

# Briefing for Candidates and Agents

Ellon and District Ward By-Election

15<sup>th</sup> October, 2020

## Topics

- Qualifications and Disqualifications
- Getting nominated
- Agents
- Postal votes and polling day
- Voting and counting
- Campaigning
- Candidate spending
- Contacts

# Election Timetable

Publication of Notice of Election	Friday, 28 <sup>th</sup> August, 2020
Close of nominations / last time to withdraw	4pm on Monday, 14 <sup>th</sup> September, 2020
Notification of appointment of election agents	4pm on Monday, 14 <sup>th</sup> September, 2020
Publication of Notice of Poll/Situation of Polling Stations	Soon after 4pm on Monday, 14 <sup>th</sup> September, 2020
Deadline for applications to register to vote	Tuesday, 29 <sup>th</sup> September, 2020
Deadline for new postal votes/changes to existing postal or proxy votes	Wednesday, 30 <sup>th</sup> September, 2020

## Election timetable (cont'd)

Deadline for applications for new proxy votes	Wednesday, 7 <sup>th</sup> October, 2020
Appointment of counting and polling agents	Thursday, 8 <sup>th</sup> October, 2020
Polling day	Thursday, 15 <sup>th</sup> October, 2020 – 7am to 10pm
Deadline to apply for new applications to vote by proxy on grounds of medical emergency	5pm on polling day
Return of candidate spending return	Friday, 20 <sup>th</sup> November, 2020

# Qualifications and Disqualifications

# Qualifications

- Candidates must satisfy criteria on day they are nominated:
  - At least 18 years of age
  - British, qualifying Commonwealth citizen, nationals of an EU member state. (NB Changes to franchise to include qualifying foreign nationals and prisoners)
- Also at least one of the following:
  - Registered local government elector for local authority area (i.e. Aberdeenshire)
  - Occupied as owner or tenant any land or premises in the Aberdeenshire Council area during the whole 12 months preceding nomination
  - Principal or only place of work (including unpaid) during last 12 months in Aberdeenshire
  - Lived in Aberdeenshire area during the last 12 months.

## Disqualifications

- A person **cannot** be a candidate if they:
  - hold a politically restricted post
  - have had their estate sequestrated by a court in Scotland, been adjudged bankrupt by a court elsewhere, or are the subject of a bankruptcy restrictions order or undertaking (unless recalled, reduced or discharged)
  - have been sentenced to a term of imprisonment of three months or more (incl. a suspended sentence) without option of a fine, during the 5 years before polling day
  - have been disqualified by a decision of the Accounts Commission or the Standards Commission
  - are serving a disqualification due to being found guilty of a corrupt or illegal practice by an election court

# Getting nominated



## Submitting nomination papers

- Nomination packs can be obtained from the Constituency Election Office at Gordon House, Inverurie; the Election Office at Woodhill House, Aberdeen; or at [www.aberdeenshire.gov.uk/elections](http://www.aberdeenshire.gov.uk/elections) however completed forms **must** be submitted by all candidates no later than 4pm on Monday, 14<sup>th</sup> September
- Candidates representing a political party will also need to submit, by 4pm on 14<sup>th</sup> September:
  - 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

- Make sure the nomination papers are filled in correctly, as mistakes may invalidate your nomination.
- To arrange an informal check, please contact the Elections Office – **due to measures taken to control Coronavirus, informal checks will be undertaken electronically** - the Returning Officer's staff will check the details before formal submission of the completed nomination
- It is strongly advised that this is not left until the deadline day!

## The nomination form

- Include your full name & home address
- Optional: use commonly used name box(es) if usually known by a name other than your full name and wish to use it instead
- Description – 3 options:
  - leave blank
  - Independent
  - party candidates can use party name or registered description if authorised by a certificate issued by, or on behalf of, the party's Nominating Officer

## The nomination form (contd.)

- Must also include:
  - The name of the ward you are standing in
  - confirmation of qualification(s) that apply (at least one, but complete all those which apply)
  - candidate's declaration and signature
  - witness' name, address and signature
- Nomination packs contain a host of other documents and information which will assist you in your candidacy, including the election timetable, forms to request the electoral register and absent voters' lists, forms for appointing agents to attend polling stations, the count and postal vote opening etc.

# 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 Monday 14 September 2020

## Emblem request form

- Party candidates (not the election agent) may ask for an emblem to be printed on the ballot paper
- Emblem request form must be submitted by 4pm on Monday 14 September 2020
- Party candidates should supply an electronic version of the emblem to the Returning Officer, if requested

## Joint candidates

- 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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Agents



## Election agent

- Responsible for the proper management of your election campaign; particularly its financial management.
- You became your own agent by default if none was appointed by 14<sup>th</sup> September.

## Other agents

- Other agents can be appointed on your behalf to attend postal vote openings, polling stations and the count:
  - The RO requires notice in writing of any people appointed as polling and counting agents by no later than Thursday, 8<sup>th</sup> October (although it is recommended names are submitted as early as possible so authorising passes can be issued in return).
  - The appointment of postal voting agents attending a particular opening session must be made before the start of the session.
  - Forms for appointing all these agents have been provided by the RO.

## Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate:
  - earliest, on Monday 7 September 2020 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 registration for the election is midnight on Tuesday 29 September 2020.
- 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.

# Postal votes and polling day

# Postal votes

- Postal voters number around 2,400 in Ward 9 at present and therefore make up a significant part of the voting electorate
- Code of conduct – no candidate or supporter should put themselves in a position where their honesty or integrity, or that of the candidate or party, can be questioned
- For security reasons, absent voters are required to provide their signature and date of birth on applications
  - these are stored electronically and checked against the postal voting statement returned with the postal vote
- It is important that application forms are returned to the electoral registration office or postal votes to the elections office as soon as possible to ensure adequate time for processing
- If you are considering printing your own application forms, they must contain all the legislative requirements



## Postal votes (cont.)

- Postal ballot packs will be issued by the Council's provider around Monday, 5<sup>nd</sup> October
- Postal vote opening will take place daily from Monday, 12<sup>th</sup> October at Gordon House in Inverurie, until polling day (inclusive)
- Each candidate may appoint one agent to observe the opening of postal votes on any given occasion
- Notification of the appointment of postal vote agents **must** be delivered before the particular opening session is due to begin

## 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.

# Polling day

- Polling stations open from 7am to 10pm
- 11 polling stations at 6 polling places in Ward 9.
- **Due to measures taken to control Coronavirus, the Elections Office at Woodhill House will not be open to the public during this period** - for queries or problems relating to the administration of the election, please contact the Elections Office by telephone or email.
  - For any queries relating to election spending issues, contact the Electoral Commission
- Postal votes – can be handed into polling stations within the ward or delivered to the Constituency Elections Office until 10pm on polling day.

# Voting and counting

## Single Transferable Vote (STV)

- 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.
- More information on how STV works can be found on the website of the Electoral Reform Society at [www.electoral-reform.org.uk/single-transferable-vote](http://www.electoral-reform.org.uk/single-transferable-vote)

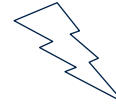
# Ballot papers

## BALLOTSHIRE COUNCIL: ANYTOWN & DISTRICT WARD

**Two 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**



**CRANSTON** Helen  
912 Main Street, Anytown  
**Beech Party**



**FLEMING** Douglas Martin  
112 South Street, Anytown  
**Independent**

**HAMILTON** Flora  
45 Hill Place, Anytown  
**Willow Party**



**KUMAR** Kuldip  
3 Castle Wynd, Anytown  
**Elm Party**



## Counting of votes

- The count will take place at Woodhill House Members Building, Aberdeen, on Friday, 16<sup>th</sup> October (the day after the poll)
- Ballot papers will be counted electronically
- Candidates election agents, counting agents and one other person appointed by the candidate are usually entitled to attend, however **due to measures taken to control Coronavirus, these numbers may require to be limited.**

## 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:

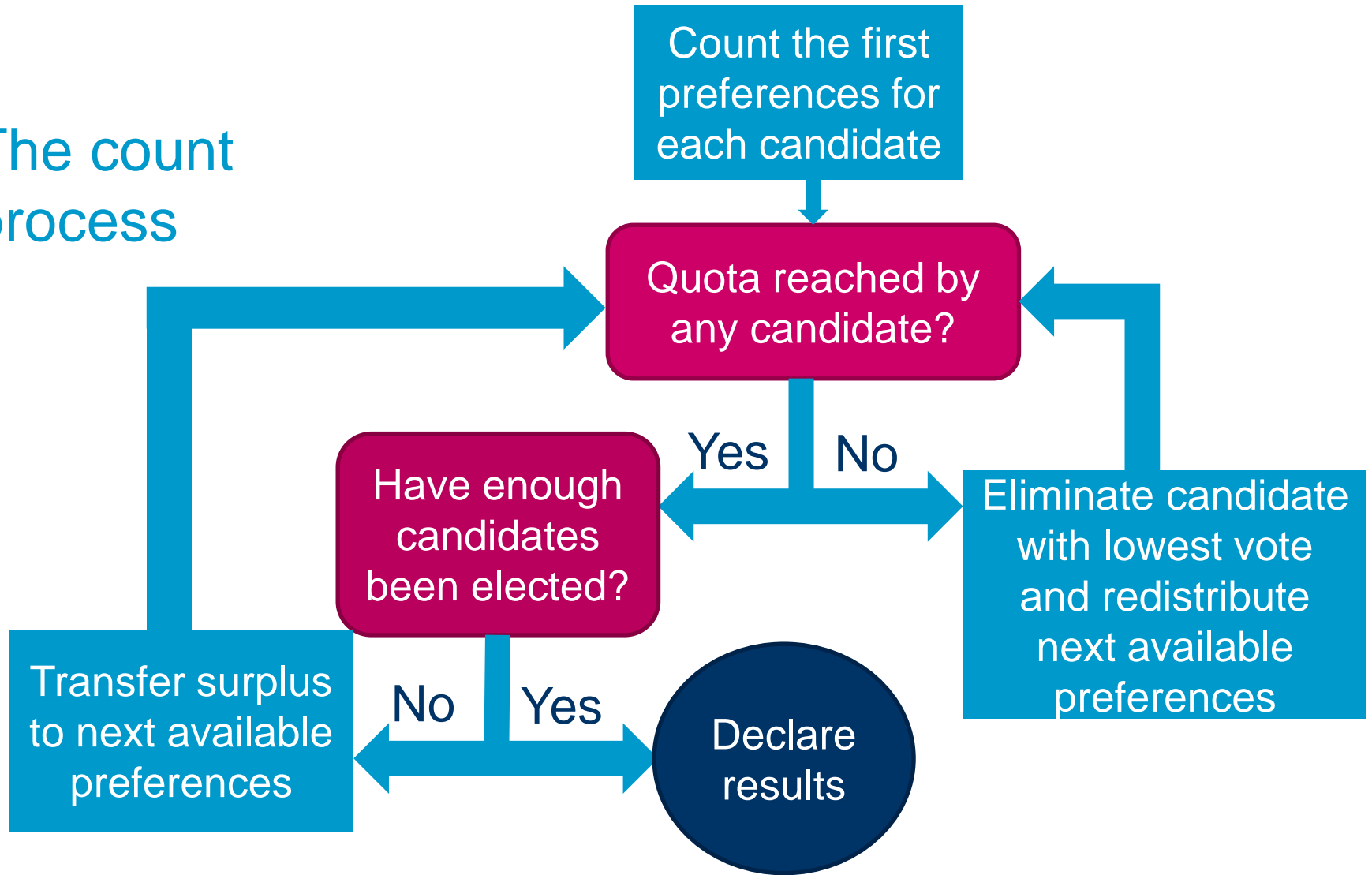
$$\left[ \frac{\text{Total number of valid ballot papers}}{\text{Number of councillors to be elected} + 1} \right] + 1$$



## 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.

# The count process



## Doubtful Ballot Papers

- Adjudication staff will not be able to reject any ballot papers. Any that appear to require to be rejected will be referred to the Returning Officer for determination.
- Adjudication will be carried out on screen and candidates and agents will be able to view this process.
- There will be no numerals presented in isolation – all images will be of complete ballot papers so the marks can be seen in context.

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# Campaigning

# Campaigning

- Use imprints on **all** your campaign material, including websites.
- Posting of material is NOT permitted at all on Council property or land
- Comply with planning rules relating to advertising hoardings and large banners.
- Make sure outdoor posters (on private land) are removed as quickly as possible 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

- 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.

## Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate.
- Make written request to the ERO – forms were included in your nomination pack.
- Only use the data for permitted purposes i.e. to help you campaign for election



# Candidate Spending

## Candidates' spending

- Defined as certain expenditure 'used for the purposes of the candidate's election' after the date they become a candidate (i.e. not before 7<sup>th</sup> September) up until polling day
- Responsibility of the **election agent**
- Spending limits:
  - £740 plus 6 pence per elector in ward on the last date for publication of the Notice of Election
- Must get and keep receipts for expenditure (of over £20)
- Expenses forms can be found at <http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/council-elections-scotland>

## Campaign spending returns

- Returns due 35 days after result of election (by 20<sup>th</sup> November, 2020)
- Returns are made public by the **Returning Officer**
- Failure to submit a campaign spending return is an offence
- A successful candidate who fails to submit a return may not sit on or vote in the Council

# Contacts

## Contact Info. (1)

- **Returning Officer**
  - **Jim Savege**
- **Depute Returning Officers**
  - **Karen Wiles**
  - **Alistair Stobie**
- **Election Coordinator**
  - **Martin Ingram, Woodhill House, Aberdeen**
- **Constituency Officer**
  - **Jennifer Mitchell, Gordon House, Inverurie**

Contact Info.  
(2)

- **Electoral Registration Officer**  
– Ian Milton (ERO), Woodhill House  
(E-mail [ero@grampian-ero.gov.uk](mailto:ero@grampian-ero.gov.uk))
  
- **Electoral Commission (Scotland Office)**  
– [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

Contact Info.  
(3)

- **Aberdeenshire Elections Office**
- **Tel: 01467 539311**
- **E-mail**  
**[elections@aberdeenshire.gov.uk](mailto:elections@aberdeenshire.gov.uk)**
- **Website**
- **[www.aberdeenshire.gov.uk/elections](http://www.aberdeenshire.gov.uk/elections)**