



# Candidate & Agents Briefing

**Spital Ward By-election**

Thursday 3 February 2022

# Agenda

- Who's who
- Key dates of the election timetable
- Public health principals in the light of coronavirus
- Qualifications
- Disqualifications
- Nominations
- Agents
- Absent voting
- The poll
- Counting of votes
- Candidates expenses
- After the Declaration of Results
- Contacts

# Who's who

- **The Returning Officer** is the person responsible for running the elections.
- **The Electoral Registration Officer** is responsible for maintaining the register of electors and absent voters' lists.
- **Andrew Barratt** is the Returning Officer and Electoral Registration Officer for Tamworth.

Contact details are provided later

# Election Timetable

Publication of Notice of Election	Wednesday 29 December
Nominations commence	Wednesday 29 December
Close of nominations	4pm – Friday 7 January
Notification of appointment of election agents	4pm – Friday 7 January
Deadline for withdrawal of candidature	4pm – Friday 7 January
Publication of statement of persons nominated	Not later than 4pm – Monday 10 January
Deadline for applications to register to vote	Midnight – Tuesday 18 January
Deadline for new postal vote applications (including postal-proxy applications) /changes to existing postal <b>or</b> proxy vote applications	5pm – Wednesday 19 January

# Election Timetable continued

Publication of notice of poll/situation of polling stations	Not later than Weds 26 January
Deadline for applications for new proxy votes	5pm – Weds 26 January
Deadline for appointment of counting and polling agents	Thurs 27 January
Polling day	Thursday 3 February – 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	Friday 28 January to 5pm – polling day
Alterations to register to correct clerical error	9pm – polling day
Verification of ballot papers	11am – Friday 4 February
Counting of votes	After the completion of the ballot paper verification
Return of election expenses	+ 35 days from result Friday 11 March

# Staying safe – COVID considerations

General public health principals that everyone should follow in all aspects of daily life, including participating at 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.
- We request that you undertake a Lateral Flow Test prior to attending any election process.

## What does this mean for ...

- Informal checks of the nomination papers
- Delivery of nomination papers
- Polling stations / use of Tellers
- Attendance at postal vote opening and the verification and count

# Qualifications

- Candidates must satisfy criteria on the day they are nominated **and** on polling day:
  - at least 18 years of age
  - British, qualifying Commonwealth citizen (with indefinite leave to remain), 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

# Disqualifications

- 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 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
- have been disqualified under Audit Commission Act 1998
- are serving a disqualification due to being found guilty of a corrupt or illegal practice by an election court
- hold a politically restricted post

This list is not comprehensive more information on disqualifications can be found in Part 1 of the Electoral Commission Guidance.



# Submitting nomination papers

- The documents that must be submitted by all candidates by 4pm on **Friday 7 January** are:
  - the nomination form
  - the home address form
  - the consent to nomination
- Party candidates will also need to submit, by 4pm on **Friday 7 January**:
  - 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 last appointment time will be 3:30pm on Friday 7 January. This is in order to give enough time to complete the informal check prior to formally submitting your nomination papers.**

# 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 – please call **01827 709263** to arrange an appointment.
- The nomination form, home address form and consent to nomination **must** be delivered by hand.

# Nomination form

- Include your full name
- Optional: use commonly used name box(es) if you are commonly known by a name other than full name and wish to use it instead. You cannot use your first name as a commonly used name to exclude your middle name(s).

Please see Part 2 of the Electoral Commission's Candidates & Agents Guidance for further clarification.
- 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

Please note that there are new forms were introduced in May 2019. Please ensure that you read the instructions on how to complete these carefully.

# Nomination form

- Subscribers: **2** subscribers are required. *(Please see GDPR note below)*
- Must sign & print their names. Check details of subscribers against electoral register.
- Only ask subscribers to sign **after** completing the name 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.

## **General Data Protection Regulation (GDPR)**

Revised data protection legislation came into force from 25 May 2018 and applies to the processing of all personal data. Please contact the [Information Commissioner's Office](#) for further information about how the General Data Protection Regulation affects you.

When collecting subscriber information, you should point out what the information will be used for, how personal data will be processed and kept secure. The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in Representation of the People Act 1983 and associated regulations.

You should also explain that the information will be shared with the Returning Officer. For further information on data protection and data processing you should refer to the Returning Officer's privacy notice on their website at <https://www.tamworth.gov.uk/sites/default/files/privacy/Elections-Fair-Processing-Notice.pdf>

# Home address form (Part 1)

All candidates **MUST** complete Part 1 of the home address form. You must complete:

- your name in full name
- 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. You must also state 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 person attesting the home address form (which must be the same person as signs your consent to nomination)

# Home address form - Example of how to complete Part 1

1	Local government election in	Home address form	
Electoral division/ward/ county/district/London borough of *Delete whichever is inappropriate	Pagford	Date of election	Thursday 2 May 2019

You must complete Part 1

Only complete Part 2 if you do not wish your home address to be made public

Part 1: To be completed by all candidates in England	
Full name of candidate	David James Richards
Home address (in full)	23 Green Lane, Pagford, Bingord, Pangfordshire, PA7 3PH
Qualifying address, or, where you have declared on your consent to nomination that you meet more than one qualification, your qualifying addresses. You must also state which of the qualifications your qualifying address or addresses relate to (a,b,c and/or d).	a) 23 Green Lane, Pagford, Bingord, Pangfordshire, PA7 3PH b) 23 Green Lane, Pagford, Bingord, Pangfordshire, PA7 3PH c) Pagford Electrical Factors, Pagford Lane, Pagford, Bingord, Pangfordshire, PA3 2AE d) 23 Green Lane, Pagford, Bingord, Pangfordshire, PA7 3PH
Attestor's full name*	Suzanne Smith
Attestor's full home address*	25 Green Lane, Pagford, Bingord, Pangfordshire, PA7 3PH
<b>*The person attesting your home address form must be the same person as signs your consent to nomination</b>	
End of Part 1	

# Home address form (Part 2)

**ONLY** complete Part 2 if you **DO NOT** wish your home address to be made public.

- The name of the relevant local authority area in which your home address is situated (if you live in the UK), for example as long as you live within the borough this will be Tamworth. If you live outside the borough please make sure you put the correct local authority name.
- If you live outside the UK, the name of the country in which your home address is situated.
- Sign and Date

# Consent to nomination form

- Must include:
  - name
  - which area you want to stand in
  - strike through the qualification(s) that **DO NOT** apply
  - date of birth & signature
  - date of consent
  - witness' name, and signature
  - **REMEMBER**: it **MUST** be the same person that attests your Home address form.



# Certificate of authorisation

- Party candidates must have written permission to use the party name/description from the Nominating Officer (or a person appointed 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 7 January**

# 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 7 January**
- Party candidates should supply an electronic version of the emblem to the Returning Officer if required

# 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

# Election agent

- Responsible for the proper management of your election campaign; particularly its financial management.
- Notification of appointment must reach the RO by 4pm – **Friday 7 January**. 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 27 January**.
  - The appointment of postal voting agents attending a particular opening session must be made before the start of the session. The postal vote time table is included in the Candidate and Information Pack.

# Public Inspection of Nomination Papers

Any member of the public may inspect and take copies of the nomination papers (excluding the home address form). Inspection of the nomination forms will be available during office hours on any working day from the close of nominations up to and including the day before polling day. After this deadline, the nomination papers are not open to public inspection.

The papers that are available for inspection are:

- the nomination form
- consent to nomination
- any agent appointment form
- any emblem request application

There is no right of objection to a nomination at a local election. Inspection of forms will take place under supervision.

# Inspection of Home Address Forms

These forms are open for inspection during offices hours on any working day from the close of nominations up to and including the day before poll. Once the inspection period has passed, the home address forms are no longer available for inspection.

The home address form can **ONLY** be inspected by those entitled to do so. These people are:

- any candidate standing in the same electoral area
- the election agent of any candidate standing in the same electoral area (or, if the candidate is acting as their own agent, any person nominated by them)
- the proposer or seconder of any person standing nominated as a candidate in the same electoral area

Inspection of all forms including the home address form will take place under supervision.

**Please note that taking extracts of the home address forms, or copies of them, is not permitted.**

# Access to electoral register/absent voting lists

- Access by candidates – once you **officially** become a candidate:
  - earliest, on **Wednesday 29 December** 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 – a register request form is included in your nomination pack.



# 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 use of the electoral register could face an unrestricted fine.

More information can be found in Part 4 of the  
Electoral Commission's Guidance

# Registration

YOUR VOTE MATTERS

DON'T LOSE IT



- As a candidate you are uniquely placed to encourage people to register to vote. You should encourage people to register as soon as possible.
- When discussing registering to vote with individuals, you will need to make them aware that they will need:
  - their National Insurance number,
  - date of birth and address to register.
- People who do not have / cannot retrieve their National Insurance Number can still register, but they may need to provide further information. In such circumstances, they will be contacted by the ERO.
- Registration has changed from a household to an individual system. Online registration takes a few minutes  
<https://www.gov.uk/register-to-vote>.

The deadline for applying to register for the election is **Tuesday 18 January**.

# 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 deadline to register for is **Tuesday 18 January**
- The deadline to apply for a postal vote (including postal-proxy) is **5pm on Wednesday 19 January**
- The deadline to apply for a proxy vote is **5pm on Wednesday 26 January**
- The deadline to apply to vote by proxy on grounds of a medical emergency or if unexpectedly called away because of employment or service is **5pm on Thursday 3 February**.

# Campaigning

You should continue to check the latest government guidelines on national restrictions and local restrictions, and be aware that different restrictions could apply to different parts of the electoral area.

# Campaigning dos and don'ts

- Do use imprints on all your campaign material, including websites and ensure that this meets the requirements set out in Part 4 of the Electoral Commission's Guidance.
- 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).

More information can be found in Part 4 of the Electoral Commission's Guidance please read this carefully

# 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 confirm to the requirements of electoral law
  - Include the EROs 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.

Information on the code of conduct can be found here:

<https://www.electoralcommission.org.uk/sites/default/files/2021-03/Code%20of%20conduct%20for%20campaigners%20last%20revised%20Dec%202015.pdf>

# 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.

# Polling day

We have put arrangements in place to ensure that polling stations are safe places to vote.

Most of the measure that will be in place will be familiar to us all from visiting other public places such as shops and backs, 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 the polling station, but pencils will be available for anyone who needs one.

Voters should be encouraged to check their poll cards before polling day, to see if their polling station has changed since the previous elections.



# Polling day continued

- Polling stations open from 7am to 10pm
- Office open 6:30am to 9pm for queries or problems relating to the administration of the election.
  - for queries relating to election finance issues, please 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 relevant ward until 10pm or delivered to the Council Offices until 9pm.
- A person in a queue at a polling station at 10pm waiting to hand in postal vote can do so after 10pm.

More information can be found in Part 4 of the Electoral Commission's Guidance

# The verification and counting of votes

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.

The verification and counting of ballot papers will commence at 11am on **Friday 4 February**.

**The number of attendees will be strictly limited due to the current public health situation.**

# Count Venue

- Layout will be different – please read the information that will be included with your count ticket.
- You will be required to wear a face covering at all times whilst inside the building.
- You will be required to sanitise your hands regularly.
- You will need to sign in and out of the counting venue.
- Please keep a 2 metre distance from staff and other attendees.
- You will not be able to walk freely around the room.
- Please do not talk to the counters or distract them in any way as this may cause them to make a mistake.
- Please do not attempt to touch the ballot papers.
- Specific areas will be identified to allow you to view the process

**On the day if you have a query please ask the Chief Counter or a member of the Elections Team.**

# Spending issues

- There is a framework of rules that candidates and agents must work within. It states that election spending must to be properly accounted for.
- While spending returns are made to the RO, specific questions on campaign expenditure should not be directed to the Returning Officer or the elections team.
- Candidates and agents should consult the Electoral Commission Guidance in the first instance (**Parts 3 and 6**) . Further guidance, forms and contact details are available from the Commission's website at [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk).

Contact details are provided later.

# 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 the electoral area for the register in force on **Wednesday 29 December 2021**.
  - reduced for joint candidates
- Must get and keep receipts (over £20)

# Candidates' spending returns

- The spending limits are worked out as follows:
- £806 + 7 pence per elector in the electoral area on the register in force on [Wednesday 29 December](#).
- Returns due 35 calendar days after result of election (Friday 11 March)
- Returns made public by **Returning Officer**
- Sample of returns may be reviewed by the **Electoral Commission**
- You **must** submit a return regardless of whether you have made a spend or not. Failure to submit an expenses return is a criminal offence enforceable by the Police
- Must get and keep receipts (over £20)
- No spending will be reimbursed

More information can be found in **Part 3** of Electoral Commission Guidance

# Contacts

## **Nomination Appointments**

01827 709263 or email [candidates&agents@tamworth.gov.uk](mailto:candidates&agents@tamworth.gov.uk)

## **Elections Office**

01827 214155

[elections@tamworth.gov.uk](mailto:elections@tamworth.gov.uk)

## **Highways Department**

0300 111 800

[highways@staffordshire.gov.uk](mailto:highways@staffordshire.gov.uk)

## **Staffordshire Police (Single Point of Contact)**

01785 218 626 (DS Simon Street)

01785 215 358 (DS Chris Roberts)

[election.spoc@staffordshire.pnn.police.uk](mailto:election.spoc@staffordshire.pnn.police.uk)

## **Electoral Commission**

3 Bunhill Row

London

EC1Y 8YZ

0333 103 1928 (switchboard)

[info@electoralcommission.org.uk](mailto:info@electoralcommission.org.uk)

**Thank you for attending, a further briefing for confirmed candidates and agents has been scheduled for **Tuesday 11 January** at **5pm** but if you need any further information please feel free to contact me.**

