



The
Electoral
Commission

Candidates and agents Briefing

Warwickshire County Council and
Police and Crime Commissioner Elections
6 May 2021



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Topics

- who's who
- key dates of the election timetable
- public health principles in light of coronavirus
- Election Offences
- qualifications
- disqualifications
- nominations
- agents
- postal votes
- the poll
- counting of votes
- candidate spending
- contacts



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Who's who

- **The Returning Officer of Warwickshire County Council** is the person with overall responsibility for running the election. She has appointed David Buckland as the Deputy Returning Officer for the Stratford-on-Avon electoral divisions.
- **The Electoral Registration Officer** is responsible for maintaining the register of electors and absent voters' lists. The Electoral Registration Officer is David Buckland
- Contact details are provided later



Who's who

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The Police Area Returning Officer (for the PCC election) is the Returning Officer for Warwick District Council

David Buckland is the Local Returning Officer for the Stratford-on-Avon district



Election timetable

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Publication of Notice of Election	19 March
Nominations commence	20 March
Close of nominations	4pm – 8 April
Notification of appointment of election agents	4pm – 8 April
Publication of statement of persons nominated	4pm – 9 April
Deadline for applications to register to vote	Midnight – 19 April
Deadline for new postal vote applications /changes to existing postal or proxy vote applications	5pm – 20 April
Publication of notice of poll/situation of polling stations	27 April



Election timetable (cont'd)

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Deadline for applications for new proxy votes	5pm – 27 April
Appointment of counting and polling agents	28 April
Polling day	6 May – 7am to 10pm
Deadline to apply to vote by proxy on grounds of medical emergency or if unexpectedly called away because of employment or service	5pm – polling day
Replacement for lost/spoilt postal votes ends	5pm – polling day
Alterations to register to correct clerical error	9pm – polling day
Return of election expenses	+ 35 days from result



Staying safe – Covid considerations

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General public health principles that everyone should follow in all aspects of daily life, including participating in elections:

- Maintain social distancing
- Clean hands regularly
- Avoid touching your face
- Wear a face covering where necessary
- No-one should attend any electoral events if they are unwell, symptomatic with COVID-19, a confirmed case or a confirmed contact of someone who is self-isolating



Election Offences

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Police Single Point of Contact (SPOC) is:
Detective Constable Alison Roberts
Outline of election offences and how to
avoid them:

- false statements in nomination papers
- false statements as to candidates
- offences relating to postal votes
- election expenses
- Penalties
 - illegal practice
 - corrupt practice



Conduct of candidates and supporters

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There are two key principles to adhere to (from Electoral Commission):-

1. Candidates and supporters should assist in the efficient and secure administration of elections and uphold the secrecy of the ballot
2. No candidate or supporter should place themselves in a situation where their honesty or integrity, or that of their party or candidate, can be questioned

Electoral Commission produces the following literature:

- “Guidance for candidates and agents”
- “Code of Conduct for campaigners: electoral registration, postal voting, proxy voting and polling stations”
- “Tellers do and don'ts”



College of Policing Authorised Professional Practice

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- All allegations relating to elections should be reported to myself as the force election SPOC. However I would ask that you **seek the advice of the Electoral Services staff before reporting** as it may be that simple problems can be resolved at that point rather than escalating to a formal criminal enquiry.
- For every accusation **the complainant is expected to provide an evidential statement** – no statement means that there cannot be a full and thorough investigation. Hearsay is not acceptable. Therefore any unsubstantiated third party allegations will not be investigated.
- Allegations are prioritised appropriately by the SPOC. With the SPOC deciding when a matter is investigated this prevents any suggestion that the Police investigation may have caused detriment to any particular campaign.
- Once an investigation is complete the SPOC will liaise with the Crown Prosecution Service.



Local Policing during campaign and on the day of the event

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Lockdown restrictions

- The UK Government proposes to allow for two months of outdoor campaigning in the run up to May's polls, to support free and fair elections. All activity will still need to adhere to rules regarding social distancing and limits on gatherings. The number of campaigners operating together should be kept to an absolute minimum and a minimum 2 metres distance should be maintained between them at all times.
- Campaigners should not enter a private home. Campaigners may speak to electors on their doorsteps, maintaining at least 2 metres distance at all times. All campaigners should follow the guidance on how to stop the spread of coronavirus at all times, including the wearing of masks.
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- Any allegations of COVID breaches should be reported to Warwickshire Police via 101 or online at www.warwickshire.police.uk – NOT TO THE SPOC.

Polling Day

- Local Officers will police during the event and they will pay passing attention to the polling stations.
- In the event of offences such as public order, criminal damage or assault, then local uniform staff will deal with these.



Qualifications

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- Candidates must satisfy criteria on the day they are nominated **and** on polling day:
 - be at least 18 years of age
 - be a British, qualifying Commonwealth citizen, or national of an EU member state.
- Also at least one of the following:
 - Registered local government elector for local authority area
 - Occupied as owner or tenant any land or premises in the local authority area during the whole 12 months preceding nomination
 - Principal or only place of work (including unpaid) during last 12 months in local authority area
 - Lived in the local authority area during the last 12 months



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Disqualifications

A person **cannot** be a candidate if they:

- are **employed by the local authority** or hold a paid office under the authority (including joint boards or committees). Candidates may be 'employed by the local authority' if they work at certain schools, fire services, police or health services
- are subject of a **Bankruptcy Restrictions Order** (or interim restrictions order) in England or Wales
- have been sentenced to a term of **imprisonment** of three months or more (inc. suspended sentence) without option of a fine, during the 5 years before polling day
- are serving a disqualification due to being found guilty of a **corrupt or illegal practice** by an election court
- hold a **politically restricted post**



Submitting nomination papers

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- The documents that must be submitted by all candidates by 4pm on 8 April are:
 - the nomination form
 - the home address form
 - the consent to nomination
- Party candidates will also need to submit, by 4pm on 8 April:
 - A certificate authorising the use of a party name/ registered description on the ballot paper
 - A written request to use one of the party's emblems on the ballot paper (optional)



Submitting nomination papers

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- Take care when completing your nomination papers, as mistakes may invalidate your nomination
- Complete nomination papers early and arrange for us to provide an informal check
- 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.



Nomination form

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- Optional: use commonly used name box(es) if commonly known by a name other than actual name and wish to use it instead. But you cannot use your first name as a commonly used name to exclude your middle name.
- Description field – 3 options:
 - leave blank
 - Independent
 - party candidates can use party name or description authorised by a certificate issued by or on behalf of the Nominating Officer



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Nomination form

- Subscribers: two subscribers are required.
- Must sign & print their names. Check details of subscribers against electoral register.
- Only ask subscribers to sign **after** completing the name, address and description fields on the form.
- When collecting signatures, it is important that you follow the latest government guidelines on social distancing, face coverings and hand hygiene, as well as the latest government guidelines on local restrictions
- Data protection requirements



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Home address form

- Part 1 of the home address form must state:
 - your full name and home address in full
 - your qualifying address, or, where you have declared on your consent to nomination that you meet more than one qualification, your qualifying addresses
 - which of the qualifications your qualifying address or addresses relate to (a, b, c and/or d)
 - the full name and the home address in full of the witness to your consent to nomination



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Home address form (cont)

- Part 2 of the home address form must be completed if you do not want your address to be made public:
 - The name of the relevant area in which your home address is situated (if your home address is in the UK),
 - if you live outside the UK, the name of the country in which your home address is situated.



Consent to nomination form

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- Must include:
 - name
 - which area standing in
 - confirmation of qualification(s) that apply (at least 1, but select all that apply)
 - date of birth & signature
 - date of consent
 - witness' name and signature



Certificate of authorisation

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- Party candidates must have written permission to use the party name/description from the Nominating Officer (or a person authorised to act on their behalf)
- The certificate may:
 - allow the use of the party name or a particular description
 - allow candidate to choose whether to use the party name or any of the descriptions registered with the Electoral Commission
- Must be submitted by 4pm on 8 April



Emblem request form

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- Party candidates can ask for an emblem to be printed on the ballot paper
- Emblem request form must be submitted by 4pm on 8 April
- Party candidates should supply an electronic version of the emblem to the Deputy Returning Officer if required



Joint candidates

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- Nominated by **more than one party**
- May use registered joint descriptions
 - must be supported by certificate of authorisation **from each party**
- May use one emblem of one of the parties but there are no joint emblems



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Election agent

- Responsible for the proper management of your election campaign; particularly its financial management.
- Notification of appointment must reach the DRO by 4pm on 8 April. Form is included in nomination pack.
- You will become your own agent by default if none is appointed.



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Other agents

- Other agents can be appointed to attend postal vote openings, polling stations and the count on your behalf:
 - You must give notice in writing of any people appointed as polling and counting agents by 28 April.
 - The appointment of postal voting agents attending a particular opening session must be made before the start of the session. We will notify details of opening sessions after close of nominations.



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Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate:
 - earliest, on 29 March if you, or others declared yourself a candidate
 - once you or others have declared yourself a candidate after this date / date you submit your nomination papers
- Make **written** request to the ERO – form is included in your nomination pack.



Access to
electoral
register /
absent voting
lists

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- Only use data for permitted purposes
 - to complete the nomination form
 - to help you campaign
 - to check that donations/loans are permissible



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Registration

- As a candidate you are uniquely placed to encourage people to register to vote.
- You should encourage people to register as soon as possible.
- The deadline for applying for the election is 19 April.
- Individuals can apply to register online at **<https://www.gov.uk/register-to-vote>**. It only takes a few minutes.



Registration

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- When discussing registering to vote with individuals, you will need to make them aware that they will need to provide:
 - their National Insurance number
 - date of birth and address
- People who do not have / cannot retrieve their National Insurance number can still register, but they may need to provide further information. If so, they will be contacted by the ERO.



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Absent voting

- If you are encouraging people who don't have a postal (or proxy) vote to apply for one, make sure you explain that they will only qualify for one in time for the elections if they are (or will be) registered in time to vote at the elections.



Campaigning

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- The UK government has updated guidance to confirm that door to door campaigning or leafleting can now be carried out
- Latest guidance is available here:
<https://www.gov.uk/government/news/covid-secure-election-campaigning-will-go-ahead>
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Campaigning dos and don'ts

- Do use imprints on all your campaign material, including websites.
- Do comply with planning rules relating to advertising hoardings and large banners.
- Do make sure outdoor posters are removed 2 weeks after the election.
- Do not produce material that looks like a poll card.
- Do not pay people to display your adverts (unless they display adverts as part of their normal business).



Code of conduct for campaigners

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- Campaigners are an essential element of a healthy democracy, but their activities should not bring into question the integrity of the electoral process.
- Electoral registration and absent vote applications:
 - Ensure forms fully conform to the requirements of electoral law
 - Include the ERO's address for the return of forms
 - Ensure unaltered applications are sent to ERO within **two working days**.
 - Make sure electors understand implications of applying for an absent vote.
 - Do not encourage postal ballot pack redirection.
 - Do not encourage electors to appoint a campaigner as proxy.



Code of conduct for campaigners

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- **Postal ballot packs:**
 - Never touch a postal ballot paper
 - Never observe electors completing their postal vote.
 - Never handle or take any completed ballot paper or postal ballot pack from voters
- **Campaigning outside polling stations:**
 - You are allowed to put your messages to voters on polling day, including public spaces outside polling places.
 - Keep access to polling places and the pavements around polling places clear to allow voters to enter.



Polling day

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- We have put arrangements in place to ensure that polling stations are safe places to vote
- Most of the measures that will be in place will be familiar to us all from visiting other public places such as shops and banks, for example floor markings to ensure social distancing and the provision of hand sanitiser on entry and exit
- Voters will be encouraged to bring their own pen or pencil for use in polling stations, but pencils will also be made available for anyone who needs one
- Voters should be encouraged to check their poll card before polling day, to see if their polling station has changed since previous elections.



Polling day

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- Polling stations open from 7am to 10pm
- Office open 6.30am to 10pm for queries or problems relating to the administration of the election
 - for queries relating to election finance issues, contact the Electoral Commission (*contact details shown later*)
- Voters in the polling station or in a queue outside the polling station at 10pm can apply for a ballot paper
- Postal votes – can be handed into polling stations within the electoral division or delivered to the elections office until 10pm.
- A person in a queue at a polling station at 10pm waiting to hand in a postal vote can do so after 10pm.



Counting of votes

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- We have also made adaptations to the verification and count in light of the public health situation.
- The anticipated duration of the count is likely to be longer than usual because of the impact of measures to ensure the safety of staff and observers.
- Verification will take place on close of poll for all polls
- WCC election count and NPRs on Friday 7 May – two sessions: 10.00am and 1.30pm
- PCC count on Monday 10 May at 10.00am



Counting of votes

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- The verification for all polls will be held at the Stratford Leisure Centre
- The count for the WCC election will be held at the Leisure Centre
- The PCC count will be held in the Council Chamber at the Council offices in Church Street
- Candidates, election agents, counting agents and one other person appointed by the candidate are entitled to attend.
 - limits to counting agents due to Covid-19



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Spending issues





Candidate spending

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- Defined as certain expenses ‘used for the purposes of the candidate’s election’ during the regulated period.
- Responsibility of **election agent**
- Limit on expenses:
 - £806 + 7 pence per elector in division on register in force on 19 March 2021
 - reduced for joint candidates
- Must get and keep receipts (over £20)



Candidates' spending returns

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- Returns due 35 calendar days after result of election
- Returns made public by **Returning Officer**
- Sample of returns may be reviewed by the **Electoral Commission**
- Failure to submit a spending return is a criminal offence enforceable by police
- No spending will be reimbursed



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Contacts





Contacts

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- Elections office –

David Buckland 01789 260425

Email: david.buckland@stratford-dc.gov.uk

Caroline Nash 01789 260208

Email: caroline.nash@stratford-dc.gov.uk

Roger Davies 01789 260216

Email: roger.davies@stratford-dc.gov.uk

Police SPOC: DC Alison Roberts

Tel: 07814 045601 Email:

Alison.Roberts@warwickshire.pnn.police.uk

- Electoral Commission: 0333 103 1928



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Questions





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Thank you

