

# Candidates and agents Briefing

Borough Elections 5 May 2022

# Topics

- ▶ Covid-19 and Elections
- ▶ Key dates
- ▶ Qualifications and disqualifications
- ▶ Nominations
- ▶ Agents
- ▶ Information from Warwickshire Police
- ▶ Polling Day
- ▶ Verification and Count
- ▶ Candidate spending
- ▶ Contacts

# Who's who

- ▶ Brent Davis - Returning Officer and Chief Executive
- ▶ Tom Shardlow, Phil Richardson, Waheeda Sheikh- Deputy Returning Officers
- ▶ DC Alison Roberts, SPOC for Elections, Warwickshire Police
- ▶ Martyn Harris - Head of Elections, Nuneaton and Bedworth and North Warwickshire Borough Councils
- ▶ Elections Team - Helen Sidaway, Sabiha Shaikh, Vicki Smith and Jemma Guild

# Covid-19 and 2022 Elections

- As restrictions lifted, no requirement for any COVID measures at this election
- Nomination papers - back up to 10 subscribers per candidate
- However - some steps at polling stations, e.g. sanitiser, pencils
- Count and Postal Vote Opening will have plastic screens as in May 2021, but restrictions on numbers will be lifted
- Will follow Public Health advice if/when situation changes

# Election timetable

|                                                                                                  |                          |
|--------------------------------------------------------------------------------------------------|--------------------------|
| Publication of Notice of Election                                                                | 18/03/2022               |
| Close of nominations                                                                             | 4pm -<br>05/04/2022      |
| Notification of appointment of election agents                                                   | 4pm -<br>05/04/2022      |
| Publication of statement of persons nominated                                                    | 4pm -<br>06/04/2022      |
| Deadline for applications to register to vote                                                    | Midnight -<br>14/04/2022 |
| Deadline for new postal vote applications /changes to existing postal or proxy vote applications | 5pm -<br>19/04/2022      |

# Election timetable (cont'd)

|                                                                                                                                    |                               |
|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|
| Deadline for applications for new proxy votes                                                                                      | 5pm –<br>26/04/2022           |
| Appointment of counting and polling agents                                                                                         | 27/04/2022                    |
| Polling day                                                                                                                        | 05/05/2022–<br>7am to<br>10pm |
| Deadline to apply to vote by proxy on grounds of medical emergency or if unexpectedly called away because of employment or service | 5pm –<br>polling day          |
| Replacement for lost/spoilt postal votes ends                                                                                      | 5pm –<br>polling day          |
| Alterations to register to correct clerical error                                                                                  | 9pm –<br>polling day          |
| Return of election expenses                                                                                                        | 09/06/2022                    |

# Nominations

# Nominations

## Nominations/Candidates -

- Informal checking of nomination papers can now take place via email as well as face to face where necessary
- **But nominations must still be hand delivered.**
- Appointments should be made to deliver nominations,  
Email [candidates@nuneatonandbedworth.gov.uk](mailto:candidates@nuneatonandbedworth.gov.uk) to make an appointment.



# Submitting nomination papers

- ▶ The documents that must be submitted by all candidates by 4pm on 05/04/2022 are:
  - ▶ the nomination form
  - ▶ their home address form
  - ▶ the consent to nomination
- ▶ Party candidates will also need to submit, by 4pm on 05/04/2022:
  - ▶ 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

- ▶ 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
- ▶ Informal checks can be offered via email during this election - email [candidates@nuneatonandbedworth.gov.uk](mailto:candidates@nuneatonandbedworth.gov.uk)
- ▶ 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.

# 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

# 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).
- ▶ 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
- ▶ hold a **politically restricted post**

# Nomination form

- ▶ Commonly used name - optional. 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 authorised description - [check EC website](#).
- ▶ 10 subscribers are required, they 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.
- ▶ Data protection requirements

# Home address form

- your full name and home address in full
- your qualifying address as per your consent to nomination
- 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
  
- Then - optional: confirm you **don't wish your address to become public**, and the name of the Local Authority your home address is in - e.g. Nuneaton and Bedworth, North Warwickshire. Not the Ward, Division or Constituency.

# 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

# Certificate of authorisation /Emblem Request Form

- ▶ 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
- Party candidates can also ask for an emblem to be printed on the ballot paper
- Both forms must be submitted by 4pm 5<sup>th</sup> April 2022



# Election agent

- ▶ Responsible for the proper management of your election campaign; particularly its financial management.
- ▶ Notification of appointment must reach the RO by 4pm - 5<sup>th</sup> April 2022 Form is included in nomination pack.
- ▶ You will become your own agent by default if none is appointed.
- ▶ Office address of Election Agent will be published on Notices

# 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 **27<sup>th</sup> April 2022**
  - ▶ 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.

# Access to electoral register/absent voting lists

- Access by candidates - once you **officially** become a candidate -18<sup>th</sup> March - following publication of notice of election
- Make written request to the ERO - forms available from office - must be signed by candidate.
- Only use data for permitted purposes!
  - ▶ to complete the nomination form
  - ▶ to help you campaign
  - ▶ to check that donations/loans are permissible

# Candidates and Agents Briefings

Warwickshire Police SPOC  
DC Alison Roberts 590

Contact: [alison.roberts@warwickshire.police.uk](mailto:alison.roberts@warwickshire.police.uk)

Tel: 01926 684176

# Conduct of candidates and supporters

There are two key principles to adhere to (from Electoral Commission):-

1. Candidates and supporters should assist in the efficient and secure administration of elections and uphold the secrecy of the ballot
2. No candidate or supporter should place themselves in a situation where their honesty or integrity, or that of their party or candidate, can be questioned

Electoral Commission produce the following literature:

- ▶ “Guidance for candidates and agents”
- ▶ “Code of Conduct for campaigners: electoral registration, postal voting, proxy voting and polling stations”
- ▶ “Tellers do and don’ts”

## College of Policing Authorised Professional Practice

- ▶ All allegations relating to elections should be reported to myself as the force election SPOC. However I would ask that you **seek the advice of the Electoral Services staff before reporting** as it may be that simple problems can be resolved at that point rather than escalating to a formal criminal enquiry.
- ▶ For every accusation **the complainant is expected to provide an evidential statement** - no statement means that there cannot be a full and thorough investigation. Hearsay is not acceptable. Therefore any unsubstantiated third party allegations will not be investigated.
- ▶ Allegations are prioritised appropriately by the SPOC. With the SPOC deciding when a matter is investigated this prevents any suggestion that the Police investigation may have caused detriment to any particular campaign.
- ▶ Once an investigation is complete the SPOC will liaise with the Crown Prosecution Service.

# Representation of the People Act 1983 (RPA)

## Prevention is better than prosecution!

- Make yourselves aware of the offences covered by the RPA.
- Offences are classified as either corrupt or illegal
- Consequences of committing offences under the RPA:
  - Candidate could lose their seat
  - Could be barred from standing in future elections
  - Could be convicted of a criminal offence and even imprisoned
- More detail is available on the APP – <https://www.app.college.police.uk/app-content/policing-elections/investigating-electoral-malpractice> where there is a Table of Relevant RPA 1983 offences as well as other relevant statutory and common law offences (such as perjury and fraud).

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the left and right sides of the frame, creating a modern, layered effect. The central area is a plain white space where the text is located.

# Polling Day



# Polling day

- ▶ Polling stations open from 7am to 10pm
- ▶ Office open 7.00am to 10.00pm for queries or problems relating to the administration of the election
- ▶ 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 within Ward 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.

The background features abstract, overlapping green geometric shapes in various shades, including light lime green, medium green, and dark forest green. These shapes are primarily located on the left and right sides of the slide, framing the central text. The overall aesthetic is clean and modern.

# Verification and Count

# Verification and Count

- Verification and Count- all polls verified Thursday 5<sup>th</sup> May at North Warwickshire and South Leicestershire College, Hinckley Road, Nuneaton
- Count for Borough will commence following verification
- V&C will take place across 2 rooms:
  - Nuneaton and Bulkington (12 Wards) in the Sports Hall
  - Bedworth (5 Wards) in the Art Block Hall
- Candidates, Agents and Counting Agents will be able to move between venues - they are separated by a 50m walk outside
- The 2 x venues will operate independently, e.g. 2 sets of declarations

# Verification and Count

- Number of counting agents will revert to formula as set out in law (e.g. taking into account the number of counters and number of candidates)
- Screens will still be used at the Count as per May 2021 for integrity purposes
- Candidates/Election Agents/Parties may wish to plan how they will be represented across the 2 rooms

# Spending issues

# 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 on register in force on 24 March 2022
  - ▶ reduced for joint candidates (where more than one vacancy per ward)
- ▶ Must get and keep receipts (over £20)

# Candidates' spending returns

- ▶ Returns due 35 calendar days after result of election
- ▶ 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

To obtain a nomination pack from the Town Hall, please arrange in via email to [candidates@nuneatonandbedworth.gov.uk](mailto:candidates@nuneatonandbedworth.gov.uk) or call 024 7637 6552

To send nomination papers for an informal check via email, email to [candidates@nuneatonandbedworth.gov.uk](mailto:candidates@nuneatonandbedworth.gov.uk) - with informal check, candidate name, ward/division in title

To arrange an appointment to submit nomination papers, email [candidates@nuneatonandbedworth.gov.uk](mailto:candidates@nuneatonandbedworth.gov.uk) or call 024 7637 6552



# Questions