

# Considerations for (A)ROs administering a UK Parliamentary election in cross-boundary constituencies

1.1 Administering a UK Parliamentary election in a cross-boundary constituency poses particular practical challenges, adding a layer of complexity to the discharge of an (Acting) Returning Officer's ((A)RO's) functions and how processes are carried out. For those (A)ROs with a cross-boundary constituency who are also facing combined polls, there are yet further challenges.

1.2 We have received specific requests to make available further guidance for (A)ROs who are responsible for a constituency crossing local authority boundaries. As (A)RO, your plans for administering the election will be well advanced already, but this document can be used as a check against existing plans and to help inform discussions that will already be taking place with staff from the other local authority/authorities in your constituency. At the end of this document you will find a checklist which sets out the key considerations that you and your project team should have worked through in making arrangements for the administration of the poll(s) in the cross-boundary constituency.

You will need to review your plans to ensure they outline your processes and the safeguards that you have in place, and that they reflect any cross-boundary considerations, as they will provide a sound basis for you to meet your data protection obligations.

Where there is a requirement for data to be transferred, you will need to ensure there is an agreement in place between you and the person receiving data for secure data transfer and destruction of data. Our [resource](#) on the EU General Data Protection Regulation and the Data Protection Bill contains more detailed advice on storing personal data securely and maintaining your document retention policy, including what it should contain.

## Project team

1.3 If you are an (A)RO administering an election in a cross-boundary constituency, you will need to ensure that all electors within the constituency, irrespective of which local authority area they live in, receive the same level of service. You will therefore need to work closely with the relevant Electoral Registration Officer (EROs), local government ROs and the relevant elections

staff from the other local authority/authorities to ensure the effective delivery of the poll(s). As set out in [Chapter 2, Part B: Planning and Organisation](#) of our general guidance for (A)ROs, you should already have established a project team to support you in carrying out your functions and delivering a well-run election.

1.4 The project team will need to agree how the election can be best administered in practice across the whole of the constituency. Your project team should include the relevant staff from the local authorities that are included within the constituency boundary and should meet on a regular basis.

## Practical management of specific (A)RO functions and drawing up of service level agreements

1.5 As (A)RO you will need to take a decision as to whether you will administer the poll(s) in those areas that fall outside your local authority area, or whether you will rely on the relevant local government RO(s) or other senior officers of the other local authority/authorities to do this on your behalf.

1.6 You will need to decide where you will be relying on the other local authority/authorities to practically manage specific aspects of the election in their area(s). In consultation with the project team you should also agree whether the discharge of any of your functions is going to be formally delegated and if so, which ones

1.7 You should document the decisions you make, detailing who will be responsible for the practical delivery of which aspects of the poll(s) taking place in your area. It is important that it is clear who is doing what in relation to each of the polls taking place in the constituency. Clearly documenting decisions and arrangements up front will help to avoid any future misunderstandings.

1.8 You should ensure that your project planning documentation explicitly demonstrates who will be responsible for what in practice and that your risk register reflects all relevant risks and mitigations. If you haven't already done so, you should also draw up a service level agreement (SLA) document, which should be agreed and signed by all relevant parties. You can use the main headings in this document as a guide for the types of areas which, as a minimum, the SLA should cover. You should also consider including a schedule or timetable detailing when specific processes and tasks are to take place.

While you can appoint deputies to discharge some or all of your functions and the local government RO(s) at the other local authority/authorities and their staff may practically manage some aspects of the election, the legal responsibility for the UK Parliamentary election (and, if you have other polls taking place in your constituency, the legal responsibility for the delivery of the combined functions) remains with you as the (A)RO. Whether you have formally delegated some or all of your functions or are relying on practical support from outside of your authority to help you deliver your functions, you should have mechanisms in place to ensure that you can receive the necessary assurances that the work is being carried out effectively and consistently, and to give you early warning if it is not.

## Media communications and public awareness

1.9 It is important that the information about the election communicated to voters by the (A)RO is consistent across the constituency.

1.10 Your project team will need to agree the public awareness strategy to be implemented across the constituency. The communication of key messages to voters, including the publication of information on local authority websites and liaison with the media, will need to be carefully co-ordinated. The project team should decide how the arrangements will be put into practice with the local authority communication teams. This will include who will be responsible for liaising with the media and press in the run up to the election, on polling day and during the count.

## Staffing

1.11 As (A)RO you should consider the impact that administering an election in a cross-boundary constituency will have on staffing requirements. For example, if you decide to practically manage the poll(s) across the constituency yourself, you will need to review your office staffing allocation to ensure that the office is adequately resourced.

1.12 Once you have agreed on who will be carrying out what functions in practice, the project team will need to agree who will be responsible for the arrangements associated with recruitment and training for the various election processes.

1.13 Key areas for decision include:

- Appointment of polling station and postal vote issue and opening staff
- Reporting lines
- Arrangements for staff payment

# Training

- All staff appointed should receive consistent training on the legislative requirements and responsibilities relevant to their role, as well as training on ensuring equal access, good customer care and the importance of handling personal data in line with data protection legislation.

1.14 As set out in [Chapter 3, Part B: Planning and organisation](#), the (A)RO training plan should reflect the decisions made by the project team about how training will be delivered to all staff who will be working throughout the constituency. Key areas for decision include:

- Responsibility for delivering the training of appointed staff
- Coordination of the arrangements for the various training sessions to ensure all staff receive the same quality of training
- Production of the training materials and resources

# Registers

1.15 As an (A)RO in a cross-boundary constituency you will need to liaise with all of the EROs for the constituency to obtain data from the registers – including data from the interim and final election notices of alteration.

1.16 Although the GDPR does not require a written agreement when sharing data between data controllers, it is strongly recommended that you agree with any other EROs a data sharing agreement/protocol. This will help you each demonstrate that you are acting in accordance with the GDPR and, importantly, will help to avoid any liability implications of one party being seen as a controller and the other being seen as a processor.

1.17 Depending on the extent to which you have decided practically manage the poll(s), you may need this information, for example, to allow you to print poll cards, create polling station registers or issue postal votes.

1.18 Key areas to be considered include:

- Transfer and receipt of electoral registration data
- Obtaining information on new electors as soon as possible after the publication of the interim notices of alteration and the final notice of alteration
- Receipt of the relevant absent voting data (see also [Absent voting](#) below)

1.19 As part of developing your arrangements, you will need to establish whether your software system can process data received from the other local authority/authorities, particularly where they use a different electoral management software system.

1.20 Even if you decide not to do the printing of poll cards, the production of polling station registers and/or the issue of postal votes yourself, you will still need statistical register information to enable you to keep your planning assumptions under review and ensure they are still accurate. An analysis of changes to the size of the electorate ahead of the last UK Parliamentary general election will provide you with a good starting point for estimating the likely percentage increase in electorate you can expect ahead of the poll, but you should also bear in mind the potential impact of the public engagement activity EROs will be carrying out and of online registration on the number of last-minute applications. Monitoring the monthly updates to the register leading up to the election period will also help you to keep your estimates under review and ensure plans continue to be robust.

1.21 Candidates will be entitled to the registers covering the area in which they are standing. You should decide how the requests for copies of the electoral register will be managed across the constituency.

1.22 As (A)RO you will also need to be satisfied that the nomination forms submitted by candidates are properly subscribed and this means having a mechanism in place for checking that subscribers are registered within the constituency. You should agree how you will carry out these checks, i.e. whether you will carry out those checks yourself (in which case you will need access to the register data) or ask the relevant EROs to carry out the checks on your behalf.

## Poll cards

1.23 You will need to decide whether to produce and distribute poll cards for the whole of the constituency or whether you will rely on the local RO(s) and their staff to practically manage the issuing of poll cards in their local authority area(s). Resources and the ease with which the other local authority/authorities can share electoral registration data with you will have a direct bearing on your decision.

1.24 If you are relying on the local RO(s) and their staff to practically manage the issuing of poll cards in their area(s), the project team will need to:

- Agree on poll card design and content, or decide on a mechanism for checking that information is communicated consistently across the constituency and you are satisfied with the design(s) used across the other local authority area(s)
- Agree timelines by which poll cards will be sent and delivered to all electors across the constituency
- Put mechanisms in place to allow you to confirm that poll cards have been sent as agreed across the constituency

1.25 If the decision has been made that your local authority's election team will administer the poll card process for the whole of the constituency area, the project team will need to consider the following:

- The timing of the data transfer required for printing
- How you will obtain the necessary data and ensure the security of the data
- How you can ensure that you can provide the data to printers in a format that they can use it, particularly if the data originates from an ERO with a different software system
- The contact details to be printed on the poll card for electors to call with enquiries
- You will also need to ensure any personal data is destroyed at the appropriate time, in accordance with your document retention policy.

## Ballot papers

1.26 You will need to decide who will practically manage the production of the ballot paper(s) to be used across the constituency.

1.27 As (A)RO you must be satisfied that the UK Parliamentary ballot papers are produced in accordance with the election rules and do not contain any printing errors. If a decision is made that the UK Parliamentary ballot papers are to be printed by the relevant local authority RO, there should be robust proof checking processes in place, as set out in the [chapter 5, Part C: Administering the poll](#). The same applies if there are other polls taking place within the constituency and it has been decided that you will be printing the ballot papers for all of the polls taking place across the constituency.

1.28 The project team should also agree the processes for providing the relevant ballot papers to polling stations and for inclusion in postal vote packs. For example, there may be instances where you have decided to print the ballot papers for the whole of the constituency, but the local RO(s) will be practically managing the polling stations. In those cases, you will need to agree how the printed ballot papers will be delivered to polling stations.

1.29 The project team will also need to agree on the arrangements that will be in place to safeguard the security of the ballot papers once they are printed and stored, as set out in [chapter 5, Part C: Administering the poll](#).

## Polling stations

1.30 As (A)RO you will need to consider the most effective way of managing polling stations which are outside your local authority area, and this should be done in consultation with the local government RO(s) and elections staff from the other local authority area(s).

1.31 In deciding whether to manage polling stations for the whole of the constituency or ask the other local government RO(s) to manage the polling stations in their area(s), you will need to consider the advantages and disadvantages of each approach. For example, managing the process for the whole of the constituency from your local authority may enable you to remain in more direct practical control of the management of polling stations, with

clear oversight and direct lines of accountability; however, this will have resource implications. Also, local government RO(s) and their staff will generally have better knowledge of any issues affecting their local authority area and are likely to be able to respond more quickly (for example, if the owner of a premises suddenly refuses to make a room available for polling, or if a polling station becomes unusable due to flooding or fire).

1.32 Key practical considerations include:

- Identifying who will be in charge of booking polling stations and any arrangements that are associated with this, such as making payments for hiring the stations
- Making arrangements for delivering and collecting the ballot boxes, polling booths and any other polling station materials and equipment
- Agreeing polling station stationery (such as style of and information on ballot paper accounts and labelling for ballot boxes)
- Identifying the main contact on polling day to deal with enquiries from polling stations and how they will communicate with the relevant elections and registration staff at the other local authority/authorities

1.33 A decision will also be needed on how tellers' activities will be managed at polling stations to ensure that a consistent approach is taken across the constituency.

## Absent voting

1.34 As (A)RO you should discuss with your project team which functions relating to postal voting and proxy voting will be practically carried out by yourself and, which ones if any, will be carried out by the other local government RO(s) and their staff. A key consideration that will feed into your decision is whether your electoral management software system can process data received from the other local authority/authorities.

## Postal voting

1.35 You will need to decide how you will manage the postal voting processes effectively across the constituency. For example, you will need to decide whether you will practically manage the issuing process for the whole of the constituency yourself or whether you will ask the local government RO(s) to manage the issuing process for that part of the constituency that falls within their local authority area. You will also need to decide on the arrangements for the verification of identifiers on returned postal voting statements.

1.36 The following considerations should feed into your decision:

- What resources you will need to carry out the issue and opening of postal votes for the whole of the constituency
- The proportion of the constituency that is contained in the other local authority area(s)

- Any other polls taking place in the constituency
- The management of data: in particular, the software systems which are being used by each of the local authorities and whether / how they are able to exchange the relevant data
- Arrangements for the checking of personal identifiers on returned postal voting statements received on polling day, including how this can be delivered in a timely way after the close of poll and without any delay to the verification and count

1.37 If the decision is taken that you will deal with the postal voting processes for the whole of the constituency yourself, the project team should also consider:

- The arrangements for the secure and timely transfer and receipt of data from the ERO for the other local authority area(s) within the constituency, including the relevant data for any new or existing electors who have applied for a postal vote
- When to exchange data, including arrangements for carrying out a test of the process ahead of the first scheduled transfer
- The method for communicating any last-minute additions to the list of postal voters. A late addition could result from an unconfirmed elector, who has applied to vote by post in time for the election, making a last-minute application to register individually. If they make an application to register individually and their application is positively determined by 10pm on polling day, they will be entitled to a postal vote.
- The arrangements for communicating information about changes to absent voting arrangements or dealing with questions about returned postal votes to ensure any action required by the ERO is carried out in the required timescales. For example, given a postal voter can change their absent voting arrangements up to 11 working days before the poll, but only if they have not yet returned their postal vote, you will need to have in place a means of exchanging the necessary information between you and all of the EROs in the constituency.
- The arrangements for issuing replacement postal ballot packs for lost/spoilt ballot papers
- You will also need to ensure any personal data is destroyed at the appropriate time, in accordance with your document retention policy.

1.38 If there are combined polls taking place in your constituency, whichever approach you decide to follow, you should also agree on the practical steps you will take to ensure that any postal votes that are returned to the wrong polling station are passed on in such a way that they can be considered to have been 'duly returned'. While postal votes can be returned to any polling station within the constituency at a standalone poll, where polls are combined, postal votes can only be returned to the electoral area that is common to all the polls taking place in that area.

## Proxy voting

1.39 Unlike postal voting, there is no need to check the identifiers of proxy voters. There are, however, still a number of practical considerations that the project team should consider and agree on if you are managing polling stations for the whole of the constituency, including:

- the arrangements for obtaining the list of ordinary proxies from all EROs in the constituency
- the method for all EROs communicating any additions to the list of proxies that result from the granting of emergency proxy applications

## Publication of notices

1.40 The project team should agree the arrangements for publishing relevant notices (such as the notice of election and statement of persons nominated) in 'conspicuous places' across the constituency.

1.41 The project team will need to consider:

- Where the notices will be published
- The format that notices will be supplied in
- Who will be responsible for printing the notices
- Who will be responsible for removing them at the appropriate time

## Notice of situation of polling stations

1.42 As set out in [chapter 5, part C: Administering the poll](#), the (A)RO is responsible for publishing the notice of election which can be combined with the situation of polling stations.

1.43 You will need to liaise with the local government RO(s) within your constituency to ensure you have all of the relevant information to enable you to produce the notice of situation of polling stations.

## Verification and count

1.44 The project team should agree the approach to be taken in respect of the verification and the count. It will be important to manage expectations, not only of the media but of all with an interest in the results. For practical guidance on the management of the count and media management, see our [Verification and count toolkit](#) . Key areas for consideration include:

- Arrangements for the delivery of ballot boxes and paperwork from the polling stations to the verification and count venue
- Processes for managing the verification of the ballot papers
- Arrangements to ensure the security of all ballot papers throughout the verification and count

- At combined polls, arrangements for transporting the verified ballot papers for the other polls to the relevant local authority/authorities

1.45 You will need to ensure you have processes appropriate to the risk in place to ensure a level of security of personal data at the verification and count.

## After the election

1.46 In England and Wales, as (A)RO you will need to liaise with the ERO of the local authority with the highest number of registered electors in the constituency. They will be the 'relevant ERO' to whom all election documents will need to be forwarded.

1.47 In Scotland, as RO you must retain and store securely the election documents for the constituencies you are responsible for.

1.48 You will also need to ensure personal data is destroyed at the appropriate time, in accordance with your document retention policy.

# Checklist

	Considerations	Comments
	(A)RO / project team	
<input type="checkbox"/>	Review your plans to ensure they outline your processes and the safeguards that you have in place and that they provide a sound basis for you to meet your data protection obligations.	
<input type="checkbox"/>	Reach agreement with all EROs and local government RO(s) from the other local authority/authorities on who will be doing what	
<input type="checkbox"/>	Agree and put in place a mechanism to provide the (A)RO with necessary assurances that any work being carried out on their behalf is carried out effectively and consistently, providing early warning if it is not.	
<input type="checkbox"/>	Where you will be sharing or transferring data with other EROs, ensure there is an agreement in place between you and the person receiving data for secure data transfer and destruction of data.	
	<b>Media communications and public awareness</b>	
<input type="checkbox"/>	Agree the public awareness strategy to be implemented across the constituency	

<input type="checkbox"/>	Agree the arrangements for the co-ordination of key messages and press releases, working with local authority communication teams as appropriate	
<input type="checkbox"/>	Agree who will be responsible for liaising with the media and press in the run up to the election, on polling day and during the count	
	<b>Staffing</b>	
<input type="checkbox"/>	Review staffing allocation, ensuring it remains appropriate	
<input type="checkbox"/>	Agree who will recruit and train polling station and postal vote opening staff	
<input type="checkbox"/>	Have in place clear reporting lines	
<input type="checkbox"/>	Agree arrangements for the payment of staff	
	<b>Training</b>	
<input type="checkbox"/>	Decide who will be delivering the training of appointed staff	
<input type="checkbox"/>	Agree who will co-ordinate the arrangements for the various training sessions	
<input type="checkbox"/>	Decide who will produce the training material and resources	
	<b>Registers</b>	
<input type="checkbox"/>	Establish whether your software system can process data received from the other local authority/authorities	

<input type="checkbox"/>	If you need information on new electors for printing out poll cards, polling station registers etc., put in place arrangements to obtain the information on new electors as soon as possible after the publication of the interim election notices of alteration and the final election notice of alteration	
<input type="checkbox"/>	Even if you do not need the registers for the practical management of the poll, arrange to obtain at least statistical information to ensure your plans remain robust	
<input type="checkbox"/>	Agree arrangements for how requests by candidates for copies of the electoral register will be handled	
<input type="checkbox"/>	Agree on process for checking subscribers	
	<b>Poll cards</b>	
<input type="checkbox"/>	Decide who will be practically managing the issue and printing of poll cards	
	<b>If printing and issue are practically managed by the local RO(s) and their staff in their area(s):</b>	
<input type="checkbox"/>	Agree on poll card design and content, or decide on a mechanism for checking that information is communicated consistently across the constituency and that you are satisfied with the designs used across the other local authority area(s) and	
<input type="checkbox"/>	Agree timelines by which you expect poll cards to be sent and delivered to all electors across the constituency	

<input type="checkbox"/>	Put mechanisms in place to allow you to confirm that they have been sent as agreed	
	<b>If you are administering the printing and issue of poll cards for the whole of the constituency:</b>	
<input type="checkbox"/>	Decide on the timing of the data transfer required to print poll cards	
<input type="checkbox"/>	Agree on how you will obtain the necessary data and ensure the security of the data	
<input type="checkbox"/>	Put in place a mechanism for ensuring that you can provide the data to printers in a format that they can use it, particularly if the data originates from an ERO on a different software system	
<input type="checkbox"/>	Agree the contact details to be printed on the poll card	
	<b>Ballot papers</b>	
<input type="checkbox"/>	Agree who will be responsible for practically managing the production of the ballot paper(s) to be used across the constituency	
<input type="checkbox"/>	Ensure robust proof checking process in place	
<input type="checkbox"/>	Agree the processes for providing the relevant ballot papers to polling stations and for inclusion in postal vote packs	
<input type="checkbox"/>	Arrangements in place for safeguarding security of ballot papers once they are printed and stored	
	<b>Polling station materials and equipment</b>	

<input type="checkbox"/>	Identify who will be in charge of booking polling stations and any arrangements that are associated with this, such as making payments for hiring the stations	
<input type="checkbox"/>	Agree arrangements for delivery and collection of ballot papers, ballot boxes, booths, other polling station equipment and notices	
<input type="checkbox"/>	Agree polling station stationery	
<input type="checkbox"/>	Agree who will be the main contact on polling day to deal with enquiries from polling stations and how they will communicate with the relevant elections and registration staff at the other local authority / authorities	
<input type="checkbox"/>	Agree the arrangements regarding tellers across the constituency	
	<b>Absent voting</b>	
	<b>Postal voting</b>	
<input type="checkbox"/>	Agree on who will practically manage the issuing of postal votes across the local authority and the arrangements for verifying returned postal votes	
	<b>If you are managing the postal voting processes for the whole constituency:</b>	
<input type="checkbox"/>	Agree the arrangements for the secure and timely transfer and receipt of data, including the relevant data for any new or existing electors who have applied for a postal vote	
<input type="checkbox"/>	Decide when to exchange the data and on the arrangements for testing the exchange	

<input type="checkbox"/>	Agree on method for communicating last minute additions to the list of postal voters	
<input type="checkbox"/>	Decide on the arrangements for communicating information about changes to absent voting arrangements, or for dealing with questions about returned postal votes	
<input type="checkbox"/>	Agree arrangements for issuing replacement ballot papers for lost/spoilt ballot papers	
<input type="checkbox"/>	Where there are combined polls, agree the steps to be taken to ensure that postal votes handed in at the wrong polling station can be considered to have been 'duly returned'.	
	<b>Proxy voting</b>	
<input type="checkbox"/>	If you are managing polling stations for the whole of the constituency, decide on the arrangements for obtaining the list of ordinary proxies from all EROs	
<input type="checkbox"/>	If you are managing polling stations for the whole of the constituency, agree with all EROs a method for communicating any additions to the list of proxies that result from the granting of emergency proxy applications	
	<b>Publication of notices</b>	
<input type="checkbox"/>	Agree where notices will be published	
<input type="checkbox"/>	Agree the format of the notices	

<input type="checkbox"/>	Agree who will be responsible for printing the notices	
<input type="checkbox"/>	Ensure you have all the relevant information and location of polling stations to enable production of notice of situation of polling stations	
<input type="checkbox"/>	Make arrangements for the co-ordinated publication of statutory notices within the constituency and on each local authority website	
<input type="checkbox"/>	Agree who will be responsible for removing notices at the appropriate time	
	<b>Verification and count</b>	
<input type="checkbox"/>	Agree the arrangements for the delivery of ballot boxes and paperwork from the polling station to the verification and count venue	
<input type="checkbox"/>	Agree processes for managing the verification of ballot papers	
<input type="checkbox"/>	Make arrangements to ensure the security of all ballot papers throughout the verification and count	
<input type="checkbox"/>	At combined polls, make arrangements for the transportation of verified ballot papers for the other polls to the relevant local authority/authorities	