

Spring Polls Bulletin 9: 31 March 2011

Dear Colleagues

I wanted to thank all of you who have already taken the time to complete and return the first performance monitoring checklist at what I appreciate is a very busy time. The information you have provided will help us to develop a clear picture of our current state of readiness for 5 May.

We have received some feedback that COs and their staff are concerned that as a result of the amount of information that has been issued recently, they may be missing some key information which would have an impact on their delivery of the 5 May polls.

To try to address this, we are creating a new page on our website which will pull together all of the key communications we have issued recently which are related to the administration of the 5 May polls. This page will include links to the consolidated numbered lists of directions which reflect the one amendment and one addition that have been made to these since they were issued. The page will go live and can be found [here](#) on Monday.

Postal vote applications produced by 'Yes to Fairer Votes'

I am aware that a campaign organisation, 'Yes to Fairer Votes', has produced postal vote application forms, which they have sent to electors in a number of voting areas. I thought it would be helpful to clarify the Commission's position and involvement in this. This statement replaces anything that you may have received from my staff yesterday on this issue, which was factually inaccurate in part and for which I apologise.

'Yes to Fairer Votes' shared a draft of the form with the Commission and we provided comments in relation to the relevant legal requirements for a postal vote application, which included recommending a clarification to the section of the form on the deadline for applications to be received by the Electoral Registration Officer. We did not formally approve the form.

You will be aware that although the content of postal vote application forms and the format of the identifier fields are prescribed, the form itself is not prescribed in legislation. As with postal vote application forms produced by political parties in the run up to elections, Electoral Registration Officers must accept any application that arrives before the deadline for applications which includes the required content and is in the prescribed format (i.e. with the date of birth and signature fields as prescribed). Whatever software system is used, it must be able to accept applications if the legal requirements are met, and applications should not be rejected on the grounds that they are not made on a form produced by the Electoral Registration Officer or the Commission. Any person entitled to vote in the referendum who submits a correctly completed application in this form will be entitled to vote by post in the referendum. As the legislation requires that a specific postal vote list is developed for the referendum and does not provide that existing postal voters'

lists are affected, we do not consider that this application would have any effect on a voter's inclusion on the postal voters list for any other election type.

As we said in Circular EC09(2011), when sending out the required confirmation that a postal vote application has been granted, Electoral Registration Officers in areas with combined polls may wish to consider including an explanation of what polls will be taking place in the relevant area on 5 May 2011 and which polls the elector will be receiving a postal vote for on the basis of their application. This may help to minimise the risk of voter confusion and reduce the likelihood of enquiries in the run-up to polling day.

I am sure that you will already have in place contingency arrangements to deal with an increase in numbers of postal voters and the receipt of applications close to the deadline as a response to the delivery of poll cards and given the number of bank holidays close to the poll – including the extra bank holiday for the Royal Wedding – and that you are keeping these under review to be able to respond to any emerging issues.

I understand that a number of Counting Officers have been contacted by electors who have received the forms complaining that the local authority whose address is on the form is somehow supporting the campaign. The inclusion of the ERO's address for completed application forms to be returned to is recommended in the Commission's 'Code of conduct on the handling of postal vote applications and ballot papers' to avoid any delay in the ERO receiving the form. The inclusion of the address is to ensure delivery and does not indicate support for a campaign, just as in an election where pre-printed ERO's addresses are used does not indicate support for a particular party or candidate. We will be making this clear to any members of the public, or journalists, who contact us about this issue.

As with any other questions relating to the overall conduct of the referendum, please refer calls from the media on this to the Commission Press Office on 0207 271 0704.

Party names and certificates of authorisation

We have received a number of enquiries regarding certificates of authorisation where the name of a party is given but this name does not exactly match the party name that the party have registered with us on our website. I thought it would be helpful to clarify whether these certificates can be accepted.

Except for in the case of National Assembly for Wales election, the legislation only requires that the certificate needs to be issued by or on behalf of the registered Nominated Officer for that party. There is no further regulation as to the form or content needed in the certificate of authorisation, and therefore there is no specific requirement for the full or exact party name to be included on the certificate.

The Returning Officer will, however, need to be satisfied on the face of the certificate of authorisation that the individual who signs the certificate is the

Nominating Officer (or a person authorised by the Nominating Officer). You may check who the Nominating Officer is by referring to the Commission's register of political parties. However, as long as the person who has signed the certificate claims that they have the authorisation of the registered Nominating Officer, the certificate should be taken at face value.

For National Assembly for Wales elections, the certificate of authorisation is prescribed and explicitly requires the name of the registered political party. However, the election rules only require that the certificate is issued by the registered Nominated Officer for the party or someone authorised in writing to act on their behalf. Therefore, the Returning Officer may accept a certificate of authorisation that does not contain the full or exact party name, as long as they are satisfied that the certificate is authorising the candidate to stand on behalf of the party.

In all cases, any description provided on a nomination paper must, however, either match exactly one of the descriptions registered with the Commission or be the exact name of the registered political party. The certificate authorising the candidate must also describe the description that can be used by the candidate, and can either state that the candidate may use a particular registered description or the registered party name, or state that the candidate may use any description registered by the party or the party name.

Party emblems and PEF online

We have received several queries regarding the way that the new PEF online system holds the emblems that political parties have registered with us.

Emblems can be accessed from two different places on the system - from either from the party registration page on the website or through the zip file of all registered party emblems which can be found [here](#) - and may have different descriptions. Please ensure that you check that the emblem the candidate has requested is the same as the one you are printing on the ballot paper.

You can find further information on how to use the new PEF online system in Circular EC12(2011) which we issued on 15 March.

Royal Mail Sweeps

As I mentioned in Spring Polls Bulletin number 5 on 4 March, we have been in discussions with Royal Mail about providing a national level of service for sweeps of mail centres on 5 May. I can now provide further information on this for you. The arrangement for financing the sweep is that we will pay centrally for the cost of the actual sweep. You will be invoiced by Royal Mail for one Postal Vote Licence and you should reclaim this fee through the fees and charges claim mechanism for the referendum. Further detail on this is covered in the 'Counting Officers' expenses guidance notes', which were issued earlier today.

Following representations made at previous Steering Group meetings, we have made arrangements for Royal Mail to deliver postal votes resulting from sweeps directly to Counting Officers so there is no need for you to make separate arrangements to collect them from Royal Mail centres. Deliveries of collected postal votes will be made from primary and secondary mail centres to addresses that will be agreed between yourselves and Royal Mail. Times of these deliveries will be dependent upon Royal Mail being able to maximise its collection, clearance and distribution of postal votes from the relevant mail centres.

All primary mail centres will be covered by the sweep arrangements, together with some 250 secondary mail centre sweeps that have either previously been covered by local arrangements for sweeps or are known to yield sufficient quantities of mail to make a secondary sweep viable. Details of your sweep will be communicated to you in due course by Royal Mail.

If you have any queries now on the arrangements for sweeps, please contact the Royal Mail postal voting helpline on 08456 564998. If you experience any issues in making your local arrangements, please contact your local Commission office.

Electoral Commission public awareness campaign

The Commission's campaign for the referendum and elections launches in Great Britain tomorrow. Information on the campaign and the related adverts can be found [here](#).

If local authorities receive any enquiries from members of the public regarding the campaign you can direct them to our website (www.aboutmyvote.co.uk) or, to speak to somebody in person, our helpline (0800 3 280 280).

Circulars and Publications

Today we have issued a circular to highlight the publication of the **Counting Officers' Expenses Guidance Notes**. The notes are also available on our website alongside other resources including claim forms, additional guidance notes on processes related to payment of fees for services, and an FAQ document that will be updated regularly to provide information on queries and any new issues as they arise.

We expect the official fees and charges order (The Referendum on the Voting System (Counting Officers' and Regional Counting Officers' Charges) Order 2011) to follow shortly, and once that is published we will also publish our regulations setting out the time and manner for submission of accounts (The Counting Officers', Regional Counting Officers' and Chief Counting Officers' Accounts (Parliamentary Voting System Referendum) Regulations 2011).

Meetings

The Elections and Referendum Steering Group are meeting next Thursday and will be discussing preparedness for the 5 May 2011 polls and arrangements for the 8 April rehearsal amongst other issues.

The minutes of the Communications Network meeting held on 10 March are now available on our [website](#).

If you have any comments or suggestions to make about the content or format of these bulletins then please contact Barbara Lines (blines@electoralcommission.org.uk)