

# Guidance for Combined Authority Returning Officers on the delivery of key processes

Combined authority mayoral elections  
in England

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

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## Updates to this document

<b>Updated</b>	<b>Description of change</b>
December 2016	Original publication
January 2017	Update to reflect the final legislation as made, including legal references.
December 2017	Updated to reflect the Combined Authorities (Mayoral Elections) (Amendment) Order 2017 which provide that in keeping with other elections, a subscriber must appear on the relevant register in force on the last day for the delivery of nominations rather than at the time the nomination is delivered; and to make non-date specific.
September 2018	Updated to take account of the EU General Data Protection Regulation (GDPR) and the Data Protection Act 2018.
February 2019	Updated to reflect legislation which removes the requirement for candidates to have their home addresses published on the statement of persons nominated and the ballot papers.

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# 1 Introduction

1.1 The purpose of this guidance is to support Combined Authority Returning Officers (CAROs) in carrying out their role at combined authority mayoral elections taking place in England.

1.2 It has been developed in close consultation with the UK Electoral Coordination and Advisory Board (ECAB), the Elections, Registration and Referendums Working Group (ERRWG) and the Association of Electoral Administrators (AEA). It reflects what we, the ECAB, the ERRWG and the AEA believe that CAROs should expect of their staff in delivering a combined authority mayoral (CAM) election.

## How to use this guidance

1.3 This is the second of two parts of guidance to support CAROs with planning for and delivering the polls. The first part, [Planning guidance for Combined Authority Returning Officers](#), sets out the roles and responsibilities of those involved in the delivery of the CAM elections and highlights the key considerations in planning for the combined authority mayoral election, the areas in which you should liaise with stakeholders such as local ROs to inform your planning in order to ensure consistency across the combined authority area, and the tools you have available to help you achieve this in practice.

1.4 This part covers:

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

1.5 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

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

1.7 The guidance does not cover the role and responsibilities of local Returning Officers (ROs). The Commission has produced separate guidance

for local ROs at combined authority mayoral elections as part of its [guidance for local government ROs](#), which you can find on our website.

1.8 Should you have any questions about our guidance or any other matter relating to the administration of CAM elections, our [local Commission teams](#) are available to provide on-going support. We also provide 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

1.9 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 combined authority area who will be responsible for administering the election at a local level.

1.10 A constituent council at a combined authority mayoral election is defined as either a county council that is wholly or partly within the combined authority area or a district council that is within the combined authority area<sup>1</sup>.

1.11 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 district<sup>2</sup>.

## 2 Engaging with candidates and agents

2.1 As Combined Authority Returning Officer (CARO) you are responsible for all aspects of the nomination process at a combined authority mayoral election.



More detailed information on the roles and responsibilities of the CARO and local RO in relation to a combined authority mayoral election can be found in chapters 3 and 4 of our [Planning Guidance for Combined Authority Returning Officers](#).

2.2 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.

2.3 There may be a significant number of new or less experienced candidates, agents and political parties who are unfamiliar with the practices and processes of standing for election and who will need your support to be able to participate effectively. Even those who are more experienced will have no experience of standing at a combined authority mayoral election given that these polls are new. It is therefore important that you engage candidates, agents and parties 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.

2.4 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 registers and what the restrictions are on the use of the registers, including data protection considerations. One difficulty likely to be faced by CAROs 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.

2.5 You should liaise with the local ROs in your combined authority area to determine what information on local processes you require for sharing with candidates and agents at the combined authority mayoral election and to agree how this information can best be disseminated.

# Briefings

2.6 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, and should also take account of the fact that combined authority mayoral elections are still relatively new.

2.7 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.

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

2.9 In particular, you should provide a briefing on the nomination process including deadlines, submission rules, the use of commonly used names, the completion of nomination papers, the use of party names, descriptions and emblems and what standards of behaviour you expect from supporters in the area of the polling place on polling day.



The [College of Policing Authorised Professional Practice](#) have produced guidance on [Maintaining order and preventing undue influence outside polling stations](#). This document is designed to help the police think about how best to approach the issue of policing polling stations and offers some practical steps to help them reduce the likelihood of problems arising and deal with any that occur. Although it is aimed at the single point of contact (SPOC) it may also be of use to CAROs, particularly in communicating to candidates and agents the standards of behaviour expected from supporters in the area of the polling place. It should be read in conjunction with section 3 of the [Code of conduct for campaigners: electoral registration, postal voting, proxy voting and polling stations](#).



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

2.10 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.

2.11 We have also produced a [template presentation for candidates and agents](#) at a combined authority mayoral election that you can use and which is available on our website.

2.12 You should also work with local ROs in your combined authority area to determine whether they should provide briefings in their local 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.

## Providing information on the election processes

2.13 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 Combined Authority Returning Officers](#), you should work with local ROs in your combined authority area to ensure that candidates at the combined authority mayoral 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.

2.14 The purpose of providing written guidance is so that candidates, agents and parties 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 combined authority mayoral 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

2.15 You should prepare a nomination pack for any person who expresses an interest in standing at the combined authority mayoral election.



We have produced a set of [nomination papers](#) for standing at a combined authority mayoral election that contains all the forms needed for nomination. We have produced a separate set of [nomination papers for candidates standing in Greater Manchester](#), where the combined authority mayor will also take on the functions of a Police and Crime Commissioner<sup>3</sup>.

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

#### 2.16 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.
- An explanation of the election address booklet and how candidates may get their election address included in the booklet, which will be sent to all eligible electors in the combined authority area. This should include detail of what the election address booklet is, what the requirements, restrictions and deadlines are, the costs of having an address included in the booklet and how these may be paid.
- 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 ROs.
- 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 lists of absent voters for each local authority in the combined authority 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. Once all the registers that will be in force on the last day for the publication of the notice of election have been published, you should, as detailed in paragraphs **2.18** to **2.19**, include in the nomination pack information on the total number of constituent councils together with the total number of local government electors across the combined authority area to help candidates and agents calculate the spending limit.
- 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 combined authority mayoral election can be found on our website at: [www.electoralcommission.org.uk/i-am-a/candidate-or-agent/mayoral-elections-in-england2](http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/mayoral-elections-in-england2).

## Guidance on spending limits

2.17 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.

2.18 To support candidates and agents in calculating the spending limit, you must provide on written request information on the total number of constituent councils together with the total number of local government electors – excluding any attainers who will not be 18 years of age on or before polling day – on the registers across the combined authority area on the last day for the publication of the notice of election, which is on the twenty-fifth working day before the poll<sup>4</sup>.

2.19 You should liaise with EROs across the combined authority area to obtain the electorate figures as soon as the registers, as they will be in force on the twenty-fifth working day before the poll, are available. You should ensure that you provide this information to all candidates in a timely manner, whether or not a written request is made, so that they can meet their statutory obligations. As a minimum, this information must be supplied as soon as practicable after receiving a written request<sup>5</sup>.

2.20 The electorate figures will, in most cases, be those based on the monthly notice of alteration published before the twenty-fifth working day before the poll. The only exception to this is if there has been an unscheduled election in

a part of the combined authority area in which case the final figures may not be known until an election notice of alteration is published.

2.21 The Commission has produced guidance for candidates and agents on [spending and donations at a combined authority mayoral election](#), which you can use to provide candidates and agents with information on spending limits and donation controls, 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

2.22 You need to have access to the registers for all local authority areas within the combined authority area for:

- Calculating the number of local government electors across all local authority areas on the last day for publication of notice of election. You could either carry out the calculation yourself based on the registers received or ask the EROs across your combined authority area to provide you with the figures.
- Checking whether the subscribers to a candidate's nomination are valid. You may either collect register copies from all EROs in your area so that you can carry out the checks yourself, or you may wish to delegate the checking to local ROs.
- Delivering the booklet containing the candidates' addresses to all registered electors in the combined authority area.



Chapter 6 of our [planning guidance for Combined Authority Returning Officers](#) covers how this works in practice, including data sharing and data protection considerations.

2.23 Candidates will require access to the electoral registers to:

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



The Commission has produced template [electoral register](#) and [lists of absent voters](#) 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 [Part 4: Maintaining the register throughout the year](#) of our guidance for EROs.

## Access needs for candidates

2.24 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.

# 3 The nominations process at a combined authority mayoral election

3.1 This chapter provides guidance on the administration of the nominations process at a combined authority mayoral 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](#) 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 **3.107** to **3.110**):

- the nomination form
- a home address form
- a consent to nomination<sup>6</sup>

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<sup>7</sup> 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<sup>8</sup>. This must match the party name or description given on the nomination form or the whole nomination must be held to be invalid.<sup>9</sup>
- A written request to use one of the party's registered emblems (if desired).<sup>10</sup>

3.5 Candidates do not have to use the nomination form that you have produced, as long as their nomination form is as prescribed<sup>11</sup>.

3.6 Nomination forms can only be produced in English and not in any alternative languages or formats<sup>12</sup>. However, you are required by law to prepare nomination forms for signature if someone requests<sup>13</sup>.



The Commission has produced a set of [nomination papers](#) which includes all of the forms required for nomination that you can provide to candidates. We have produced a separate set of [nomination papers for candidates standing in Greater Manchester](#), where the combined authority mayor will also take on the functions of a Police and Crime Commissioner.

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

Our set of nomination papers have been updated to 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 or their agent 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 working day after the publication of the notice of election until 4pm on the nineteenth working day before the poll<sup>14</sup>.

3.11 The deadline for nominations is 4pm on the nineteenth working day before poll<sup>15</sup>. This deadline cannot be moved or extended for any reason. 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 invalid<sup>16</sup>.

## Place of delivery

3.14 Nomination papers must be delivered to the location specified by you on the notice of election<sup>17</sup>.

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<sup>18</sup> 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 There are no restrictions on who can deliver nomination papers or home address forms. However, you should advise candidates that they, their agent, or someone they trust delivers them, so they can be sure they are delivered to you in time.

## How must nomination papers be submitted?

3.19 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<sup>19</sup>. Where a document is required to be delivered by hand, this can include delivery by a courier.

3.20 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<sup>20</sup>.

3.21 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<sup>21</sup>. 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 document.

3.22 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.

3.23 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

3.24 Any nomination forms, home address 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 valid<sup>22</sup>.

3.25 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.

3.26 You should try to contact the candidate using the details on the home address form and advise them that the nomination form, home address form and consent 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.

3.27 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.

3.28 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

3.29 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<sup>23</sup>. If the candidate cannot or does not do this, then you must choose which one of the forms will be used<sup>24</sup>.

3.30 If more than one nomination form is delivered and one of the nomination forms is invalid, that form 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.

## Attendance at the delivery of nomination papers

3.31 Except for the purpose of delivering nomination papers, 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 a home address form. See paragraph **3.132** for further information on dealing with objections.

3.32 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 a home address form<sup>25</sup>. 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<sup>26</sup>

3.33 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 a home address form<sup>27</sup>. 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<sup>28</sup>. If none has been selected, it will be the proposer and seconder of the first submitted nomination form who will have that entitlement<sup>29</sup>.

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

3.35 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<sup>30</sup>.

3.36 You must keep the nomination papers securely and allow inspection of the nomination papers by the persons permitted to inspect these until the deadline for making objections to the nomination papers (see paragraphs **3.135** and **3.136**).

3.37 Once the deadline for making objections has passed, you should store the nomination papers securely for one year after the election.

## Requirements of nomination

3.38 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.

3.39 You should remind any person delivering the nomination papers that it is a criminal offence to provide a false statement on nomination papers<sup>31</sup>. 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<sup>32</sup>. You may warn candidates that the penalty for a false statement is an unlimited fine and/or imprisonment of up to a year<sup>33</sup>.

## Nomination form

### Candidate's names

3.40 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<sup>34</sup>.

3.41 The prescribed nomination form contains no space for prefixes or suffixes.

3.42 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.

3.43 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

3.44 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<sup>35</sup>.

3.45 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.

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

3.47 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<sup>36</sup>. 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 actual 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).

3.48 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 has been entered in the commonly used name box at face value and to accept it as the candidate’s commonly used name.

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

- its use may be likely to mislead or confuse electors, or
- it is obscene or offensive<sup>37</sup>

3.50 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.

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

3.52 In the course of providing informal advice, you may wish to draw the candidate’s attention to Parts 2a or 2b of 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	<b>VOTER, Elsie</b>
Elector	Ann	[Blank]	Voter	Voter, Ann	<b>VOTER, Ann</b>

Elector	Ann	Elsie	[Blank]	Elector, Elsie	<b>ELECTOR, Elsie</b>
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3.53 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.

3.54 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 the candidate's spending returns.

3.55 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<sup>38</sup>.

### Home address

3.56 Candidates are not required to provide their home address on the nomination paper. This information is instead provided on a separate home address form (see paragraph 3.94 for further information)

### Subscribers

3.57 Nomination forms must include an indication of support for the candidate from 100 electors registered on the local government electoral register, with at least 10 electors from each constituent council within the combined authority area<sup>39</sup>.

3.58 These are known as subscribers – the first two are the proposer and seconder, while the 98 other electors are the assenters to the nomination<sup>40</sup>.

3.59 If there are fewer than 10 constituent councils in a combined authority area, candidates will still need to submit a nomination form with a total of 100 subscribers.

3.60 Where a county council is a constituent council, but only part of the county council area is contained within the combined authority area, the subscribers must be registered in that part of the county council area that is contained within the combined authority area<sup>41</sup>.

3.61 Each subscriber is required by law to sign the nomination form and print their name in the appropriate place<sup>42</sup>. Their elector number must be included in the spaces provided alongside their signature, along with the polling district's identifying letters and the name of their local authority<sup>43</sup>.

3.62 You must reject a nomination if the nomination form is not subscribed as required<sup>44</sup>. 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 constituent council within the combined authority area that is in force on the last day for publication of notice of election.

3.63 You will need to liaise with the local ROs/EROs across the combined authority area to ensure that you base your determination of the validity of subscribers on the relevant register update. Chapter 6 of the [Planning guidance for Combined Authority Returning Officers](#) sets out options for how you can manage the subscriber checks in practice.

3.64 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<sup>45</sup>.

3.65 If, after you have determined a nomination, 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.

3.66 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<sup>46</sup>. If after having raised the issue you still have any concerns, you should raise these with your SPOC.

3.67 Only the first 100 subscribers on any nomination form can be considered. If more subscribers are included, any subsequent names must not be considered at all<sup>47</sup>. If one of the first 100 subscribers is invalid, irrespective of whether more subscribers have been added to the nomination form, the nomination must be held invalid<sup>48</sup>.

3.68 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 100 subscribers excluding that entry must still be valid for the nomination to be valid.

3.69 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

3.70 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<sup>49</sup>.

3.71 Political parties can register up to 12 descriptions<sup>50</sup>.

3.72 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<sup>51</sup>. If it does not, you must reject that nomination<sup>52</sup>. 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.

3.73 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.

3.74 Political parties can also register up to 3 emblems<sup>53</sup>.

3.75 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**

3.76 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)<sup>54</sup>. After that point, any changes or deletions to any party descriptions do not apply for that election<sup>55</sup>.

3.77 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.

3.78 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<sup>56</sup>.

3.79 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.

3.80 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<sup>57</sup>. 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](#).



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?**

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

- the word 'Independent'<sup>58</sup>
- the registered party name of a registered political party<sup>59</sup>
- one of the descriptions the party has registered with the Commission<sup>60</sup>

3.82 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)<sup>61</sup>. 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 poll<sup>62</sup>.

3.83 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<sup>63</sup>.

3.84 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.

3.85 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.

3.86 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.

3.87 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, or
- choose the party name or one of the party's registered descriptions

### **Requests for a party emblem**

3.88 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<sup>64</sup>. To qualify, a candidate must have been authorised to use a party name or description other than 'Independent'.

3.89 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<sup>65</sup>. There is no provision for joint emblems to be registered with the Commission.

3.90 The candidate, not the election agent or the Nominating Officer, must make the request in writing. This request must be received by the deadline for delivery of nominations, which is by 4pm on the nineteenth working day before the poll<sup>66</sup>.

3.91 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.

3.92 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.

3.93 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

3.94 Candidates are also required to complete a home address form, which must be delivered by hand, accompanied by the nomination paper, by the close of nominations. The form is not prescribed but the information that needs to be provided is set out in law. On the home address form the candidate must state:

- their full name (see paragraph **3.39**)
- their home address in full
- their qualifying address, or, where they have declared on their consent to nomination that they meet more than one qualification, their qualifying addresses
- which of the qualifications their qualifying address or addresses relate to
- the full name and the home address in full of the witness to the consent to nomination form

3.95 The candidate's home address:

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

3.96 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 (see also paragraph **3.127** below).

3.97 A candidate may choose for their home address not to be published on the statement of persons nominated or the ballot paper.

3.98 In this case the home address form must contain, as well as the full name and home address<sup>67</sup>:

- a statement, signed by the candidate, which states that they require their home address not to be made public
- the name of the relevant area in which their home address is situated if their home address is in the UK
- the name of the country in which their home address is situated if they live outside of the UK

## Meaning of qualifying address and relevant area

3.99 Qualifying address means:

- where a candidate has selected option (a) on the consent to nomination, the address in full where they are registered as a local government elector
- where they have selected option (b) on the consent to nomination, the description and the address of that land or premises which they have occupied as owner or tenant
- where they have selected option (c) on the consent to nomination, the address of their place of work
- where they have selected option (d) on the consent to nomination, the address or addresses in full of where they have resided.

3.100 Relevant area means:

- **For home addresses in England:**
  - if the address is within a district for which there is a district council, that district;
  - if the address is within a county in which there are no districts with councils, that county;
  - if the address is within a London borough, that London borough;
  - if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
  - if the address is within the Isles of Scilly, the Isles of Scilly
- **For home addresses in Wales:**
  - if the address is within a county, that county;
  - if the address is within a county borough, that county borough
- **For home addresses in Scotland:**
  - the local government area in which the address is situated
- **For home addresses in Northern Ireland:**
  - the local government district in which the address is situated

3.101 The Commission has produced a home address form as part of its set of nomination papers for combined authority mayoral elections that you can provide to candidates. We have also produced a separate set of nomination papers for candidates standing in Greater Manchester, where the combined authority mayor will also take on the functions of a Police and Crime Commissioner.

## Candidate's consent to nomination

3.102 Candidates must also formally consent to their nomination and their consent must be delivered by the deadline for delivery of nomination papers<sup>68</sup>. The consent to nomination form is prescribed in the election rules and the

candidate must use this form or a form to like effect<sup>69</sup>. It must be submitted by hand and cannot be submitted by post, fax, email or other electronic means<sup>70</sup>.

3.103 The candidate's consent must include:

- a statement that they meet one or more of the qualifications for standing
- their date of birth
- a statement that to the best of their knowledge and belief they are not disqualified from election as a combined authority mayor by reason of any disqualification set out in, or decision made under, paragraph 9 of Schedule 5B, of the Local Democracy, Economic Development and Construction Act 2009, or Section 34 of the Localism Act 2011, and they do not hold a politically restricted post under a local authority within the meaning of Part 1 of the Local Government and Housing Act 1989. Additionally, in Greater Manchester, it will need to also state that they are not disqualified from election due to any disqualifications set out in, or decision made under, Sections 64 to 68 of the Police Reform and Social Responsibility Act 2011
- a copy of paragraph 9 of Schedule 5B to the Local Democracy, Economic Development and Construction Act 2009, Section 34 of the Localism Act 2011 and, in Greater Manchester, Sections 64 to 68 of the Police Reform and Social Responsibility Act 2011<sup>71</sup>

3.104 The consent form must be signed and dated by the candidate and the date must be on or within one calendar month before the last day for the delivery of nomination papers<sup>72</sup>. The consent must also be witnessed by another person and the witness must attest the form<sup>73</sup>.

3.105 The witness's full name and home address in full must be provided on the home address form.<sup>74</sup>

3.106 There are no restrictions on who can be a witness to the consent to nomination.

## Deposit

3.107 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<sup>75</sup>. This sum must be paid by the close of nominations, which is by 4pm on the nineteenth working day before the poll<sup>76</sup>.

3.108 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<sup>77</sup>.

3.109 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<sup>78</sup>. 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<sup>79</sup>.

3.110 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<sup>80</sup>. 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. In any case, you should make clear on the notice of election what methods of payment you will accept and make any requirements you have clear in the nomination pack.

3.111 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 nomination and home address forms

3.112 A candidate who delivers completed nomination papers and pays the deposit by the required deadline will be deemed nominated unless you decide that the nomination form is invalid or the home address form hasn't been completed correctly (or the candidate dies or withdraws)<sup>81</sup>.

3.113 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<sup>82</sup>. As CARO, 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.

3.114 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 law<sup>83</sup>. 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 CARO 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.

3.115 You must determine the validity of a nomination form and home address form as soon as is practicable after formal delivery<sup>84</sup>. 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.

3.116 By law, the only grounds that you have for determining that a nomination form is invalid are:<sup>85</sup>

- 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

3.117 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, 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<sup>86</sup>

3.118 If the nomination form does not comply with the description rules outlined above, 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<sup>87</sup>.

3.119 The home address form must be completed in full or you must determine that the home address form does not comply with legal requirements and is not valid.<sup>88</sup> For more information about the requirements **see paragraph 3.94**

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

3.121 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<sup>89</sup>. There is then no need to make a formal determination, and their name should not appear on the statement of persons nominated or the ballot paper.

## What to do after your formal determination

3.122 Once you have made a decision that a nomination paper and home address form is valid, that decision cannot be challenged during the election, although it may be challenged after the election by way of an election petition<sup>90</sup>.

3.123 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 **3.139** for further guidance on what to do in this situation).

3.124 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<sup>91</sup>.

3.125 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 by the close of nominations, which is by 4pm on the nineteenth working day before the poll.

3.126 You must send notice of the decision that a nomination form is valid or invalid to each candidate at their home address.

## Correction of minor errors

3.127 You are permitted by law to correct minor errors made on a nomination form or a home address form at any time before you publish the statement of persons nominated<sup>92</sup>. This includes the correction of errors in relation to a person's elector number and obvious errors of spelling of a candidate's details<sup>93</sup>. You should attempt to contact the candidate or agent before making any minor error amendment.

3.128 You must have regard to the Commission's guidance on the correction of minor errors<sup>94</sup>.

## Errors in elector numbers

3.129 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<sup>95</sup>.

## Errors of spelling in details of candidates

3.130 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

3.131 Where a home address is not absolutely correct there may not be a need to make a correction. By law, errors on a home address do not affect the validity of a nomination, as long as the address can be commonly understood.

## Objections to nomination forms

3.132 Certain people may object to the validity of a nomination form or a home address form (see paragraphs **3.31**).

3.133 Objections can be made on the last day for the receipt of nominations, which is the nineteenth working day before the poll<sup>96</sup>.

## Timetable for objections

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

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

3.135 Objections to any nomination form or home address form delivered up to and including 4pm on the day before the deadline for nominations must be made **between 10am and 12 noon on the last day for the receipt of nominations**<sup>97</sup>.

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

3.136 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<sup>98</sup>.

## Decisions on objections

3.137 You are only entitled to hold a nomination paper and home address form invalid on the limited grounds set out in paragraphs **3.116** and **3.117** above.

3.138 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.

3.139 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 must inform the candidate<sup>99</sup>.

## Withdrawal of a candidate

3.140 It is possible for a validly nominated candidate to withdraw their candidature<sup>100</sup>. For this to be effective, you must receive a notice signed by the candidate, attested by one witness, by 4pm on the nineteenth working day before the poll<sup>101</sup>.

3.141 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<sup>102</sup>.

3.142 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.

3.143 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)<sup>103</sup>. If the candidate was nominated by more than one nomination form, each proposer must sign the withdrawal notice and declaration<sup>104</sup>. If any of the proposers are outside the UK they do not need to sign the withdrawal notice, but it must include a statement that they are also outside the UK<sup>105</sup>. Alternatively, instead of the notice and declaration being signed by all proposers, the withdrawal will be effective if the notice and declaration is accompanied by a written statement signed by the candidate that the proposer giving the notice is authorised to do so on the candidate's behalf<sup>106</sup>.

3.144 The details of any candidates who by the close of withdrawals remain nominated must be printed on the ballot papers<sup>107</sup>. If a candidate has not withdrawn by the deadline, their details must go forward to the ballot paper.

## After the close of nominations

3.145 After the close of nominations you must publish a statement of persons nominated and a notice of poll<sup>108</sup>. For details on what these notices should contain see chapter 6.

## Nomination as combined authority mayor and as a councillor for a constituent council

3.146 A person cannot sit as both a combined authority mayor and a local councillor of a constituent council. If they are already an elected councillor and are subsequently elected as mayor, their office as councillor will become vacant<sup>109</sup>.

## Uncontested elections

3.147 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<sup>110</sup>. No poll is held. You must give public notice of the name and should include the description (if any) of the elected candidate<sup>111</sup>. You must inform the Proper Officer of the combined authority of the result of the election, and you should take steps to ensure that each local RO publishes the result in their constituent council area<sup>112</sup>.

## Returning deposits

3.148 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<sup>113</sup>.

## Death of a candidate

3.149 In the event of the death of a candidate during the election period, the procedure to be followed at a combined authority mayoral 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

3.150 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<sup>114</sup>. A new election must be held<sup>115</sup>.

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

3.151 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 the poll is abandoned<sup>116</sup>. A new election must be held<sup>117</sup>. 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<sup>118</sup>.

3.152 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<sup>119</sup>.

## New election

3.153 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 At a combined authority mayoral election, you are required by law to produce a booklet that includes election addresses from candidates at the election and cause it to be delivered to each person entitled to vote at the combined authority mayoral election<sup>120</sup>. A candidate's election address must be prepared by their election agent and submitted to you by 4pm on the nineteenth working day before the poll (i.e. by the last time for the delivery of nominations).<sup>121</sup> Although it is not a requirement to include the deadline for the delivery of election addresses on the notice of election, you should include it to provide clarity to candidates and agents. Further information on the notice of election is included in Chapter 6.

4.2 You must only include an election address in the booklet if it is a statement prepared on behalf of a candidate by their election agent that complies with certain legal requirements.

## Requirements of an election address

4.3 An election address **must**:

- Be submitted to you by 4pm on the nineteenth working day before the poll (i.e. by the last time for the delivery of nominations).<sup>122</sup>
- Contain matter relating to the combined authority mayoral election only.<sup>123</sup>
- Contain a statement to the effect that it has been prepared by the candidate's election agent.<sup>124</sup>
- Give the name and address of the election agent.<sup>125</sup>
- The name and the home address of each candidate or, if they have requested not to make their home address public, the relevant electoral area as given on the home address form.<sup>126</sup>
- Be printed on no more than two sides of A5 paper.<sup>127</sup>
- If the election address exceeds one side of A5, be accompanied by a second version of the address that must not exceed one side of A5 paper. If there are more than 15 candidates at the election, the version to be included in the booklet must be this second version.<sup>128</sup>
- Comply with any typographical layout, margin and colour requirements that you determine.<sup>129</sup>
- Comply with any other requirements with a view to facilitating the reproduction of the address as a page or pages of the election booklet as you determine.<sup>130</sup>
- If the address is to contain a photograph of the candidate, be accompanied by two identical copies of that photograph of which one must be signed on the back by the candidate.<sup>131</sup>
- If the address is to contain anything else as part of that address, as many copies of it as you may reasonably require in connection with the reproduction of the address.<sup>132</sup>

#### 4.4 An election address **must not**:

- Contain any advertising material (other than material promoting the candidate as a candidate at the combined authority mayoral election).<sup>133</sup>
- Contain any material referring to any other candidate for election at the combined authority mayoral election.<sup>134</sup>
- Contain any material appearing to you to be included with a view to commercial gain.<sup>135</sup>
- Contain a representation of an emblem of a registered political party registered with the Commission unless the address was prepared on behalf of that party's authorised candidate (i.e. the candidate's nomination was accompanied by the nomination deadline by a valid certificate of authorisation).<sup>136</sup>
- Contain a party description or joint description registered with the Commission unless the candidate's address was prepared on behalf of that party or those parties jointly (i.e. the candidate's nomination was accompanied by the nomination deadline by a valid certificate of authorisation or certificates of authorisation for joint candidates).<sup>137</sup>

#### 4.5 An election address **may** (as long as it meets the above requirements):

- Include a picture of the candidate.
- Be formatted as the candidate wishes including using any combination of words, pictures and artwork.<sup>138</sup>

4.6 You must consider whether all of the above requirements have been complied with. If any requirement has not been complied with you must not include that election address in the booklet<sup>139</sup>.

## Production of the booklet

4.7 You must produce a booklet with the election addresses of all candidates who have submitted a valid election address to you by 4pm on the nineteenth working day before the poll (i.e. by the last time for the delivery of nomination papers)<sup>140</sup>. The order of the addresses in the booklet must be decided by you by drawing lots<sup>141</sup>. Lots must be drawn as soon as reasonably practicable after 4pm on the nineteenth working day before the poll (i.e. as soon as practicable after the last time for the delivery of nomination papers)<sup>142</sup>.

## Candidate payment towards printing cost

4.8 You may require candidates to contribute to the printing of the booklet<sup>143</sup>. The amount of the payment that you require is to be decided by you and you should be clear how that payment is to be made. The amount must be:

- reasonable

- the same for each candidate
- based on a contribution made by candidates towards the expenses incurred in printing the booklet (and not include any amount relating to the postage or delivery of the booklet)<sup>144</sup>

4.9 You must decline to include any candidate's election address where the payment has not been made as you require<sup>145</sup>.

## Your statement

4.10 You may include in the booklet, along with the candidate's election addresses, your own statement<sup>146</sup>.

4.11 Your statement may include:

- an explanation of the purpose of the booklet<sup>147</sup>
- an alphabetical list of all candidates at the election (whether or not they are in the booklet)<sup>148</sup>
- the date of the election and the deadlines for registration and absent voting applications<sup>149</sup>
- any other information that you determine<sup>150</sup>

4.12 You must include a statement stating that it is published by you and giving your name and address and that of your printer<sup>151</sup>.

## Reviewing the proof

4.13 You must notify every election agent of a candidate who has provided an election address and, where you have accepted it for inclusion in the booklet, of the time and place where they may check the election addresses in the booklet and submit typographical corrections to the proof of the booklet before it is printed<sup>152</sup>.

4.14 You may, if any candidate or their agent does not review the proof, make your own correction of typographical errors in an election address if you think it is appropriate<sup>153</sup>. You should, however, attempt to contact the candidate or agent to clarify your corrections.

## Delivery of the booklet

4.15 You must print the booklet and place each copy in an envelope<sup>154</sup>. You must then cause one copy to be delivered to each elector on the electoral register who is eligible to vote at the election<sup>155</sup>. The postage or delivery costs must be paid by the local authority (either directly or by reclaim/invoice)<sup>156</sup>.

## Return of candidate payment for printing cost

4.16 You should keep a record of the costs of printing the booklet separately from all other costs. If the payments made by the candidates exceed the total cost of printing, the balance must be divided equally between the candidates who submitted payment (whether or not the candidate's election address was included in the final booklet) and returned to them<sup>157</sup>.

4.17 Candidates who withdraw before the deadline for withdrawals must have all of the payment they have made returned to them and should not be included in the booklet<sup>158</sup>. With the exception of paragraph **4.16**, there is no provision to return the payment for any other reason where an election address is not included in the booklet.

# 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<sup>159</sup>. We have produced a form for the notification of the appointment of election agents as part of the [set of nomination papers for candidates at combined authority mayoral elections](#).

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 agent<sup>160</sup>.

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<sup>161</sup>.

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<sup>162</sup>. They must notify you in writing of any such changes<sup>163</sup>.

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 sent<sup>164</sup>. 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 combined authority area<sup>165</sup>.

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, the home address as provided on the home address form will be published on the notice of election agents unless they provide an office address. If that address is outside the combined authority area, the office address is deemed to be the address of the candidate's proposer (i.e. the first subscriber on their nomination form)<sup>166</sup>.

5.9 This is the case even where a candidate has chosen to withhold their home address from the statement of persons nominated and ballot paper. You should make this clear to candidates.

5.10 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<sup>167</sup>. 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<sup>168</sup>. You should provide a copy of the notice to all local ROs in your combined authority area for them to publish locally.

5.11 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 resource](#) on the EU General Data Protection Regulation and the Data Protection Act 2018 covers the requirements of a privacy notice and document retention considerations.

## Sub-agents

5.12 An election agent may appoint sub-agents to act on their behalf<sup>169</sup>.

5.13 Election agents may appoint sub-agents for particular parts of the combined authority area, as long as those parts do not overlap<sup>170</sup>. The agent can determine the parts into which they wish to sub divide the combined authority area, and these may cross local authority boundaries.

5.14 The office of the sub-agent must be in the area within which they appointed to act<sup>171</sup>.

5.15 A sub-agent can do anything that the election agent is entitled to do within the area to which they are appointed<sup>172</sup>. They may attend the opening of postal votes, the verification and count, as well as the calculation of the result, 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<sup>173</sup>.

5.16 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<sup>174</sup>. 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 [set of nomination papers for candidates at combined authority mayoral elections](#).

5.17 The election agent can revoke the appointment of a sub-agent at any time<sup>175</sup>. 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<sup>176</sup>.

5.18 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<sup>177</sup>. You should forward this notice to the local ROs in the combined authority area for local publication.

## Other agents

5.19 Other agents can be appointed to observe the opening of postal votes, the poll and the count in each constituent council area<sup>178</sup>. Notice of these appointments must be given to the local RO<sup>179</sup>.

5.20 You should liaise with the relevant local ROs in your combined authority 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 Returning Officers.

# 6 Notices

## Production and publication of notices

6.1 You must publish notices by posting them in a conspicuous place or places within the combined authority area<sup>180</sup>. 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<sup>181</sup>.

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 local ROs in your combined authority area in order to enable timely publication. You should liaise with the local ROs in your combined authority 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 Combined Authority 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.



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.

## 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<sup>182</sup>. You may produce them:

- in Braille
- in languages other than English
- using graphical representations
- in audio format<sup>183</sup>
- using any other means of making information accessible

6.10 The nomination form and the ballot papers cannot be produced in any other language or format<sup>184</sup>. However, both the enlarged hand-held and 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<sup>185</sup>.

## Notice of election

6.11 You must publish the notice of election by not later than 25 working days before polling day<sup>186</sup>. You should also provide the local RO for each

constituent council that is wholly or partly within your combined authority area with a copy of the notice for local publication.

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

- the place and times at which nomination papers must be delivered, and at which nomination papers may be obtained<sup>187</sup>
- where you have decided to accept electronic payments, the arrangements for electronic payment of deposits<sup>188</sup>
- the date of the poll if the election is contested<sup>189</sup>
- the date by which applications for absent votes (including emergency proxies) and any cancellations or changes to existing absent voting arrangements must reach the ERO in order to be effective for the election<sup>190</sup>

6.13 The notice of election should also include the date by which applications for registration must reach the relevant ERO in order to be effective for the election. You should also consider including the requirements and deadlines for the submission of election addresses. Since you are required, on written request, to provide information on the number of constituent councils so that candidates can calculate their spending limit (as detailed in paragraph **2.18**), you should consider proactively including this information on the notice of 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 combined authority mayoral 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 combined authority area by no later than 4pm on the eighteenth working day before the poll<sup>191</sup>.

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 rejected:

- their name<sup>192</sup>
- their address or, if they have requested not to make their home address public, the name of the relevant area in which their home address is situated if it's in the UK (or the country if their home address is situated outside the UK)<sup>193</sup>
- their description (if any)<sup>194</sup>
- in the case of those who no longer stand nominated, the reason why they no longer stand nominated<sup>195</sup>

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 resource](#) on the EU General Data Protection Regulation and the Data Protection Act 2018 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<sup>196</sup>; this is also how they will appear on the ballot paper<sup>197</sup>. 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<sup>198</sup>.

6.20 If, by the close of nominations, more than one validly nominated candidate has asked for their home address not to be published, and if they are from the same relevant area of the UK, or otherwise from the same country, you must consider if two or more of them have the same or so similar a name that they are likely to cause confusion<sup>199</sup>. If you consider that this is the case, you may add such details from their home address or nomination form as you consider appropriate to reduce the likelihood of confusion.

6.21 Before you make a decision on which details should be included, you must consult the candidate(s) affected, if it is practicable to do so. You must in any event give notice in writing to the affected candidate(s) informing them of the additional information that will be published<sup>200</sup>.

6.22 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<sup>201</sup>. 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 surname<sup>202</sup>.

6.23 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 name<sup>203</sup>.

6.24 You should provide each local RO with a copy of the statement as soon as it is published for local publication.

6.25 The Commission has developed a [template statement of persons nominated that](#) you can use for the combined authority mayoral election.

## Notice of poll

6.26 If the election is contested you must publish a notice of poll for the combined authority area by no later than the 6<sup>th</sup> working day before poll<sup>204</sup>. The notice of poll must state:

- the date and hours of the poll<sup>205</sup>
- 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<sup>206</sup>
- the names of all persons subscribing a candidate's nomination paper<sup>207</sup>

6.27 Legislation requires the particulars of the candidates on the notice of poll to be the same as on the statement of persons nominated. As such, if a candidate chooses to have their home address withheld from the ballot paper and statement of persons nominated, the home address must not be included on the notice of poll either<sup>208</sup>.

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

 [Our resource](#) on the EU General Data Protection Regulation and the Data Protection Act 2018 covers the requirements of a privacy notice.

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

6.30 The Commission has developed a template [notice of poll that](#) you can use for the combined authority mayoral election.

## Notice of situation of polling stations

6.31 Local ROs at a standalone combined authority mayoral election, and the Returning Officer or Counting Officer taking on the combined functions where polls are combined, must publish a notice of the situation of polling stations for their area by no later than the time you publish the notice of poll<sup>209</sup>. You should therefore let local ROs know when you are planning to publish the notice of poll.

6.32 Local ROs must give a copy of the notice of situation of polling stations to all election agents as soon as practicable after giving the notice and should also provide a copy to candidates and to you<sup>210</sup>. The notice should also be made available to accredited observers on request.

6.33 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 local ROs, 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 combined authority area. As part of your discussions, you should consider whether the notices will be collated and disseminated centrally by you.

## Polling station notices

6.34 Where the poll at the combined authority mayoral election is not combined, you are required to prepare and provide each local RO with notices for display in polling booths, and outside and inside polling stations<sup>211</sup>. The contents and format of the notices for the guidance of voters are prescribed<sup>212</sup>.

### Combination

Where the combined authority mayoral election is combined with the poll at a 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<sup>213</sup>. The notices must follow the prescribed wording in the relevant combined election rules and will refer to all the polls taking place<sup>214</sup>.

6.35 The notice entitled 'How to vote at this election' must be printed in conspicuous characters and exhibited outside and inside each polling station<sup>215</sup>. 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<sup>216</sup>.

6.36 You may also provide versions of these notices in alternative languages or formats as you think appropriate and, if the local RO agrees, these may also be exhibited inside and outside the polling station<sup>217</sup>. You should liaise with local ROs to identify what the alternative language and format requirements are across your combined authority area.

6.37 You should liaise with local ROs in your combined authority area regarding what information on the combined authority mayoral election (such as the voting system and the role of the combined authority mayoral) 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 combined authority area. You should therefore consider how best to ensure that the same information is given to all voters across the combined authority area, wherever they are voting, and that the local ROs and their polling station staff have clear guidance about what information should or should not be given to voters.

## Poll cards

6.38 Local ROs are required by law to send out poll cards as soon as practicable after the publication of the notice of election<sup>218</sup>. In order to ensure that voters receive the same information at a similar time regardless of where they live in the combined authority area, you should liaise and agree with local ROs on timings for the delivery of poll cards.



[Part C – Administering the poll](#) of our guidance for Returning Officers includes information on the production of poll cards, including data protection considerations.

## Production of ballot papers

6.39 Local ROs are responsible for the production of ballot papers for their constituent council<sup>219</sup>, although you may take on responsibility for printing ballot papers in any or all constituent council areas by giving a direction to the relevant local RO<sup>220</sup>.



Further guidance on planning for the production of ballot papers, including information about data protection considerations, can be found in the [Planning guidance for Combined Authority Returning Officers](#).



[Part C – Administering the poll](#) of our guidance for Returning Officers includes information on the production of ballot papers, including the official mark, the printing of candidates' details and data protection considerations.

6.40 Unless you have taken on responsibility for the printing of combined authority mayoral ballot papers, once the deadline for withdrawal of nominations has passed, you will need to give clear and timely information to local ROs 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,

address or electoral area if applicable, description (if any) and emblem (if any)).

6.41 You should have processes in place to ensure that local ROs 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 local ROs can use as a basis for printing the ballot papers for their constituent council 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 the ballot papers of local ROs yourself before printing commences in order to satisfy yourself that all the ballot papers across the combined authority area will be printed correctly.

6.42 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 Chapter 6 of the [Planning Guidance for Combined Authority Returning Officers](#).

Guidance for local ROs about the count process is included in [Part E - Verification and count](#) of our manual for Returning Officers at local government elections.

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 CARO you must collate the contents of the local verification statements and the count totals for each constituent council, and calculate and declare the overall result for the combined authority area<sup>221</sup>. It is for you to determine how best to manage this process in your combined authority area.



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

7.4 You should liaise with local ROs 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 local ROs 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 local ROs 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 local ROs.

## The collation process

### Combination

In areas where two or more polls are combined, the Returning Officer or Counting Officer taking on the combined functions will be responsible for the verification. Your power of direction does not extend to such Returning Officers or Counting Officers.

7.7 The law sets out the result collation process that must be followed. The key steps can be summarised as follows:

#### Collating the verification figures

- Each local RO must verify the ballot paper accounts for their area and draw up a statement as to the result of the verification<sup>222</sup>.
- Each local RO must inform the CARO of the contents of their verification statement<sup>223</sup>.
- You should collate all the verification figures for the combined authority area to produce a total number of the ballot papers going forward to the count for the whole combined authority area.
- Where the votes are to be counted at a different place to where the verification took place you can direct local ROs to carry out further specified verification procedures in relation to the ballot papers and documents relating to the combined authority mayoral election<sup>224</sup>.

#### Collating the count totals where there are only two candidates standing

- Each local RO must count votes given for each candidate<sup>225</sup>. Once counting is complete, the local RO must share the provisional figures with the candidates and agents present, as it is at this stage that candidates, election agents and those counting agents who have been specifically authorised to do so may request a recount<sup>226</sup>.
- Once the candidates and agents have had the opportunity to request a re-count (and any recount has been completed), the local RO must draw up a statement of local totals including the number of votes cast for each candidate and the total number of rejected ballot papers, and a

statement of rejected ballot papers categorised by reason for rejection<sup>227</sup>.

- Each local RO must, as soon as practicable, inform you of the contents of the statement of local totals<sup>228</sup>.
- Once you have been informed of the contents of the statement, you can direct the local RO to recount the votes (see paragraphs **7.11** to **7.16**)<sup>229</sup>.
- Before the local RO can give public notice of the local totals, they must have received authorisation from you (see paragraphs **7.11** to **7.16**).
- You must collate all the local totals for the combined authority area received from local ROs (see paragraph **7.36** below).
- You must share the figures with the election agents who are present at the collation and must give them a reasonable opportunity to satisfy themselves as to the accuracy of the calculation<sup>230</sup>. An election agent may request a re-calculation but you may refuse to do so if in your opinion the request is unreasonable<sup>231</sup>.
- Once the agents have had the opportunity to check the figures (and any re-calculation has been completed) you must declare the result as follows:
  - The candidate who has the majority of the votes is returned<sup>232</sup>.
  - If both candidates have an equal number of votes, you must decide by lots which of them is to be returned<sup>233</sup>.
  - You must declare the result<sup>234</sup> (see paragraph **7.41** below).

### **Collating the count totals where there are more than two candidates standing**

- Each local RO must count the first preference votes given for each candidate<sup>235</sup>. Once counting is complete, the local RO must share the provisional figures with the candidates and agents present, as it is at this stage that candidates, election agents and those counting agents who have been specifically authorised to do so may request a recount<sup>236</sup>.
- Once the candidates and agents have had the opportunity to request a recount (and any recount has been completed), the local RO must draw up a statement of local totals including the number 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 rejection<sup>237</sup>.
- Each local RO must, as soon as practicable, inform you of the contents of the statement of local totals<sup>238</sup>.
- Once you have been informed of the contents of the statement, you can direct the local RO to recount the votes (see paragraphs **7.11** to **7.16**)<sup>239</sup>.
- Before the local RO can give public notice of the local totals, they must have received authorisation from you (see paragraphs **7.11** to **7.16**).

- You must collate all the local totals for the combined authority area received from local ROs and ascertain whether any candidate has received more than half of the first preference votes – if not, the CARO must instruct local ROs to conduct a count of second preference votes area (see paragraph **7.36** below)<sup>240</sup>.
- You must share the figures with the election agents who are present at the collation and must give them a reasonable opportunity to satisfy themselves as to the accuracy of the calculation<sup>241</sup>. An election agent may request a re-calculation but you may refuse to do so if in your opinion the request is unreasonable<sup>242</sup>.
- If a candidate has an overall majority of first preference votes you must declare the result (see paragraph **7.41** below).<sup>243</sup>

### **Second count**

- If no candidate has an overall majority of first preference votes you must determine which candidates are to be eliminated from the contest and require local ROs to count the second preference votes for the candidates remaining in the contest<sup>244</sup>. The top two candidates (or more if there is a tie) will remain in the contest whilst the rest are eliminated<sup>245</sup>.
- Each local RO must count the relevant second preference votes in their area for the candidates remaining in the contest<sup>246</sup>. Once counting of the second preferences is complete, the local RO must share the provisional figures with the candidates and agents present, as it is at this stage that candidates, election agents and those counting agents who have been specifically authorised to do so may request a recount<sup>247</sup>.
- Once the candidates and agents have had the opportunity to request a recount (and any recount has been completed), the local RO must add the number of second preference votes for each remaining candidate to the number of first preference votes for those candidates to produce the total number of votes for each candidate remaining in the contest<sup>248</sup>.
- The local RO must then draw up a statement of local totals including the number of first preference votes for each candidate, the number of second preference votes for each remaining candidate, the total number of votes for each of the remaining candidates, the total number of ballot papers that were valid as respects a first preference vote given for a candidate who did not remain in the contest after the count of the first preference votes and the total number of rejected ballot papers in respect of the second preference votes, categorised by reason for rejection<sup>249</sup>.
- Each local RO must, as soon as practicable inform you of the contents of the statement of local totals<sup>250</sup>.
- Once you have been informed of the contents of the statement, you can direct the local RO to recount the votes (see paragraphs **7.11** to **7.16**)<sup>251</sup>.
- Before the local RO can give public notice of the local totals, they must have received authorisation from you (see paragraphs **7.11** to **7.16**).

- As soon as you have received all final local statements for the combined authority area, you must calculate the total number of votes given for each candidate in the combined authority area (see paragraph **7.36** below)<sup>252</sup>.
- You must share the figures with the election agents who are present at the collation and must give them a reasonable opportunity to satisfy themselves as to the accuracy of the calculation<sup>253</sup>. An election agent may request a re-calculation but you may refuse to do so if in your opinion the request is unreasonable<sup>254</sup>.
- Once the agents have had the opportunity to check the figures (and any re-calculation has been completed) you must declare the result as follows:
  - The candidate who has the greatest total number of first and second preference votes in total is returned<sup>255</sup>.
  - If the remaining candidates have an equal number of first and second preference votes in total, you must decide by lots which of them is to be returned<sup>256</sup>.
  - You must declare the result<sup>257</sup> (see paragraph **7.41** below).



Further guidance on the processes you need to follow after the declaration of the result, including giving public notice 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 local ROs on the adjudication of doubtful ballot papers at combined authority mayoral elections. This is contained in [Part E: Verifying and counting the votes](#) of the guidance for local ROs and in a separate booklet on [adjudicating doubtful ballot papers](#).

7.9 You should consider how you will work with local ROs in your combined authority area to ensure that the ballot papers for the whole combined authority area are adjudicated consistently. This should include consideration of the need for providing briefing or training sessions for local ROs 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 local ROs 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 CARO you are responsible for authorising local ROs to give public notice of the statements of local totals of number of votes cast and ballot papers rejected<sup>258</sup>. 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 local ROs, 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 local ROs 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 local RO 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 local RO 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 constituent council area you may direct the local RO to re-count the votes<sup>259</sup>. Once you are satisfied with the local totals you may authorise them to give public notice of the statement of local totals<sup>260</sup>.

## Recounts

7.17 Candidates, election agents and those counting agents who have been specifically authorised to request a recount may request that the local RO recounts the votes at the conclusion of the counting of votes or if there are more than two candidates, at the conclusion of both the first and second preference vote counts but before the statements of local totals is prepared<sup>261</sup>. A recount relating to the first preference count can only be requested at the end of that count and before the statement of first preference votes is drawn up. No other counting agents or persons attending the count can request a recount. The local RO may refuse such a request if they consider it to be unreasonable<sup>262</sup>.

7.18 Any protocol you have produced for how local ROs 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 local ROs 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.

7.19 You may direct an individual local RO to recount the votes for a particular constituent council area, but should only do so if you have reason to doubt the accuracy of the counting of votes in that constituent council area<sup>263</sup>.

## Calculating the result

### Access to the result calculation

7.20 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.

7.21 Only the following people are entitled to attend the result calculation:

- you and your clerks<sup>264</sup>
- Local ROs and a clerk chosen by each of them<sup>265</sup>
- candidates and one person chosen by each candidate<sup>266</sup>
- 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)<sup>267</sup>
- Electoral Commission representatives<sup>268</sup>
- accredited observers<sup>269</sup>

7.22 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<sup>270</sup>.

7.23 You must give election agents notification in writing of the time and place at which the results collation will begin<sup>271</sup>.

7.24 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.

7.25 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 you at the conclusion of that stage of the counting. You may, however, permit other people to attend as set out above.

## Communication at the result collation and declaration



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

7.26 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.

7.27 [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 CARO you also need to consider how to ensure consistency and transparency across the combined authority 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 combined authority area.

7.28 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 CARO 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 combined authority area, and set out the key stages in the process.

7.29 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.

7.30 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 local ROs 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 constituent council areas, and ensure that consistent information is communicated to you by local government ROs or local ROs (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 combined authority area, so that they can communicate this information locally.

7.31 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.

7.32 Together with the local government ROs or local ROs (as appropriate) you should have in place a media plan for the combined authority area to ensure that your messages and approach to communication with the media at the verification, count and result collation are consistent across the combined authority 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.

7.33 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 should ensure that media representatives do not interfere with the process.

7.34 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 Returning Officers 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](#)'.

7.35 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 should 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 equipment.

## The calculation process

7.36 You must calculate the following:

- 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<sup>272</sup>
- 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<sup>273</sup>
  - 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<sup>274</sup>.

## Re-calculation of the result

### First count

7.37 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 must inform the election agents who are present of the totals you have calculated and give

them the opportunity to satisfy themselves that your calculations are accurate<sup>275</sup>.

7.38 Election agents may request that you recalculate the totals<sup>276</sup>. You may refuse such a request if you consider it to be unreasonable<sup>277</sup>.

### **Second count**

7.39 As soon as you have calculated the result of the second count, you must inform the election agents of the candidates remaining in the contest who are present of the totals you have calculated and give them the opportunity to satisfy themselves that your calculations are accurate<sup>278</sup>.

7.40 Those election agents may request that you recalculate the totals<sup>279</sup>. You may refuse such a request if you consider it to be unreasonable<sup>280</sup>.

## **Declaring the result**

7.41 You must declare the name of the candidate who is elected<sup>281</sup>.

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

7.43 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.

7.44 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.

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

7.46 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 of:

- The name of the candidate elected<sup>282</sup>. You should also include their description (if any).
- At an election with only two candidates, the total number of votes given for each candidate (whether elected or not), together with the number of rejected ballot papers under each of the heads shown in the statement of rejected ballot papers<sup>283</sup>.
- 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<sup>284</sup>. 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<sup>285</sup>.

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 within the combined authority area<sup>286</sup>. This should include local authority offices, noticeboards, libraries and other public buildings and on your local authority's website. You must inform the Proper Officer of the combined authority of the result<sup>287</sup> and should send a copy of the results to each local RO for them to give public notice of the result within their constituent council area and on their council website.



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<sup>288</sup>. You must return the deposit to the person who made the deposit or, if the candidate has died, to their personal representative, not later than the next working day after the election result was declared<sup>289</sup>.

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<sup>290</sup>.

8.7 Any candidate who has not polled more than 5% of the total number of valid first preference votes will forfeit their deposit to the combined authority<sup>291</sup>.

## Data collection and feedback

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

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

8.10 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

8.11 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 combined authority area.

# Destruction of home address forms

8.12 Home address forms must be kept securely stored for a period of 35 calendar days after the result has been declared.

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

# Accounting for the election

8.14 The costs for running the election are paid for by the combined authority<sup>292</sup>. The combined authority will provide you with instructions for accounting for the elections.

## Payment of creditors

8.15 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**

8.16 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**

8.17 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**

8.18 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

8.19 There are rules on election spending by candidates at combined authority mayoral 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.

8.20 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

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

8.22 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, within 35 calendar days of the date the election result is declared. Agents must also submit a declaration as to the contents of the return within 35 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 effect.

8.23 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 effect.

8.24 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

8.25 You must retain a copy of each combined authority mayoral 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 page.

8.26 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.

8.27 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

8.28 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 combined authority 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 agents.

8.29 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

8.30 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 request.

8.31 Please email PDF copies to [candidates@electoralcommission.org.uk](mailto:candidates@electoralcommission.org.uk). It will be of significant help to us in processing 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

8.32 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

8.33 Election petitions can be used to challenge the result of combined authority mayoral elections<sup>293</sup>.

8.34 An election petition can be issued by:

- a person claiming to have been a candidate at the election<sup>294</sup>, or
- four or more persons who voted at the election or who had a right to vote at the election, except for electors registered anonymously<sup>295</sup>

8.35 The allowable grounds for a petition are that:

- the person whose election is questioned was not duly elected<sup>296</sup>
- the person whose election is questioned was disqualified at the time of the election<sup>297</sup>
- 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<sup>298</sup>

8.36 The person whose election is questioned by the petition will most probably be made a respondent to the petition<sup>299</sup>. As CARO, you may 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 constituent council area or areas, the local RO may also be a respondent<sup>300</sup>.

8.37 A petition must be presented within 21 days after the day on which the election was held<sup>301</sup>. Further time is allowed in certain circumstances<sup>302</sup>.

8.38 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](mailto:Election_Petitions@hmcts.gsi.gov.uk)  
Phone: 0207 947 6877

## Review of election procedures

8.39 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 combined authority area and other appropriate stakeholders.

8.40 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

8.41 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.

8.42 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.

8.43 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 Returning Officers across your combined authority 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

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

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

8.45 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 combined authority area as part of their review of the conduct of the election in their constituent council area.

# 9 Freedom of Information requests

9.1 Following the elections you may receive requests under the Freedom of Information Act 2000. CAROs, local ROs and EROs are not a public authority under this Act and, as such, are exempt from the disclosure requirements imposed by it<sup>303</sup>.

9.2 However, where possible, CAROs, local ROs and EROs should disclose the requested information, provided this information is already in the public domain, or the information requested does not include personal data. An example of non-personal data would be statistical data providing the total number of electors registered in the combined authority area or the turnout of postal voters.

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<sup>1</sup> Article 2, Combined Authorities (Mayoral Elections) Order 2017 (2017 Order).

<sup>2</sup> Section 35(2D) and (2E), Representation of the People Act 1983 (RPA 1983) (as inserted by paragraph 1(5), Schedule 2, 2017 Order).

<sup>3</sup> Rule 6(7), Schedule 1, 2017 Order (Combined Authorities Mayoral Rules 2017).

<sup>4</sup> Rule 5(5), Combined Authorities Mayoral Rules 2017.

<sup>5</sup> Rule 5(6), Combined Authorities Mayoral Rules 2017.

<sup>6</sup> Rules 10(1) and 12(1), Combined Authorities Mayoral Rules 2017.

<sup>7</sup> Rule 7(6), Combined Authorities Mayoral Rules 2017.

<sup>8</sup> Rule 7(1) and (2), Combined Authorities Mayoral Rules 2017.

<sup>9</sup> Rule 12(2)(a), Combined Authorities Mayoral Rules 2017.

<sup>10</sup> Rule 18(4) and (6), Combined Authorities Mayoral Rules 2017.

<sup>11</sup> Rules 6(2) and 8(6), Combined Authorities Mayoral Rules 2017.

<sup>12</sup> Section 199B(4)(a), RPA 1983.

<sup>13</sup> Rule 8(6)(b), Combined Authorities Mayoral Rules 2017.

<sup>14</sup> Rule 3, Combined Authorities Mayoral Rules 2017.

<sup>15</sup> Rule 3, Combined Authorities Mayoral Rules 2017.

<sup>16</sup> Rules 10(1) and 12(1), Combined Authorities Mayoral Rules 2017.

<sup>17</sup> Rules 6(2) and 9(d), Combined Authorities Mayoral Rules 2017.

<sup>18</sup> Rule 11(1), Combined Authorities Mayoral Rules 2017.

<sup>19</sup> Rules 6(2) and 9(d), Combined Authorities Mayoral Rules 2017.

<sup>20</sup> Rules 7(1)(b) and 18(6)(b), Combined Authorities Mayoral Rules 2017.

<sup>21</sup> Rule 7(1), Combined Authorities Mayoral Rules 2017.

<sup>22</sup> Rule 12(1), Combined Authorities Mayoral Rules 2017.

<sup>23</sup> Rule 13(7), Combined Authorities Mayoral Rules 2017.

<sup>24</sup> Rule 13(7), Combined Authorities Mayoral Rules 2017.

<sup>25</sup> Rule 11(2)(a) and (5), Combined Authorities Mayoral Rules 2017.

<sup>26</sup> Rule 11(2)(b) and (5), Combined Authorities Mayoral Rules 2017.

<sup>27</sup> Rule 11(3), Combined Authorities Mayoral Rules 2017.

<sup>28</sup> Rule 11(4)(a), Combined Authorities Mayoral Rules 2017.

<sup>29</sup> Rule 11(4)(b), Combined Authorities Mayoral Rules 2017.

<sup>30</sup> Rule 11(2)(c), (5), (6) and (7), Combined Authorities Mayoral Rules 2017.

<sup>31</sup> Section 65A, RPA 1983.

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<sup>32</sup> Section 65A(1)(a), RPA 1983.  
<sup>33</sup> Sections 65A and 168(1), RPA 1983.  
<sup>34</sup> Rule 6(3), Combined Authorities Mayoral Rules 2017.  
<sup>35</sup> Rule 6(4), Combined Authorities Mayoral Rules 2017.  
<sup>36</sup> Rule 6(4), Combined Authorities Mayoral Rules 2017.  
<sup>37</sup> Rule 13(4), Combined Authorities Mayoral Rules 2017.  
<sup>38</sup> Rule 13(5), Combined Authorities Mayoral Rules 2017.  
<sup>39</sup> Rule 8(1), (2) and (7), Combined Authorities Mayoral Rules 2017.  
<sup>40</sup> Rule 8(1), Combined Authorities Mayoral Rules 2017.  
<sup>41</sup> Rule 8(2) and (3), Combined Authorities Mayoral Rules 2017.  
<sup>42</sup> Form 1, Appendix of Forms, Combined Authorities Mayoral Rules 2017.  
<sup>43</sup> Form 1, Appendix of Forms, Combined Authorities Mayoral Rules 2017.  
<sup>44</sup> Rule 12(2)(b), Combined Authorities Mayoral Rules 2017.  
<sup>45</sup> Rule 8(7), Combined Authorities Mayoral Rules 2017.  
<sup>46</sup> The principle that Returning Officers should take nomination papers at face value is found in cases such as *Greenway Stanley v Paterson* [1977] 2 All ER 663; *R v An Election Court ex parte Sheppard* [1975] 1 WLR 1319.  
<sup>47</sup> Rule 8(4), Combined Authorities Mayoral Rules 2017.  
<sup>48</sup> Rule 12(2)(b), Combined Authorities Mayoral Rules 2017.  
<sup>49</sup> Rule 7(6), Combined Authorities Mayoral Rules 2017.  
<sup>50</sup> Section 28A, Political Parties, Elections and Referendums Act 2000 (PPERA 2000).  
<sup>51</sup> Rule 12(2)(a), Combined Authorities Mayoral Rules 2017.  
<sup>52</sup> Rule 12(2)(a), Combined Authorities Mayoral Rules 2017.  
<sup>53</sup> Section 29, PERA 2000.  
<sup>54</sup> Section 30(6A), PERA 2000.  
<sup>55</sup> Section 30(6A), PERA 2000.  
<sup>56</sup> Section 30, PERA 2000.  
<sup>57</sup> Rule 12(2)(a), Combined Authorities Mayoral Rules 2017.  
<sup>58</sup> Rule 6(5)(b), Combined Authorities Mayoral Rules 2017.  
<sup>59</sup> Rules 6(5)(a) and 7(2)(a), Combined Authorities Mayoral Rules 2017.  
<sup>60</sup> Rules 6(5)(a) and 7(2)(b), Combined Authorities Mayoral Rules 2017.  
<sup>61</sup> Rule 7(1), Combined Authorities Mayoral Rules 2017.  
<sup>62</sup> Rule 7(1), Combined Authorities Mayoral Rules 2017.  
<sup>63</sup> Rule 7(3), Combined Authorities Mayoral Rules 2017.  
<sup>64</sup> Rule 18(4), Combined Authorities Mayoral Rules 2017.  
<sup>65</sup> Rule 18(5), Combined Authorities Mayoral Rules 2017.  
<sup>66</sup> Rule 18(6), Combined Authorities Mayoral Rules 2017.  
<sup>67</sup> Rule 6(6), Combined Authority Rules 2017  
<sup>68</sup> Rule 9, Combined Authorities Mayoral Rules 2017.  
<sup>69</sup> Rule 9(b), Combined Authorities Mayoral Rules 2017.  
<sup>70</sup> Rule 9(d), Combined Authorities Mayoral Rules 2017.  
<sup>71</sup> Rule 9(b), Combined Authorities Mayoral Rules 2017 and Form 2, Appendix of Forms, Combined Authorities Mayoral Rules 2017.  
<sup>72</sup> Rule 9(a), Combined Authorities Mayoral Rules 2017.  
<sup>73</sup> Rule 9(c), Combined Authorities Mayoral Rules 2017.  
<sup>74</sup> Form 2, Appendix of Forms, Combined Authorities Mayoral Rules 2017.  
<sup>75</sup> Rule 10(1), Combined Authorities Mayoral Rules 2017.  
<sup>76</sup> Rule 10(1), Combined Authorities Mayoral Rules 2017.  
<sup>77</sup> Rule 10(3), Combined Authorities Mayoral Rules 2017.  
<sup>78</sup> Rule 10(2)(a) and (b), Combined Authorities Mayoral Rules 2017.  
<sup>79</sup> Rule 10(2), Combined Authorities Mayoral Rules 2017.  
<sup>80</sup> Rule 10(2)(c), Combined Authorities Mayoral Rules 2017.  
<sup>81</sup> Rule 12(1), Combined Authorities Mayoral Rules 2017.  
<sup>82</sup> For example *Greenway Stanley v Paterson* [1977] 2 All ER 663; *R v An Election Court ex parte Sheppard* [1975] 1 WLR 1319.

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- <sup>83</sup> *Sanders v Chichester* (1995) 139 SJLB 15.
- <sup>84</sup> Rule 12(3), Combined Authorities Mayoral Rules 2017.
- <sup>85</sup> Rule 12(2), Combined Authorities Mayoral Rules 2017.
- <sup>86</sup> Rule 12(2)(a), Combined Authorities Mayoral Rules 2017.
- <sup>87</sup> Rule 12(4), Combined Authorities Mayoral Rules 2017.
- <sup>88</sup> Rule 7 (4) The Local Elections (Principal Area) (England and Wales Amendment) (England) Rules 2018, Rule 7 (4) The Local Elections (Parish and Communities) (England and Wales Amendment) (England) Rules 2018
- <sup>89</sup> Rules 10(1) and 12(1), Combined Authorities Mayoral Rules 2017.
- <sup>90</sup> Rule 12(7) and (8), Combined Authorities Mayoral Rules 2017.
- <sup>91</sup> Rule 12(5), Combined Authorities Mayoral Rules 2017.
- <sup>92</sup> Rule 14(1), Combined Authorities Mayoral Rules 2017.
- <sup>93</sup> Rule 14(2), Combined Authorities Mayoral Rules 2017.
- <sup>94</sup> Rule 14(4), Combined Authorities Mayoral Rules 2017.
- <sup>95</sup> Rule 12(2)(a), Combined Authorities Mayoral Rules 2017.
- <sup>96</sup> Rule 3, Combined Authorities Mayoral Rules 2017.
- <sup>97</sup> Rule 3, Combined Authorities Mayoral Rules 2017.
- <sup>98</sup> Rule 3, Combined Authorities Mayoral Rules 2017.
- <sup>99</sup> Rule 13(1), Combined Authorities Mayoral Rules 2017.
- <sup>100</sup> Rule 15(1), Combined Authorities Mayoral Rules 2017.
- <sup>101</sup> Rules 3 and 15(1), Combined Authorities Mayoral Rules 2017.
- <sup>102</sup> Rule 15(1)b), Combined Authorities Mayoral Rules 2017.
- <sup>103</sup> Rule 15(2), Combined Authorities Mayoral Rules 2017.
- <sup>104</sup> Rule 15(2), Combined Authorities Mayoral Rules 2017.
- <sup>105</sup> Rule 15(2), Combined Authorities Mayoral Rules 2017.
- <sup>106</sup> Rule 15(2), Combined Authorities Mayoral Rules 2017.
- <sup>107</sup> Rule 18(2), Combined Authorities Mayoral Rules 2017.
- <sup>108</sup> Rules 13 and 23, Combined Authorities Mayoral Rules 2017.
- <sup>109</sup> Paragraph 7(2), Schedule 5B, Local Democracy, Economic Development and Construction Act 2009.
- <sup>110</sup> Rules 16(c) and 59(16)(a), Combined Authorities Mayoral Rules 2017.
- <sup>111</sup> Rule 59(16)(b), Combined Authorities Mayoral Rules 2017.
- <sup>112</sup> Rule 59(17), Combined Authorities Mayoral Rules 2017.
- <sup>113</sup> Rule 60(4), Combined Authorities Mayoral Rules 2017.
- <sup>114</sup> Rule 65(1), Combined Authorities Mayoral Rules 2017.
- <sup>115</sup> Rule 65(1), Combined Authorities Mayoral Rules 2017 and section 39(1) and (5), RPA 1983.
- <sup>116</sup> Rule 65(1), Combined Authorities Mayoral Rules 2017.
- <sup>117</sup> Rule 65(1), Combined Authorities Mayoral Rules 2017 and section 39(1) and (5), RPA 1983.
- <sup>118</sup> Rule 65(2), Combined Authorities Mayoral Rules 2017.
- <sup>119</sup> Rule 65, Combined Authorities Mayoral Rules 2017.
- <sup>120</sup> Article 8, 2017 Order.
- <sup>121</sup> Paragraphs 2 and 5(1), Schedule 5, 2017 Order.
- <sup>122</sup> Paragraph 5(1), Schedule 5, 2017 Order.
- <sup>123</sup> Paragraph 3(1), Schedule 5, 2017 Order.
- <sup>124</sup> Paragraph 3(6)(a), Schedule 5, 2017 Order.
- <sup>125</sup> Paragraph 3(6)(b), Schedule 5, 2017 Order.
- <sup>126</sup> Paragraph 3(7), Schedule 5, 2017 Order.
- <sup>127</sup> Paragraph 4(2), Schedule 5, 2017 Order.
- <sup>128</sup> Paragraph 4(2), Schedule 5, 2017 Order.
- <sup>129</sup> Paragraph 4(3)(a), Schedule 5, 2017 Order.
- <sup>130</sup> Paragraph 4(3)(b), Schedule 5, 2017 Order.
- <sup>131</sup> Paragraph 4(4)(a), Schedule 5, 2017 Order.
- <sup>132</sup> Paragraph 4(4)(b), Schedule 5, 2017 Order.

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- <sup>133</sup> Paragraph 3(2)(a), Schedule 5, 2017 Order.  
<sup>134</sup> Paragraph 3(2)(c), Schedule 5, 2017 Order.  
<sup>135</sup> Paragraph 3(2)(b), Schedule 5, 2017 Order.  
<sup>136</sup> Paragraph 3(3) and (5), Schedule 5, 2017 Order.  
<sup>137</sup> Paragraph 3(4) and (5), Schedule 5, 2017 Order.  
<sup>138</sup> Paragraph 4(1), Schedule 5, 2017 Order.  
<sup>139</sup> Paragraph 5(2), Schedule 5, 2017 Order.  
<sup>140</sup> Paragraph 5(1), Schedule 5, 2017 Order.  
<sup>141</sup> Paragraph 6(1), Schedule 5, 2017 Order.  
<sup>142</sup> Paragraph 6(1), Schedule 5, 2017 Order.  
<sup>143</sup> Paragraph 8(1), Schedule 5, 2017 Order.  
<sup>144</sup> Paragraph 8(1), Schedule 5, 2017 Order.  
<sup>145</sup> Paragraph 5(2)(b), Schedule 5, 2017 Order.  
<sup>146</sup> Paragraph 6(2), Schedule 5, 2017 Order.  
<sup>147</sup> Paragraph 6(2)(a), Schedule 5, 2017 Order.  
<sup>148</sup> Paragraph 6(2)(b), Schedule 5, 2017 Order.  
<sup>149</sup> Paragraph 6(2)(c), Schedule 5, 2017 Order.  
<sup>150</sup> Paragraph 6(2)(c), Schedule 5, 2017 Order.  
<sup>151</sup> Paragraph 6(3), Schedule 5, 2017 Order.  
<sup>152</sup> Paragraph 6(5), Schedule 5, 2017 Order.  
<sup>153</sup> Paragraph 6(6), Schedule 5, 2017 Order.  
<sup>154</sup> Paragraph 7(1), Schedule 5, 2017 Order.  
<sup>155</sup> Article 8 and paragraph 7(1), Schedule 5, 2017 Order.  
<sup>156</sup> Article 8, 2017 Order.  
<sup>157</sup> Paragraph 8(4), Schedule 5, 2017 Order.  
<sup>158</sup> Paragraph 8(3), Schedule 5, 2017 Order.  
<sup>159</sup> Section 67(1), RPA 1983.  
<sup>160</sup> Section 70(1) RPA 1983.  
<sup>161</sup> Section 70(2) and (3), RPA 1983.  
<sup>162</sup> Section 67(3) and 70(3A), RPA 1983.  
<sup>163</sup> Section 67(4), RPA 1983.  
<sup>164</sup> Section 69(1), RPA 1983.  
<sup>165</sup> Section 69(2)(c), RPA 1983 (as inserted by paragraph 1(19), Schedule 2, 2017 Order).  
<sup>166</sup> Section 70(4)(b), RPA 1983.  
<sup>167</sup> Section 67(6), RPA 1983.  
<sup>168</sup> Sections 67(6) and 70(6), RPA 1983.  
<sup>169</sup> Section 68(1), RPA 1983 (as amended by paragraph 1(18)(a), Schedule 2, 2017 Order).  
<sup>170</sup> Section 68(1), RPA 1983 (as amended by paragraph 1(18)(a), Schedule 2, 2017 Order).  
<sup>171</sup> Section 69(2)(c), RPA 1983 (as inserted by paragraph 1(19), Schedule 2, 2017 Order).  
<sup>172</sup> Section 68(2), RPA 1983.  
<sup>173</sup> Section 68(2), RPA 1983 and rules 46(3)(c), 49(2)(c) and 59(5)(d), Combined Authorities Mayoral Rules 2017.  
<sup>174</sup> Sections 68(3) (as amended by paragraph 1(18)(b), Schedule 2, 2017 Order) and 69(1)(a), RPA 1983, read together with section 119(1)(b) and (2), RPA 1983.  
<sup>175</sup> Section 68(4)(b), RPA 1983.  
<sup>176</sup> Sections 68(4) and 69(1)(a), RPA 1983.  
<sup>177</sup> Sections 68(3) and 69(1)(b), RPA 1983.  
<sup>178</sup> Regulation 69(1), Representation of the People (England and Wales) Regulations 2001 (RPR 2001) and rule 29(1), Combined Authorities Mayoral Rules 2017.  
<sup>179</sup> Regulation 69(1), RPR 2001 and rule 29(1), Combined Authorities Mayoral Rules 2017.  
<sup>180</sup> Section 200(1), RPA 1983.  
<sup>181</sup> Section 200(1), RPA 1983.  
<sup>182</sup> Section 199B(2) and (3), RPA 1983.  
<sup>183</sup> Section 199B(2) and (3), RPA 1983.

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- <sup>184</sup> Section 199B(4), RPA 1983 and rules 6(2) and 18(3), Combined Authorities Mayoral Rules 2017.
- <sup>185</sup> Section 199B(6), RPA 1983.
- <sup>186</sup> Rule 3, Combined Authorities Mayoral Rules 2017.
- <sup>187</sup> Rule 5(1), Combined Authorities Mayoral Rules 2017.
- <sup>188</sup> Rule 5(2), Combined Authorities Mayoral Rules 2017.
- <sup>189</sup> Rule 5(1)(b), Combined Authorities Mayoral Rules 2017.
- <sup>190</sup> Rule 5(3)(a), Combined Authorities Mayoral Rules 2017.
- <sup>191</sup> Rule 3, Combined Authorities Mayoral Rules 2017.
- <sup>192</sup> Rule 13(2), Combined Authorities Mayoral Rules 2017.
- <sup>193</sup> Rule 13(2), Combined Authorities Mayoral Rules 2017.
- <sup>194</sup> Rule 13(2), Combined Authorities Mayoral Rules 2017.
- <sup>195</sup> Rule 13(1), Combined Authorities Mayoral Rules 2017.
- <sup>196</sup> Rules 13(6), Combined Authorities Mayoral Rules 2017.
- <sup>197</sup> Rule 18(7), Combined Authorities Mayoral Rules 2017.
- <sup>198</sup> Rule 13(6), Combined Authorities Mayoral Rules 2017.
- <sup>199</sup> Rule 13(9), Combined Authority Mayoral Rules 2017
- <sup>200</sup> Rule 13(11), Combined Authority Mayoral Rules 2017
- <sup>201</sup> Rule 13(3), Combined Authorities Mayoral Rules 2017.
- <sup>202</sup> Rule 13(6), Combined Authorities Mayoral Rules 2017.
- <sup>203</sup> Rule 13(4), Combined Authorities Mayoral Rules 2017.
- <sup>204</sup> Rule 3, Combined Authorities Mayoral Rules 2017.
- <sup>205</sup> Rule 23(1)(a), Combined Authorities Mayoral Rules 2017.
- <sup>206</sup> Rule 23(1)(b), Combined Authorities Mayoral Rules 2017.
- <sup>207</sup> Rule 23(1)(c), Combined Authorities Mayoral Rules 2017.
- <sup>208</sup> Rule 21, Principal Areas Rules 2006; rule 21, Parishes and Communities Rules 2006
- <sup>209</sup> Rule 23(3), Combined Authorities Mayoral Rules 2017 and rule 23(3), Combined Authorities Mayoral Combination Rules 2017.
- <sup>210</sup> Rule 23(3), Combined Authorities Mayoral Rules 2017 and rule 23(3), Combined Authorities Mayoral Combination Rules 2017.
- <sup>211</sup> Rule 28(6), Combined Authorities Mayoral Rules 2017.
- <sup>212</sup> Rule 28(6) and form 12, Combined Authorities Mayoral Rules 2017.
- <sup>213</sup> Regulations 4(3) to (7) and 5(1)(g) and (2)(e), Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 and rule 28, Combined Authorities Mayoral Rules 2017.
- <sup>214</sup> Rule 28(8), Combined Authorities Mayoral Combination Rules 2017; rule 26, Schedules 3 to the Local Elections (Principal Areas) (England and Wales) Rules 2006 (Principal Areas Combination Rules 2006); rule 26, Local Elections (Parishes and Communities) (England and Wales) Rules 2006 (Parishes and Communities Combination Rules 2006) and rule 28, Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 (Local Authorities Mayoral Combination Rules 2007).
- <sup>215</sup> Rule 28(6)(a), Combined Authorities Mayoral Rules 2017.
- <sup>216</sup> Rule 28(6)(b), Combined Authorities Mayoral Rules 2017.
- <sup>217</sup> Rule 28(7), Combined Authorities Mayoral Rules 2017.
- <sup>218</sup> Rule 27(1), Combined Authorities Mayoral Rules 2017.
- <sup>219</sup> Rule 28(1), Combined Authorities Mayoral Rules 2017.
- <sup>220</sup> Article 6(2), Combined Authorities Mayoral Rules 2017.
- <sup>221</sup> Rule 59, Combined Authorities Mayoral Rules 2017 and paragraph 5, Schedule 5B, Local Democracy, Economic Development and Construction Act 2009 (2009 Act).
- <sup>222</sup> Rule 47, Combined Authorities Mayoral Rules 2017; rule 47, Combined Authorities Mayoral Combination Rules 2017; rule 45, Principal Areas Combination Rules 2006; rule 45, Parishes and Communities Rules 2006 and rule 47, Local Authorities Mayoral Rules 2007.
- <sup>223</sup> Rule 47(8), Combined Authorities Mayoral Rules 2017.
- <sup>224</sup> Rule 48(4), Combined Authorities Mayoral Rules 2017.
- <sup>225</sup> Rule 50(3)(a), Combined Authorities Mayoral Rules 2017.

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<sup>226</sup> Rule 53(1), Combined Authorities Mayoral Rules 2017.  
<sup>227</sup> Rules 51(5) and 54(1), Combined Authorities Mayoral Rules 2017.  
<sup>228</sup> Rules 51(6) and 54(2)(b), Combined Authorities Mayoral Rules 2017.  
<sup>229</sup> Rule 57, Combined Authorities Mayoral Rules 2017.  
<sup>230</sup> Rule 59(8), Combined Authorities Mayoral Rules 2017.  
<sup>231</sup> Rule 59(9), Combined Authorities Mayoral Rules 2017.  
<sup>232</sup> Rule 59(11), Combined Authorities Mayoral Rules 2017.  
<sup>233</sup> Rule 59(12), Combined Authorities Mayoral Rules 2017.  
<sup>234</sup> Rule 59(11), Combined Authorities Mayoral Rules 2017.  
<sup>235</sup> Rule 50(3)(a), Combined Authorities Mayoral Rules 2017.  
<sup>236</sup> Rule 53(1), Combined Authorities Mayoral Rules 2017.  
<sup>237</sup> Rules 51(5) and 54(1), Combined Authorities Mayoral Rules 2017.  
<sup>238</sup> Rules 51(6) and 54(2)(b), Combined Authorities Mayoral Rules 2017.  
<sup>239</sup> Rule 57, Combined Authorities Mayoral Rules 2017.  
<sup>240</sup> Rule 58, Combined Authorities Mayoral Rules 2017.  
<sup>241</sup> Rule 59(8), Combined Authorities Mayoral Rules 2017.  
<sup>242</sup> Rule 59(9), Combined Authorities Mayoral Rules 2017.  
<sup>243</sup> Rule 59(11), Combined Authorities Mayoral Rules 2017.  
<sup>244</sup> Rule 58, Combined Authorities Mayoral Rules 2017 and paragraph 5, Schedule 5B, 2009 Act.  
<sup>245</sup> Paragraph 5(4) to (6), Schedule 5B, 2009 Act.  
<sup>246</sup> Rule 55(1), Combined Authorities Mayoral Rules 2017.  
<sup>247</sup> Rule 53, as applied by rule 55(3), Combined Authorities Mayoral Rules 2017.  
<sup>248</sup> Rule 56(1), Combined Authorities Mayoral Rules 2017.  
<sup>249</sup> Rule 56(2), Combined Authorities Mayoral Rules 2017.  
<sup>250</sup> Rule 56(3)(b), Combined Authorities Mayoral Rules 2017.  
<sup>251</sup> Rule 57, Combined Authorities Mayoral Rules 2017.  
<sup>252</sup> Rule 59(7), Combined Authorities Mayoral Rules 2017.  
<sup>253</sup> Rule 59(8), Combined Authorities Mayoral Rules 2017.  
<sup>254</sup> Rule 59(9), Combined Authorities Mayoral Rules 2017.  
<sup>255</sup> Rule 59(13)(b), Combined Authorities Mayoral Rules 2017.  
<sup>256</sup> Rule 59(14), Combined Authorities Mayoral Rules 2017.  
<sup>257</sup> Rule 59(11), Combined Authorities Mayoral Rules 2017.  
<sup>258</sup> Rule 59(3)(b), Combined Authorities Mayoral Rules 2017.  
<sup>259</sup> Rule 57, Combined Authorities Mayoral Rules 2017.  
<sup>260</sup> Rule 59(3)(b), Combined Authorities Mayoral Rules 2017.  
<sup>261</sup> Rule 53 (in respect of second preference counts, as applied by rule 55(3)), Combined Authorities Mayoral Rules 2017.  
<sup>262</sup> Rule 53(1), Combined Authorities Mayoral Rules 2017.  
<sup>263</sup> Rule 57, Combined Authorities Mayoral Rules 2017.  
<sup>264</sup> Rule 59(5)(a), Combined Authorities Mayoral Rules 2017.  
<sup>265</sup> Rule 59(5)(b), Combined Authorities Mayoral Rules 2017.  
<sup>266</sup> Rule 59(5)(c), Combined Authorities Mayoral Rules 2017.  
<sup>267</sup> Rule 59(5)(d), Combined Authorities Mayoral Rules 2017.  
<sup>268</sup> Rule 59(5)(e), Combined Authorities Mayoral Rules 2017.  
<sup>269</sup> Rule 59(5)(e), Combined Authorities Mayoral Rules 2017.  
<sup>270</sup> Rule 59(6), Combined Authorities Mayoral Rules 2017.  
<sup>271</sup> Rule 59(4)(b), Combined Authorities Mayoral Rules 2017.  
<sup>272</sup> Rule 59(7)(b) and (15)(c), Combined Authorities Mayoral Rules 2017.  
<sup>273</sup> Rule 59(7)(a) and (15)(c), Combined Authorities Mayoral Rules 2017.  
<sup>274</sup> Rule 59(7)(a) and (15)(c), Combined Authorities Mayoral Rules 2017.  
<sup>275</sup> Rule 59(8), Combined Authorities Mayoral Rules 2017.  
<sup>276</sup> Rule 59(9), Combined Authorities Mayoral Rules 2017.  
<sup>277</sup> Rule 59(9), Combined Authorities Mayoral Rules 2017.  
<sup>278</sup> Rule 59(8), Combined Authorities Mayoral Rules 2017.

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- <sup>279</sup> Rule 59(9), Combined Authorities Mayoral Rules 2017.  
<sup>280</sup> Rule 59(9), Combined Authorities Mayoral Rules 2017.  
<sup>281</sup> Rule 59(11) and (13), Combined Authorities Mayoral Rules 2017.  
<sup>282</sup> Rule 59(15)(a), Combined Authorities Mayoral Rules 2017.  
<sup>283</sup> Rule 59(15)(b), Combined Authorities Mayoral Rules 2017.  
<sup>284</sup> Rule 59(15)(b) and (c), Combined Authorities Mayoral Rules 2017.  
<sup>285</sup> Rule 59(15)(d), Combined Authorities Mayoral Rules 2017.  
<sup>286</sup> Section 200(1), RPA 1983.  
<sup>287</sup> Rule 59(17), Combined Authorities Mayoral Rules 2017.  
<sup>288</sup> Rule 60(1) and (5), Combined Authorities Mayoral Rules 2017.  
<sup>289</sup> Rule 60(1), (2) and (3)(a), Combined Authorities Mayoral Rules 2017.  
<sup>290</sup> Rule 60(3)(b), Combined Authorities Mayoral Rules 2017.  
<sup>291</sup> Rule 60(5), Combined Authorities Mayoral Rules 2017.  
<sup>292</sup> Section 36(4C) RPA 1983  
<sup>293</sup> Section 127, RPA 1983 (as applied by paragraph 12(6), Schedule 5B, 2009 Act and article 7, 2017 Order).  
<sup>294</sup> Section 128(1), RPA 1983.  
<sup>295</sup> Section 128(1) and (1A), RPA 1983.  
<sup>296</sup> Section 127(b), RPA 1983.  
<sup>297</sup> Section 127(a), RPA 1983.  
<sup>298</sup> Section 127, RPA 1983.  
<sup>299</sup> Section 128(2), RPA 1983.  
<sup>300</sup> Section 128(2), RPA 1983.  
<sup>301</sup> Section 129(1), RPA 1983.  
<sup>302</sup> Section 129, RPA 1983.  
<sup>303</sup> Section 3, Freedom of Information Act 2000.