

Candidates and agents Briefing

Council elections in Scotland

7 April 2022

The Electoral Commission

Topics

- who's who
- key dates of the election timetable
- directions from EMB
- [public health principles in light of coronavirus]
- agents
- postal votes
- campaigning
- the poll
- the count
- candidate spending
- contacts

The Electoral Commission

Who's who

- The Returning Officer is the person responsible for running the elections. The Returning Officer is **Eileen Howat**
- The Electoral Registration Officer is responsible for maintaining the register of electors and absent voters' lists. The Electoral Registration Officer is **Magnus Voy**
- Contact details are provided later.

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Election timetable

Publication of notice of election - 14 March 2022 The Convener of the Electoral Management Board has directed the date on which all Returning Officers must publish the notice of election	No earlier than [E – 35] and no later than [E – 28]
Nominations commence - 15 March 2022	[The first working day after the notice of election is published]
Close of nominations / last time to withdraw - 30 March 2022	4pm on [E – 23]
Notification of appointment of election agents - 30 March 2022	4pm on [E – 23]

Election timetable (cont'd)

Publication of notice of poll/situation of polling stations - 30 March 2022	As soon as practicable after 4pm on [E – 23]
Deadline for applications to register to vote - 18 April 2022	Midnight on [E - 12]
Deadline for new postal votes/changes to existing postal or proxy votes - 19 April 2022	5pm on [E – 11]
Deadline for applications for new proxy votes - 26 April 2022	5pm on [E – 6]
Appointment of polling and counting agents - 27 April 2022	[E – 5]
Polling day - 5 May 2022	[E – 0] 7am to 10pm

Election timetable (cont'd)

Deadline to apply for new applications to vote by proxy on grounds of medical emergency or if unexpectedly called away because of employment or service	5pm on polling day
Replacement for lost/spoilt postal votes ends (At elections on or after 5 May 2022)	10pm – on polling day
Alterations to register to correct clerical error	9pm – on polling day
Return of candidate spending return 10th June 2022 if result declared on 6th May	+ 35 calendar days from declaration of result

Directions from Convener of Electoral Management Board for Scotland

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Ballot Paper - Colour of Ballot Papers	Ballot papers must be white: tendered ballot papers must be pink
Ballot Paper - Official Mark	The Official Mark used for polling stations must be different from those issued in postal vote packs.
Notices	Returning Officers must publish the Notice of Election on 14 March 2022
Poll Cards	1st run of poll cards dispatched – 15/16 March 2022
Absent Votes	1st delivery of postal ballot packs are passed from printers to postal services on 14 April 2022 for dispatch by first class post
Second Interim Election Notice of Alteration	Electoral Registration Officers must publish Second Interim Election Notice of Alteration (SIENA) on 8 April 2022

Directions from Convener of Electoral Management Board for Scotland

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Absent Votes	At least three issues of postal ballot packs
Verification and Count	Ballot boxes are opened after 8am and not later than 9.30am on 6 May 2022 . No overnight counting of votes
Postal Votes	Royal Mail sweep to be undertaken to ensure that as far as possible all postal packs in the system are recovered
Verification and Count	All Returning Officers must ensure that the Candidate First Preference Vote bar chart is clearly displayed during the scanning/adjudication for each contest
Declaration of Results	The 'Declaration of Results' report generated by the eCount system provides a script that the Returning Officer must use in declaring the result in each Ward

Use slide only if
relevant

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Staying safe – Covid considerations

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

- Keep your distance where possible
- 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, are legally required to self-isolate

Election agent

- Responsible for the proper management of your election campaign; particularly its financial management.
- You will become your own agent by default if none is appointed.

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 **Wednesday 27 April 2022**.
- Postal vote openings
 - The appointment of postal voting agents attending a particular opening session must be made before the start of the session. We will give 48 hours' notice.
 - A maximum of one agent on behalf of each candidate will be permitted at each opening session

- Polling agents
 - There is no limit on the number of polling agents that may be appointed, however, only one polling agent per candidate may be admitted to a polling station at any one time
- Counting agents
 - A total of 5 agents (including candidate and agent) will be allowed to observe the verification and counting processes relating to the contest for which they have been appointed.
 - Two persons per candidate (from candidate, agent and counting agents) are entitled to observe the verification of unused ballot papers in County Buildings following close of the Poll

Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate:
 - earliest, on **23 March 2022** if you, or others declared yourself a candidate; or
 - once you or others have declared yourself a candidate after this date or on date you submit your nomination papers, whichever is earliest
- Make **written** request to the ERO – forms are available from the office / are included in your nomination pack.

Access to
electoral
register /
absent voting
lists

- You can use your copy of the electoral register and absent voting lists for campaigning purposes.
- Only use data for this permitted purpose!

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 **18 April 2022**.
- Individuals can apply to register online at **<https://www.gov.uk/register-to-vote>**. It only takes a few minutes.

Registration

- 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.

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 at the elections if they are (or will be) registered in time to vote at the elections.

Postal vote opening procedure

- **Four stage process:**
 - Open the postal voters' ballot box
 - Verify the personal identifiers on the returned postal voting statements
 - Opening the postal ballot paper envelopes (envelopes 'A')
 - Sealing the postal ballot boxes
- **Two stage adjudication process**
- **Final opening of postal votes**

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).
- The display of campaign material on any Council property is prohibited.

Code of conduct for campaigners

- 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

- 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.
 - Campaigning is not permitted within a polling station or polling place - i.e. not within the area delineated by the red line boundary for each polling place.

Polling day

- We have put arrangements in place to ensure that polling stations are safe places to vote
- Any 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 encourage people to keep their distance 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
- Single use pencils will be available at every polling station
- Voters should be encouraged to check their poll card before polling day, to see if their polling station has changed since previous elections.

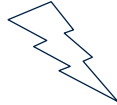



Polling day

- Polling stations open from 7am to 10pm
- Office open 6.30am to 10pm for queries or problems relating to the administration of the elections
 - 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 council area 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.

How to mark the ballot paper at council elections

- Voters will rank candidates in their order of preference using numbers (1, 2, 3, 4, 5, 6, etc).
- Voters can rank as many or as few candidates as they wish.
- The same number cannot be used twice and there should not be a break in the sequence.

Ballot papers

BALLOTSHIRE COUNCIL: ANYTOWN & DISTRICT WARD		
Three of the candidates listed below will be elected. You can make as many or as few choices as you wish.		
Put the number 1 in the voting box next to your first choice. Put the number 2 in the voting box next to your second choice. Put the number 3 in the voting box next to your third choice. And so on.		
ANDERSON Hans 57 Easter Road, Anytown Rowan Party		<input type="checkbox"/>
CRANSTON Helen 912 Main Street, Anytown Beech Party		<input type="checkbox"/>
FLEMING Douglas Martin 112 South Street, Anytown Independent		<input type="checkbox"/>
HAMILTON Flora 45 Hill Place, Anytown Willow Party		<input type="checkbox"/>
KUMAR Kuldip 3 Castle Wynd, Anytown Elm Party		<input type="checkbox"/>

Counting of votes

- The count will be held at the Citadel Leisure Centre, South Harbour Street, Ayr, KA7 1JB
- Ballot papers will be counted electronically
- Count centre will open to candidates and agents in receipt of appropriate passes from 7.45 am. Count will commence at 8.00am
- Candidates, election agents, counting agents and one other person appointed by the candidate are entitled to attend.
 - limits to counting agents

Allocation of seats

- The voting system used at council elections is the **Single Transferable Vote**
- Candidates who reach a minimum number of votes known as the quota will win a seat. The quota is calculated as follows:

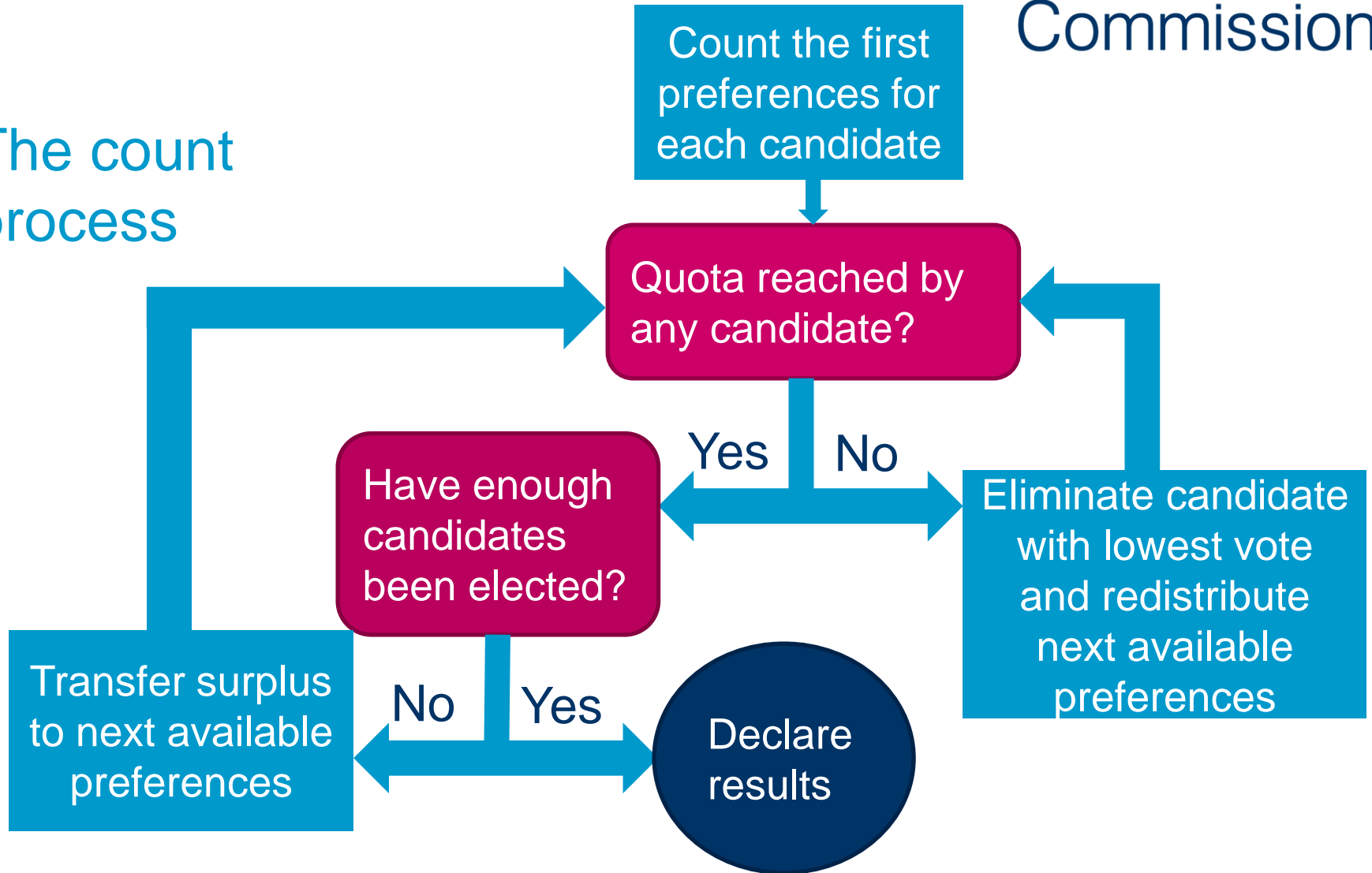
$$\left[\frac{\text{Total number of valid ballot papers}}{\text{Number of councillors to be elected} + 1} \right] + 1$$

Allocation of seats

- **Surpluses** of candidates who reach the quota are transferred to the voters' next choice. If there are still seats to fill after all the surpluses have been transferred, the candidate with the fewest votes will be **excluded** and their votes will be redistributed.
- The e-counting system will perform these calculations and produce a detailed report which will be shared with candidates and agents.

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The count process



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Electronic Counting – Key stages



Reception



Registration



Scanning



an Tigh Ward Polling Stations					
Ballot Box	# Registered	# Scanned	# Removed	# Rescans	Difference
BALLOT BOX 301	98	98	0	0	0
BALLOT BOX 440	1	1	0	0	0

Verification



Adjudication



Count

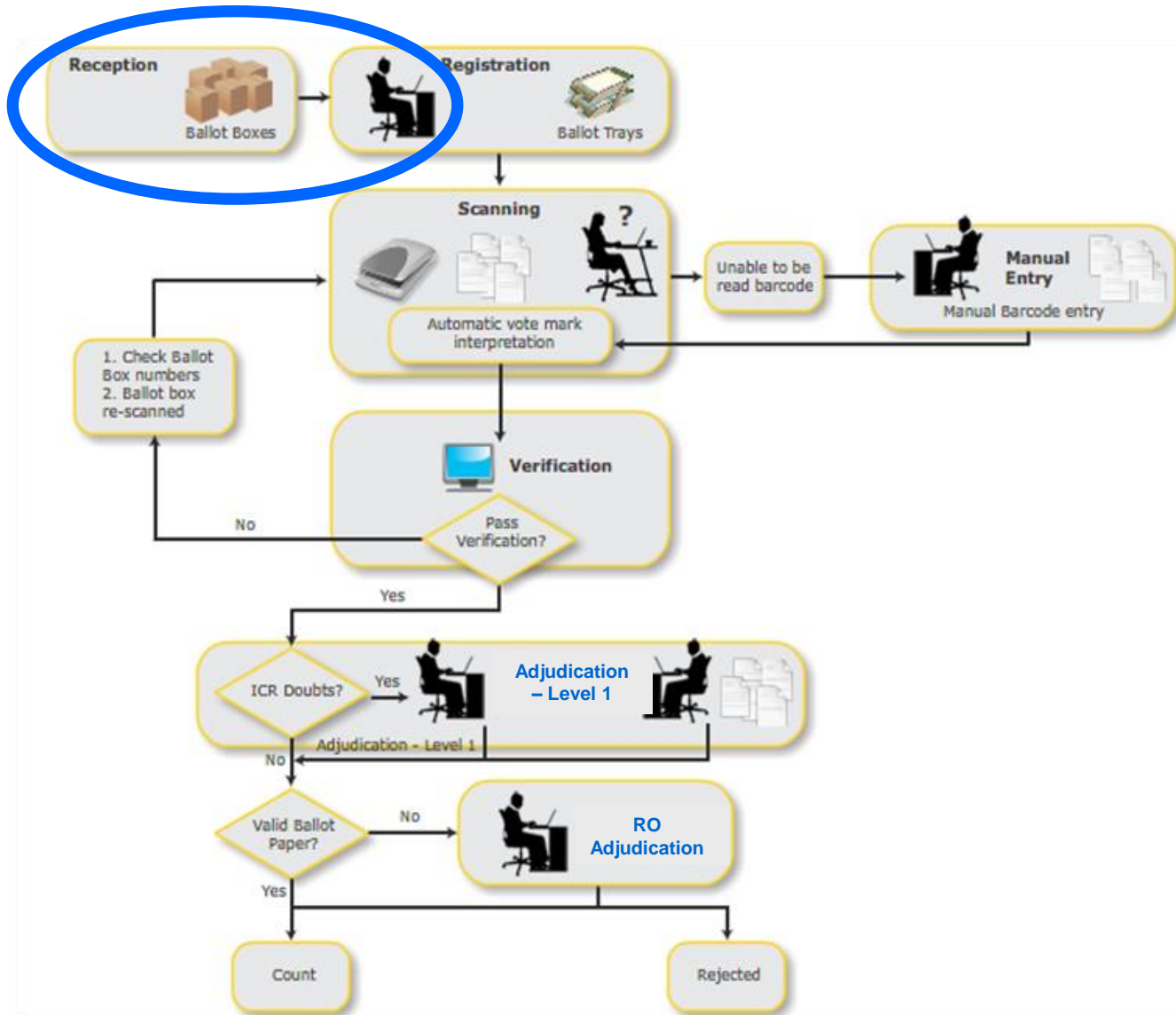
Electronic Counting – Progress information

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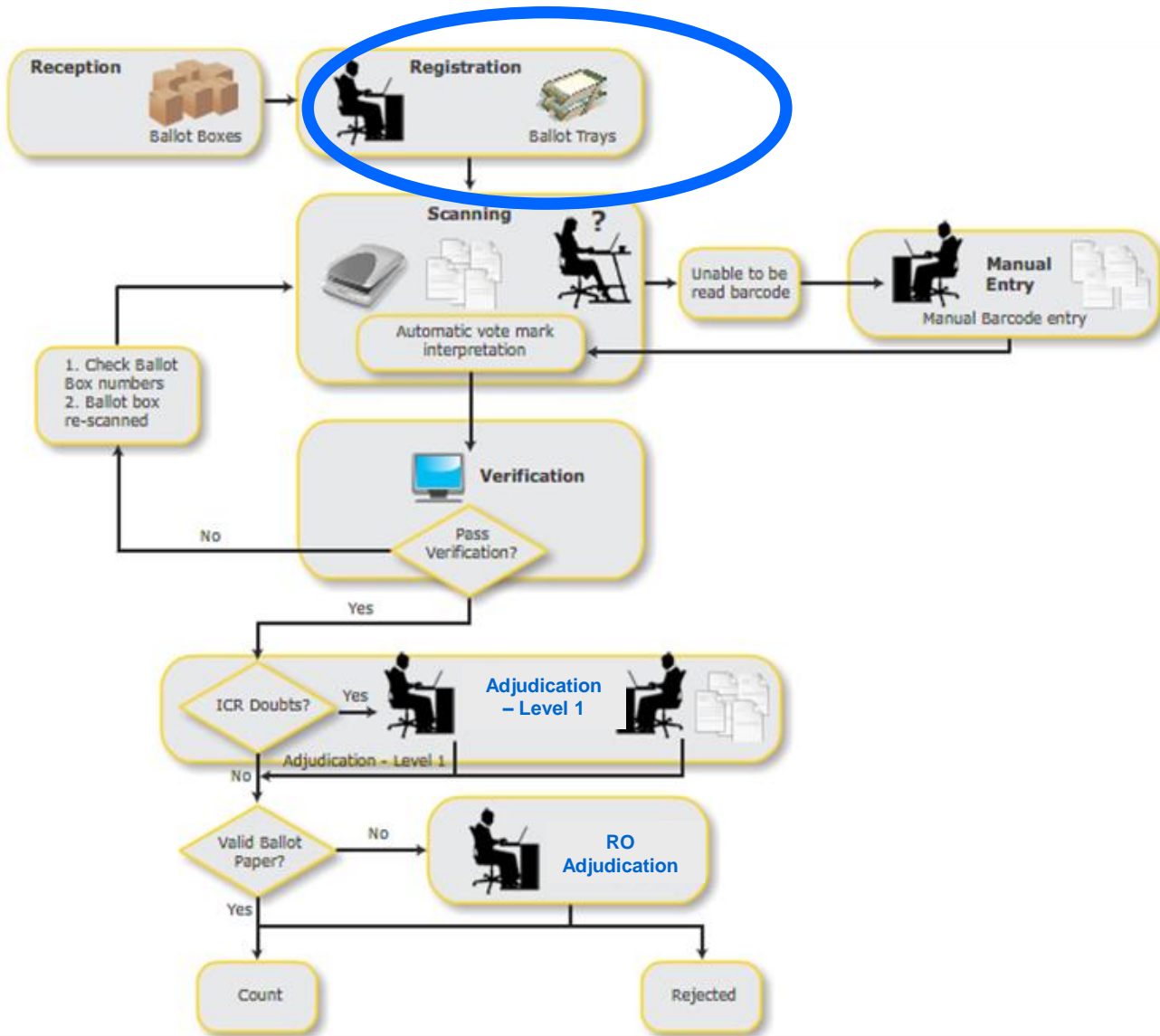
- Large plasma screens for complete visibility of progress
- Dynamically updated to show progress of count
- Displays
 - Count progress screen
 - Dynamic floorplan screen
 - First preference screen



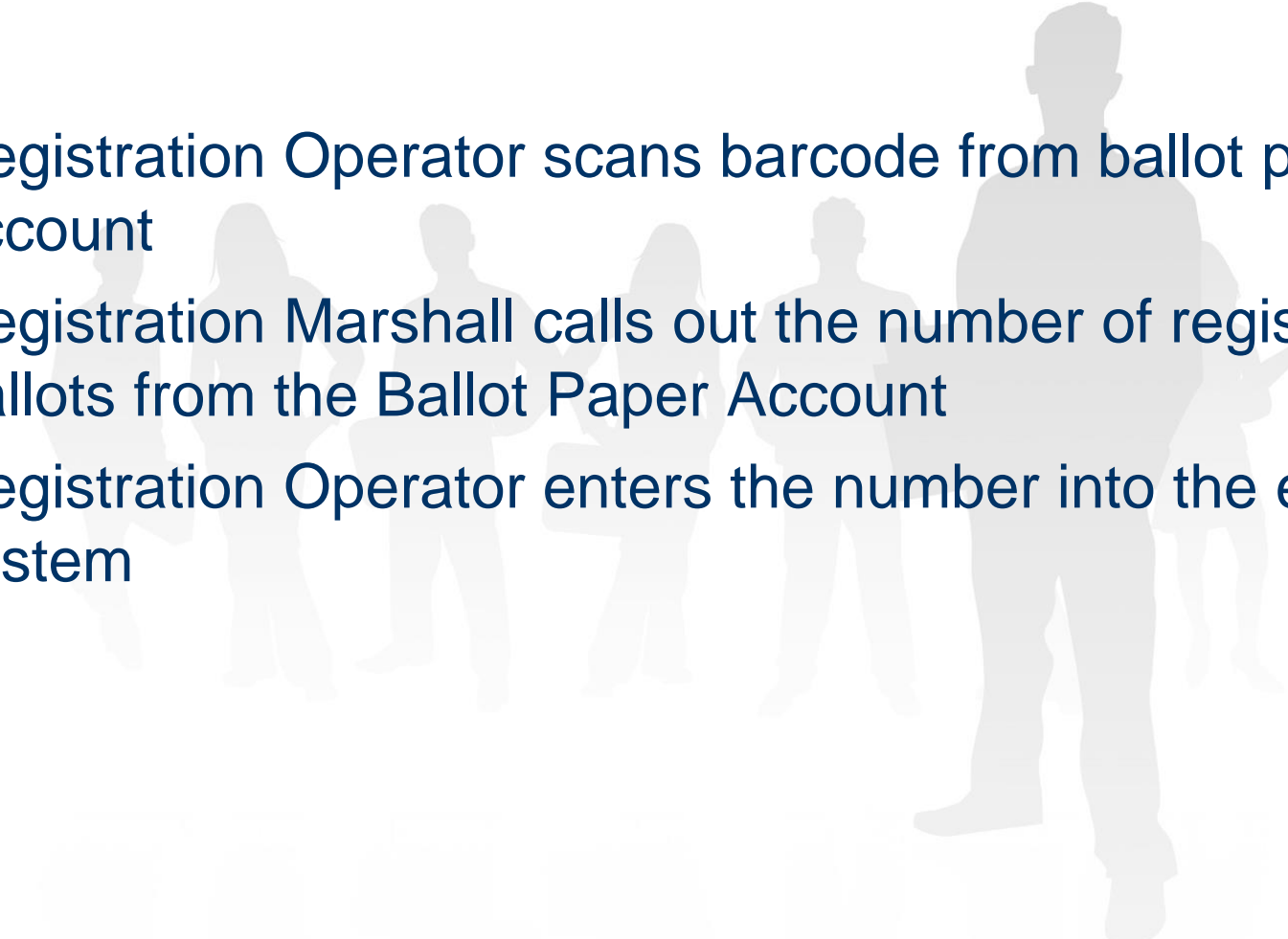
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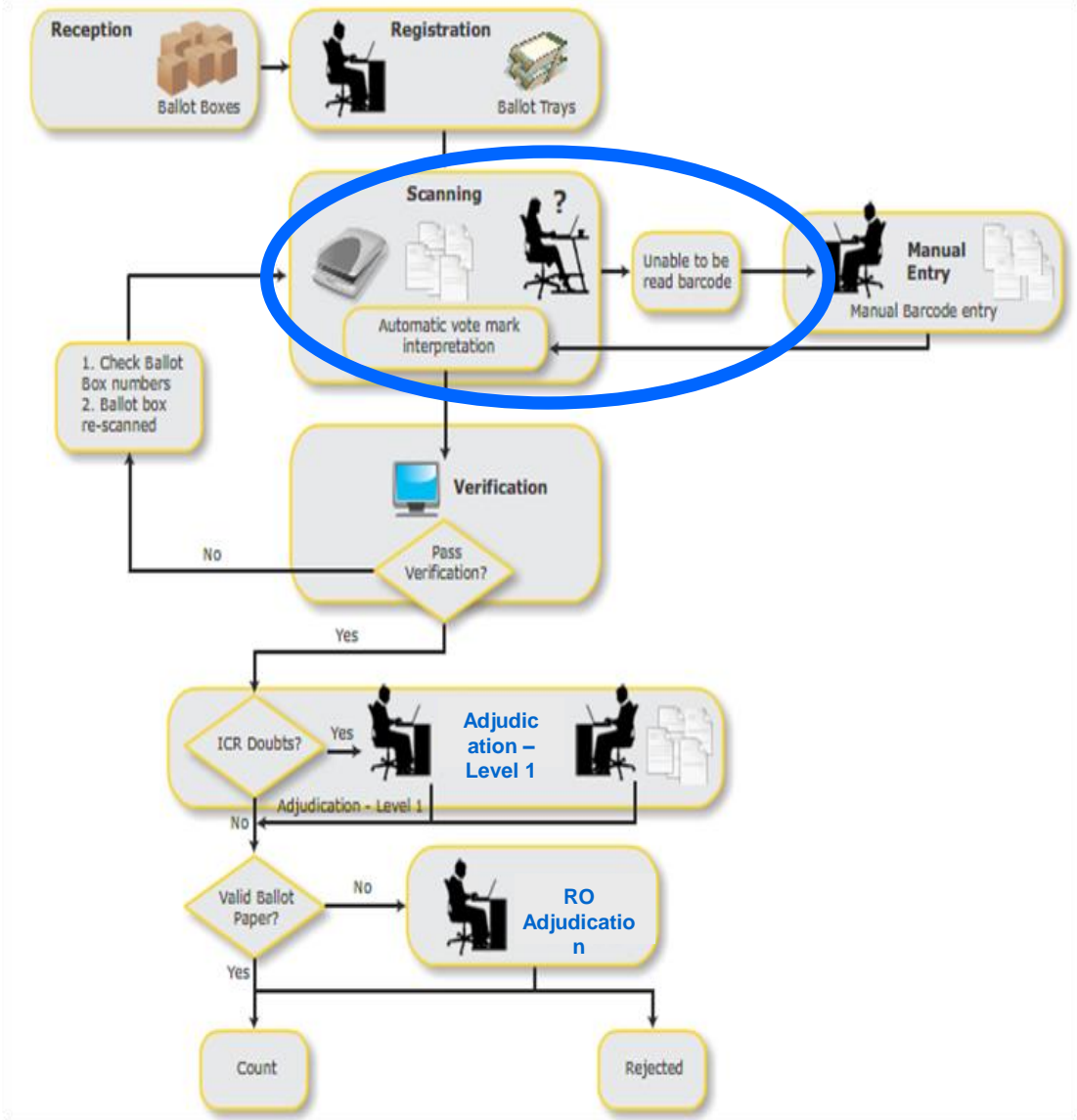
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Registration – key points

- Registration Operator scans barcode from ballot paper account
 - Registration Marshall calls out the number of registered ballots from the Ballot Paper Account
 - Registration Operator enters the number into the eCounting system
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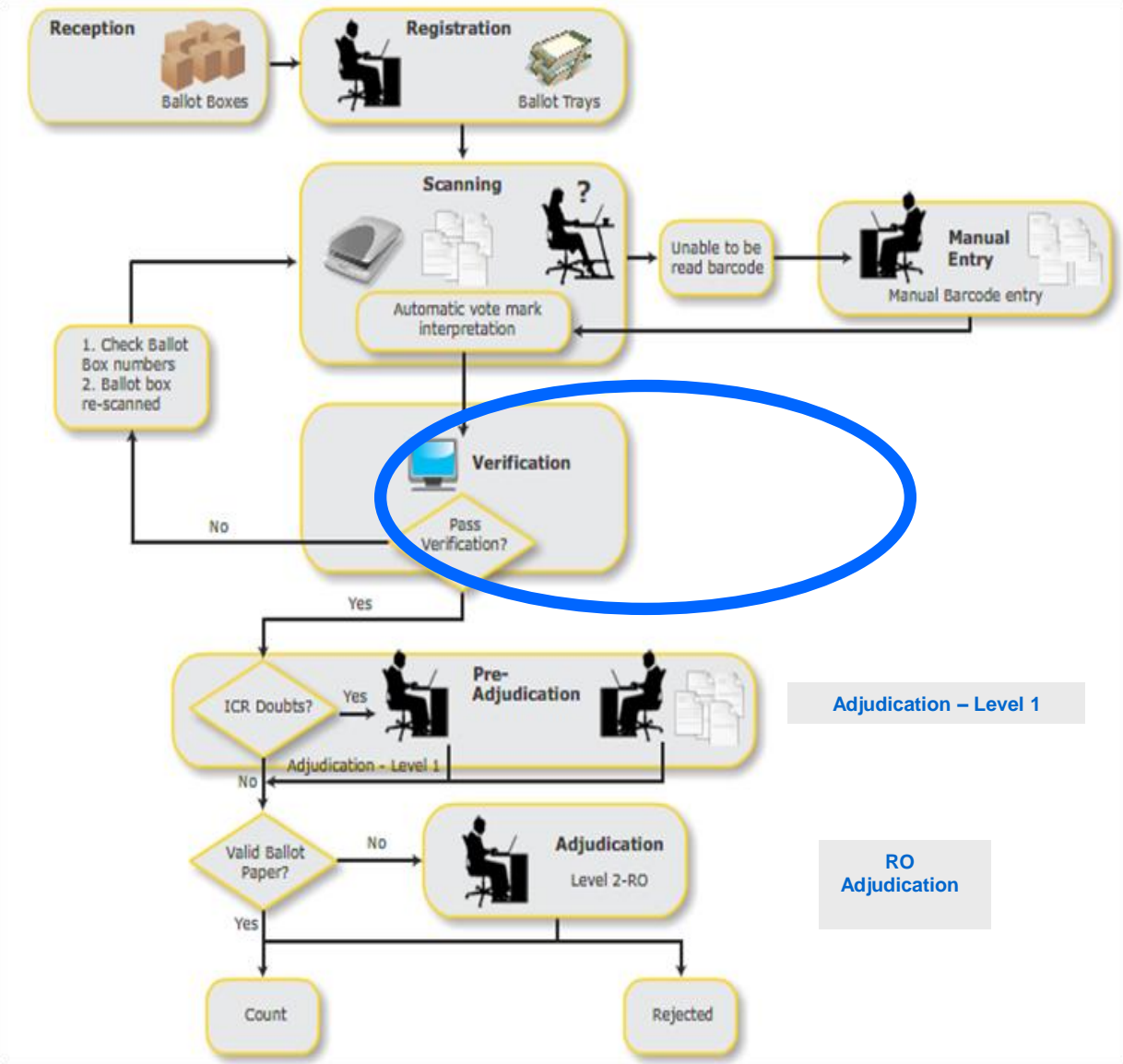
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Scanning – key points

- Scanning Marshall brings tray from 'Awaiting Scanning' to next available scanning station
- Placed in the 'in' area of the scanning station
- Scanning Operator will only be dealing with one ballot tray at a time
- Scanning Operator scans barcode from tray
- Ballots scanned
- After scanning, ballots placed in tray with barcode **facing up**
- Scanning Marshall moves scanned tray from 'out' area to 'Scanning Complete' area

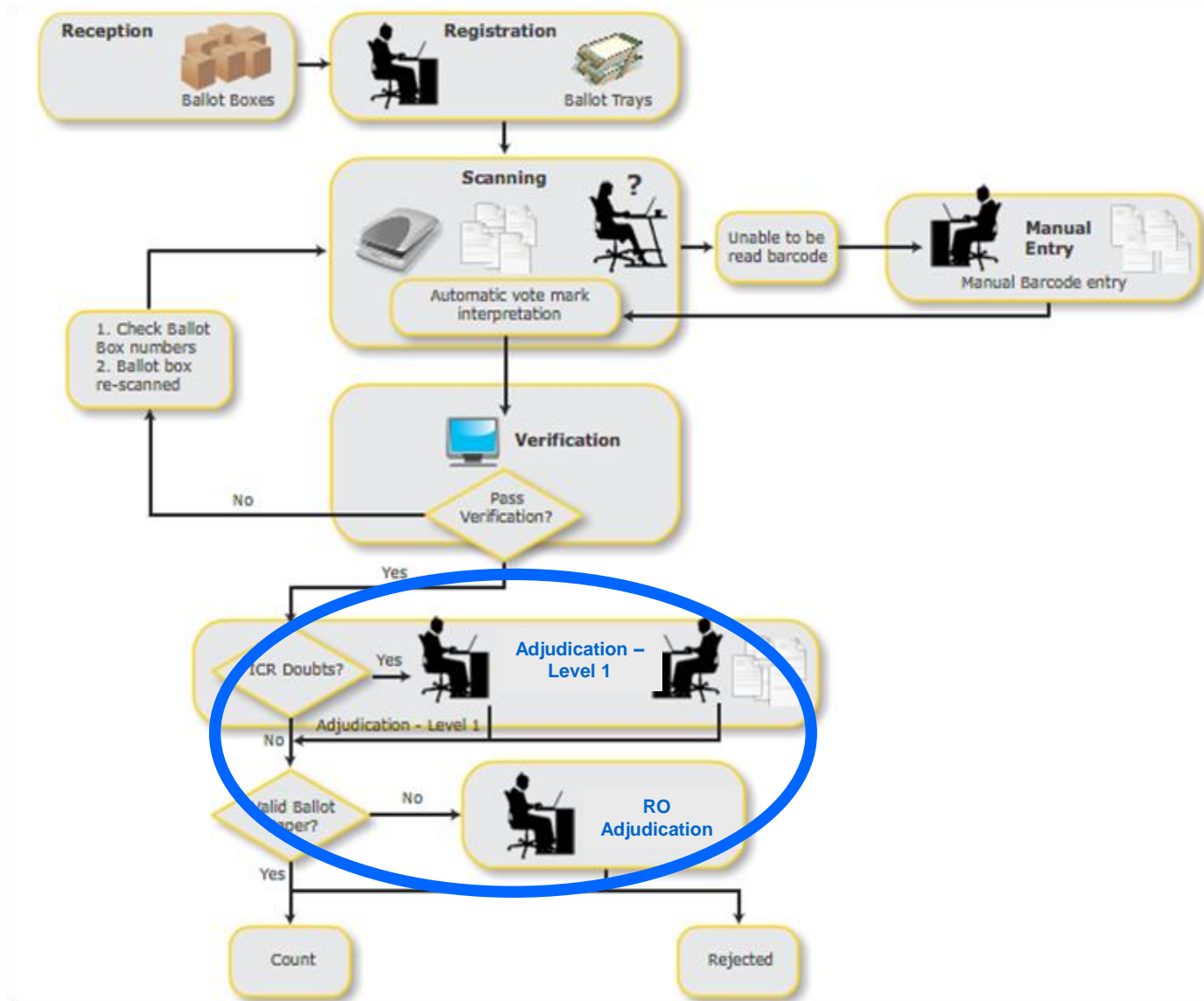
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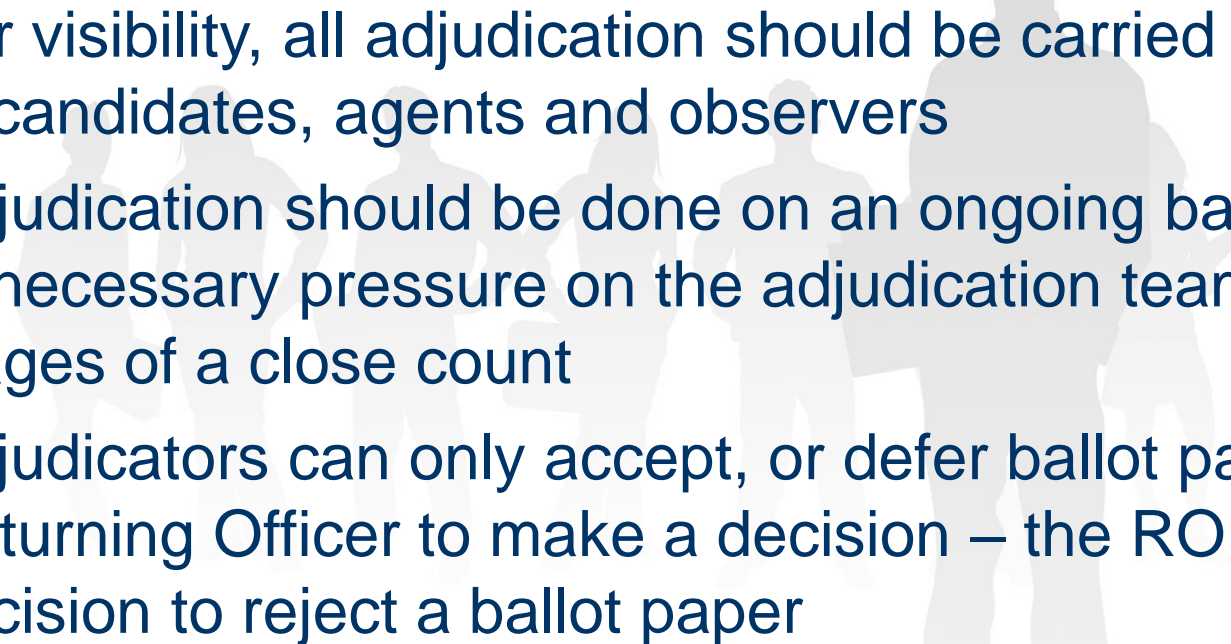
Verification – key points

- When ballot paper has been scanned, the system checks that the scanned papers match the number registered
- If equal (or within tolerance) ballot tray is verified
- If there is a discrepancy...
 - Ballot tray will be sent for a re-scan
 - If there is still a mismatch after a rescan – reason needs to be investigated
 - RO determines how to proceed

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Adjudication – Key principles

- For visibility, all adjudication should be carried out in full view of candidates, agents and observers
 - Adjudication should be done on an ongoing basis to avoid any unnecessary pressure on the adjudication team at the closing stages of a close count
 - Adjudicators can only accept, or defer ballot papers for the Returning Officer to make a decision – the RO has the final decision to reject a ballot paper
- 

Adjudication – Five reasons for rejection

1. No official mark (eg unable to make out the barcode on the back of the ballot paper)
2. Mark which identifies the voter
3. Unmarked or void
4. 1st preference vote not clearly to one candidate
5. 1st preference vote for more than one candidate

Aligns with Section 44 (1)

of The Scottish Local Government Elections Order 2011

Conclusion of count process

- Run through result with candidates and agents on screen
- Declaration of result
- No speeches
- Publication of reports
 - On website once all counts concluded
 - Direction from EMB on information to be published
- Successful candidates given letter including Declaration of Acceptance of Office

Spending issues

Candidate spending

- Defined as certain expenditure ‘used for the purposes of the candidate’s election’ starting from the day after the date you officially become a candidate and ending on polling day
- Responsibility of **election agent**
- Spending limits:
 - At elections on or after 5 May 2022 - £806 + 7 pence per elector in ward on register in force on **14 March 2022**
 - reduced for joint candidates
- Must get and keep receipts (over £20)

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Campaign spending returns

- Returns due 35 calendar days after result of election.
- Returns made public by **Returning Officer**
- Failure to submit a spending return is a criminal offence enforceable by police
- No spending will be reimbursed

Contacts

Contacts

- Eileen Howat, Returning Officer
 - Tel: (01292) 612612
 - Email: eileen.howat@south-ayrshire.gov.uk
- Elections Office
 - Tel: (01292) 612300
 - Email: elections@south-ayrshire.gov.uk
- Electoral Registration Office
 - Tel: (01292) 612221
 - Email: ero@ayrshire-vjb.gov.uk
- Electoral Commission
 - Scotland Office - 0131 225 0200

Key Dates

Key dates

- Postal Vote openings will commence Monday 25 April 2022 at 9.30am and 1.30pm
- Demonstration of count – 4 May 2022
- Verification of unused/ final postal vote checking – 5 May 2022 after 10pm
- Count begins – 6 May 2022 at 8am
- County Buildings open – 8 May 2022 1pm – 5pm

Key dates (cont'd)

- Induction of new members – 11 May 2022
- Declaration of acceptance of office required
- Statutory meeting – 19 May 2022
- Candidate spending returns – 10 June 2022

Questions

Thank you

Please ensure you take a copy of your candidate pack with you