Livingston South By Election 11 March 2021 Candidates Briefing

27 January 2021

Covering

- Timetable
- Standing
- Nominations
- Agents
- Spending
- Absent votes

- Postal votes
- Day of poll
- Single Transferable Vote
- Counting of votes
- Security and integrity
- Contacts

COVID-19 precautions covered at all stages

Who's who

- Returning Officer (RO) runs the election (Graham Hope)
- Electoral Registration Officer (ERO) maintains the register of electors and absent voters' lists (Graeme Strachan, Lothian's ERO)
- 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

Timetable

Event	Deadline/Time
Publication of Notice of Election	1 February
Nomination period	2 February to 8 February (inc.)
Deadline for appointing an election agent	8 February
Statement of persons standing nominated/notice of poll	8 February
Dispatch of poll cards to Royal Mail (indicative)	8 February
First issue of postal votes (indicative)	12 February
Deadline for applications to register to vote	23 February (to ERO, midnight)
Deadline for applications for new postal/proxy postal	24 February (to ERO, 5 pm)
First opening of postal votes (week days thereafter)	1 March
Second issue of postal votes (indicative)	2 March
Deadline for new proxy applications (except emergency proxies)	3 March (to ERO, 5 pm)
Deadline for notification of polling and counting agents	4 March (midnight)
Polling day	11 March (7 am – 10 pm)
Deadline for emergency proxies (new COVID rules)	11 March (5 pm)
The count	12 March (9.30 am, indicative)

Can you stand?

On day of nomination:-

- At least 18 years of age, and
- British citizen, qualifying Commonwealth citizen, Irish Republic citizen, or qualifying foreign national, and
- At least one of the following:-

Registered local government elector for West Lothian Occupier as owner or tenant any land or premises in West Lothian during last 12 months

Principal or only place of work (including unpaid) during last 12 months in West Lothian

Lived in West Lothian for the previous 12 months

Disqualifications

- Hold a politically restricted post
- Estate sequestrated by a court in Scotland, adjudged bankrupt by a court elsewhere, or subject of a bankruptcy restrictions order
- Sentenced to a term of imprisonment of 3 months or more (inc. suspended sentence) without option of a fine, during the 5 years before day of nomination or election
- Disqualified from being a councillor (Standards Commission)
- Disqualified due to being found guilty of a corrupt or illegal practice by an election court

Nominations - general

- Tuesday 2 February till Monday 8 February (inc., 10 till 4, weekdays)
- Nomination paper and home address form by hand by anyone by 4pm on Monday 8 February
- 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)
- Not the last minute as early as you can

Nominations - COVID

- List of precautions and procedures in Pack facecoverings, distancing, hygiene
- Minimise visits, contact and paper-handling but must still hand-deliver nomination paper and home address form to RO at Election Office
- Blank Word documents type in the boxes, submit them by email, check, adjust, resubmit, check, etc.
- Handwritten scan and send and check and adjust
- Finalise by email bring them in, compare yours against the copy we have kept, lodged, accepted, done

Nomination paper

- Use EC guidance and RO's hints (in Pack)
- Full name and/or commonly-used name(s) as well as or instead of or a combination
- Description registered party name, party description, Independent, or blank
- Qualifications complete **all** that apply, may be all 4, must match those on home address form
- Signed (not before 8 January 2021) and witnessed
- No addresses anywhere due to new home address form

Home address form

- Newly introduced option to keep home (and other) addresses more (but not completely) private
- Default is address **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 use of registered 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 8 February** form in pack.
- Office of election agent must be in West Lothian or in the Linlithgow & East Falkirk constituency
- You will become your 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) of polling and counting agents by midnight on **Thursday 4 March**
- Postal voting agents notified in writing (email) before the start of the session being attended
- Forms are in the second Pack
- Numbers are constrained by election rules, by space and by COVID

Candidates Spending

- Responsibility of election agent
- Electoral Commission guidance
- Defined as certain expenditure used in the regulated period for the purposes of the candidate's election after the date they officially become a candidate
- Spending limits £740 + 6 pence per elector on ward register in force on 1 February 2020
- Reduced for joint candidates
- Must get and keep receipts (over £20)

Candidates Spending Returns

- Returns due 35 days after result of election 16 April
- Returns made public by Returning Officer
- Failure to submit a campaign spending return is an offence
- Successful candidate who fails to submit returns in time may not sit or vote in the council until return made

Electoral Register & AV List

- Access by candidates once you officially become a candidate:
 - earliest, on 1 February [last date for publication of notice of election] if you, or others declared yourself a candidate; or
 - once you or others have declared yourself a candidate after this date or date you submit your nomination papers, whichever is earliest
- Make written request to the ERO forms are included in your nomination pack.
- Only use data for electoral purposes including to help you campaign

Proxy voting (including COVID)

• Change made to the legislation surrounding emergency proxies – i.e. now without attestation or counter-signature

If, after 5pm on Wednesday 3 March 2021, you are unable to vote in person because you

- have a medical emergency, or
- learn you cannot go to the polling place because of work reasons, or
- are following Scottish Government advice or the advice of a registered medical practitioner in relation to coronavirus

Postal Voting

- Deadline for applications is 5pm on 24 February
- Direct voters to ERO if they want to apply for a postal vote
- Familiarise yourself with the Electoral Commission's Code of Conduct for Campaigners
- Two issues
- Openings
- Appointment of postal vote agents
- Secrecy requirement

Postal Voting - COVID

Applications to be returned to ERO or Civic Centre

Opening processes to ensure safety of all stakeholders

- More openings than at previous council by-elections
- Room capacity reduced

Encourage posting your postal vote and not bringing it along to a polling place

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

Campaigning - COVID

- Face coverings where possible upon entry to polling place
- Consider suitable distancing for polling agents, campaigners and tellers relative to polling place entrances, queuing areas (inside/outside) and exits.
- Consider infection risks associated with handing voters information and other items, and the implications of such items being taken into the polling place.
- Information officers at each polling place will support the monitoring of campaigning activity and positioning.

Polling Places

- 10 polling places and 17 polling stations
- Three changes to normal polling places for the ward:
 - Harrysmuir Bowling Club (was Harrysmuir PS)
 - Lanthorn Community Education Centre (was Bankton PS)
 - Murieston Scout Hall (was Williamston PS)
- Poll cards will include information on polling places
- Letter to each voter affected highlighting change and location of polling place
- Signage at 'old' polling places to redirect voters

Polling Day

- Polling stations open from 7am to 10pm
- Election Office open 6.15am to 10.30pm for queries relating to the administration of the election
 - any queries relating to election spending issues, contact the Electoral Commission (contact details shown later)
 - Electoral registration queries direct to the Electoral Registration Office
- Postal votes can be handed into polling stations within the ward or delivered to the elections office until 10pm.

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.

Polling Day - COVID

- Relevant legislation, guidance and advice considered
- Measures will be in place to ensure safety of all stakeholders
 - Part of awareness raising campaign
 - Information Officer role to assist voters
 - Revised polling place/station layouts
 - Additional signage
 - Hand sanitiser stations at entrances and exits
 - Physical distancing and face coverings
 - Enhanced cleaning arrangements before during and after poll
 - Minimise touch points

Procedures at the Close of Poll

- Ballot Boxes checked in at the count venue 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 count venue to observe close of poll procedures
- Continuation of final postal vote opening at WL Civic Centre

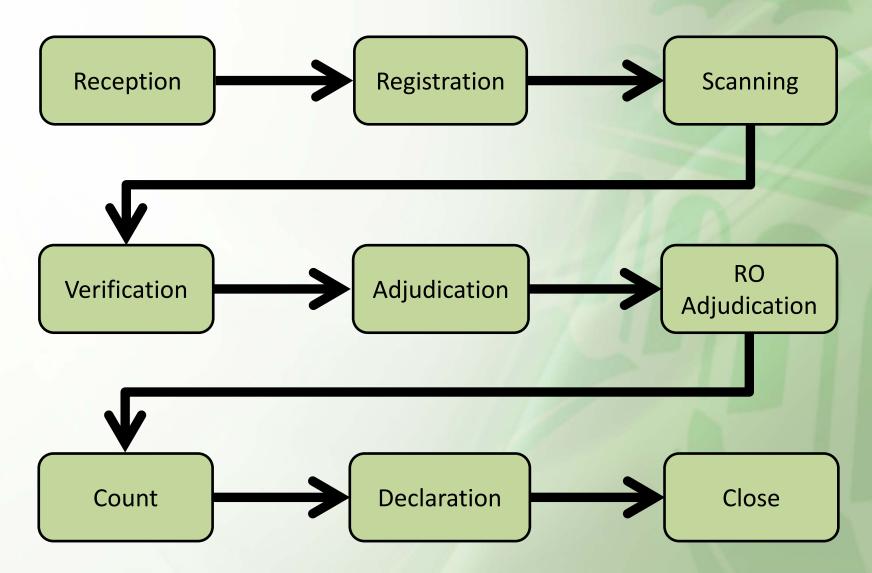
The E-Count

- Next day 9.30am at West Lothian College TBC
- Candidates, election agents, counting agents and one guest per candidate are entitled to attend
- Limit to number of counting agents TBC
- Observers
- Electoral Commission
- As always raise any queries or issues as they arise

The E-Count - COVID

- Relevant legislation, guidance and advice considered
- Measures will be in place to ensure safety of all
- Aim is to maximise transparency of count processes without compromising safety
 - Venue capacity and physical distancing
 - Face coverings
 - Signage
 - Observation points for key processes (including 1st and 2nd stage (RO) adjudications)
 - Large screens with up to date information
 - Declaration

E-Count Stages



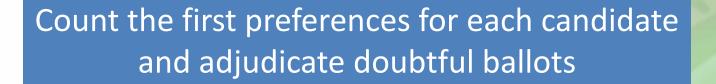
Counting under STV

- 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

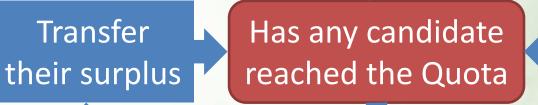
Summary of Process

Candidate

is elected



No



Yes

Eliminate candidate with lowest vote and redistribute to next available preferences

Recounts

- Candidates or their election agents can request a recount
- But RO can refuse if he considers it unreasonable
- Closeness of result will not be regarded as justifying a recount
- 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

Security and Integrity Plan

- Includes:
- An assessment of the risk of electoral malpractice risk assessed as low
- Arrangements for storage and handling of ballot papers, election documentation and ballot boxes
- Measures to control access to polling places and the count centre
- Details of security and integrity training for staff
- Consideration as to the level of policing on polling day and for the count
- Communication protocols between the RO and Police Scotland and appropriate points of contact

Any Questions

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