

WHITBURN & BLACKBURN BY ELECTION

14 NOVEMBER 2024

Briefing for Candidates and Agents

3 October 2024

The whole process at one briefing today

- Timetable
- Standing
- Nominations
- Agents
- Spending
- Absent votes
- Campaigning
- Security and Integrity
- Day of poll
- Close of poll
- Counting of votes

Who's who

- **Returning Officer (RO)** - runs the election (Graham Hope)
- **Electoral Registration Officer (ERO)** - maintains the register of electors and absent voters' lists
- **Election Team** – supports the RO
- **Electoral Commission** - issues guidance to candidates and agents, and ROs and EROs; RO performance management
- **Electoral Management Board** and its **Convener** – supervisory role for local government elections; power to issue Directions

Differences from general election

- Minimum voting age is 16, not 18
- No photo ID to vote in person
- No deposit to pay
- No sub-agents
- Postal votes – Voters who applied online at the Parliamentary Election will NOT have a postal vote at the by-election
- No form to use when handing in, no restriction on postal vote handling or numbers handed in
- Proportional representation, not first past the post
- Voting by numbers in a sequence, not a cross
- E-count, not manual
- Next day count, not overnight

Timetable

Event	Deadline/Time
Notice of Election published	On 7 October
Nomination period	From 8 to 14 October, inclusive
Nominations and election agents	By 14 October (4 pm)
Statement of persons standing nominated/notice of poll	On 14 October (late afternoon)
Dispatch of poll cards to Royal Mail (indicative)	Around 15 October
Applications to register to vote	By 29 October (midnight)
New postal vote applications and changes to existing postal or proxy votes	By 30 October(5 pm)
Issue of postal votes (indicative)	Around 1 November
New proxy applications (except emergency proxies)	By 6 November (5 pm)
Notification of polling and counting agents	By 7 November (midnight)
First opening of postal votes	12 November
Polling day	On 14 November (7 am to 10 pm)
Deadline for emergency proxies	By 14 November (5 pm)
The count	On 15 November

Can you stand?

- Must be/have aged 18; nationality/citizenship (minor change since last time); local connection
- Must not be/have politically restricted post; bankrupt; sentenced in previous 5 years to 3 months' jail time; disqualified by the Standards Commission; disqualified by an election court
- Returning Officer will not investigate or advise – candidate's personal responsibility
- Nomination paper has declarations to sign – criminal and electoral offence to get it wrong

Nominations - general

- Tuesday 8 October to Monday 14 October (10 till 4)
- Nomination paper and home address form by hand by anyone by **4pm on Monday 14 October**
- Party candidates only, submitted by same deadline:-
 - a certificate authorising the use of a party name or description
 - a request to use one of the party's emblems (optional)
- No deposit
- Not separate, not at the last minute – as early as you can

Nominations – pre checking

- Blank EC set in pack, refer to Returning Officer's guide
- Fill in the boxes, submit them by email for a check and then adjust, add signatures and dates
- Make an appointment (please)
- Must hand-deliver nomination paper and home address form to Election Office
- Bring them in - informal check, formally lodged, accepted, letter and Pack 2 issued

Nomination paper

- Full name and any commonly-used name(s) – as well as or instead of or a combination
- Description – registered party name, party description, Independent, or blank
- Qualifications – you need at least 1 out of 4, complete **all** that apply, score out those that don't, may be that all apply
- Signed (not before 14 September 2024) and witnessed
- No addresses anywhere – they go on home address form

Home address form

- Option to keep home address off Notice and ballot paper
- Default is **not** on Notice of Poll or ballot paper – must make a positive choice to disclose
- Same four possible qualifications as nomination paper – complete all those that apply, they must match
- Signed only if choosing to disclose address on Notice and ballot paper
- If not, ballot paper shows local government area in Scotland, England, Wales or Northern Ireland, or a country if outside UK

Certificate and emblem – party candidates

- Can come separately by post, but signed, not by email
- By registered party authorising use of registered party name or a registered description
- By or on behalf of Nominating Officer – last element in chain of authority to be signed, others less formal
- Must match nomination paper, so better to have all to hand and delivered at once
- Party authorises use of name/description, candidate chooses to use a registered emblem

Election agent

- Responsible for the proper management of the election campaign, particularly financial management
- Notification of appointment must reach the Returning Officer by **4pm on Monday 14 October** - form in pack.
- Office of election agent must be in West Lothian or in the Bathgate & Linlithgow UK constituency
- Candidate becomes own agent by default if none is appointed
- RO must publish the names and addresses of election agents

Other agents

- Other agents can be appointed to attend postal vote openings, polling stations and the count
- Notice in writing (email is OK) of polling and counting agents by midnight on Thursday 7 November
- Postal voting agents notified in writing (email is OK) before the start of the session being attended
- Counting agent numbers are constrained by election rules and space – number will be advised in week commencing 14 October

Candidate Spending

- Responsibility of **election agent**
- Electoral Commission guidance – EC function, not Returning Officer
- Defined as expenditure used in the regulated period for the purposes of the candidate's election after the date they officially become a candidate
- Spending limits - £806 plus 7 pence per elector on ward register in force on 7 October (TBC)
- Must get and keep receipts (over £20)
- Returns due 35 days after result of election – 20 December

Electoral Register & AV List

- Polling Day Register and registration deadline
- Access by candidates – once you **officially** become a candidate
- Make written request to the ERO – forms are included in your nomination pack
- Only use data for electoral purposes including to help you campaign

Postal Voting

- Deadline for applications is 5pm on 30 October – same for changes to existing postal and proxy arrangements
- Familiarise yourself with the Electoral Commission's Code of Conduct for Campaigners
- Royal Mail deliver packs by first class post – dates for receipt cannot be guaranteed
- Voters who may be away from home should consider if a postal vote or a proxy vote will suit them better
- Dates for openings will be notified

Proxy voting

- Deadline is Wednesday 6 November (5 pm)
- Emergency proxy application if voter becomes unable to vote in person because of a medical emergency or work reasons
- Cause must arise after that deadline of 5pm on 6 November
- Emergency proxy deadline is polling day at 5 pm
- Voters who may be away from home should consider if a postal vote or a proxy vote will suit them better

Campaigning

- Use imprints on all your campaign material, including websites
- Comply with planning rules relating to advertising hoardings and large banners
- Make sure you comply with council policy and RO guidance on campaigning, tellers and rosettes & badges
- 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)
- Further note on campaigning for candidates and agents

Polling Places

- One change to polling places from Parliamentary Election
 - BLA7L moves to Seafield Community Centre from Polbeth Community Hub
- No photo ID needed
- Ballot box allocations and numbers confirmed later
- Poll cards will include information on polling places

Polling day – 14 November 2024

- Polling stations open from 7am to 10pm
- Election Office open 6.15am to 10.30pm for queries relating to the administration of the election
- Electoral registration queries best directed to the Electoral Registration Office
- Postal votes – can be handed into polling stations or Civic Centre until 10pm (no form needed, no restriction on numbers)
- Campaigning and A-boards

Voting under Single Transferable Vote

- Voters rank candidates in their order of preference using numbers
- They put the number **1** in the voting box next to their **first** choice, number **2** in the voting box next to their **second** choice, number **3** in the voting box next to their **third** choice. And so on.
- Voters can make as many or as few choices as they wish.
- The same number cannot be used twice and there should not be a break in the sequence.

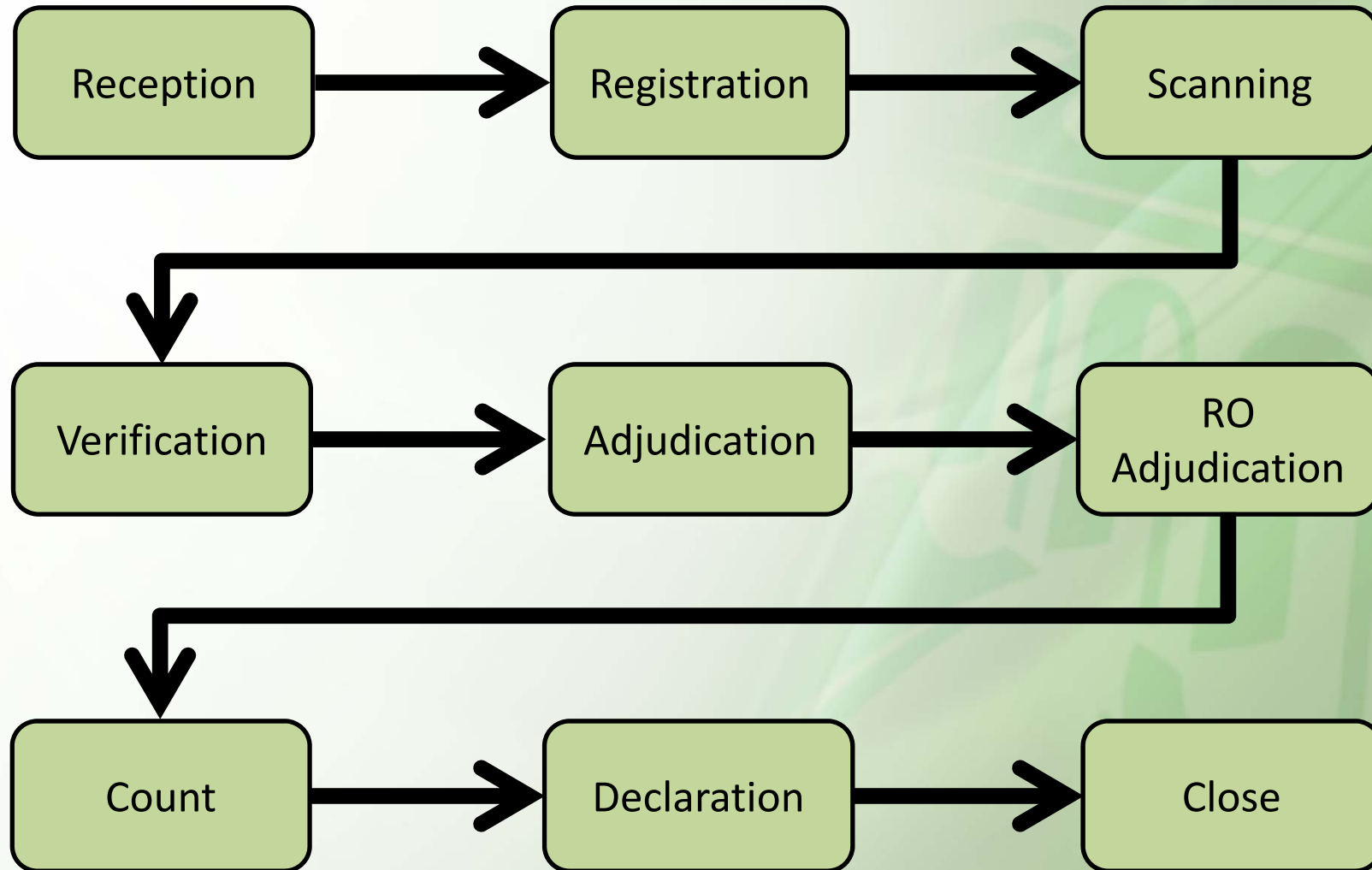
Procedures at the Close of Poll

- Ballot Boxes checked in and stored securely
- Reconciliation of unused ballot papers, spoilt ballot papers and ballot paper accounts
- Sorting of polling day documentation/packets
- All candidates, election agents and counting agents entitled to attend to observe at Civic Centre
- Continuation of final postal vote opening
- No ballot boxes opened and no votes counted until Friday morning

The E-Count

- Next day – intended to be at Howden Park Centre– 9 am
- Candidates, election agents, counting agents and one guest per candidate are entitled to attend
- Limit to number of counting agents – TBC
- Observers and Electoral Commission
- As always raise any queries or issues as they arise
- Detailed procedure note issued later

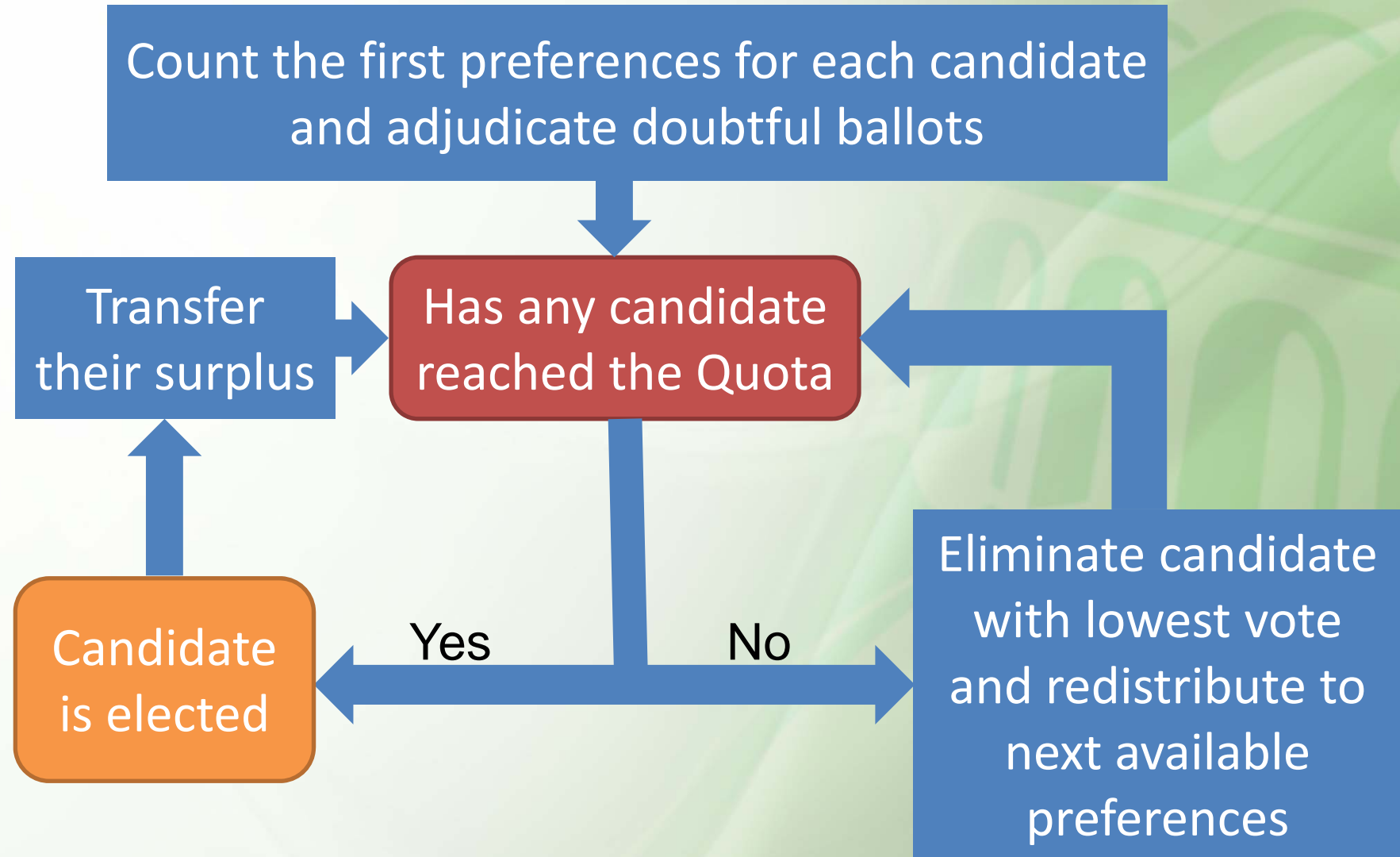
E-Count Stages



Counting under STV

- Weighted Inclusive Gregory method of counting
- The quota – threshold winning candidate should reach
- Count process
- Transfer of surplus where a candidate exceeds the quota
- Exclusion of candidates – where no one reaches quota – and transfer of excluded candidates' votes

Summary of Process



Recounts

- Candidates or their election agents can request a recount
- But Returning Officer can refuse if he considers it unreasonable
- Closeness of result will not be regarded as justifying a recount on its own
- Candidates and agents are asked to observe each stage closely and raise any concerns stage by stage

Security and Integrity

- Seriousness of electoral offences - integrity is fundamental
- Security and Integrity Plan prepared in partnership with Police Scotland
- Electoral Commission Guidance on electoral malpractice
- Guidance from other national agencies – e.g. counter terrorism and cyber security
- Critical role for Candidates, Agents and campaigners to ensure integrity and confidence in the electoral process
- All allegations of electoral fraud will be investigated robustly by Police Scotland in consultation with the RO

Some other things

- If successful, plan to be busy from Monday 18 November
- Induction will start immediately
- If successful candidate is employed by the council - must resign by close on Monday 18 November
- If successful, welcome pack of papers handed over at the count
- If desired, can sign and hand over statutory Declaration of Acceptance of Office there and then (James Millar)

Any Questions

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