



Candidates and agents Briefing

For local government by-election taking place in Fareham
on Thursday 20 October 2022

- Fareham Borough Council – Portchester East By-Election

Topics

- Introductions
- Election Timetable
- Nomination forms
- Registering to vote
- Campaigning
- Polling Stations
- Count
- Spending Returns



The Electoral Commission

Who's who

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

The Electoral Commission

Administrators

- Deputy Returning Officers:
 - Leigh Usher (and Deputy ERO)
 - Andy Wannell (Deputy CX)
 - Lindsey Ansell (Count Manager)
- Deputies with specific powers:
 - Annette Rickman (Electoral Services Manager)
 - Lisa Goodwin (Electoral Services Officer)



The Electoral Commission

Election timetable

Publication of Notice of Election	13 September
Nominations commence	13 September
Electoral registers available	13 September
Close of nominations	4pm – 23 September
Notification of appointment of election agents	4pm – 23 September
Publication of statement of persons nominated	No later than 4pm – 26 September
Deadline for applications to register to vote	Midnight – 4 October
Deadline for new postal vote applications /changes to existing postal or proxy vote applications	5pm – 5 October
Publication of notice of poll/situation of polling stations	Not later than 12 October



The Electoral Commission

Election timetable (cont'd)

Deadline for applications for new proxy votes	5pm – 12 October
Appointment of Counting and Polling Agents	13 October
Polling day	5 May – 7am to 10pm
Verification and Count	5 May – from 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	24 November



The Electoral Commission

Qualifications

- 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



The Electoral Commission

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
- hold a **politically restricted post**
- 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
- Are **subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003**



The Electoral Commission

Submitting nomination papers

Deadline to
deliver (by
hand) is 4pm
on Friday 23
September

- The documents that must be submitted by all candidates for a valid nomination are:
 - the nomination form
 - the home address form
 - the consent to nomination
- Party candidates will also need to submit:
 - 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)



The Electoral Commission

Submitting nomination papers

- 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.



The Electoral Commission

Nomination form

- Include your full name
- 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



The Electoral Commission

Nomination form

- Subscribers: 10 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



The Electoral Commission

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



The Electoral Commission

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), i.e. Fareham



The Electoral Commission

Consent to nomination form

- 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



The Electoral Commission

Certificate of authorisation

- 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 Friday 23 September



The Electoral Commission

Emblem request form

- Party candidates can ask for an emblem to be printed on the ballot paper
- Emblem request form must be submitted by 4pm on Friday 23 September
- Party candidates should supply an electronic version of the emblem to the Returning Officer if required



The Electoral Commission

Election agent

- Responsible for the proper management of your election campaign; particularly its financial management.
- Notification of appointment must reach the RO by 4pm on Friday 23 September. Form is included in nomination pack.
- You will become your own agent by default if none is appointed.

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 Thursday 13 October.
 - The appointment of postal voting agents attending a particular opening session must be made before the start of the session. We will give at least 48 hours' notice.



The Electoral Commission

Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate:
 - earliest, on Tuesday 13 September 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 request in writing or by email to the ERO elections@fareham.gov.uk



The Electoral Commission

Access to electoral register / absent voting lists

- Only use data for permitted purposes
 - to complete the nomination form
 - to help you campaign
 - to check that donations/loans are permissible
- Any person found breaching the restrictions on the proper use of the electoral register could face a fine.



The Electoral Commission

Registration

- As a candidate you are uniquely placed to encourage people to register to vote.
- You should encourage people to register if they are not already registered
- The deadline for applying for these elections is 11:59pm on Tuesday 4 October
- 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.



The Electoral Commission

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.



The Electoral Commission

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 Electoral Commission

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.



The Electoral Commission

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



The Electoral Commission

Code of conduct for campaigners

- 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.
 - Tellers must remain **outside the polling place** (not in hallways, porches etc with a direct view into the polling station).

Electoral offences!

- If you have complaints or allegations of electoral fraud, you should be prepared to give the police a statement and substantiate any allegations.
- EC report on allegations during 2017:
 - Only 1 conviction out of 346 cases reported to the police
 - 8 cautions
 - 50% of reports are campaign related and none were resolved by police



Polling day

The Electoral Commission

- Polling stations open from 7am to 10pm
- Office open 7am 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 10 pm can apply for a ballot paper
- Postal votes – can be handed into polling stations anywhere in Fareham 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

The
Electoral
Commission

- The count will be held in: Fareham Borough Council, Civic Offices, Civic Way, Fareham, PO16 7AZ
- Candidates and Election agents are entitled to attend
- The number of count agents will be confirmed after the close of nominations.



The
Electoral
Commission

Spending issues



The Electoral Commission

Candidate spending

- 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 ward/division on register in force on 15 September
 - Electorates will be circulated by e-mail on this date
 - reduced for joint candidates
- Must get and keep receipts (over £20)



The Electoral Commission

Candidates' spending returns

- Returns due 35 calendar days after result of election (24 November)
- 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

Contacts



The Electoral Commission

Contacts

- Elections office – 01329 824588
- Electoral Commission - 0333 103 1928

The
Electoral
Commission

Thank you