Candidates and agents Briefing

Southampton City Council elections, 5 May 2022

Mark Heath (Returning Officer)
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Topics

- who’s who
- key dates of the election timetable
- qualifications
- disqualifications
- nominations
- agents
- postal votes
- candidates expenses
- contacts

Who’s who

- The Returning Officer is the person responsible for running the elections. The Returning Officer is **Mark Heath**.

- The Electoral Registration Officer is responsible for maintaining the register of electors and absent voters’ lists. The Electoral Registration Officer is **Mark Heath**.

Election Timetable

Publication of Notice of Election	**25th March**
Nominations commence	**25th March**
Close of nominations and Deadline for withdrawals of nomination	**4pm on 5th April**
Notification of appointment of election agents	**4pm on 5th April**
Publication of statement of persons nominated	No later than **4pm on 6th April**
Deadline for applications to register to vote	**14th April**
Deadline for new postal vote applications /changes to existing postal or proxy vote applications	**5pm on 19th April**
Publication of notice of poll	Not later than **26th April**

Election timetable (cont'd)

Deadline for applications for new proxy votes	**5pm on 26th April**
Appointment of counting and polling agents	**27th April**
Polling day	**5th May** – 7am to 10pm
Deadline to apply to vote by proxy on grounds of medical emergency, if unexpectedly called away because of employment or service	**5pm on 5th May**
Replacement for lost/spoilt postal votes ends	**5pm on 5th May**
Alterations to register to correct clerical error	**9pm on 5th May**
Return of election expenses	+35 calendar days from result

City Council elections

Specific arrangements:

- Poll cards - (due for despatch on 25 March)
- Postal votes - (1st issue due for despatch on 19 April)
  (2nd issue due for despatch on 25 April)
- Polling station changes and management.

Qualifications

- To stand for election candidates must (on the day they are nominated and on the day of the poll) be:
  - at least 18 years of age
  - a British, Irish, a qualifying Commonwealth citizen, or a citizen of an EU member state.
  - At least one of the following must also apply:

a) registered local government elector for the local authority area;

b) occupied as owner or tenant any land or premises in the local authority area during the last 12 months;

c) principal or only place of work has been in the local authority area during the last 12 months;

d) 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 order).
  - 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 the Representation of the People Act 1983 due to being found guilty of a corrupt or illegal electoral practice by an election court.
  - hold a politically restricted post.

Submitting nomination papers (1)

- All candidates must submit the following by **4pm on 5 April**
  - **nomination paper**
  - **home address form**
  - **consent to nomination**.
- Party candidates will also need to submit by that time:
  - a certificate authorising the use of a party name or a registered description on the ballot paper
  - a written request to use one of the party's emblems on the ballot paper (optional).
- Nomination packs are available from the Electoral Commission's website (link on our website).

Submitting nomination papers (2)

- **Take care when completing nomination papers as mistakes may invalidate the nomination!**
- The nomination form, home address form and consent to nomination form must be delivered by hand and cannot be submitted by post, fax or other electronic means.
- Nomination papers must be delivered by **appointment only** to the Returning Officer at the Civic Centre, Southampton.
- Appointments can be arranged from Friday 25 March by email - mike.hickman@southampton.gov.uk, or by telephone - 023 8083 3954.

Nomination form (1)

- Must include the candidate’s full name.
- Optional: complete commonly used name box(es), if known by a name other than their full name and wish to use this instead.
- Description field – 3 options:
  - leave blank
  - Independent
  - party candidates can use the party name or a registered description if authorised by a certificate issued by or on behalf of the Nominating Officer.
- Must be submitted by **4pm on 5 April**.

Nomination form (2)

- Subscribers: **proposer, seconder** and **eight ‘assentors’** from the relevant ward are required (they must be registered local government electors).
- All subscribers must sign & print their names. Details are checked against the electoral register that is valid on 1st March 2022. If they are not on that register, they can’t subscribe the nomination.
- Only ask subscribers to sign after completing the candidate’s name, address and description fields on the form.
- Subscribers can only sign **one** nomination form. *
- Must be submitted by **4pm on 5 April**.

* except for the Shirley ward where there is an additional casual vacancy. Subscribers in this ward may sign **two** nomination papers.

Home address form

- Must include:
  - candidate's full name
  - candidate's home address in full;
  - confirmation of the qualifying address for each statutory qualification declared, or addresses if more than one;
  - name and address of a 'witness'.
- If the home address is not to be made public and appear on the ballot paper, the statement must provide:
  - the name of the local authority area in which the home address is situated or;
  - if the candidate lives outside the UK, the name of the country in which they reside.
- Must be submitted by **4pm on 5 April**.

Consent to nomination form

- Must include:
  - candidate’s full name
  - which ward and local authority area they are standing in
  - declaration that they are at least 18 years old, an eligible nationality and that they are qualified to stand
  - candidate’s date of birth & signature
  - the date on which the consent was made
  - name and signature of a witness.
- Must be submitted by **4pm on 5 April**.

Certificate of authorisation

- Party candidates must have written permission from the Nominating Officer (or a person appointed to act on their behalf) to use the party name/a registered description.
- The certificate may:
  - allow the use of the party name or a particular description
  - allow the candidate to choose whether to use the party name or any of the descriptions registered with the Electoral Commission.
- If used, the authorisation must be submitted with the other nomination papers by **4pm on 5 April**.

Emblem request form

- Party candidates can ask for an emblem to be printed on the ballot paper.
- If required, candidates should be able to supply an electronic version of the emblem to the Returning Officer.
- If used, the emblem request form must be submitted with the other nomination papers by **4pm on 5 April**.

Joint candidates

- Nominated by **more than one party.**
- May use registered joint descriptions
  - must be supported by a certificate of authorisation from each party.
- May use the emblem of one of the parties, but there is no provision for joint emblems.

Election agent

- Responsible for the proper management of the election campaign; particularly its financial management.
- Notification of appointment must reach the RO by **4pm on 5 April**.
- A candidate will become their 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 the candidate's behalf:
  - Notice in writing of any **polling** or **counting** agent appointments must be given to the RO by **27 April**.
  - Notification of **postal voting** agent appointments for a particular opening session must be made to the RO before the start of the session.
  - Appointment forms are available from the Electoral Commission's website.

Access to electoral register/absent voting lists

- These are available from the date a person **officially** becomes a candidate:
  - for anyone who has already announced their intention to stand as a candidate, or has been declared as such by others, this is 28th March;
  - for anyone who has not announced their candidature by 28th March, they become a candidate on the date they make the announcement, or on the date when they submit their nomination, whichever is the earlier.
- Requests must be made in writing to the ERO – forms are available from the Electoral Commission's website.

Use of electoral register / absent voting lists

- Electoral data may only be used for permitted purposes:
  - to complete the nomination form
  - to help a candidate’s campaign
  - to check that donations/loans are permissible.

Registration (1)

- Candidates are uniquely placed to encourage people to register to vote.
- They should encourage people to register as soon as possible.
- The deadline for applying to register for these elections is Midnight on **Thursday 14 April**.
- The quickest and simplest way to register is online at **www.gov.uk/register-to-vote**. It only takes a few minutes.

Registration (2)

- When discussing registering to vote with individuals, candidates will need to make them aware that to make an application they need to provide their:
  - nationality,
  - date of birth,
  - National Insurance number.
- Individuals who do not have / cannot retrieve their National Insurance Number can still register, but they will have to provide further information. If so, they will be contacted by the ERO.

Absent voting

- If encouraging people who don't have a postal (or proxy) vote to apply for one, make sure to explain that they will only qualify for one if they are (or will be) registered to vote.
- The deadlines for applying for an absent vote are:
  - Postal/postal proxy – 5pm on **Tuesday 19th April**
  - Proxy – 5pm on **Tuesday 26th April**
- Application forms are available from the elections team or the Electoral Commission's website.

Campaigning dos and don’ts

- **Do** use imprints on all campaign materials.
- **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).

Code of conduct for campaigners (1)

- Campaigners are an essential element of a healthy democracy, but their activities should not bring into question the integrity of the electoral process.
- The Returning Officer asks all candidates and agents to agree to abide by the Electoral Commissions ‘Code of Conduct for Campaigners’.
- This code of conduct covers all aspects of the electoral process: registration, postal voting, proxy voting and polling stations

Code of conduct for campaigners (2)

- If not using electoral registration forms and/or absent vote applications from the elections team or the Electoral Commission:
  - ensure the forms used fully conform to the requirements of electoral law;
  - include the ERO’s address is included for the return of forms.
- All forms/applications collected should be unaltered and sent to the ERO **immediately**.
- Make sure that electors understand the implications of applying for an absent vote.

Code of conduct for campaigners (3)

- 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
  - Do not encourage postal ballot pack redirection.
- Proxy Voting:
  - Do not encourage electors to appoint a campaigner as proxy.

Election Spending

Candidate spending

- Election spending defined as any expenses used for the purposes of the candidate's election during the 'regulated period' (from the **day after** they officially became a candidate until 5 May 2022).
- Responsibility of the **election agent**. Limit on expenses:
  - £806.00 + £0.07 per elector.
- Must stay within this limit during the regulated period and record spending on items and services and any donations received.
- Keep receipts/invoices for any expenditure over £20.
- Forms relating to the return of candidate spending and donations are available from the Electoral Commission's website.

Contacts

Contacts (1)

- Elections office:

Tel. – 023 8083 3954

Email – mike.hickman@southampton.gov.uk

- Highways department:

Tel. – 023 8083 2628

Please note:

The Returning Officer and his staff have a duty to conduct elections strictly in accordance with the appropriate laws, rules and regulations.

They are required to comply with these at all times and this may occasionally restrict the level of assistance that can be offered.

Contacts (2)

- Electoral Commission:
  - For enquiries about guidance or standing for election:

    Tel: 0333 103 1928

    Email: pef@electoralcommission.org.uk

    Website: www.electoralcommission.org.uk

Questions

Thank you

NEXT BRIEFING:

10.30am on 27th April 2022

Arrangements for polling day and the verification / count