



Neighbourhood Planning Referendum Stow-on-the-Wold and the Swells

Thursday 26 September 2024

Information Pack for Campaigners

1. Notice of Referendum and Information Statement

The Notice of Referendum and Information Statement have been published and are available on the District Council's website: <https://www.cotswold.gov.uk/about-the-council/elections-and-voting/current-and-future-elections/>

Paper copies can be posted if required, please contact the Elections team.

2. Hours of Poll and Situation of Polling Station

The polling stations will open from 7 am until 10 pm on Thursday 26 September 2024 at:

- Swell Village Hall, GL54 1LN (for electors in Swell parish area)
- Stow Social Club, GL54 1DE (for electors in Stow-on-the-Wold town area)

3. Poll Cards

Poll cards will be issued to all registered electors, including those with postal or proxy voting arrangements in place.

4. Notice of Poll

The Notice of Poll will be published no later than 12 September on the Council's website and a copy sent to the Parish Clerks for publication/distribution.

5. The Electoral Register and Registration

Campaign groups are entitled to receive a free copy of the Electoral Register (including absent voter lists). If you have not already requested and/or received your copies, please complete and return the request forms (one for the Register and one for the absent voter lists) attached.

You are reminded that the Register and absent voter lists must only be used for referendum purposes, i.e. to help with campaigns. Indeed, it is an offence to use this information, or to allow it to be used, for any other purpose.

The deadline to register to vote at this referendum is midnight on 10 September. Any residents who are not already registered to vote, can do so up to this deadline. Applications to register can be made online at www.gov.uk/register-to-vote or by contacting us for a paper form.

6. Postal and Proxy Voting

The deadline for receipt of **new postal** vote applications as well as changes to existing postal votes or postal proxy votes is 5pm on 11 September.

The deadline for receipt of **new proxy** vote applications is 5pm on 18 September.

Application can be made online at www.gov.uk/apply-postal-vote or www.gov.uk/apply-proxy-vote.

If required, forms are available at <http://www.electoralcommission.org.uk/i-am-a/voter/how-cast-your-vote> or direct from the Elections Team.

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 referendum if they are included on the register of electors.

Postal votes will be issued to registered postal voters via Royal Mail around the 19 September.

An elector is required to provide their date of birth and signature on the postal vote application and when they return their postal vote pack. Without this information, the postal vote will not be valid.

Replacement packs can be issued at any time up until 5pm on 26 September in cases where an elector spoils their vote, loses it or receives an incomplete original pack. In these cases, the elector should contact this office for advice.

Campaigners should **not** handle postal vote documents, but should forward all applications, and any completed packs, to the Elections Team immediately. Voters who require assistance should contact the Elections Team.

7. Polling Day

General Information

Staff will be available at the CDC Offices throughout polling hours to deal with queries or problems relating to the administration of the referendum.

Postal votes can be handed in at the polling station, or delivered to the CDC offices at Trinity Road, Cirencester, up until 10 pm on polling day.

Entry to Polling Stations

In addition to voters and the Counting Officer and his staff, the only persons entitled to be in the polling station on polling day are as follows:-

- Polling observers (see later)
- Police Officers and Police Community Support Officers on duty
- Persons under the age of 18 who are accompanying voters
- Companions of voters with disabilities
- Representatives of the Electoral Commission
- Observers accredited by the Electoral Commission

Filming and/or photography are **not** permitted inside, or within the confines of, the polling station.

Voters in a polling station or in a queue outside a polling station at 10 pm can apply for, receive, and mark, a ballot paper.

A person in a polling station or in a queue outside a polling station at 10 pm waiting to hand in a postal vote can do so after 10 pm.

8. Opening of Postal Votes

Postal votes will be opened in two sessions:

Wednesday 25 September at 11am in the Council Offices, Trinity Road
Thursday 26 September at 9:30pm at Stow Social Club

Any person who is appointed as a counting observer is also entitled to attend and observe the postal vote opening sessions.

A postal voting observer has a right to observe, but not to interfere with, the opening process. A postal voting observer can, however, object to a decision to reject a postal vote - it will not affect the decision of the Counting Officer (or Deputy), but they will record any objections by marking the postal voting statement with the words 'rejection objected to'.

If any changes are made to the opening arrangements, we will notify interested parties by email, at least 48 hours in advance of any change.

At each opening, the signature and date of birth of each voter will be checked against the information held on the Electoral Management System. This process will be carried out using a scanner which will compare the date of birth and signature. We will also have access to a 'hard' copy data list of signatures and dates of birth.

Either the Counting Officer or a nominated Deputy will adjudicate on each statement that is queried by the system or does not match the data list.

9. The Verification and Count

The verification and counting of votes will take place after the close of poll at Stow Social Club, GL54 1DE.

In addition to the Counting Officer and his staff, the only persons entitled to attend the verification/count are as follows:-

- Counting observers
- Representatives of the Electoral Commission
- Observers accredited by the Electoral Commission
- Any other person(s) permitted by the Counting Officer to attend.

The Counting Officer **has a legal duty to appoint counting observers** to attend the verification/count. However, there is no specified minimum number that must be appointed.

The role of these observers includes the following:

- to observe the verification/counting process and make sure that it is accurate
- to draw to the attention of count staff any doubtful ballot papers
- if they disagree with a decision by the Counting Officer to reject a ballot paper, to ask the Counting Officer to mark on the ballot paper "rejection objected to"
- if a count is suspended for any reason, to add their seals when the Counting Officer seals the ballot boxes and envelopes.

Counting observers do **not** have the power to request a re-count.

If no observer is appointed, the District Councillor whose ward covers the referendum area will be asked to attend as the required count observer.

Appointment forms should be submitted to the Counting Officer no later than midnight on 19 September and a form is attached for this purpose.

Tickets/entrance passes will be provided for all those entitled/allowed to attend the Count - attendees will need to bring their passes with them to gain entry.

No recording, filming or photography is allowed in the count venue before a result is declared.

10. Polling Observers

The Counting Officer **may** also appoint polling observers.

Polling observers can undertake a number of roles on polling day. They can:

- be present in a polling station before the opening of the poll to watch the Presiding Officer show the empty ballot box before it is sealed (but they

cannot affix their own seal to the ballot box at the start of, or indeed during, the poll)

- detect personation and prevent people voting more than once in the referendum (other than as proxies)
- be present when the Presiding Officer marks a ballot paper at the request of an elector who needs assistance because of a disability or an inability to read or write
- report to the campaign group any improper activities and keep notes, if required, for giving evidence in court
- be present at the close of poll when the various packets of documents are sealed
- attach their seal to any packets made up by the Presiding Officer at the close of poll, including the ballot box.

Polling observers can also mark a separate copy of the Register of Electors, to identify who has asked for a ballot paper. However, the polling observer cannot take away their marked copy of the Register from the polling station until the close of poll, to ensure that secrecy requirements are not breached.

If any such observer does attend any polling station, they are asked to make themselves known to the polling station staff.

An appointment form for polling observers is attached. The deadline to appoint observers is midnight on 19 September.

11. Secrecy Arrangements

Provisions for secrecy should be made known to all of those acting on behalf of campaign groups. The issue of secrecy is also covered in Electoral Commission Guidance.

There are separate documents for Postal Vote Opening, the Poll, and the Count - and copies of these documents are also attached.

12. The Campaign

(a) Campaign Expenses

A campaign organiser, either an individual or group, wishing to conduct a campaign with a view to promoting or procuring a particular outcome in relation to the question to be asked in the referendum is subject to an expenses limit.

Sections 6 and 7 of the Neighbourhood Planning (Referendum) Regulations 2012 (as amended) set out the limit that may be spent on referendum expenses and the penalty for non-compliance; and the manner in which notional expenses should be applied.

The referendum expenses limit which will apply in relation to the referendum is £2,475.92. This has been calculated by adding 5.9p for each of the 1,931 local

government electors for the referendum area, at the date of publication of the notice of referendum, to the base amount of £2,362.

Schedule 2 of the Regulations (as amended) states that expenses mean the expenses incurred by or on behalf of any individual or body during the referendum period in relation to:

- Advertising of any nature
- Unsolicited material addressed to voters
- Information about the referendum, information about the question, arguments for and against
- Market research or canvassing
- Provision of any property, services or facilities in connection with press conferences or dealings with the media
- Transport (by any means) of persons to anywhere with a view to obtaining publicity in connection with a referendum campaign
- Rallies and other events, including public meetings.

Expenses also include any notional expenses, where property, services or facilities are provided free of charge or at a discount of more than 10% - these should be set against the expenses limit.

Whilst there is no legal requirement for campaign groups to record or submit their campaign expenses, they are encouraged to submit a statement of expenses (incorporating details of their expenditure) to the Counting Officer after the Referendum.

It is an offence for a campaign organiser to exceed the referendum expenses limits; and, if found guilty, they would be liable to a fine of up to £5,000 and/or imprisonment of up to 12 months.

Please note that no money spent on a campaign will be reimbursed by the Council or the Electoral Commission.

(b) General Issues

Campaigners should make themselves familiar with the Code of Conduct for campaigners, which is supported by the political parties, and can be accessed via the following link: <https://www.electoralcommission.org.uk/combined-guidance-returning-officers-local-government-and-police-and-crime-commissioner-elections/planning-election/maintaining-integrity-election/code-conduct-campaigners>

this code covers key areas of the election and the “dos and don’ts” for campaign groups.

Anyone acting on behalf of a campaign group should be made aware of the code of conduct and ensure that they follow the guidance within it.

Campaign Material and Use of Imprints:

Common campaign issues/queries relate to the **content of material** and the need for an **imprint** to be included on all election material produced and/or distributed by or on behalf of campaigners.

The Electoral Commission publish guidance for candidates on election material and imprints and a copy is attached. This also applies to campaigners and groups at this referendum. In summary, all materials that are printed and published:

- must contain the required imprint
- must not make a false statement about the personal conduct of anyone involved in the referendum
- must not be paid to be displayed, unless paid advertising is the usual business of that particular location/site
- can only be displayed with correct permission, including that of the land-owner (also, no fly-posting - the provisions of the Town and Country Planning (Control of Advertisements) Regulations regarding the display and removal of election notices, advertising hoardings, large banners, etc. must be complied with)
- when displayed, must not cause any safety or obstruction issues (for example, they should not block highway visibility)
- must be removed after the referendum according to local and statutory planning rules
- are subject to the normal civil and criminal law relating to all published material
- must not resemble a poll card.

Electoral Commission Guidance also states that imprints should be placed on all non-printed campaign materials, including electronic material/e-mails and also on websites and social networking sites. If in any doubt, Electoral Commission Guidance advises use of the imprint.

On printed material, the imprint must carry the full name and full address of the printer and promoter of the material, and any person on behalf of whom the material is being published (and who is not the promoter).

For electronic material and websites etc., the imprint should include the name and address of the promoter and the organisation on whose behalf it has been produced.

There are various restrictions relating to campaign activity and materials, and related offences and potential penalties (some severe). They include such matters as making false statements about the character or conduct of an individual, bribery, undue influence, etc.

It is important for you to be aware of these as your campaigns progress.

If you are concerned that an 'electoral'-related offence or fraud may have been committed, you should first raise the matter with the Electoral Registration Officer or Counting Officer.

The Electoral Registration Officer or Counting Officer may be able to provide additional information/guidance to help to assess whether or not an offence may have been committed and can either refer your concerns to the Police or provide you with the relevant contact details for the Police so that you can report the allegation yourself.

Please note that it is not for the Electoral Registration Officer or Counting Officer to investigate such allegations.

If you have evidence that an offence has been committed, you should contact the Police immediately, using the 101 non-emergency numbers unless there is a crime in progress, in which case you should use the standard 999 emergency line. Every police force has a dedicated Single Point of Contact Officer who will be able to provide advice to ensure that your allegations are properly investigated. You should be prepared to give the Police a statement and substantiate your allegation.

Further detail can be found in Electoral Commission Guidance.

(c) Campaign Posters on Highway Land

Please note the following statement from Gloucestershire County Council about campaign posters on highway land:

“Political parties, candidates and agents are advised not to put election posters up on the highway network. The highway network includes roads, bridges, land adjacent to roads, pavements, signs and lampposts. Any posters seen on highway land will be removed.

Posters on the highway distract attention away from road signs that are there for safety and other important reasons. In addition they can remain for weeks or months after elections and become an eyesore.

If road maintenance teams are spending time removing political posters then they will have less time to undertake their vital work in maintaining the county's roads.

If there are persistent problems the Council will consider ways of recovering the costs including billing the responsible election agent.”

These principles/restrictions apply to this referendum, and to any campaigner and/or group.

13. The Elections Team and Useful Contact Details

The Elections Team at Cotswold District Council comprises:-

Rob Weaver, Counting Officer

Sarah Dalby, Deputy Counting Officer

Katrina Keylock, Deputy Counting Officer

These Officers are available to provide help and assistance throughout the referendum process. Their contact details, and other generic contact details, are as follows:-

Sarah Dalby

01285 623229

sarah.dalby@cotswold.gov.uk

Katrina Keylock

01285 623227

katrina.keylock@cotswold.gov.uk

Elections Team (public contact details)

01285 623002

elections@cotswold.gov.uk

CDC Main Office Number

01285 623000

Web: www.cotswold.gov.uk

14. Electoral Commission

Web: www.electoralcommission.org.uk

Telephone: 0333 103 1928

E-mail (general): info@electoralcommission.org.uk

E-mail (Party and Election Finance): pef@electoralcommission.org.uk

Note/Disclaimer

This information note has been prepared to help those involved with campaigns associated with a Neighbourhood Planning Referendum and contains information and guidance on various aspects of the referendum process.

However, campaigners should always seek their own legal advice on matters of law. Furthermore, whilst every effort has been made to ensure the accuracy of the contents of this note, the Counting Officer can accept no responsibility for any consequences arising from any errors or omissions in this note.

Campaigners are also advised to refer to any associated Guidance, including via the Electoral Commission and/or other sources.

Neighbourhood Planning Referendum	26 September 2024
Referendum Area	Stow-on-the-Wold and the Swells
Nomination of Counting Observers	

Please use this form to nominate counting observers. Anyone appointed as a counting observer will automatically be appointed as a postal vote observer and a polling observer.

The deadline for campaign groups to nominate counting observers is **midnight on 19 September**. The maximum number of observers that may be appointed by each campaign group is **THREE (3)**.

Referendum Area:	
Name of campaign organiser:	
Signature of campaign organiser:	
I nominate the following person as a counting observer:	
Name of counting observer	Address of counting observer (including postcode)

N.B. This form should be returned to the Counting Officer by the **deadline of midnight on 19 September 2024**.

Neighbourhood Planning Referendum	26 September 2024
Referendum Area	Stow-on-the-Wold and the Swells
Request for Register of Electors	

Name of campaign group organiser	
Address of campaign group Organiser	
I declare that I will use my copy of the electoral register for electoral purposes and checking the validity of donations only . I will only allow others who are assisting me in my campaign to use my copy of the electoral register for the same purposes. I understand that any use other than for electoral or donation checking purposes is illegal, with a maximum fine of £5,000.	
Signed	

Details	
Please indicate if you require the register in paper or data format and where it should be sent to:	
Paper format	
Data format	
Please provide a delivery address/email address	
Delivery address/email address	

Contact details (in case of query – these will not be published)	
Telephone	
Mobile	
E-mail	

This electoral register can only be supplied, at the earliest, on the last date allowed for the notice of referendum to be published.

Return this form to: Elections Team, Cotswold District Council, Trinity Road, Cirencester, GL7 1PX

Neighbourhood Planning Referendum	26 September 2024
Referendum Area	Stow-on-the-Wold and the Swells
Request for Register of Electors	

Name of campaign organiser:	
Signature of campaign organiser:	

I declare that I use my copy of the absent voters' list (postal and/or proxy voters' list) for **electoral purposes only**. I will only allow others who are assisting me in my campaign to use my copy of this data for the same purposes. I understand that any use other than electoral purposes is illegal, with a maximum fine of £5,000.

Details		
Please indicate which lists you require (tick all that apply):		
The current list of postal voters	<input type="checkbox"/>	
The current list of proxy voters	<input type="checkbox"/>	
The final list of postal voters	<input type="checkbox"/>	
The final list of proxy voters	<input type="checkbox"/>	
Please indicate the format you require the data in:		
Paper format	<input type="checkbox"/>	
Data format	<input type="checkbox"/>	
Please provide a delivery address/email :		
Delivery address/email:		

Contact details (in case of query - will not be published)	
Telephone	
Mobile	
E-mail	

This list can only be supplied, at the earliest, on the last date allowed for the notice of referendum to be published.

REQUIREMENT OF SECRECY: POSTAL VOTING

Local government elections

Section 66 of the Representation of the People Act 1983 (as amended)

(1) ...

(2) ...

(3) ...

(4) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not:

(a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or

(b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person; or

(c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper; or

(d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtain at those proceedings.

(5) ...

(6) If a person acts in contravention of this section he shall be liable on summary conviction to an unlimited fine not exceeding level 5 on the standard scale¹ or to imprisonment for a term not exceeding 6 months.

¹ This means an unlimited fine.

REQUIREMENT OF SECRECY: THE POLL

Local government elections

Section 66 of the Representation of the People Act 1983 (as amended)

(1) The following persons:

- (a) every returning officer and every presiding officer or clerk attending at a polling station;
- (b) every candidate or election agent or polling agent so attending;
- (c) every person so attending by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000;

shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to:

- (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
- (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
- (iii) the official mark.

(2) ...

(3) No person shall:

- (a) interfere with or attempt to interfere with a voter when recording his vote; otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
- (b) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given to a voter at that station;
- (c) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.

(4) ...

(5) No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.

(6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale¹ or to imprisonment for a term not exceeding 6 months.

¹ This means an unlimited fine.

REQUIREMENT OF SECRECY: THE COUNT

Local government elections

Section 66 of the Representation of the People Act 1983 (as amended)

- (1) ...
- (2) Every person attending at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not:
 - (a) ascertain or attempt to ascertain at the counting of the votes the number or other unique identifying mark on the back of any ballot paper;
 - (b) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.
- (3) ...
- (4) ...
- (5) ...
- (6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale¹ or to imprisonment for a term not exceeding 6 months.

¹ This means an unlimited fine.

Guidance on the conduct of tellers in and around polling places

The
Electoral
Commission

Introduction

1.1 This guidance provides advice for those involved in administering and campaigning in elections and referendums, and aims to ensure that tellers, agents, candidates and polling station staff know precisely what is and is not accepted when campaigning in and around polling places. These guidelines intend to promote appropriate standards of conduct to be maintained throughout the UK. Agents who also act as tellers are also subject to the provisions in this guidance.

1.2 This guidance should be read alongside any guidance issued by the Returning Officer; as they are ultimately responsible for the conduct of elections their decision is final.

1.3 For the purposes of this guidance:

- 'Polling place' means the building in which polling stations are located.
- 'Polling station' is defined as the room or area within a polling place where electors cast their votes, which contains the polling booths, ballot box and Presiding Officer's table. The polling station is a self-contained area which only those allowed by law may enter. More than one polling station may be located within a polling place.

Tellers

1.4 Tellers are usually volunteers for candidates. They stand outside polling stations or polling places and record the electoral number of electors who have voted. By identifying electors who have not voted and relaying this information to the candidate or their supporters, tellers play an important role in elections and referendums. The candidate or their supporters may then contact the voters who have not yet been to vote during polling day and encourage them to vote.

1.5 Tellers must not impede or interfere with the efficient and secure administration of the election and must comply with any instructions issued by the Returning Officer or Presiding Officer.

1.6 **Tellers have no legal status and voters have the right to refuse to give them any information.** They should not be confused with polling agents, whose appointment and rights are described in legislation. Tellers, unlike polling agents,

may not be admitted to the polling station in their capacity as tellers (see '[Location](#)' below).

Tellers' activities

1.7 Tellers should concern themselves only with checking who is about to vote or has voted. This will involve politely asking voters for their poll card, elector number or name and address. Returning Officers may advise tellers that they may approach voters for information as they either enter or leave the polling station.

1.8 If asked, tellers should explain that they are activists seeking to determine who has actually voted. No impression should be given that any information provided will be used for official purposes or that they are employed by the Returning Officer.

1.9 Tellers should not display or distribute election material (e.g. billboards, posters, placards or pamphlets) on walls or around the polling place. Any display of such material should be brought to the attention of the Presiding Officer immediately.

1.10 Presiding Officers have responsibility for ensuring that electors are given an opportunity to cast their vote in a free and fair manner. Any decision regarding the location or behaviour of tellers is a matter for the Presiding Officer and Returning Officer; tellers must comply with their instructions.

1.11 Tellers must not attempt to induce, influence or persuade an elector how or whether to vote. Tellers cannot promote particular candidates or political parties. Their conduct must not give rise to allegations of undue influence, e.g. discussing voting intentions, party affiliations, a candidate's history, election campaigns, or undertaking any other activity particularly associated with one particular party or candidate. Any queries that relate to the electoral process must be directed to the Presiding Officer.

1.12 Voters must never be asked to re-enter the polling station to ascertain their elector number or retrieve a poll card. Voters are not obliged to comply with any request for information. Tellers must not press voters if their initial request for information is declined.

Numbers of tellers

1.13 There should be no more than one teller at a polling station for each candidate at any time. Where a polling place contains more than one polling station with separate entrances, it may be appropriate for there to be tellers at each entrance, but no more than one per candidate. Their behaviour and numbers should never be capable of being seen as intimidating in any way.

Location

1.14 Tellers must remain outside the polling station itself; they may only enter polling stations for the lawful purpose of casting their own vote, voting as a proxy, assisting a voter with disabilities, or fulfilling duties of their appointment as a polling agent, election agent, or candidate.

1.15 The Presiding Officer may allow tellers to enter the polling place (e.g. stand under porticos and entrances) provided that they are outside the polling station and do not impede or obstruct the access of voters. Tellers must not be able to see or hear what is going on inside the polling station. Where a polling place consists of one room only, tellers must not under any circumstances seek or be allowed to enter that room. Tellers cannot enter the polling station under any circumstances in their capacity as tellers.

Poll cards

1.16 The activities of tellers are limited to the collection of elector numbers or poll cards. Poll cards left with tellers should be given to the Presiding Officer or Poll Clerk by the close of poll. Tellers must not ask polling staff to hand over poll cards that may have been left with them or in bins.

1.17 Tellers may use a receptacle for voters to discard their poll cards, to help them establish who has voted during their absence. Such receptacles must not obstruct voters who are entering or leaving the polling station. The contents must be returned to polling station staff after the close of poll.

Appearance

1.18 Tellers may wear coloured rosettes or a badge of a reasonable size, as this assists electors by making it clear that they are activists and not electoral officials. The rosette/badge may display the name of a candidate and/or an emblem or description; the rosette/badge should not bear a slogan and must not be oversized.

1.19 Tellers must not wear, carry or display any headwear, footwear or other apparel that carries any writing, picture or sign relating to any candidate or party apart from a rosette.

Application of this guidance

1.20 With regard to the collection of elector numbers from voters on the way in or out of the polling station, this guidance is intended to be amended to coincide with any guidelines or instructions provided by the Returning Officer. The Returning Officer is ultimately responsible for the conduct of an election; as such, their decision is final. Each individual Returning Officer is independent of the local authority when they are conducting the election, and everything is done under their personal responsibility.

1.21 The value of local agreements cannot be over-emphasised. It is recommended that the Returning Officer arranges a briefing with all agents and tellers at the earliest opportunity following the close of nominations to communicate the same message to all concerned. This will ensure that everyone is aware of the local circumstances and conducts their campaign within the same guidelines. It may pre-empt problems by discussing campaigning in and around polling places and the conduct of tellers, and reaching consensus amongst those present as to what is acceptable, especially with regard to whether to gather elector numbers as voters either enter or leave the polling station. Guidance should be distributed with nomination packs or at pre-election briefings.

1.22 On polling day, Returning Officers may find it helpful to provide Presiding Officers with posters to display that outline the main responsibilities of tellers. The poster could be displayed outside the polling station close to where tellers stand, serving both to self-regulate the activity of tellers and to alert voters that tellers are not official polling station staff. It could also be handed to any tellers prior to polling day to advise them of what they can and cannot do. The poster is intended to be used by the Returning Officer in conjunction with agreed local arrangements on the collection of elector numbers.

1.23 If in doubt about the actions of a teller, the Presiding Officer or Returning Officer should consider: 'What would a reasonable observer think?' in line with the advice of the Committee on Standards in Public Life.¹

Complaints

1.24 If a complaint is received about the conduct of tellers, the electoral administrator should contact the relevant Presiding Officer and request that the matter be dealt with and monitored by the polling station staff there. Presiding Officers have the power to keep order in the station and may require any teller who refuses to carry out their instructions to be removed.

1.25 If it is not possible to contact the Presiding Officer, or there are continuing difficulties with the activities of tellers or campaigners, a member of the Returning Officer's staff should visit the polling place. The member of staff should speak to the Presiding Officer before approaching the campaigners or tellers. Tellers may be reminded of this guidance, provided with a copy if necessary, and advised that it is an offence under electoral law for anyone to impede or interfere with any electors prior to their voting.

1.26 Tellers should be advised that if the interference persists the police will be called. The Presiding Officer should be advised of the action taken and asked to monitor the situation and report any further problems to the elections office. The agent of the party or candidate they are representing should also be informed.

1.27 This enables the party or candidate concerned to take action against such tellers and ensure that they are properly briefed before being allowed to act as tellers in future elections and referendums.

¹ Committee on Standards in Public Life, *Standards in Public Life: Standards of Conduct in Local Government in England, Scotland and Wales, Third Report*. Chairman Lord Nolan (The Stationery Office: London, 1997).

Tellers do's and don'ts

Tellers are usually volunteers for candidates. They stand outside polling stations or polling places and record the electoral number of electors who have voted. By identifying electors who have not voted and relaying this information to the candidate or their supporters, tellers play an important role in elections and referendums. The candidate or their supporters may then contact the voters who have not yet been to vote during polling day and encourage them to vote.

There should be no more than one teller at a polling station for each candidate at any time. Where a polling place contains more than one polling station with separate entrances, it may be appropriate for there to be tellers at each entrance, but no more than one per candidate.

Tellers have no legal status and voters have the right to refuse to give them any information. The Returning Officer or their staff may provide further guidance on the activities of tellers.

Tellers must

- always remain outside the polling station
- only enter the polling station to cast their own vote, to vote as a proxy or to assist a disabled voter
- always comply with the instructions of the Returning Officer and Presiding Officer

Tellers must not

- be able to see or hear what is happening inside the polling station
- impede, obstruct or intimidate voters on their way in or out of the polling station
- demand any information relating to a voter's elector number, name or address
- ask voters to re-enter the polling station to ascertain their elector number
- have discussions with voters that may give rise to allegations of undue influence (e.g. voting intentions or party affiliations)
- display any campaign material in support of or against any particular political party or candidate other than a rosette or badge

Tellers may

- approach voters for information as they enter or leave the polling station
- display a coloured rosette or badge displaying the name of the candidate, party and/or emblem or description; the rosette/badge should not bear a slogan and must not be oversized