

## Spring Polls Bulletin 5 – 4 March 2011

Dear Colleagues

By the time this message arrives in your inbox, counting will be well underway in the referendum on the law-making powers of the National Assembly for Wales. Organising two referendums in quick succession has been a significant challenge for our colleagues in Wales and I am extremely grateful for all their hard work in the run up to this first poll.

The Electoral Commission will be producing a report on the Wales referendum this summer but I hope to be able to circulate headline findings to you shortly – it is important that we take the opportunity to learn any lessons from the Wales experience in preparation for the 5 May polls.

Some of you may have seen a press report indicating a time for the conclusion of the count on 6 May.

I have made it very clear in my discussions with the Steering Group and with Counting Officers that while I have directed a start time for the count I am not prescribing a time for the conclusion of the count.

My expectation is that all counts will be carried out in accordance with the principles I have set out in the instructions.

### Live Issues

#### **Royal Mail Sweeps**

I am currently negotiating with Royal Mail to procure a national sweep of mail centres on 5 May, with the aim of achieving savings and improvements. I would also like to agree a national standard for sweep provision which would include, for example, postal ballot packs being delivered directly to Counting Officers rather than Counting Officers having to collect them. I will provide you with further details as soon as I have them.

#### **Fees and Charges**

The fees and charges assumptions were circulated in EC06/2011 and the responses you provided to these costings have been fed back to Cabinet Office. There are a couple of issues still to be resolved around apportionment of expenses where polls are combined, and the Commission is working with Cabinet Office to find solutions. Once we have tied up the loose ends the fees and charges order will be laid, our accounts regulations will also be laid, and we will issue our guidance. Counting Officers will receive advances in the first

week of April providing they have returned the relevant bank details to the Election Claims Unit on the form they issued.

### **Freedom of Information Request by 'NO to AV'**

I understand that local authorities, Counting Officers and Returning Officers may have received a Freedom of Information request for information about contracts with the Electoral Reform Society or Electoral Reform Services, and your Freedom of Information teams will no doubt be dealing with the requests. The Commission has also received a request and has answered it.

As you will be aware, as statutory office-holders, Counting Officers and Returning Officers are not covered by the Freedom of Information Act. While it is for each Counting Officer and Returning Officer to decide whether and what it would be appropriate to disclose, the principles of transparency and openness that we are all seeking to achieve in the administration of the referendum should be taken into account in reaching your decisions.

### **Cut ballot papers and printing of the official mark**

Building on my advice in last week's bulletin on the issue of cut ballot papers and the official mark, I thought it would be helpful to set out how the official mark should be printed. I understand that some of you will already have done your printing, and so it may not be possible for you to follow my recommendations, but I hope this is nevertheless a helpful summary of the position.

In summary, my advice is that:

- The official mark should, if possible, not contain any letters or numbers and be printed on the front of the referendum ballot paper.
- The official mark should be printed in the blank space to the left of the 'Yes' and 'No' answers, covering both the 'Yes' and 'No' rows in equal measure to avoid any accusations of bias. In Wales, the official mark should be printed half-way between the 'Yes/Dylid' and 'No/Na Ddylid' answers, and also cover both rows in equal measure.
- If your official mark includes letters or numbers, or you prefer to print the official mark on the back of the ballot paper, then it should, if possible, be printed in such a way that it is visible through the front of the ballot paper as described above.

### **Emblems for candidates with a joint description**

We have been advised that legislation will be put in place to allow candidates with a joint description to use an emblem on the ballot papers at the elections

taking place on 5 May 2011. Regulations amending the local and parish rules to this effect will come into force on 24 March. The order for the Mayoral elections is due to be debated in the House of Commons on 7 March and then in the House of Lords on 16 March, and will come into force on 17 March.

We will update our guidance and issue a circular on this issue next week.

### **Promoting participation**

In Spring Polls Bulletin 3, I noted that some of you had expressed concerns about promoting participation in the referendum as PPERA prevents local authorities from undertaking this type of work within 28 days of the poll. I had promised that we would write to Counting Officers about this by 25 February. However, we have recently received further relevant information from Cabinet Office and are considering its implications before sending out guidance. I am sorry that this has led to a delay but you can expect to receive a separate communication on this issue on Friday 11 March.

### **Postal voting amendment**

In my third bulletin I also highlighted that the PVSC Act makes provision regarding who is entitled to receive a postal vote for the referendum, and I mentioned that I would provide more detailed guidance on the effect of this part of the Act. This guidance will be contained in a circular which will be issued next week.

### **Publications and Circulars**

Alongside the circulars on the postal voting amendment and joint emblems, we will also be publishing a circular which includes details of the FAQs we are providing for use by polling station staff.

### **Meetings**

The Elections and Referendums Steering Group will be meeting on Friday 11 March where we will be discussing, amongst other items, feedback from Wales referendum, monitoring and exceptions and the count and communications preparations for 6 May. The minutes from the Steering Group's February meeting are available [here](#).

The Steering Group's Communications subgroup will be meeting on Thursday 10 March and the agenda for this meeting will be available on our website shortly.

This morning, Stephen Hughes, RCO for the West Midlands, is hosting a pre-referendum seminar in Birmingham and on 9 March, Max Caller, Deputy Chief

Counting Officer, will be attending the North East Counting Officer briefing, which is being held in Sunderland. On 14 March, Barry Quirk, RCO, is holding a referendum meeting for London COs and on 16 March, COs in the East Midlands will be meeting with their RCO, David Cook to discuss their preparations for 5 May.

If you have any comments or suggestions to make about the content or format of these bulletins then please contact Barbara Lines  
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