 Only a limited number of people may deliver the nomination form and home address form. The nomination form and home address form may only be delivered to you by¹⁵:

- the candidate
- the proposer or seconder as shown on the nomination form
- the candidate's election agent, provided you have received notice of their appointment. The notice of appointment of election agent may be delivered at the same time as the nomination form and home address form.

3.19 There are no restrictions on who can deliver the consent to nomination, certificate of authorisation and emblem request form.

How must nomination papers be submitted?

3.20 The nomination form, home address form and consent to nomination must be delivered by hand and cannot be submitted by post, fax, email or other electronic means. Where a document is required to be delivered by hand, this can include delivery by a courier.

3.21 Certificates of authorisation and emblem request forms may be delivered by hand or by post, but cannot be submitted by fax, email or other electronic means.

3.22 The **original version** of each completed document must be submitted. A certificate of authorisation, for example, which has been sent as an attachment to an e-mail to be printed out would be a 'copy document' and not the original document. A certificate requires a method of authentication to make it a certificate. This will, in practice in most cases, take the form of a signature to attest the truth of the facts stated. It could, however, also take the form of a seal. Whatever method of authentication is used, the document you receive must be the original document and not a copy document¹⁶.

3.23 You should take steps to communicate the requirements relating to delivery of nomination papers to all prospective candidates and agents, and ensure that these requirements are highlighted in any briefings or guidance you produce.

3.24 Once a nomination paper has been formally delivered, no changes can be subsequently made to it (subject to your power to correct minor errors). At the point of formal submission you should therefore endorse the paper with the date and time of delivery, so that you have a record of when each paper was formally submitted. If a candidate later decides that they want to make changes, for example to the description, they should withdraw their candidature and then submit new nomination papers within the statutory timeframe. There is no provision to allow a subscriber to withdraw their signature from a nomination paper once it has been delivered.

What to do if nomination papers are received by post

3.25 Any nomination forms or consents to nomination received by post have not been 'delivered' in accordance with the rules. The candidate is therefore not deemed to stand nominated and no decision can be taken as to whether the papers are valid¹⁷.

3.26 You should have processes in place for monitoring postal deliveries to the place designated for the delivery of nomination papers so that any papers received can be identified quickly and action taken to try to contact the candidate.

3.27 You should try to contact the candidate using the details on the nomination form or consent, as appropriate, and advise them that nomination forms (and consents to nomination) cannot be accepted by post. You should explain that they (or someone on their behalf) needs to attend the place designated for the delivery of nomination papers, within the times specified on the notice of election, to 'deliver' the nomination form and consent by hand in accordance with the rules. It is the candidate's responsibility to ensure that this is done by the deadline for the receipt of nominations. You and your staff are not permitted to deliver the papers for the candidate.

3.28 The candidate does not need to produce 'new' nomination papers or obtain new subscribers and you should retain any nomination papers you receive by post to enable them to be collected and delivered to you by hand.

3.29 The certificate of authorisation (if applicable) and emblem request (if applicable) may be sent by post, although they may equally be delivered with the nomination form and consent to nomination. You should have processes in place for monitoring postal deliveries to the place designated for the delivery of nomination forms and consent to nomination forms so that any certificates of authorisation and emblem requests received that way can be identified quickly.

Delivering multiple nomination forms

3.30 There is no limit to the number of nomination forms that may be delivered for the same candidate. If a candidate is validly nominated by more than one form, the candidate should choose which one of the valid nomination forms (the 'selected' nomination form) should be used for the details to be added to the statement of persons nominated and the ballot paper. If the candidate cannot or does not do this, then you must choose which one of the forms will be used¹⁸.

3.31 If more than one nomination form is delivered and one of the nomination forms is invalid, that paper is excluded from the forms that can be chosen by the candidate or yourself. As long as at least one nomination form is valid, the candidate can be validly nominated.

3.32 When an elector subscribes any delivered nomination form, even if it is not the selected nomination form, they are prevented from signing another

nomination form and any later delivered nomination bearing their signature as a subscriber is invalid¹⁹.

Attendance at the delivery of nomination papers

3.33 Only certain people are entitled to attend the delivery of nomination papers and to inspect and make any objections to the validity of a nomination form or home address form. See paragraph **3.138** for further information on dealing with objections²⁰.

3.34 After a candidate has delivered their nomination papers and deposit and they stand validly nominated, they are entitled to attend the delivery of other candidates' nomination papers and make objections to the validity of a nomination form or home address form. In addition to the candidate, the following persons will also be able to attend and make objections:

- their election agent
- their proposer or seconder, as stated on the nomination form

3.35 If a candidate is their own election agent, they can appoint one other person to attend the delivery of nomination papers and make objections to the validity of a nomination form or home address form. If a candidate has submitted more than one nomination form, only the proposer and seconder from the nomination form they have selected will be entitled to attend. If none has been selected, it will be the proposer and seconder of the first submitted nomination form who will have that entitlement.

3.36 Nomination papers cannot be inspected by anybody else at any time.

3.37 Electoral Commission representatives and one other person chosen by a validly nominated candidate can also be present at the delivery of nomination papers, but they are not allowed to inspect or make any objections.

3.38 You should make it clear to persons inspecting a home address form which asks for the candidate's home address not to be published that the information on the form should only be used by the person inspecting to:

- object to the nomination
- lodge an election petition
- make a complaint to the police that a person has made a false statement

and that any other use may be in breach of data protection legislation and so could make a person using the information for any other purpose liable to criminal prosecution.

3.39 You must keep the nomination papers securely and allow inspection of the nomination and home address forms by the persons permitted to inspect these until the deadline for making objections to the nomination papers.

3.40 Once the deadline for making objections has passed, you should store the nomination papers securely for one year after the election, except for the home address form, which must be destroyed on the next working day following a period of 21 calendar days after the declaration of the result.

3.41 However, the home address form must not be destroyed if there is a petition or other legal proceedings relating to the election, in which case you must wait until the next working day after the conclusion of such proceedings before destroying the form²¹.

Requirements of nomination

3.42 This section contains an explanation of what must be included on the nomination papers. It is designed to assist you in reviewing and ultimately determining the validity of nomination papers.

3.43 You should remind any person delivering the nomination papers that it is a criminal offence to provide a false statement on nomination papers. If the nomination form includes a commonly used name, you should highlight that the offence also applies if a candidate has given a commonly used name that they do not actually commonly use. You may warn candidates that the penalty for a false statement is an unlimited fine and/or imprisonment of up a year.

Nomination form²²

Candidate's names

3.44 The candidate's full names must be listed on the nomination form, with their surname given first followed by all of their other names in full.

3.45 Although the prescribed nomination form contains a column for the candidate's title, there is no legal requirement for candidates to provide this.

3.46 Candidates should be advised not to include prefixes or suffixes such as Mr, Mrs, Dr or Cllr in the field of the nomination form asking for their full name. If a prefix or suffix is included as part of the actual name the nomination form would not be invalid as a result, but the prefix or suffix should not be transferred to the statement of persons nominated. If a candidate has submitted a nomination form with a prefix or suffix as part of their actual name, you should inform the candidate and their agent that it will not appear on the statement of persons nominated, the notice of poll or the ballot paper, but that their nomination as a candidate has not been affected.

3.47 However, if a candidate has a title, they can use this as their full name. For example, if the candidate's actual name is Joseph Smith, but their hereditary title is Joseph Avon, they can use the name Joseph Avon as their full name

Commonly used names

3.48 Where a candidate commonly uses a different name from their actual name, they can ask for their commonly used name(s) to be used instead of their actual name.

3.49 A candidate can request to use a commonly used forename, surname or both. For example, they may be known by their abbreviated name 'Andy', rather than their full first name 'Andrew'. In that case, they can write 'Andy' into the commonly used forename box on the nomination form if they would rather that name appear on the ballot paper.

3.50 A candidate may also use initials as part of their commonly used name if they are commonly known by them.

3.51 However, a candidate cannot use their first name as a commonly used name so that only their first name and surname appear on a ballot paper, thus excluding their middle name. The legislation makes it clear that a commonly used name is one which is different from any other forename or surname. This means that a forename in its original format cannot be used as a commonly used name. If a candidate wishes to use a commonly used forename and/or surname then these must be different from their full name as it appears on the nomination form. For example, in the case of Andrew John Smith, he could not use Andrew Smith as his commonly used name, although he would be able to use Andy Smith (if Andy was the name by which he is commonly known).

3.52 It is not for you to decide whether the commonly used name is a 'name' that is commonly used or whether it meets the legal requirement to be different from any other name they may have. The law requires you to take whatever a candidate has entered in the commonly used name box at face value and to accept it as the candidate's commonly used name.

3.53 The only grounds you have in law for rejecting a commonly used name is that you consider that²³:

- its use may be likely to mislead or confuse electors, or
- it is obscene or offensive

3.54 If at an informal check stage, you are presented with a nomination form that has been completed in such a way that it appears to you that the commonly used name given is not different from any other forename or surname that the candidate has, you should draw the candidate's attention to the legal definition of a commonly used name and highlight that it is an offence to knowingly make a false statement on the nomination form. You should also point out that if a nomination form is not completed in accordance with the law, the candidate will run the risk of challenge if they are elected.

3.55 It is the candidate's responsibility to ensure that they have completed their nomination in accordance with the law and to be satisfied that the given commonly used name is a name that they genuinely commonly use.

3.56 In the course of providing informal advice, you may wish to draw the candidate's attention to our [guidance for candidates and agents](#) on commonly used names. The table below contains a number of worked examples of various combinations of commonly used names and how this would affect the appearance of the candidate's name on the statement of persons nominated, the notice of poll and the ballot paper:

Candidate's actual surname	Candidate's other names in full	Commonly used forenames	Commonly used surname	Name to go on statement of persons nominated and notice of poll	Name to go on ballot papers
Elector	Ann	Elsie	Voter	Voter, Elsie	VOTER, Elsie
Elector	Ann	[Blank]	Voter	Voter, Ann	VOTER, Ann
Elector	Ann	Elsie	[Blank]	Elector, Elsie	ELECTOR, Elsie

3.57 If either the commonly used forenames or commonly used surname box is left blank, then the candidate's actual forenames or surname, depending on which commonly used name box has been left blank, will go on the statement of persons nominated, the notice of poll and on the ballot paper.

3.58 You should advise the candidate that the use of commonly used names applies only to the statement of persons nominated, the notice of poll and the ballot paper. The candidate's actual name should appear on any documents that are required to show the candidate's name, such as the imprint and candidate's spending returns.

3.59 If you refuse the use of a commonly used name, the validity of the nomination form remains unaffected. Instead, the effect is that the candidate's full name will appear on the statement of persons nominated, the notice of poll and the ballot paper. This should be made clear to candidates and agents and you must write to the candidate setting out the reasons for refusing to allow the use of the commonly used name.

Subscribers²⁴

3.60 Nomination forms must include an indication of support for the candidate from 100 electors registered on the local government electoral register for a voting area within the police area. These are known as subscribers – the first two are the proposer and seconder, while 98 other electors are the assenters to the nomination.

3.61 The proposer, seconder and other subscribers may be registered anywhere in the police area and there is no limit to the numbers of subscribers from any one voting area, e.g. they may all be registered in one voting area or may be registered in different voting areas across the police area.

3.62 Each subscriber is required by law to sign the nomination paper in the appropriate place and their electoral number must be included in the spaces provided alongside their signature, along with the polling district's identifying letters.

3.63 You must reject a nomination if the nomination form is not subscribed as required. It is essential that the correct version of the register is used for checking that the subscribers are valid. Subscribers must appear on the local government register for a voting area within the police area that is in force on the last day for publication of notice of election.

3.64 An elector must not subscribe more than one nomination form in a police area at the PCC election. Any nomination forms delivered subsequently bearing that elector's signature as a subscriber must be determined as invalid, even where the later nomination form is for the same candidate as the earlier form, or if the earlier nomination form is for a candidate who has subsequently withdrawn or died²⁵.

3.65 You should have a robust system in place to ensure that no elector subscribes more than one nomination form.

3.66 Chapter 6 of the [Planning guidance for Police Area Returning Officers](#) sets out options for how you can manage this in practice and the practical considerations you should take into account in reaching your decision.

3.67 Whichever approach you take to managing this process, both a hard copy of the register and the electoral management system should be used in order to minimise the risk of missing a subscriber who has subscribed more than one form, with the hard copy of the register physically marked when nominations are formally submitted.

3.68 Once a nomination form has been formally submitted, even if it is later deemed invalid, the signatures of the subscribers will still count towards the one form that the subscriber may subscribe.

3.69 If an elector is later removed from the register or dies before the election (or even before the nomination is delivered) their signature remains valid and the nomination is not affected.

3.70 A person who is shown on the register as being under 18 years old at the time of nomination can only subscribe a nomination form if they will be 18 years old on or before polling day.

3.71 As you must accept the nomination form at face value, you must accept that the signature made on the nomination form is that of the person listed on the register under the relevant elector number, even if the signature suggests another name. You may draw the attention of the person delivering the paper to the issue if you are concerned, but you must take the elector number and the signature at face value. If after having raised the issue you still have any concerns, you should raise these with your SPOC.

3.72 Only the required number of signatures for your police area on any nomination form can be considered. If more subscribers are included than the number required to stand for election in your police area, any subsequent names must not be considered at all. If one of the first of the required number of subscribers is invalid, irrespective of whether more subscribers have been added to the nomination form, the nomination must be held invalid²⁶.

3.73 Occasionally a mistake is made with the subscribers on a nomination form, and one or more of the names may be crossed out on the form. If the signature and elector number for a subscriber are clearly crossed out, you should ignore it and treat it as if that row did not appear at all. If asked, you should advise that any crossings out should be clear and, ideally, initialled. You should not cross out any entry. If the entry that has been crossed out was that of a proposer or seconder, then the new proposer or seconder must be indicated. Where an entry has been crossed out, the first signatures from the required number of subscribers for your police area excluding that entry must still be valid for the nomination to be valid.

3.74 Signatures on nomination forms, once given, cannot be withdrawn by subscribers. If a subscriber contacts you to say that they wish to withdraw their subscription, you should inform them that this is not permitted by law and that the subscription remains valid.

Use of party names, party descriptions and party emblems

3.75 In all cases, to be able to use a party's identifiers (i.e. name, description and emblem) the party must be registered on the [Commission's register of political parties](#) and be listed as allowed to field candidates in England (if the candidate is standing in a police area in England) or Wales (if the candidate is standing in a police area in Wales)²⁷.

3.76 Political parties can register up to 12 descriptions and the Welsh translations of those descriptions.

3.77 You must check that the party name or description as given on the nomination form is registered on the [Commission's register of political parties](#) and matches it exactly. If it does not, you must reject that nomination. Even if a registered party is well known, it is vital to check the register of political parties for the exact details of the party as registered with the Commission.

3.78 For the purposes of maintaining a clear audit trail and in case of any future challenges, you should print a copy of the relevant part of the [Commission's register of political parties](#) showing the descriptions and party name at the time of your determination.

3.79 Political parties can also register up to 3 emblems.

3.80 A Zip file of emblem images will be available on our website. However, while the Zip file is a tool that can be used by your printer to prepare ballot papers, it is the information on the [Commission's register of political parties](#) that should be used for confirming which emblem to print on the ballot papers.

Additions, alterations, removals and changes to party names, party descriptions and party emblems on the register of political parties

3.81 The legislation provides that the removal or substitution of any registered descriptions may take effect up to and including the day before the actual date of publication of the notice of election for any particular election (note that this is not the last day for publication of the notice of election but the actual day of publication). After that point, any changes or deletions to any party descriptions do not apply for that election²⁸.

3.82 For example, if you decide to publish your notice of election before the last day that the notice must be published by law, it is possible that a nomination may be submitted which bears a registered party description that no longer appears on the register of political parties. If the deletion of the description has taken effect after you have published your notice of election but before the last day for publication of notice of election, the deletion does not apply to your election and the 'old' description is still valid. In any such circumstances you can check with your [local Commission office](#) whether or not the submitted party description applies for your election.

3.83 You should also note that political parties may change their registered party name and emblems, and add any new description if they previously had registered fewer than 12 descriptions, at any time until the close of nominations.

3.84 Where a candidate attempts to submit a nomination paper bearing a description that has yet to be registered, you should advise the candidate not to formally submit the paper, but to take it back and submit it once the description has been successfully registered.

3.85 If a candidate formally submits their nomination form with a description that is not yet registered, you must determine the nomination invalid on the basis that, when the determination is made, the description provided does not match any registered with the Commission. You may wish to contact the

Commission for confirmation that a description is not yet registered before making your determination. You can do this by contacting your [local Commission office](#)²⁹.



For up-to-date information about political parties, registered descriptions and registered emblems, you should check the register of political parties on the Commission's website at <http://search.electoralcommission.org.uk>. If you have any queries, you should contact your [local Commission office](#).

What descriptions may be used at the PCC election?

3.86 The legislation is precise about the use of descriptions. A candidate may only use one of the following descriptions³⁰:

- in England, the word 'Independent'
- in Wales, the word 'Independent' and /or 'Annibynol'
- the registered party name of a registered political party
- one of the descriptions the party has registered with the Commission

3.87 Candidates in Wales may use either the English version, Welsh version or both versions of either the party name or description, as long as they are registered with the Commission.

3.88 If a candidate wishes to use a party name or description, this must be authorised by the party's Nominating Officer (or a person authorised to act on their behalf). If the description on the nomination form matches one contained on our register of political parties or is a registered party name, a certificate of authorisation, signed by or on behalf of the party's Nominating Officer, must be received by the deadline for the delivery of nomination papers, which is by 4pm on the nineteenth working day before the poll³¹.

3.89 Candidates standing on behalf of more than one registered party may use a joint description which is registered with the Commission. If a candidate is standing on behalf of more than one political party the candidate must submit a certificate of authorisation issued by each of the parties' Nominating Officers (or persons authorised to act on their behalf) by the deadline for the delivery of nomination papers, which is by 4pm on the nineteenth working day before the poll.

3.90 Joint descriptions are listed on the [Commission's register of political parties](#) on the registration page for the relevant parties within the descriptions section, and in each case the description will be followed by the words '(Joint Description with the xx party)'. An example would be 'The Square and Circle Party Candidate (Joint Description with the Circle Party)', which would be listed on the Square Party page. Please note that the words in brackets are for explanatory purposes only and do not form part of the description.

3.91 You can check who the Nominating Officer for a particular party is by referring to the [Commission's register of political parties](#). However, as long as the person who has issued the certificate claims that they have been

authorised to do so by the registered Nominating Officer, the certificate should be taken at face value.

3.92 A Nominating Officer may stand as a candidate. If this happens, the candidate, as Nominating Officer, may authorise their own description. A person authorised by the Nominating Officer to issue a certificate of authorisation may also be a candidate and issue a certificate for their own nomination.

3.93 A certificate of authorisation can allow the candidate to:

- use the exact party name as registered with the Commission
- use one of the party's registered descriptions
- choose the party name or one of the party's registered descriptions.

Requests for a party emblem

3.94 If requested, the candidate of a registered party can choose to have a registered emblem of the party they are representing displayed on the ballot paper. To qualify, a candidate must have been authorised to use a party name or description other than 'Independent' and/or 'Annibynnol' (in Wales).³²

3.95 Candidates standing on behalf of more than one registered party who use a joint description may choose to use a registered emblem of one of the parties that have authorised the use of the description. There is no provision for joint emblems to be registered with the Commission.

3.96 The candidate (or someone of their behalf), not the election agent or the Nominating Officer (unless they are acting on behalf of the candidate). This request must be made in writing and received by you not later than the deadline for delivery of nominations, which is by 4pm on the nineteenth working day before the poll.

3.97 If the party has more than one registered emblem, the candidate should specify which one they want to use. If the candidate does not specify one, or the registered party changes or removes the emblem from the register of political parties after the nomination papers have been submitted but before the close of nominations, you should try to contact the candidate and ask them to select one. You should also tell them that if they do not select a particular emblem before the close of nominations, you will not be able to print an emblem against their name on the ballot paper.

3.98 The candidate may provide a high-resolution copy of the emblem for use in the printing of ballot papers, or may request that you download the emblem from the Commission's website. You must ensure that whatever copy is used is in the same form as the registered emblem.

3.99 The maximum size of an emblem on the ballot paper is set by the directions for printing. When adding a party emblem to a ballot paper, the shape of the emblem should not be altered. You must ensure that the emblem is in the same form as the registered emblem – for example, do not stretch

emblems into square shapes if they are not registered as square images on our website, as this would have the effect of altering their appearance.

Home address form

3.100 Candidates are also required to complete a home address form, which must be delivered by hand by one of those people who can deliver the nomination form and by the close of nominations. The form is not prescribed but the information that needs to be provided is set out in law³³.

3.101 On the home address form the candidate must state their full name and home address.

3.102 The home address:

- must be completed in full
- must not contain abbreviations
- must be the candidate's current home address
- must not be a business address (unless the candidate runs a business from their home)

3.103 If any detail of the home address is wrong or omitted, the nomination is not automatically invalid if the description of the place is such as to be commonly understood.

3.104 A candidate may, if they choose, sign a statement on the home address form stating that they require their home address not to be published on the statement of persons nominated. Candidates' addresses do not appear on the ballot paper at a PCC election, regardless of whether or not their address appears on the statement of persons nominated.

3.105 If the candidate chooses not to have their home address published on the statement of persons nominated, they must also state that they are registered on the electoral register for an 'electoral area' within the police area in order for their nomination to be valid. In addition, they must state the electoral area they are registered in, and must sign the statement. The electoral area can be any constituency, division or ward contained within the police area.

3.106 The Commission has produced a home address form as part of its sets of nomination papers that you can use to provide to candidates and agents for use at the election of a [Police and Crime Commissioner](#) or a [Police, Fire and Crime Commissioner](#).

3.107 Those people entitled to attend at the delivery of nomination papers (as set out in paragraph **3.33**) can inspect and object to the validity of a home address form as well as the accompanying nomination form.

3.108 If by the close of nominations more than one validly nominated candidate has asked for their home address not to be published, you must consider if two or more of them have the same or so similar a name that they

are likely to cause confusion. If you consider that this is the case, you may add such details from their home address or nomination form to the statement of persons nominated as you consider appropriate to reduce the likelihood of confusion³⁴.

3.109 Before you make a decision on which details should be included, if it is practicable to do so, you must consult the candidate(s) affected. You must then give notice in writing to the affected candidate(s) informing them of the additional information that will be published.

Candidate's consent to nomination

3.110 Candidates must also formally consent to their nomination and their consent must be delivered by the deadline for delivery of nomination papers, which is by 4pm on the nineteenth working day before the poll. It must be submitted by hand and cannot be submitted by post, fax, email or other electronic means. The consent to nomination form is prescribed in the election rules and the candidate must use this form or a form to like effect³⁵.

3.111 The candidate's consent must include:

- the candidate's date of birth
- a statement that they are aware of the provisions of the Police Reform and Social Responsibility Act 2011 and that to the best of their knowledge and belief they are not disqualified from election as a Police and Crime Commissioner or as a Police, Fire and Crime Commissioner
- a statement that they meet all the qualifications for standing

3.112 Candidates are not allowed to sign their consent form earlier than 31 calendar days before the deadline for submitting their nomination papers.

3.113 The consent must also be witnessed by another person. There are no restrictions on who can be a witness to the consent to nomination. The witness must provide their name and address on the consent form.

Deposit

3.114 In order to be validly nominated, a candidate or someone acting on the candidate's behalf must deposit the sum of £5,000 with you. This sum must be paid by the close of nominations, which is by 4pm on the nineteenth working day before the poll³⁶.

3.115 If the deposit is given to you by someone acting on behalf of the candidate, the person delivering the deposit must give you their name and address, unless they have already provided this information as part of their notification of appointment as an election agent.

3.116 You have some discretion over how you will accept payment of the deposit. Payment must be accepted where it is made by legal tender (cash in British pounds only) or a UK banker's draft. You may refuse to accept a

banker's draft if you do not know whether the drawer carries on business as a banker in the United Kingdom.

3.117 You can choose to accept funds by means of a building society cheque, a debit or credit card or the electronic transfer of funds if facilities are available to you, although you are not required to. You should accept building society cheques if they carry out business in the United Kingdom. You should also accept banker's payments which are orders issued by a bank, guaranteeing payment to the recipient. If you decide to accept any of these methods you should list them on the notice of election and make any requirements you have clear in the nomination pack.

3.118 If there is a fee attached to the form of payment, you can pass this on to the candidate. If so, you should make this clear on the notice of election and the nomination pack.

Determining the nomination form and home address form

3.119 A candidate who delivers completed nomination papers by the required deadline will be deemed nominated unless you decide that the nomination form is invalid or that the home address form does not comply with the requirements (or the candidate dies or withdraws)³⁷.

3.120 There is case law which makes clear that Returning Officers must not undertake any investigation or research into any candidate and that their duty does not go beyond seeing that a nomination form and home address form is correct on its face. As PARO, you should not, for example, investigate whether a name given on a nomination form is genuine. You will also need to disregard any personal knowledge you may already have of the candidate. Any determinations need to be made on the basis of the form itself.

3.121 In very limited circumstances, there is an exception, also based on case law, to the principle of accepting nomination papers at face value. You may come across a situation where the candidate's nomination is clearly a sham - for example, if a candidate has given an obviously fictitious name or address such as 'Mickey Mouse of Disney Land'. In such a case the nomination paper must be held to be invalid on the grounds that the candidate's particulars are not as required by law³⁸. In addition, the case law also provides that candidates who give particulars that are obscene, racist or an incitement to crime deliver particulars that are "not as required by law". This is because they contravene the law and/or will inevitably involve the PARO in a breach of the law. When considering the name, the primary consideration should be whether the "name" that has been provided on the nomination form appears to be "obviously fictitious" on the face of the paper. If the "name" does not appear to be a genuine name and instead appears to be a statement or slogan, for example, you may consider that it is "obviously fictitious". Any conclusion would be supported by considering the wider context. For example, does the name appear to be a political slogan made in

response to topical political events, rather than the genuine name of a real person? A court would likely in those circumstances conclude that such names are “obviously fictitious” and that the nomination form should be rejected.

3.122 You must determine the validity of a nomination form and the home address form as soon as is practicable after formal delivery. The sooner you carry out the formal determination, the greater the chance of those candidates who have made a mistake and whose nomination has been rejected being able to submit new papers before the close of nominations

3.123 By law, the only grounds that you have for determining that a nomination form is invalid are³⁹:

- that the particulars of the candidate or the persons subscribing the nomination form are not as required by law, or
- that the form is not subscribed as required

3.124 The description given on the nomination form is part of ‘the particulars of the candidate’. Therefore, you must hold the nomination invalid if:

- the party is not registered on the [Commission’s register of political parties](#) as contesting elections in England (if they are standing for election in a police area in England) or Wales (if they are standing for election in a police area in Wales), or
- the party name or description used on the nomination form does not exactly match the party name or description as registered with the Commission, or
- the description used is not authorised by a certificate signed by or on behalf of the party’s Nominating Officer, or
- the description is not registered by the Commission

3.125 If in your opinion the nomination form does not comply with the description rules, you must give a decision to this effect as soon as practicable after the delivery of the nomination form and, in any event, no later than 24 hours after the deadline for delivery of nomination papers.

3.126 You must determine that the home address form does not comply with the legal requirements if⁴⁰:

- it does not state the candidate’s full name,
- it does not state the candidate’s home address in full, or
- it includes a statement that the candidate’s home address is not to be made public but there is no statement confirming that the candidate is registered on the electoral register for an ‘electoral area’ within the police area

3.127 We have produced a [nominations checklist for PAROs](#) which sets out what you will need to consider and specific things to look out for when determining a nomination.

3.128 If you have not received the nomination form, home address form and consent to nomination, or the required £5,000 deposit by the deadline for the submission of nomination papers, which is by 4pm on the nineteenth working day before the poll, the candidate has not been validly nominated. There is then no need to make a formal determination, and their name should not appear on the statement of persons nominated.

What to do after your formal determination

3.129 Once you have made a decision that a nomination form is valid, that decision cannot be challenged during the election, although it may be challenged after the election by way of an election petition⁴¹.

3.130 If, however, you have made a formal determination but, as a result of an objection, later decide that the nomination form should in fact have been determined as invalid, you can make a further determination to this effect (see Paragraph **3.146** for further guidance on what to do in this situation).

3.131 If a nomination form is determined to be invalid you must state that fact on the nomination form, write on it the reasons for rejection and sign it.

3.132 If a nomination form is ruled invalid, it is important to take steps to contact the candidate and agent as soon as possible so that they may have the opportunity wherever possible to submit another nomination form before the close of nominations, which is by 4pm on the nineteenth working day before the poll.

Correction of minor errors

3.133 You are permitted by law to correct minor errors made on a nomination form or home address form at any time before you publish the statement of persons nominated. This includes the correction of errors in relation to a person's elector number and obvious errors of spelling of a candidate's details. You should attempt to contact the candidate or agent before making any minor error amendment⁴².

3.134 You must have regard to the Commission's guidance on the correction of minor errors.⁴³

Errors in elector numbers

3.135 Where an elector number has been entered incorrectly, you may amend it if you are satisfied that an error has been made. However, where the elector number has been omitted altogether, this does not amount to an error, and the nomination form should be rejected on the basis that the number has not been supplied and so the particulars are not as required.

Errors of spelling in details of candidates

3.136 Dealing with the 'obvious' errors of spelling may be more difficult, as what is obvious to one person may not be so to another. Care should be taken in exercising this power.

Errors in a home address

3.137 Where a home address is not absolutely correct there may not be a need to make a correction. By law, errors in a home address do not affect the full operation of a nomination form, as long as the address can be commonly understood.

Objections to nomination forms and home address forms

3.138 Certain people may object to the validity of a nomination form or a home address form (see paragraphs **3.33**).

3.139 Objections can be made on the last day for the receipt of nomination which is the nineteenth working day before the poll.

Timetable for objections⁴⁴

3.140 The time within which an objection can be made depends on when the nomination form and home address form are delivered.

Delivered up to 4pm on the day before the last day for the receipt of nominations

3.141 Objections to any nomination form or home address form delivered up to and including 4pm on the day before the before the deadline for nominations must be made **between 10am and 12noon on the last day for the receipt of nominations**

Delivered after 4pm on the day before the last day for the receipt of nominations

3.142 Objections to any nomination form or home address form delivered after 4pm on the day before the deadline for nominations must be made **between 10am and 5pm on the last day for the receipt of nominations**. Any objection must be made at or immediately after the time of delivery.

Decisions on objections

3.143 You are only entitled to hold a nomination form invalid on the limited grounds set out in paragraphs **3.123** and **3.124** above.

3.144 You are only entitled to hold a home address form invalid on the limited grounds set out in paragraph **3.126**.

3.145 You should consider any objection that you receive during the allowed time for objections to be made. You should not undertake any investigation or

hear any representations in support of or challenging any fact or statement given on the nomination form or home address form.

3.146 You should limit the objection process to the nomination form and the home address form. Where, as a result of an objection, you decide that a nomination you have already determined should have been ruled invalid, you must show on the statement of persons nominated that the candidate is no longer validly nominated together with the reason why they no longer stand nominated, and you should inform the candidate⁴⁵.

Withdrawal of a candidate

3.147 It is possible for a validly nominated candidate to withdraw their candidature. For this to be effective, the candidate must deliver to you a signed notice, attested by one witness, by 4pm on the nineteenth working day before the poll⁴⁶.

3.148 The notice must be delivered by hand to the place for the delivery of nomination papers. There are no restrictions on who can deliver the notice of withdrawal.

3.149 The withdrawal notice is not prescribed in legislation. We have produced a [template withdrawal notice](#) that you could give to any candidate who requests one.

3.150 If the candidate is not in the UK, a withdrawal will be effective if a notice of withdrawal, signed by the proposer and accompanied by a written declaration that the candidate is abroad (also signed by the proposer) is delivered to you by 4pm on the nineteenth working day before the poll (i.e. by the deadline for withdrawals).

3.151 The details of any candidates who by the close of withdrawals remain nominated must be printed on the ballot papers. If a candidate has not withdrawn by the deadline, their details must go forward to the ballot paper.

After the close of nominations

3.152 After the close of nominations you must publish a statement of persons nominated and a notice of poll. For details on what these notices should contain see **chapter 6**.

Nomination in more than one area

3.153 A candidate may not stand for election in more than one PCC election held on the same date. A candidate who is validly nominated for more than one police area must withdraw from being a candidate in all areas except one, before the deadline for withdrawals. If they do not, they will be deemed to have withdrawn from being a candidate in all police areas⁴⁷.

Uncontested elections

3.154 If only one valid nomination is received, or all valid nominations are properly withdrawn by the deadline except one, the election is uncontested. If the election is uncontested, you must, as soon as practicable, declare the remaining validly nominated candidate elected. No poll is held. You must give public notice of the name and description (if any) of the elected candidate. You must send a copy of the notice to the Minister and to each LRO in the police area, and you should take steps to ensure that each LRO publishes the notice in their voting area⁴⁸.

Returning deposits

3.155 Where a candidate is not shown as standing nominated in the statement of persons nominated, the deposit must be returned as soon as practicable after the publication of the statement of persons nominated to the person who made the deposit or their personal representative.

Death of a candidate⁴⁹

3.156 In the event of the death of a candidate during the election period, the procedure to be followed at a PCC election depends on the time when you receive proof of the death of the candidate. It is the time when you receive proof of the candidate's death that is the relevant factor, not the actual time of death.

Proof of death received before polls open

3.157 If proof of the death of a validly nominated candidate at a contested election is received before the opening of the poll, you must countermand the notice of poll and the poll does not take place. A new election must be held.

Proof of death received after polls have opened and before the declaration of result

3.158 If proof of the death of a validly nominated candidate at a contested election is received after the opening of the poll but before the declaration of result, you must direct that poll is abandoned. A new election must be held. However, in this case, because the poll will have started, the documentation (i.e. issued and un-issued ballot papers, etc.) must be returned to the relevant Returning Officer and sealed up in the normal way.

3.159 Any postal votes received back must also be sealed in packets and any envelopes not opened at the time of the notification of the death must be sealed in packets unopened.

New election

3.160 In the event that a new election is required where the poll has been countermanded or abandoned due to a candidate's death, we will be available to support you in identifying and taking the appropriate actions.

4 Election addresses

4.1 Each candidate at a PCC election may provide an election address to the PARO for publication on a website provided by the Minister. A candidate's election address must be prepared by their election agent and submitted to you on a form prescribed in law by a deadline set by you⁵⁰.

4.2 You must, as soon as reasonably practicable after the publication of the notice of election, give public notice of the deadline for the submission of election addresses to you⁵¹. In order to ensure that all candidates have the same experience and are working to the same deadlines regardless of which police area they are standing in, PAROs at previous scheduled polls have agreed to set the deadline for submission of election addresses as 12 noon on the last day for nominations. This deadline is reflected in our guidance for candidates and agents.

4.3 You should encourage candidates and agents to formally submit the address to you as early as possible in order to allow time for it to be returned to the agent if amendments or corrections are required and for it to be resubmitted by the deadline for submissions. You should acknowledge receipt of a candidate's address to provide a clear audit trail.

4.4 In summary, the steps that election address must go through before it can be published on the Minister's website are:

- It must be submitted to you for checking⁵²
- You must check that it complies with all the legal requirements (see the section on 'Legal requirements of an election address' below)⁵³
 - If it does not meet the legal requirements you must send it back to the candidate's agent, inviting corrections and re-submission by the deadline for submissions
 - If it meets the legal requirements, you must forward it on to the Minister, along with a statement stating that you are satisfied the address complies with the relevant requirements. In practice, this should be done as soon as practicable to allow publication on the website by the Minister after 4pm on the nineteenth working day before the poll. Unless special circumstances apply, the deadline for the Minister to receive an election address is midnight on the eighteenth calendar day before the poll (if the eighteenth calendar day falls on a Sunday, the deadline is extended to the seventeenth calendar day before poll. The Minister will then return to you a copy of the address as it will appear on the website. You must also inform the candidate of the date you have submitted the address and of any minor corrections made.
- You must send the website version of the address to the candidate's agent, inviting any comments and corrections by a further deadline to be set by you⁵⁴.

- If any comments and/or corrections are received before the deadline you have set, you must make the changes provided they are consistent with the legal requirements for addresses. You must then return the copy of the election address to the Minister as soon as practicable after your deadline⁵⁵.
- The legislation provides that the Minister must publish the election address on the website **as soon as practicable after** 4pm on the nineteenth working day before the poll⁵⁶.

4.5 You must separately prepare a statement to be included on the website which must include the list of candidates in your police area in the order that they will appear on the ballot paper⁵⁷.

4.6 Legal requirements of an election address

4.7 The election address **must**⁵⁸:

- be submitted to you by the deadline you have published and in the prescribed form
- contain a statement to the effect that it has been prepared by the candidate's election agent
- give the name and address of the election agent
- be completed in English or Welsh
- be submitted in electronic form unless you are satisfied that there is good reason for it being submitted in hard copy form
- specify the candidate's name
- contain matter relating to the PCC election only
- comply with the formatting requirements specified in the prescribed form
- comply with such other requirements the Minister may specify with a view to facilitating its inclusion on the website
- be capable of being produced in hard copy form

4.8 The election address **must not**⁵⁹:

- contain any advertising material (other than material promoting the candidate as a candidate at the PCC election)
- contain any material referring to any other candidate for election at the PCC election
- contain any material appearing to you to be included with a view to commercial gain
- contain any material appearing to you to be indecent, obscene or offensive
- contain any material appearing to you to be such that its publication or distribution would be likely to amount to the commission of an offence
- exceed the 300 word limit specified in the prescribed form (the agent's statement, name and address count towards the 300 word limit)

4.9 The election agent **may**⁶⁰:

- when submitting an election address also submit a translation into Welsh or English (as the case may be) which is a complete and accurate translation (this translation is not subject to the 300 word limit)
- include a photograph of the candidate as long as it shows no other person than the candidate and does not contravene the list above of material that the address must not contain
- include a representation of the registered emblem, or (as the case may be) one of the emblems, of a registered political party, if the election address is prepared on behalf of an authorised party candidate
- where an election address is prepared on behalf of an authorised party candidate, contain a registered description or, if the candidate is authorised by two or more parties, a registered joint description

Consideration of election addresses

4.10 You must, for all election addresses delivered to you by the deadline you have given, consider if each of them complies with the legal requirements. You should offer election agents the opportunity to have their candidate's election address checked at an early stage so that any issues can be identified and rectified before the deadline⁶¹.

4.11 If any election address does not comply you must return it to the candidate's election agent, specifying each respect in which you consider that it does not comply. You may make any minor corrections which you reasonably consider necessary to enable the election address to comply with the requirements.

4.12 The candidate's election agent may re-submit the election address at any time before the deadline you have given for delivery of the election address.

4.13 Once you are satisfied that an election address complies with the relevant requirements, you must send the election address to the Minister together with a statement that you are so satisfied.

4.14 You must notify the candidate of the date on which their election address was sent to the Minister and of any minor corrections which you have made.

4.15 In practice, the statement and declaration should be submitted to the Minister as soon as practicable to allow publication on the website by the Minister after 4pm on the nineteenth working day before the poll. The deadline for submission of the election addresses by PAROs to the Minister is midnight on the eighteenth calendar day before the poll. The Minister may allow an election address to be submitted after that time but only if they are satisfied that there is good reason for its late delivery. You should therefore include the reasons for submitting any late election address for the Minister's consideration⁶².

Forwarding of the final copy of the election address

4.16 The Minister will provide you with a copy of each election address as it will appear on the website. You must forward a copy of that election address to the election agent of the candidate with a notice⁶³:

- inviting the election agent to check the content of the copy against the content submitted by the election agent
- specifying the latest time for submission to you of any comments or corrections which the election agent may have

4.17 If you receive any comments on or corrections to an election address by the deadline you have set for this purpose, you:

- must make such changes to the copy of the election address as you consider to be consistent with the requirements for an election address
- may make any typographical corrections which you consider necessary

4.18 As soon as reasonably practicable you must return the copy of the election address to the Minister with such changes (if any) that have been made. The Minister must then ensure that the election address is included on the website as soon as practicable after 4pm on the nineteenth working day before the poll.

Your statement for inclusion on the website

4.19 You must also prepare a statement to be included on the website, specifying the date of the election and the names of the candidates in the order that they will appear on the ballot paper with their description (if any). The statement must also include your contact details⁶⁴.

Requests for the election addresses in printed and other formats

4.20 You must forward any request you receive for a printed version of the election addresses to the Minister. The Minister, through the Cabinet Office, will arrange for a printed copy and a list of the validly nominated candidates to be sent to the enquirer⁶⁵.

4.21 Also, the Minister may take steps to ensure that, so far as is practicable, the elections addresses are available:

- in other formats such as large print, braille and audio tape
- in the offices of each local authority wholly or partly in the police area

- in public libraries in the police area, and
- in other premises to which the public normally have access in the police area

4.22 You should liaise with LROs in your area and agree a process with them to do this.

5 Agents at the election

The election agent

5.1 Each candidate must have an election agent, and notice of the appointment must be delivered to you by the latest time for delivery of notices of withdrawal, which is 4pm on the nineteenth working day before the poll. We have produced a form for the notification of the appointment of election agents as part of the set of nomination papers for the election of a [Police and Crime Commissioner](#) or a [Police, Fire and Crime Commissioner](#)⁶⁶.

5.2 A candidate may appoint themselves as their election agent. If no agent is appointed by the above time, the candidate is deemed to be their own election agent⁶⁷.

5.3 A candidate is also deemed to be their own agent if they revoke their agent's appointment, or the agent dies and a replacement is not appointed on the day of the death or on the following day.

5.4 If a candidate is acting as their own election agent, irrespective of whether they became an agent as a result of not appointing one or because they had given you written notice of their own appointment, they can also revoke their own appointment and appoint a new agent. They must notify you in writing of any such changes⁶⁸.

5.5 The election agent must have an office, and the notice of appointment must set out the office address to which all claims, notices, legal process and other documents may be sent⁶⁹. The office address must be an address to which any legal notices can be delivered and therefore must be a physical address – PO boxes or similar mailboxes cannot be used.

5.6 The location of the office must be within the police area.

5.7 The election agent's office address will often be the same as their home address, but it might be that of the local political party or an office especially set up for the election.

5.8 Where a candidate acts as their own election agent as a result of not having appointed anybody else, the office address is deemed to be the address given on the statement of persons nominated or, where the address is not given on that statement because the candidate has requested on the home address form not to have their home address details made public, it is deemed to be the address given on the home address form. If the address is outside the police area, the office address is deemed to be the address of the proposer⁷⁰.

5.9 If a candidate has requested on the home address form that their home address details are not made details public, but becomes their own election

agent as a result of not having appointed anybody else, you must publish their home address on the notice of election agents, even though, as a candidate, they have requested to keep it private. The only exception to this is if the candidate's address falls outside the police area, when the office address is deemed to be the address of the proposer.

5.10 If the candidate gives you written notification of their appointment as their own election agent, they must give an office address within the police area.

5.11 Upon notification of an election agent's name and address you must publish a notice setting out those details and the name of the candidate as soon as possible. The notice must be updated if any agent's appointment is revoked, or the agent dies, and the new agent's details published on the revised version. You must provide a copy of the notice to all LROs in your police area for them to publish locally⁷¹.

5.12 Your privacy notice should make clear that you are required under electoral legislation to publish an election agent's name and address information in the notice of election agents. You will also need to consider whether it is appropriate or necessary for the notice to remain published, on your website or elsewhere, beyond the expiry of the petition period for that election. The notice serves a specific purpose, i.e. advising who will be a candidate's election agent, so once the election is over, and the opportunity to question that election has passed, they serve no further purpose. Therefore, you should either remove the notice, or remove the personal data contained in the notice, once the petition deadline for the election has passed



Our [data protection resource for EROs and ROs](#) covers the requirements of a privacy notice and document retention considerations

Sub-agents

5.13 An election agent may appoint sub-agents to act on their behalf.

5.14 Election agents may appoint sub-agents for particular parts of the police area, as long as those parts do not overlap. The agent can determine the parts into which they wish to sub divide the police area, and these may cross voting area boundaries⁷².

5.15 The office of the sub-agent must be in the area within which they appointed to act.

5.16 A sub-agent can do anything that the election agent is entitled to do within the area to which they are appointed. They may attend the opening of postal votes, the verification and count, as well as the calculation of the

results, provided that these are taking place within the area in which they have been appointed to act and they are acting in place of the election agent.

5.17 The election agent must declare to you in writing the name, address and office address of each sub-agent they have appointed and the area in which they may act by the fifth working day before the day of the poll. You should include forms for the notification of appointment of sub-agents in your nomination packs. We have produced a form for the notification of sub-agents as part of the sets of nomination papers for use at the election of a [Police and Crime Commissioner](#) or a [Police, Fire and Crime Commissioner](#).

5.18 The election agent can revoke the appointment of a sub-agent at any time. If a sub-agent dies or has their appointment revoked the election agent may appoint a new-sub agent by declaring in writing the name, address, office address and area of appointment of the new sub-agent to you.

5.19 Once the name, address, office address and area of appointment of a sub-agent have been declared to you, you must give public notice of these details. You must forward this notice to the LROs in the police area for local publication.

Other agents

5.20 Other agents can be appointed to observe the opening of postal votes, the poll and the count in each voting area. Notice of these appointments must be given to the local government RO or LRO as appropriate⁷³.

5.21 You should liaise with the relevant Returning Officers in your police area to determine how best to ensure that this process is as straightforward for candidates and agents as possible, and ensure that the arrangements are clearly communicated to the candidates and their agents.



More information on the appointment of postal voting, polling and counting agents is available in Part C – Administering the poll of our guidance [for standalone PCC election](#), [for combined PCC elections and local government in England](#) and for [combined Senedd and PCC elections in Wales](#)

6 Notices

Production and publication of notices

6.1 You must publish notices by posting them in a conspicuous place or places within the police area⁷⁴. This should include local authority offices, noticeboards, libraries and other public buildings. The notice may also be given in such other manner as you think fit.

6.2 In order to ensure that voters can receive the information they need, in an accessible format and within time for them to cast their vote, you should ensure that any notices that you publish are easily accessible for voters, such as through your local authority website.

6.3 If you are making information available on your website you should ensure it is accessible to all voters. For example, if you are providing information in PDF format, you should be aware that if certain steps are not followed when creating PDFs they may not be compatible with screen readers and other assistive technologies. The UK Government has produced [a guide to producing accessible PDFs](#) you can refer to. You could also speak to your authority's equalities officer for advice

6.4 You will also need to consider how you will supply any notices for local publication by the LROs in your police area in order to enable timely publication. You should liaise with the LROs in your police area to ensure that the notices they are required to publish locally are also made accessible.

6.5 In accordance with data protection legislation, you will need to consider whether it is appropriate or necessary for the notices to remain published, on your website or elsewhere, beyond the expiry of the petition period for that election. You will also need to decide who will be responsible for removing them at the appropriate time.

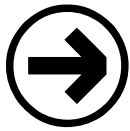
6.6 Where the notices serve specific purposes, i.e. advising who will be a candidate at the election, once the election is over, and the opportunity to question that election has passed, they serve no further purpose. Therefore, you should either remove the notices, or remove the personal data contained in the notices, once the petition deadline for the election has passed

6.7 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 notices of election results, for example, you should retain these on your website as they are for public interest and historical and statistical purposes.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure that information on the poll, including the notice of election and notice of poll, is easily accessible to voters, such as through the local authority website.

To demonstrate that the outcome can be delivered you will need to ensure that information on the poll can be easily accessed through the local authority website.



See our [Planning guidance for Police Area Returning Officers](#) for more general guidance on communicating information to electors.

6.8 You should have robust proof-checking processes in place to ensure that there are no errors on the notices you are required to publish. Having robust proof-checking processes in place could help detect any errors and avoid any potential data breaches before they occur.

Translation and formats of notices

6.9 You are required, where you consider it appropriate to do so, to ensure that notices are translated or provided in another format. You may produce them:⁷⁵

- in Braille
- in languages other than English (or in Wales, English and Welsh)
- using graphical representations
- in audio format
- using any other means of making information accessible

6.10 The ballot papers cannot be produced in any language other than English, or, in Wales, in English and Welsh, or other than in the prescribed format. However, both the enlarged hand-copy and the display copies of the ballot paper must have the instructions for voters printed at the top of the paper, and these words may be translated into languages other than English and Welsh.

Notice of election

6.11 You must publish the notice of election by not later than 25 working days before polling day⁷⁶. You must also provide the LRO for each voting area that is wholly or partly within your police area with a copy of the notice for local publication⁷⁷.

6.12 The notice of election **must** include the following⁷⁸:

- the place and times at which nomination papers can be delivered, and at which nomination papers may be obtained

- where you have decided to accept electronic payments, the arrangements for electronic payment of deposits
- the date of the poll if the election is contested
- the date by which applications for absent votes (including emergency proxies) and any cancellation or changes to existing absent voting arrangements must reach the ERO in order to be effective for the election

6.13 The notice should also include the date by which applications for registration must reach the relevant ERO in order to be effective for the election.

6.14 The address given for the delivery of nomination papers should be exact, and include any room number. This will avoid any doubt should nominations be delivered close to the deadline. All reception staff at offices of the building and other connected buildings should be informed that they should not take receipt of nomination papers.

6.15 The Commission has developed a [template notice of election](#) which you can use for the PCC election.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure that you have robust processes in place for ensuring that there are no errors on the notice of election. To demonstrate that the outcome can be delivered you will need to have in place processes for the proof-checking of the notice.

Statement of persons nominated

6.16 You are required to publish a statement of persons nominated for the police area by no later than 4pm on the eighteenth working day before the poll⁷⁹.

6.17 The statement of persons nominated must include, for all candidates who are validly nominated, as well as those who have withdrawn or whose nomination you have rejected⁸⁰:

- their name
- their address (or, if they have requested not to have their home address made public, the name of the electoral area they have given on the home address form)
- their description (if any)
- in the case of those who no longer stand nominated, the reason why they no longer stand nominated

6.18 Your privacy notice should make clear that you are required under electoral legislation to publish a candidate's name and address information in the statement of persons nominated.



Our [data protection resource for EROs and ROs](#) covers the requirements of a privacy notice.

6.19 The names of the candidates on the statement must be listed in alphabetical order of their surname; this is also how they will appear on the ballot paper. Where there are two or more candidates with the same surname, the alphabetical order of the other names will decide which candidate is listed first.

6.20 If a person has requested the use of a commonly used name on their nomination form, the commonly used name must be shown on the statement instead of the actual name. Where a candidate has requested the use of a commonly used surname, the candidate's alphabetical position on the statement of persons nominated (and on the ballot paper) must be made by reference to their commonly used surname⁸¹.

6.21 If, however, you have rejected the use of any commonly used name as you think it is likely to mislead or confuse electors, or is obscene or offensive, the actual name must be published on the statement of persons nominated instead of the commonly used name⁸².

6.22 You should have robust proof checking processes in place to ensure that there are no errors on the statement of persons nominated.

6.23 You must provide each LRO with a copy of the statement as soon as it is published for local publication⁸³.

6.24 You must also send a copy of the statement to the Electoral Commission. We will confirm through a Bulletin where the statement is to be sent⁸⁴.

Notice of poll

6.25 If the election is contested you must publish a notice of poll for the police area by no later than the sixth working day before poll⁸⁵. The notice of poll must state⁸⁶:

- the date and hours of the poll
- the particulars of the candidates remaining validly nominated, and the order of the names must be the same as in the statement of persons nominated

6.26 Your privacy notice should make clear that you are required under electoral legislation to publish a candidate's name and address, in the notice of poll.



Our [data protection resource for EROs and ROs](#) covers the requirements of a privacy notice

6.27 It is not a legal requirement for the notice of poll to be published locally by LROs. However, you should still take steps to ensure that a copy is published in each voting area, including by ensuring that LROs either provide a link from their website to the notice you have published, or provide a copy directly on their website so that electors in all voting areas can easily access it. You should also provide a copy to all candidates and agents as soon as practicable after its publication.

6.28 The Commission has developed a [template notice of poll](#) that you can use for the PCC election.

Notice of situation of polling stations

Combination

Where the poll at the PCC election is combined with the poll at a Senedd election, the CRO will be responsible for the combined elements of the poll, including publishing the notice of situation of polling stations.

Where the poll at the PCC election is combined with the poll at local government elections in England, the local government RO will be responsible for the combined elements of the poll, including publishing the notice of situation of polling stations. The notice of situation of polling stations must refer to all the polls taking place⁸⁷.

6.29 LROs at a standalone PCC election, and local government ROs or CROs taking on combined functions where polls are combined, must publish a notice of the situation of polling stations for their voting area by no later than the last time for publication of the notice of poll. You should therefore let CROs and LROs know when you are planning to publish the notice of poll.

6.30 CROs and LROs must give a copy of this notice to all election agents as soon as practicable after giving the notice and should also provide a copy to candidates and to you. The notice should also be made available to accredited observers on request⁸⁸.

6.31 As part of your consideration about how best to provide information to candidates and agents in a coordinated and consistent manner, you should liaise with the LROs, CROs and local government ROs (as appropriate) to decide how best they can discharge their duty to provide copies of the notice of situation of polling stations to candidates and agents, enabling them to easily access this information for the whole of the police area. As part of your

discussions, you should consider whether the notices will be collated and disseminated centrally by you.

Polling station notices

Combination

Where the poll at the PCC election is combined with the poll at a Senedd election, the CRO will be responsible for the combined elements of the poll, providing the notices for display in polling booths, and outside and inside polling stations.

Where the PCC election is combined with the poll at local government election in England, the local government RO will be responsible for the combined elements of the poll, including providing the notices for display in polling booths, and outside and inside polling stations. The notices must follow the prescribed wording in the relevant combined election rules and will refer to all the polls taking place.⁸⁹

6.32 The notice entitled 'How to vote at this election' must be exhibited outside and inside each polling station. The notice containing the text 'Vote by putting a cross [X] in the box' (in the case of an election with three or more candidates) or 'Vote for ONLY ONE CANDIDATE by putting a cross [X] in the box next to your choice' (in the case of an election with two candidates only), is required to be displayed in every polling booth.

6.33 You may also provide versions of these notices in alternative languages or formats as you think appropriate and, if the LRO agrees, these may also be exhibited inside and outside the polling station. You should liaise with the CROs, local government ROs and LROs to identify what the alternative language and format requirements are across your police area⁹⁰.

6.34 You should liaise with the CROs, local government ROs and LROs (as appropriate) in your police area regarding what information on the PCC election (such as the voting system and the role of the PCC) should be given by polling station staff to electors. The provision of information in polling stations, whether given proactively or in response to questions from voters, should be consistent across the police area. You should therefore consider how best to ensure that the same information is given to all voters across the police area, wherever they are voting, and that the relevant Returning Officers and polling station staff have clear guidance about what information should or should not be given to voters.

Poll cards

6.35 CROs, local government ROs and LROs (as appropriate) are required by law to send out poll cards as soon as practicable after the publication of

the notice of election. In order to ensure that voters receive the same information at a similar time regardless of where they live in the police area, you should liaise and agree with CROs, local government ROs and LROs (as appropriate) on timings for the delivery of poll cards.⁹¹



In Essex, North Yorkshire, Northamptonshire and Staffordshire the candidate elected to the role of PCC also holds the fire and rescue authority function.

Legislation that amends the title of Police and Crime Commissioner to “the Police, Fire and Crime Commissioner” in these areas has been made.

In these police areas the poll cards must refer to the election of the Police, Fire and Crime Commissioner [insert name of police area] police area.⁹²



Part C –of our guidance [for standalone PCC election](#), [for combined PCC elections and local government in England](#) and for [combined PCC and Senedd elections in Wales](#) includes information on the production of poll cards, including data protection considerations.

Production of ballot papers

6.36 LROs are responsible for the production of ballot papers for their voting area, although you may take on responsibility for printing ballot papers in any or all voting areas by giving a direction to the relevant LRO.



In Essex, North Yorkshire, Northamptonshire and Staffordshire the candidate elected to the role of PCC also holds the fire and rescue authority function.

In these police areas the ballot paper must refer to the election of the Police, Fire and Crime Commissioner [insert name of police area] police area.⁹³



Further guidance on planning for the production of ballot papers can be found in the [Planning guidance for Police Area Retuning Officers](#).



[Part C of our guidance for standalone PCC elections](#), for [combined PCC and local government elections in England](#) and [combined PCC and Senedd elections in Wales](#) includes information on the production of ballot papers, including the official mark, the printing of candidates’ details and data protection considerations.

6.37 Unless you have taken on responsibility for the printing of PCC ballot papers, once the deadline for withdrawal of nominations has passed, you will need to give clear and timely information to LROs about the final details of the ballot paper to enable them to confirm the exact specifications with their printers and commence printing. This includes the precise size and layout, and candidate details (i.e. name, description (if any) and emblem (if any)).

6.38 You should have processes in place to ensure that LROs print the ballot papers correctly, including that the candidate details on the ballot paper are reproduced accurately, and that the correct emblems and font type and size have been used. You should provide a template ballot paper that LROs can use as a basis for printing the ballot papers in their voting area, and against which they can check printing proofs and final versions of the ballot papers. You should also consider putting in place a process to proof check LROs ballot papers yourself before printing commences in order to satisfy yourself that all the ballot papers across the police area will be printed correctly.

6.39 Whether you are printing yourself, or using an external print supplier, you must have regard to data protection considerations.



General guidance on the management of contractors and suppliers and on monitoring their work can be found in [Part B – Planning and organisation](#). We have also produced a [contract development checklist](#) to support you in your work with contractors/suppliers. We have also produced a [proof-checking factsheet](#) which you can use to help you quality assure the whole process.

7 Verification, count and result collation

7.1 One of the aspects of the election process where you will particularly want to ensure that there is consistency is the verification and counting of votes and collation of the result.



Guidance to support you with planning for the verification, count and collation of results can be found in the [Planning Guidance for Police Area Returning Officers](#).

Guidance for local ROs about the count process is included in [Part E – Verifying and counting the votes at a standalone PCC election](#), [Part E – Verifying and counting the votes at a combined PCC and local government election](#), and [Part E – Verification and counting the votes at a combined PCC and Senedd election](#)

7.2 This chapter provides further guidance on your role in relation to the verification and counting of votes and the result collation process.

Collating the result

7.3 As PARO you must collate the contents of the local verification statements and the count totals for each voting area, and calculate and declare the overall result for the police area. It is for you to determine how best to manage this process in your police area⁹⁴.



Guidance on planning for the result collation process can be found in the [Planning Guidance for Police Area Returning Officers](#).

7.4 You should liaise with LROs in planning and developing the process for collating, checking and approving local totals, and provide them with guidance on how this will work in practice. You will need to ensure you have processes appropriate to the risk in place to ensure an appropriate level of security of personal data at the verification and count.

7.5 You should produce and share in advance with LROs templates of all documents which you will require them to complete during the collation of local totals (whether electronically or in hard copy) to ensure that all information is recorded and transmitted in a consistent way and to provide a clear audit trail. Any system used should have a contingency in case of any problems or system failures.

7.6 You should also make arrangements for testing the process and any supporting systems you intend to use, which should include at least one rehearsal of the process involving your staff and LROs and their staff in order to ensure that everyone involved understands and is familiar with how the process works and what their responsibilities are. This will also enable any issues to be identified and resolved before the event itself.



To be able to achieve the outcome set out in [performance standard 3](#), you will need to develop a process for receiving and submitting local totals. To demonstrate that the outcome can be delivered you will need to have in place arrangements for managing the process of collating local totals, including any protocols and guidance issued to LROs.

The collation process

7.7 The law sets out the result collation process that must be followed. The key steps are:

- The CRO, local government RO or LRO (as appropriate) must verify the ballot paper accounts for their voting area and draw up a statement as to the result of the verification⁹⁵.
- The CRO, local government RO or LRO (as appropriate) must inform the PARO of the contents of their verification statement⁹⁶.
- The PARO must collate all the verification figures for the police area to produce a total number of the ballot papers going forward to the count for the whole police area⁹⁷.
- Where the votes are to be counted at a different place to where the verification took place you can direct LROs to carry out further specified verification procedures in relation to the ballot papers and documents relating to the PCC election⁹⁸.
- Each LRO must count the first preference votes given for each candidate. Once counting is complete, the LRO must share the figures with the candidates and agents present. Candidates, election agents and those counting agents who have been specifically authorised to do so may request a recount⁹⁹.
- Once the candidates and agents have had the opportunity to check the figures (and any recount has been completed), the LRO must draw up a statement of local totals including the number of first preference votes cast for each candidate and the total number of rejected ballot papers, and a statement of rejected ballot papers categorised by reason for rejection¹⁰⁰.
- Each LRO must, as soon as practicable, inform the PARO of the contents of the statement of local totals¹⁰¹.

- Before the LRO can inform the candidates and agents of the contents of the statements of rejected ballot papers and local totals and give public notice, they must have received authorisation from the PARO.
- The PARO must collate all the local totals for the police area received from LROs. As soon as practicable after the PARO has received all of the local totals for the police area, they must calculate the total number of votes given for each candidate in the police area.
- The PARO will calculate whether one candidate has an overall majority of the votes counted and can be elected.
- The PARO must share the relevant figures with the election agents who are present and must give them a reasonable opportunity to satisfy themselves as to the accuracy of the calculation. An election agent may request a re-calculation but the PARO may refuse to do so if in their opinion the request is unreasonable¹⁰².
- Once the agents have had the opportunity to check the figures (and any re-calculation has been completed) the PARO must declare the result as follows:

Procedure if there are only two candidates

- If both candidates have an equal number of votes, the PARO must decide by lots which of them is to be returned. Otherwise, the candidate who has the majority of the votes is returned.
- The PARO must declare the result.

Procedure if there are three or more candidates and one candidate has an overall majority of the first preference votes

The candidate who has the majority of the votes is returned¹⁰³.

The PARO must declare the result.

Procedure if there are three or more candidates and no candidate has an overall majority of the first preference votes:

- If no candidate has an overall majority of first preference votes the PARO must determine which candidates are to be eliminated from the contest and require LROs to count the second preference votes for the candidates remaining in the contest. The top two candidates (or more if there is a tie) will remain in the contest whilst the rest are eliminated¹⁰⁴.
- Each LRO must count the relevant second preference votes in their voting area for the candidates remaining in the contest. Once the second count is complete, the LRO must share the figures with the candidates remaining in the contest and agents present. Candidates remaining in the contest, their election agents and those counting agents who have been specifically authorised to do so may request a recount¹⁰⁵.

- Once the candidates and agents have had the opportunity to check the figures (and any recount has been completed), the LRO must draw up a statement of local totals including the number of second preference votes for each candidate and the total number of rejected ballot papers in respect of the second preference votes, categorised by reason for rejection.
- Each LRO must, as soon as practicable, inform the PARO of the contents of the statement of local totals.
- Before the LRO can inform the candidates and agents of the contents of the statements of rejected ballot papers and local totals and give public notice, they must have received authorisation from the PARO¹⁰⁶.
- The PARO must collate all the local totals for the police area. Once the PARO has received all of the local totals for the police area, they must calculate the total number of second preference votes given for each candidate and the total number of first and second preference votes given for each candidate¹⁰⁷.
- The PARO must share the relevant figures with the election agents for the remaining candidates who are present and satisfy themselves as to the accuracy of the calculation. An election agent for the remaining candidates may request a re-calculation but the PARO may refuse to re-calculate the figures if, in their opinion the request is unreasonable.
- Once the agents have had the opportunity to check the figures (and any recalculation has been completed) the PARO must declare the result as follows¹⁰⁸:
 - If the remaining candidates have an equal number of first and second preference votes in total, the PARO must decide by lots which of them is to be returned.
 - Otherwise, the candidate who has the greatest total number of first and second preference votes in total is returned.



Further guidance on the processes you need to follow after the declaration of the result is contained in **Chapter 8** - After the declaration of the result.

Adjudication of doubtful ballot papers

7.8 The Commission has developed guidance for LROs on the adjudication of doubtful ballot papers at PCC elections. This is contained in Part E: Verifying and counting the votes of the guidance for [standalone PCC elections](#), for [combined PCC and local government elections in England](#) for [combined PCC and Senedd elections in Wales](#) and in a separate [booklet on adjudicating doubtful ballot papers](#).

7.9 You should consider how you will work with LROs in your police area to ensure that the ballot papers for the whole police area are adjudicated consistently. This should include consideration of the need for providing briefing or training sessions for LROs and whether you wish to give any additional guidance or directions to them as to how they should adjudicate doubtful ballots.

7.10 The categorisation and recording of rejected ballot papers by grounds for rejection is an important part of the audit trail for the count, supporting confidence in the result. You should consider how to ensure that LROs are clear as to how rejections should be categorised and how this information can be accurately recorded.

Checking and approving local totals

7.11 As PARO you are responsible for authorising LROs to give public notice of the statements of local totals of number of votes cast and ballot papers rejected. Checking and authorising these totals is a key stage in ensuring that the result is accurate and that there is a clear and unambiguous audit trail. You therefore need to have in place a thorough and robust checking process to be able to satisfy yourself that the local totals are accurate and that information and figures are recorded and transmitted accurately by LROs, and recorded and collated accurately by you and your staff.

7.12 Calculating an accurate result relies on accurate verification and count figures, and you will need to consider specifically what steps you will take to ensure that the local totals you receive from LROs are accurate before you authorise the publication of the local statement.

7.13 In particular, you should consider how to ensure that the following are recorded and transmitted consistently and accurately:

- the total number of ballot papers going forward to the count, ensuring that this figure includes all ballot papers from polling stations **and** postal vote openings
- the total number of votes cast for each candidate:
 - **where there are only two candidates**, the total number of votes
 - **where there are three or more candidates**, the total number of first preference votes and, if second preference votes are counted, the total number of second preference votes
- the total number of rejected votes and the numbers recorded in each category for rejection
- the total number of votes counted or first/second preference votes, as appropriate:
 - **where there are only two candidates** - the total number of votes plus the total number of rejected votes should equal the total number of ballot papers that have gone forward to the count.

where there are three or more candidates - the total number of first preference votes plus the total number of rejected votes should equal the total number of ballot papers that have gone forward to the count

where a second count is required - the ballot papers on which a first preference vote was given to those candidates who did not remain in the contest should equal:

- the total number of ballot papers containing a valid second preference vote for a candidate remaining in the contest, plus
- the total number of ballot papers containing a second preference vote for a candidate not remaining in the contest, plus
- the rejected ballot papers at the second count

7.14 If there is any variance in these figures, you should require the LRO to take whatever steps you think are necessary and appropriate to try to resolve the variance, and to be able to explain any remaining variance to you.

7.15 At each stage, before any figures are formally accepted by you, they should be checked with the LRO who has provided them, including checking for any transcription errors.

7.16 If you have reason to doubt the accuracy of the counting of the votes in any voting area you may direct the LRO to re-count the votes. Once you are satisfied with the local totals you may authorise them to give public notice of the statement of local totals.

Recounts

7.17 Votes can be recounted by LROs under certain circumstances at the completion of the first or second count¹⁰⁹. Once the result of the first count has been declared, the votes counted in that round cannot be recounted. At the completion of the second count, only the second preference votes that have been counted as part of the second count can be recounted.

7.18 Candidates, election agents and those counting agents who have been specifically authorised to request a recount may request that the LRO recounts the votes. No other counting agents or persons attending the count can request a recount. The LRO may refuse such a request if they consider it to be unreasonable.

7.19 Any protocol you have produced for how LROs should communicate with you during the verification and count processes should include details of what they should do in the case of a request for a recount: for example, you may want to ask LROs to inform you of all requests they receive for a recount or you could ask to be consulted where they are considering refusing a recount request.

7.20 You may direct an individual LRO to recount the votes for a particular voting area, but only if you have reason to doubt the accuracy of the counting of votes in that voting area. You may not direct a full recount of all the votes in the police area¹¹⁰.

Calculating the result

Access to the result calculation

7.21 You should ensure that all processes are transparent and carried out in clear view of all those entitled to attend, with information provided to attendees on the processes to be followed.

7.22 Only the following people are entitled to attend the result calculation¹¹¹:

- you and your clerks
- LROs and a clerk chosen by each of them
- candidates and one person chosen by each candidate
- election agents (any sub-agent appointed for the area in which the result calculation takes place may attend while the election agent is not present)
- Electoral Commission representatives
- accredited observers

7.23 You may only permit other people to attend if you are satisfied that the efficiency of the calculation will not be impeded and you have consulted the election agents or thought it impractical to do so.

7.24 You must give election agents notification in writing of the time and place at which the results collation will begin.

7.25 You must give those entitled to attend reasonable facilities for overseeing the results collation. You should also ensure that anyone else who is entitled to attend has an unrestricted view of the proceedings, while also ensuring that they will not be able to interfere with the work of your staff.

7.26 At a supplementary vote election where the second preference votes are counted, only the candidates remaining in the contest, one person chosen by each of them and any agents they have appointed are entitled to attend the calculation carried out by the PARO at the conclusion of that stage of the counting. You may, however, permit other people to attend as set out above¹¹².

Communication at the result collation and declaration



The [Planning Guidance for Police Area Returning Officers](#) provides guidance on developing communication plans to support the delivery of the election.

7.27 Good communication, both at candidate and agent and media briefings in advance of the result collation and at the event itself, will allow those present to properly scrutinise the proceedings and will help to build confidence that the result is accurate. Providing information on the processes to be followed can also help to lower the number of queries raised by candidates and agents, the media and other attendees.

7.28 Our guidance for CROs, local government ROs and LROs in [Part E – Verifying and counting the votes of our guidance for Returning Officers](#) covers the information that should be provided at the verification and count, and ways in which that might be done. As PARO you also need to consider how to ensure consistency and transparency across the police area both in terms of the information that is provided during the verification, count and result collation and when and how that is communicated, taking into account how the verification and counting is organised across the police area.

7.29 You should ensure that you have prepared appropriate information to explain the processes you are going to follow during the result collation to any candidates, agents, observers and media who are present. As a minimum you should explain your role as PARO and identify, where appropriate, your deputies and key result collation staff and explain their roles. You should also explain how the result collation process will work, including how this relates to the verification and counting of votes across the police area, and set out the key stages in the process.

7.30 You should make announcements at the start of the event and regularly during proceedings to keep attendees informed about what is happening where and when. You should also announce at the start the expected time for the declaration of result. If there are three or more candidates, you should explain that there will be either one or two stages of counting and the expected time for the conclusion of the first count. If no candidate is elected after the first count you should announce the outcome of the first count and explain the next stage of counting and the expected time for the declaration of result.

7.31 Attendees at the result collation should be kept informed throughout the process and you will therefore need to consider how and at what stages in the process you will obtain information from LROs to be able to provide timely information and updates to attendees at the result collation. Particularly where counting is not carried out at one central venue you will need to reflect in your communication protocols what information needs to be shared about the progress of the verification and count in each of the voting areas, and ensure that consistent information is communicated to you by local government ROs or LROs (as appropriate) regularly throughout the process. You will also need to ensure that you plan for providing them with regular updates on the progress of the processes across the police area, so that they can communicate this information locally.

7.32 If agents or observers are dissatisfied in any way with the manner in which the proceedings are being carried out, the opportunity should always be available for them to make direct representations to you at the earliest opportunity so that any concerns may be considered, explanations and reassurances given, and any corrective action taken if necessary.

7.33 Together with the CROs, local government ROs or LROs (as appropriate) you should have in place a media plan for the police area to ensure that your messages and approach to communication with the media at the verification, count and result collation are consistent across the police area. In addition to making practical arrangements for their attendance, your early contact with the media should include an explanation of the processes to be followed and the expected time of the result declaration.

7.34 At the result collation venue you should include space and opportunity for the media to report on the result. You have discretion to decide which representatives of the media you allow to attend. As with all attendees, you must ensure that media representatives do not interfere with the process or compromise the secrecy of the vote.

7.35 You should consider providing information and/or briefings in advance for representatives of the media attending the result collation and declaration of result and ensure that you have made the necessary preparations for their presence. Part E: Verifying and counting the votes of our guidance for local government ROs and LROs contains further details and sets out the kinds of provision you may need to make for press and media attendance, including ensuring that the venue has suitable space and equipment and that there are clear processes and resources in place for providing information to and dealing with enquiries from the media at the result collation. To assist you and your public relations team we have produced, jointly with the national TV news broadcasters, some 'tips for managing the media at the count'.

7.36 If media representatives are accredited by the Commission as observers and are attending in such a capacity, they have the same rights and obligations as any other accredited observer. Like any other observers, they are required to have regard to the [Commission's Code of practice for observers](#) and must abide by any decision that you make on the use of cameras and other recording equipment¹¹³.

The calculation process

7.37 You must calculate the following¹¹⁴:

- Where there are two candidates: the total number of votes cast for each candidate, the total number of rejected votes and the number of rejected ballot papers categorised by reason for rejection
- Where there are three or more candidates:
 - the total number of first preference votes cast for each candidate, the total number of rejected votes and the number of rejected ballot papers categorised by reason for rejection, and whether or not a

- candidate is elected because they have an overall majority of the first preference votes
- if no candidate is elected after the first count, the total number of second preference votes cast for each candidate remaining in the contest, the total number of votes rejected at the second count, and the total number of both first and second preference votes cast for each candidate remaining in the contest.

Re-calculation of the result

First count

7.38 As soon as you have calculated the result of the first count (or the result of the count at an election with only two candidates), you should inform the candidates and election agents who are present of the totals you have calculated and give them the opportunity to satisfy themselves that your calculations are accurate¹¹⁵.

7.39 Election agents may request that you recalculate the totals. You may refuse such a request if you consider it to be unreasonable.

Second count

7.40 As soon as you have calculated the result of the second count, you should inform the candidates remaining in the contest and any of their election agents who are present of the totals you have calculated and give them the opportunity to satisfy themselves that your calculations are accurate.

7.41 Those election agents may request that you recalculate the totals. You may refuse such a request if you consider it to be unreasonable.

Declaring the result

7.42 You must declare the name of the candidate who is elected¹¹⁶.

7.43 When a candidate has used their commonly used name, you should use both their full name and their commonly used name when declaring the result.

7.44 The following factors should be taken into account when considering the declaration of the result:

- Decide on the exact location in the venue where the result will be declared and who will be on the platform at this time. The platform should be accessible for all those who need to get up on it. Some Returning Officers make use of display boards to provide a backdrop for the announcement of results.
- Any announcement equipment should be in place and checked before the count begins.
- Double-check that the result is accurate, and that it is written in the form of words for oral delivery in order to avoid any errors. You may need to repeat the declaration so that those in attendance are able to hear the detail clearly, particularly where there is noise from those attending. You

should take steps to provide media representatives in attendance with a written copy of the results at the time the announcement is made as this will help them to ensure that their transmission of results is accurate.

7.45 Once a result is declared, it is final and cannot be amended. You should therefore take care to ensure that the result you declare is accurate.

7.46 However, if you make an error in your oral announcement you can correct this, provided it is done immediately.

7.47 For more information on the post-result notices and other post-election procedures see [Chapter 8: After the declaration of the result](#).

8 After the declaration of the result

Post-election activity

Providing notice of the result

8.1 In addition to declaring the result, you must give public notice of¹¹⁷:

- The name of the candidate elected. You should also include their description (if any).
- At an election with only two candidates, you must also give the total number of votes given for each candidate (whether elected or not), together with the number of rejected ballot papers as shown in the statement of rejected ballot papers.
- At an election with three or more candidates, the total number of first preference votes given for each candidate and the number of rejected ballot papers under each of the heads shown in the statement of rejected ballot papers. If second preference votes were counted, you must also give public notice of the total number of second preference votes given for each candidate remaining in the contest at the second stage of counting, together with the number of ballot papers rejected at that stage on the grounds of being unmarked or void for uncertainty as to the second preference vote.

8.2 You should ensure that a copy of the notice of result is made available to all interested parties as soon as possible, and must publish it in a conspicuous place or places in the police authority area. This should include local authority offices, notice boards, libraries and other public buildings and on your local authority website. You must send a copy to each LRO for them to give public notice of the result within their voting area and you must also send a copy of this public notice to the Minister.



To be able to achieve the outcome set out in [performance standard 1](#), you will need to ensure that the result is communicated to voters in a clear and timely way. To demonstrate that the outcome can be delivered you will need to have in place arrangements for communicating results to voters.

Election notices published on your website

8.3 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

8.4 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.

Deposits

8.5 You must return the deposit of any candidate that has polled more than 5% of the total number of valid first preference votes cast at the election. You must return the deposit to the person who made the deposit or their personal representative not later than the next working day after the election result was declared¹¹⁸.

8.6 If you are returning a deposit by cheque, it is treated as being returned on the day on which the cheque is posted.

8.7 Any candidate who has not polled more than 5% of the total number of valid first preference votes will forfeit their deposit.

8.8 You must send any forfeited deposits to Her Majesty. The Cabinet Office will provide further information on this process.

Storage of the nomination papers

8.9 You must keep the nomination papers secure and allow inspection by the persons listed in **Attendance at the delivery of nomination papers**

8.10 After that point you should store the nomination papers securely for one year after the election, except for the home address form, which must be destroyed on the next working day following a period of 21 calendar days after the declaration of the elected candidate. However, the home address forms must not be destroyed if there is a petition or appeal of a petition or other legal action relating to the election. If this is the case, you must wait until the next working day after such proceedings or appeals have been concluded before destroying the forms¹¹⁹.

Data collection and feedback

8.11 You will be asked to send information and data to the Commission relating to the elections.

8.12 The Commission will be reporting on the administration of the elections, and will be seeking your feedback to inform our report.

8.13 Forms for collecting information and data, and accompanying guidance notes for completion, will be provided through our Bulletin for electoral administrators.

Declaration of the acceptance of office

8.14 The successful candidate must make a declaration of acceptance of office in a prescribed form, which must be delivered to the appropriate officer in the police area. Legislation sets out that the declaration must be delivered to the head of paid service of a particular local authority designated by the Minister. If you are the head of paid service of the local authority designated by the Minister in the police area for this purpose, you should send a copy of the declaration to the Minister. You should keep the original secure until the next PCC election¹²⁰.

Accounting for the election

8.15 PCC elections are funded by the UK Government. There will be a Fees and Charges Order which will set out how much you will be able to claim. The Cabinet Office will provide guidance on accounting for the elections.

Payment of creditors

8.16 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

8.17 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 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

8.18 All election payments made 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 as soon as possible 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 [HMRC](#).

Automatic enrolment into a workplace pension

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

Candidates' election spending

8.20 There are rules on election spending by candidates at PCC elections, and rules on the donations they receive towards their campaigning. The Electoral Commission monitors and provides advice to ensure candidates and their agents comply with these rules.

8.21 Your role is to ensure that the documents candidates and their agents have to submit to you are retained appropriately and are available for public inspection.



[Part 3](#) of our guidance for candidates and agents explains the rules on spending and donations and you should provide this to candidates and agents to enable them to meet their reporting requirements. Candidates and agents can also download the relevant forms and explanatory notes from [our website](#).

Candidates' spending returns

8.22 Candidates have to report their election spending and donations made towards their campaign after the election.

8.23 The agent for a candidate must submit a spending and donations return to you together with any accompanying documents, such as relevant invoices and receipts for payments made over £20 and donations received over £50, within 70 calendar days of the date the election result is declared. Agents must also submit a declaration as to the contents of the return within 70 calendar days of the date the election result is declared. The declaration must be in the form set out in the election rules or in a form to like effect¹²¹.

8.24 Candidates must also submit a declaration as to the contents of the return within seven working days of the election agent submitting the return. The declaration must be in the form set out in the election rules or in a form to like effect¹²².

8.25 If the candidate is outside the UK the declaration must be made within 14 calendar days after the candidate's return to the UK. If a candidate is acting as their own agent, they are only required to submit one declaration.

Retention of candidates' spending returns

8.26 You must retain a copy of each PCC election spending return and declaration, and any accompanying documents, for a period of two years from the date on which you received it. During that period, you must make the copies available for public inspection without charge in your office or another convenient place chosen by you. You must also provide copies of the returns, declarations or any accompanying documents on request. The fee for a copy of any return, declaration or document is 15p for each side of each page¹²³.

8.27 You must remove the addresses of individuals who have made donations to candidates from all copies of statements of donations made available for inspection or supplied on request. You should also ensure that personal data is redacted from these copies.

8.28 At the end of the two year period, if the candidate or the election agent requests them, the returns, declarations and accompanying documents must be returned to the candidate; otherwise they should be destroyed.

Publicising the time and place for inspection of candidates' spending returns and declarations

8.29 Within 10 days of the deadline for candidates to submit their spending returns to you, you must publish in at least two newspapers circulating in the police area a notice of the time and place at which the returns, declarations and accompanying documents can be inspected. You must also send a copy of this notice to each of the election agents¹²⁴.

8.30 If you have not received one of the required returns or declarations you must state this in the notice. If you subsequently receive a return or declaration, you must, within ten days after its receipt, publish a notice (in the same way as the first notice) of the time and place at which that return, declaration and accompanying documents can be inspected, and send a copy of this notice to all the agents.

Returns to be forwarded to the Electoral Commission

8.31 You must forward un-redacted copies of all the candidate returns and declarations you receive to the Commission. The Commission may also ask you to provide copies of invoices and receipts on request¹²⁵.

8.32 Please email PDF copies to candidates@electoralcommission.org.uk. It will be of significant help to us in the processing of emailed returns, and prevent queries from us to you, if you:

- scan each return separately
- send each return by separate email, as very large attachments will be rejected by our server
- identify the election and the candidate name in the subject line of the email
- do not password protect emails or provide passwords or secure websites – a normal email is sufficient
- do not send associated invoices or other supporting documents, we will ask for these if necessary

8.33 If you are unable to email PDF copies, you can forward copies of the returns to the following address:

Political Finance and Regulation
The Electoral Commission
3 Bunhill Row
London
EC1Y 8YZ

Challenges to the result of the election

Election petitions

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

8.35 An election petition can be issued by¹²⁶:

- 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

8.36 The allowable grounds for a petition are that¹²⁷:

- 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 invalidated by corrupt or illegal practices or on the grounds specified in Sections 164 and 165 of the Representation of the People Act 1983

8.37 The person whose election is questioned by the petition will most probably be made a respondent to the petition. As PARO, you will be a respondent to the petition if the petition relates to the conduct of the election, and if it relates to the conduct of the election in a particular voting area or areas, the relevant Returning Officers may also be a respondent¹²⁸.

8.38 A petition must be presented within 21 days after the day on which the election was held. Further time is allowed in certain circumstances¹²⁹.

8.39 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, including confirming the deadlines, you should contact the Election Petitions Office:

The Election Petitions Office
Room E113
Royal Courts of Justice
Strand
London WC2A 2LL
Email: Election_Petitions@hmcts.gsi.gov.uk
Phone: 0207 947 6877

Judicial determination of disqualification

8.40 Any person may apply to the High Court for a declaration that a Police and Crime Commissioner, or Police, Fire and Crime Commissioner is, or at any time since being elected has been, disqualified from being a Police and Crime Commissioner, or Police, Fire and Crime Commissioner.

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

Review of election procedures

8.42 Your project plan for the election should include plans to carry out a thorough evaluation of all processes after the election and to produce a lessons learnt report which can be used to inform planning for future electoral events. Your evaluation process should involve seeking feedback from the relevant Returning Officers across your police area and other appropriate stakeholders.

8.43 The Commission has provided, as part of the [template project plan](#), some sample objectives and suggested tools that will allow you to measure the extent to which the conduct of the election has been successful.

The review

8.44 The scope of the review should cover all aspects of the election. 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.

8.45 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.

8.46 You should pay particular attention to reviewing:

- your project planning
- whether you were able to secure adequate resources
- the effectiveness of your management and co-ordination structure, including the monitoring of planning for and delivery of the election by the relevant Returning Officers across your police area
- the effectiveness of your communication strategies and methods
- the recruitment and training of staff
- engagement with candidates and agents
- the management of the nomination process and publication of candidates' addresses
- the organisation and delivery of the result collation process
- the suitability of venues used
- the processing and handling of queries
- any issues affecting the security/integrity of the election

8.47 As part of the review you should seek feedback from appropriate stakeholders, including:

- staff
- electors
- candidates, agents and political parties
- relevant Returning Officers from across the police area and their staff
- local organisations of disabled people, older people and minority ethnic groups, and the council's access officers

8.48 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 your project plan and risk register for future electoral events. You should also provide feedback to relevant Returning Officers across the police area as part of their review of the conduct of the election in their voting area.

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- ¹ Police and Crime Commissioner Elections (Amendment) Order 2020
- ² Police Reform and Social Responsibility Act 2011 s.54
- ³ Section 35(2D) and (2E), Representation of the People Act 1983 (RPA 1983) (as inserted by paragraph 1(5), Schedule 2, 2017 Order).
- ⁴ Police and Crime Commissioner Elections Order 2012 (PCC Rules 2012) Sch 3 Rules 4,5 10 and 11
- ⁵ Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 Reg 4
- ⁶ National Assembly for Wales (Representation of the People) Order 2007 Sch 4A para 1
- ⁷ Police and Crime Commissioner Elections (Amendment) Order 2020
- ⁸ PCC Rules 2012 Sch 3 Rule 11
- ⁹ PCC Rules 2012 Sch 3 Rule 6
- ¹⁰ Article 3 Police and Crime Commissioner Elections (Amendment) Order 2020
- ¹¹ PCC Rules 2012 Sch 3 Rule 1
- ¹² PCC Rules 2012 Sch 3 Rule 1
- ¹³ PCC Rules 2012 Sch 3 Rule 11
- ¹⁴ PCC Rules 2012 Sch 3 Rule 10
- ¹⁵ PCC Rules 2012 Sch 3 Rule 10
- ¹⁶ PCC Rules 2012 Sch 3 Rules 6 and 19
- ¹⁷ PCC Rules 2012 Sch 3 Para 5
- ¹⁸ PCC Rules 2012 Sch 3 Rule 13
- ¹⁹ PCC Rules 2012 Sch 3 Form 6
- ²⁰ PCC Rules 2012 Sch 3 Rule 10
- ²¹ PCC Rules 2012 Sch 3 Rule 64
- ²² PCC Rules 2012 Sch 3 Rule 5
- ²³ PCC Rules 2012 Sch 3 Rule 13
- ²⁴ PCC Rules 2012 Sch 3 Rule 7
- ²⁵ PCC Rules 2012 Sch 3 Form 6
- ²⁶ PCC Rules 2012 Sch 3 Rule 7
- ²⁷ PCC Rules 2012 Sch 3 Rule 6
- ²⁸ PPERA 2000 s30(6A)
- ²⁹ PCC Rules 2012 Sch 3 Rule 11
- ³⁰ PCC Rules 2012 Sch 3 Rule 5
- ³¹ PCC Rules 2012 Sch 3 Rule 6
- ³² PCC Rules 2012 Sch 3 Rule 19
- ³³ PCC Rules 2012 Sch 3 Rule 5
- ³⁴ PCC Rules 2012 Sch 3 Rule 13
- ³⁵ PCC Rules 2012 Sch 3 Rule 8
- ³⁶ PCC Rules 2012 Sch 3 Rule 9
- ³⁷ PCC Rules 2012 Sch 3 Rule 11
- ³⁸ PCC Rules 2012 Sch 3 Para 11
- ³⁹ PCC Rules 2012 Sch 3 Rule 11
- ⁴⁰ PCC Rules 2012 Sch 3 Rules 5 and 11
- ⁴¹ PCC Rules 2012 Sch 3 Rule 11(7) and (8)
- ⁴² PCC Rules 2012 Sch 3 Rule 12
- ⁴³ PCC Rules 2012 Sch 3 Rule 12 (4)
- ⁴⁴ PCC Rules 2012 Sch 3 Rule 1
- ⁴⁵ PCC Rules 2012 Sch 3 Rule 11
- ⁴⁶ PCC Rules 2012 Sch 3 Rules 1 and 15
- ⁴⁷ PCC Rules 2012 Sch 3 Rule 16
- ⁴⁸ PCC Rules 2012 Sch 3 Rules 17 and 62
- ⁴⁹ PCC Rules 2012 Sch 3 Rule 69
- ⁵⁰ PCC Rules 2012 Art 52
- ⁵¹ PCC Rules 2012 Sch 8 Rule 2
- ⁵² PCC Rules 2012 Sch 8 Rule 4
- ⁵³ PCC Rules 2012 Sch 8 Rule 7
- ⁵⁴ PCC Rules 2012 Sch 8 Rule 9

55 PCC Rules 2012 Sch 8 Rule 9
56 PCC Rules 2012 Sch 8 Rule 10
57 PCC Rules 2012 Sch 8 Rule 12
58 PCC Rules 2012 Sch 8 Rules 4, 5 and 6
59 PCC Rules 2012 Sch 8 Rules 5 and 6
60 PCC Rules 2012 Sch 8 Rules 4 and 5
61 PCC Rules 2012 Sch 8 Rule 7
62 PCC Rules 2012 Sch 8 Rule 8
63 PCC Rules 2012 Sch 8 Rule 9
64 PCC Rules 2012 Sch 8 Rule 12
65 PCC Rules 2012 Sch 8 Rule 13
66 PCC Rules 2012 Art 26
67 PCC Rules 2012 Art 26 and 29
68 PCC Rules 2012 Art 26
69 PCC Rules 2012 Art 28
70 PCC Rules 2012 Art 29
71 PCC Rules 2012 Art 26
72 PCC Rules 2012 Art 27
73 PCC Rules 2012 Sch 2 Rule 33 and Sch 3 Rule 31
74 PCC Rules 2012 Art 86
75 PCC Rules 2012 Art 85
76 PCC Rules 2012 Sch 3 Rule 1
77 PCC Rules 2012 Sch 3 Rule 4
78 PCC Rules 2012 Sch 3 Rule 4
79 PCC Rules 2012 Sch 3 Rule 1
80 PCC Rules 2012 Sch 3 Rule 13
81 PCC Rules 2012 Sch 3 Rule 13(3)
82 PCC Rules 2012 Sch 3 Rule 13(4)
83 PCC Rules 2012 Sch 3 Rule 14
84 PCC Rules 2012 Sch 3 Rule 13(13)
85 PCC Rules 2012 Sch 3 Rule 1
86 PCC Rules 2012 Sch 3 Rule 24
87 PCC Rules 2012 Sch 4 Rule 19
88 PCC Rules 2012 Sch 3 Rule 24
89 PCC Rules 2012 Sch 4 Rule 24
90 PCC Rules 2012 Sch 3 Rule 30 and Art 85
91 PCC Rules 2012 Sch 3 Rule 28
92 Article 3 Police and Crime Commissioner Elections (Amendment) Order 2020
93 Article 3 Police and Crime Commissioner Elections (Amendment) Order 2020
94 PCC Rules 2012 Sch 3 Rule 58
95 PCC Rules 2012 Sch 3 Rule 49
96 PCC Rules 2012 Sch 3 Rule 49
97 PCC Rules 2012 Sch 3 Rule 49(6)
98 PCC Rules 2012 Sch 3 Rule 50
99 PCC Rules 2012 Sch 3 Rule 52
100 PCC Rules 2012 Sch 3 Rule 57
101 PCC Rules 2012 Sch 3 Rule 57
102 PCC Rules 2012 Sch 3 Rule 59
103 PCC Rules 2012 Sch 3 Rule 59(5)
104 PCC Rules 2012 Sch 3 Rule 59(5)
105 PCC Rules 2012 Sch 3 Rule 60
106 PCC Rules 2012 Sch 3 Rule 61
107 PCC Rules 2012 Sch 3 Rule 61
108 PCC Rules 2012 Sch 3 Rule 62
109 PCC Rules 2012 Sch 3 Rule 54
110 PCC Rules 2012 Sch 3 Rule 55
111 PCC Rules 2012 Sch 3 Rule 58
112 PCC Rules 2012 Sch 3 Rule 60
113 PPERA 2000 s6F
114 PCC Rules 2012 Sch 3 Rule 59

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- ¹¹⁵ PCC Rules 2012 Sch 3 Rule 59
¹¹⁶ PCC Rules 2012 Sch 3 Rule 62
¹¹⁷ PCC Rules 2012 Sch 3 Rule 62
¹¹⁸ PCC Rules 2012 Sch 3 Rule 63
¹¹⁹ PCC Rules 2012 Sch 3 Rule 64
¹²⁰ Police Reform and Social Responsibility Act 2011 s70
¹²¹ PCC Rules 2012 Art 31 and 40
¹²² PCC Rules 2012 Art 41
¹²³ PCC Rules 2012 Art 49
¹²⁴ PCC Rules 2012 Art 48
¹²⁵ PCC Rules 2012 Art 47
¹²⁶ RPA1983 s128
¹²⁷ RPA 1983 s127
¹²⁸ RPA 1983 s128
¹²⁹ RPA 1983 s129