

Referendum on the UK Parliamentary voting system: Campaigner update 19 April 2011

We issue updates to campaigners at the referendum on 5 May when we consider it helpful to do so.

This update contains:

- Notes from our referendum agents' briefing
- Deadline reminder: appoint your polling and counting agents!
- Postal voting agents
- A list of Regional Counting Officers and their contact details

Our briefing for referendum agents

We held a briefing for referendum agents on April 15. Invitations were sent to all registered campaigners.

The briefing included information on:

- Access to the count process for campaigners
- Verification and the count process
- The adjudication of doubtful ballots
- Recounts

The notes of the meeting are attached to this update as Appendix 1.

Reminder: appoint your polling and counting agents!

If you wish to appoint polling agents or counting agents, you **must** do so by the end of Tuesday 26 April.

You can only appoint these agents where you have already appointed a referendum agent. The deadline for appointing referendum agents was midday on Tuesday 7 April.

The referendum agent appointed for each counting area must make the appointments. The number of counting agents will vary – the counting officer for each area will be able to confirm local arrangements.

You can find guidance on the roles of polling and counting agents and the relevant forms on our [guidance page](#).

Remember that if the referendum agent will not be present at a local count, one of the counting agents will need to be designated as the person able to request a recount and witness the adjudication of doubtful ballots. This designation **must** be made at the time of their appointment.

We have added a tick box onto our form which you can use to designate a counting agent.

Postal voting agents

You may also wish to appoint agents to attend postal voting opening sessions. As with polling and counting agents, only a referendum agent can make these appointments.

There is no formal deadline to appoint postal voting agents, as long as the Counting Officer is notified before the relevant sessions take place.

Counting Officers will be able to give details of when sessions will be held.

For more information on the role of postal voting agents, and a notification form, see our [guidance page](#).

List of Regional Counting Officers

Arrangements for regional count events are made by Regional Counting Officers.

You can find a list of Regional Counting Officers and contact details at Appendix 2 to this update.

Where you can find more information

We are always happy to give campaigners advice on how to comply with the rules.

For advice, or to sign up to receive these updates, please contact us on 020 7271 0616, or pef@electoralcommission.org.uk, or at:

Party and Election Finance
The Electoral Commission
3 Bunhill Row
London
EC1Y 8YZ

You can also contact:

Scotland Office

38 Thistle Street
Edinburgh EH2 1EN
Tel: 0131 225 0200
Fax: 0131 225 0205
Textphone: 18001 0131 225 0200
infoscotland@electoralcommission.org.uk

Wales Office

Caradog House
1-6 Saint Andrews Place
Cardiff CF10 3BE
Tel: 029 2034 6800
Fax: 029 2034 6805
Textphone: 18001 029 2034 6800
infowales@electoralcommission.org.uk

Northern Ireland Office

Seatem House
28-32 Alfred Street
Belfast BT2 8EN
Tel: 028 9089 4020
Fax: 028 9089 4026
Textphone: 18001 028 9089 4020
infonorthernireland@electoralcommission.org.uk

Appendix 1

Notes of referendum agents' briefing on 15 April 2011

The briefing took place at The Electoral Commission's office at 3 Bunhill Row, London EC1Y 8YZ.

In attendance:

Max Caller CBE, Deputy Chief Counting Officer

Andrew Scallan, Director of Electoral Administration, The Electoral Commission

Ros Baston, Lead Adviser (Campaigners), The Electoral Commission

Representatives from Yes in May 2011 Ltd, No Campaign Ltd and the Conservative Party.

1. The Deputy Chief Counting Officer's briefing

The role of the Deputy Chief Counting Officer

- 1.1. Max Caller explained that he has been appointed as Deputy Chief Counting Officer by Jenny Watson, the Chief Counting Officer. Part of his role is to oversee the result collation process across the United Kingdom.

Access to the count process for campaigners

- 1.2. Votes will be counted at local level, and collated first at regional and then at national level.
- 1.3. At local level, referendum agents can appoint counting agents to attend the count to observe the process. Appointments can only be made by the referendum agent. So, if a campaigner has not appointed a referendum agent for a counting area, they will not be entitled to have any representatives at that count.
- 1.4. Referendum agents should contact the Counting Officer for information about how many counting agents can attend each local count. It should be noted that counting agents must not touch ballot papers, although they may point to ballot papers that have been placed in the wrong pile, or which should be adjudicated.
- 1.5. If a referendum agent is unable to attend a local count, they can appoint one of their counting agents to have the right to request a recount for that area. If no appointment is made, and the referendum agent is not physically present at the count, no recount can be requested on behalf of that campaigner.

- 1.6. The deadline for appointing counting agents is Thursday 26 April, and no additional appointments can be made after this date. The referendum agent can change the names of existing counting agents but this must be done in advance and notified to the Counting Officer.
- 1.7. Campaigners should contact Regional Counting Officers for details of regional events, as arrangements vary. However, it should be noted that no access will be given to the room in which the results are being collated.
- 1.8. The national result event will be held at the ExCel Centre, London. Registration to attend is via our website. Each of the lead campaign groups, Yes in May 2011 Ltd and No Campaign Ltd, will be invited to nominate someone who can be consulted by the Chief Counting Officer or Deputy Chief Counting Officer if necessary. There will not be any campaigner access to the room in which the results are being collated (known as the 'hub').

Verification

- 1.9. Verification is the process by which the number of ballot papers in each ballot box is checked against the number issued in the polling station.
- 1.10. Verification will take place at different times in different areas, due to the other polls taking place on 5 May. Local counting officers will be able to confirm details for their area.
- 1.11. It is anticipated that 65% of counting areas will begin verification as soon as possible after polls close. The remainder are likely to begin verification from 8.30 on 6 May.
- 1.12. As the referendum is a national event with a single result, it is important that the verification figures are as accurate as possible, to make sure that all votes are counted and the result is correct. To achieve this, there will be a quality control process flowing from local to regional and national level to address discrepancies.

The count process

- 1.13. The votes will begin to be counted at 4pm on 6 May.
- 1.14. When a Counting Officer believes that they have the local total for votes for each outcome in their area, they must consult the Regional Counting Officer. They will do this before consulting any agents present. If there is a discrepancy between this total and the number of ballot papers that were verified, the Regional Counting Officer may decide to direct a recount to take place.

- 1.15. If no recount is directed, the Regional Counting Officer will authorise consultation with the agents present. If any agent requests a recount, the process set out in paragraphs 1.20 – 1.23 is followed.
- 1.16. Then, the Regional Counting Officer will direct the Counting Officer to certify the total.
- 1.17. At all stages of the count process, campaigners must maintain the secrecy of the ballot, and we expect Counting Officers to be rigorous in ensuring that the requirements are met. There are criminal offences for breaches of these requirements, including sharing information from postal vote opening sessions and trying to find out the unique number of any particular ballot paper. There is guidance on the secrecy requirements on our website.

The adjudication of doubtful ballots

- 1.18. To ensure consistency across the United Kingdom, the Chief Counting Officer has given a direction as to the treatment of doubtful ballots. You can find a placemat showing how particular instances will be handled on our website. The key principle is to give effect to the voter's intention wherever possible.
- 1.19. Doubtful ballots will be adjudicated in the presence of any available referendum or counting agents.

Recounts

- 1.20. Guidance has been issued to Counting Officers about the circumstances in which a recount is appropriate. As described earlier, if the Regional Counting Officer has doubts about the accuracy of a local total, they can order a Counting Officer to recount the votes. Recounts can only take place at local level, and not across a region or across the UK.
- 1.21. Referendum agents, or a counting agent designated for this purpose, can request a recount. A Counting Officer can only refuse a recount after consulting the Regional Counting Officer.
- 1.22. The test for holding a recount is that the count appears to be inaccurate in some way, and not whether or not the local total or national picture is particularly close between the two outcomes. This is because the referendum is a national event, and only the accuracy of the national total is relevant. For example, factors to consider would include whether there is a discrepancy between the total votes counted, and the verification total.
- 1.23. Where a recount is not appropriate, the Counting Officer may conduct a bundle check, to make sure that the bundles of votes are stacked against the correct outcome, and that the bundles contain only votes for one outcome.

2. Tellers and polling day campaigning

- 2.1. Ros Baston outlined some key points relating to tellers and polling day campaigning.
- 2.2. The key principle is that voters should be able to vote in private and without feeling intimidated or harassed. It is about how voters perceive activity, rather than what campaigners intend. For example, leafleting near polling stations, or large banners or groups may seem intimidating to some voters, even if the campaigners only intend to make a final appeal for support.
- 2.3. If the Presiding Officer of a polling station is concerned, they may ask campaigners to move on, and this advice should be followed.
- 2.4. Our guidance for tellers is available on our website. Key points include:
 - 2.4.1. voters are not obliged to give any information to tellers,
 - 2.4.2. tellers should not discuss campaign arguments or hand out leaflets
 - 2.4.3. tellers should wear badges or rosettes to show that they are campaigners and not officials, but no other significant branding
 - 2.4.4. only one teller per polling station entrance is allowed
 - 2.4.5. any instructions from the Presiding Officer should be followed.

Appendix 2

Regional Counting Officers

Region	Regional Counting Officer	Email contact	Telephone contact
North East	Dave Smith	elections@sunderland.gov.uk	0191 561 1144/ 1143
North West	Sir Howard Bernstein	esu@notes.manchester.gov.uk	0161 234 5000
Yorkshire and the Humber	Joanne Roney	elections@wakefield.gov.uk	01924 305 023
Eastern	David Monks	elections@Huntsdc.gov.uk	01480 388017/ 388018
East Midlands	David Cook	elecereg@kettering.gov.uk	01536 534353
West Midlands	Stephen Hughes	elections@birmingham.gov.uk	0121 303 2731
London	Barry Quirk	electoral.services@lewisham.gov.uk	020 8314 6086
South East	Mark Heath	elections@southampton.gov.uk	023 8083 4135
South West	Paul Morris	electoral.services@poole.gov.uk	01202 633097
Scotland	Mary Pitcaithly	elections@falkirk.gov.uk	01324 506111
Wales	Bryn Parry-Jones	Gillian.King@Pembrokeshire.gov.uk	01437 764 551