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Part 1

THIS GUIDE, ELECTIONS STAFF AND THE ELECTION TIMETABLE

About this Guide

1. We have prepared this guide to help prospective candidates. It contains information on various aspects of the elections process which will be useful for all candidates.

2. In particular, prospective candidates and agents should note the paragraphs relating to qualifications for candidature, the submission of Nomination Papers and Consents to Nomination. Please read these BEFORE the completion and submission of Nomination Papers. If you have any queries on the guide, or on elections generally, please do not hesitate to contact the Elections Office.

3. We have provided this document as a guide to the requirements for candidates and agents during the election. You should not rely on it as legally definitive and the Returning Officer cannot accept any responsibility for any errors or omissions, or any act arising from them. If candidates or agents have any doubts about a particular point we strongly recommend raising the issue with the Elections Office and/or consulting the appropriate legislation, seeking legal advice, possibly via the political party (if any).

4. Another useful source of information and guidance is the Electoral Commission on 03331 031928 or infoengland@electoralcommission.org.uk

5. The Commission includes detailed information on its website: www.electoralcommission.org.uk. The specific section of its website relevant to parish council candidates may be found at www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-and-community-council-elections-in-england-and-wales

6. Prospective candidates may also seek information about parish elections from the website of the Nottinghamshire Association of Local Councils at www.nalc.org.uk. Specifically, booklets relating to the role of councils and councillors are available on the website of the National Association of Local Councils at www.nalc.gov.uk/Publications/Booklets_and_Resources.aspx providing useful reference for candidates who have not previously served on a local council.

1. Returning Officer and Elections Staff

1.1. The Returning Officer, Neil Taylor, and the Elections Team are located at Queen's Buildings, Potter Street, Worksop, S80 2AH.

1.2. You may contact Julie Hamilton, Democratic and Electoral Services Manager on 01909 533 252, email: julie.hamilton@bassetlaw.gov.uk for advice at any time.

1.3. The Elections Team’s email is elections@bassetlaw.gov.uk. Telephone queries concerning the electoral register and postal and proxy voting should be made via 01909 533 252. Some general information and postal voting applications may also be obtained by visiting the Council’s website at www.bassetlaw.gov.uk/elections

1.4. We will make available details of the persons nominated after the last date and time for their submission at www.bassetlaw.gov.uk/elections
1.5. Please note that the Returning Officer and electoral staff are not responsible for monitoring the conduct of candidates and campaigners. If the conduct of anyone involved in the election process contravenes the law, you should bring this to the attention of the police.

2. Timetable

2.1. The elections process is governed by a statutory timetable, summarised below. In this guide you will find further references to matters required by the timetable and, where necessary, we will supply additional information to candidates between close of nominations and the day of the poll.

<table>
<thead>
<tr>
<th>Event</th>
<th>Date/Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Publication of Notice of Election</td>
<td>Friday 22 March 2019</td>
</tr>
<tr>
<td>Delivery of Nominations</td>
<td>From 10am to 4pm on weekdays (except bank holidays) from Monday 26 March 2019 to Wednesday 3 April 2019</td>
</tr>
<tr>
<td>Notice of Withdrawal</td>
<td>Not later than 4pm on Wednesday 3 April 2019</td>
</tr>
<tr>
<td>Statement of Persons Nominated</td>
<td>Not later than 4pm on Thursday 4 April 2019</td>
</tr>
<tr>
<td>Deadline for applications to be included on the register of electors in order to vote in the election</td>
<td>Friday 12 April 2019</td>
</tr>
<tr>
<td>Postal Voting Applications, or change or cancellation of existing postal vote or proxy appointment</td>
<td>Not later than 5pm on Monday 15 April 2019</td>
</tr>
<tr>
<td>New applications to vote by proxy (except for medical and employment emergencies)</td>
<td>Not later than 5pm on Wednesday 24 April 2019</td>
</tr>
<tr>
<td>Publication of Notice of Poll</td>
<td>Wednesday 24 April 2019</td>
</tr>
<tr>
<td>Appointment of Polling/Counting Agents</td>
<td>Thursday 25 April 2019</td>
</tr>
<tr>
<td>Polling Day</td>
<td>Thursday 2 May 2019 (7am to 10pm)</td>
</tr>
<tr>
<td>New Proxy Voting Applications on grounds of medical or employment emergency</td>
<td>After 5pm on Wednesday 24 April 2019 and not later than 5pm on Thursday 2 May 2019</td>
</tr>
<tr>
<td>Return of Election Expenses</td>
<td>Not later than Friday 31 May 2019</td>
</tr>
</tbody>
</table>
Part 2
CANDIDATES - NOMINATION/WITHDRAWAL; AND ELECTION AGENT

3. Qualifications/ Disqualifications for Candidature

3.1. To qualify as a candidate a person must, on both the day of nomination and the day of the election, be 18 years of age and a British or Commonwealth citizen, or a citizen of the Republic of Ireland, or a citizen of another Member State of the European Union. In addition, the candidate must also meet at least one of the following four qualifications, again both on the day they are nominated and on polling day:
   (a) be registered as a local government elector within the parish; or
   (b) have occupied as owner or tenant any land or other premises during the previous twelve months within the parish; or
   (c) his/her principal or only place of work during the previous twelve months has been in the area of the parish; or
   (d) have resided within the parish or within 4.8 kilometres (three miles) thereof during the previous twelve months.

3.2. The ‘previous twelve months’ means the whole of the twelve months preceding the day of nomination as a candidate.

3.3. A successful candidate must remain a registered elector as set out in paragraph 3.1 (a) unless another criterion in paragraph 3.1 applies for the duration of councillorship. It is therefore important to mark all of the qualifications that the candidate satisfies when completing the nomination paper.

3.4. There are certain disqualifications for election and holding office as a member of a local authority. These are contained in Section 80 of the Local Government Act, 1972 (as amended), Section 78A of the Local Government Act 2000 and Section 34 of the Localism Act 2011. Section 81 of the 1972 Act gives exceptions. The consent to nomination form attached to the nomination paper provides the text of all of these sections.

3.5. The main disqualifications are if the person:
   (a) is employed by or holds a paid office under that local authority (including joint boards or committees); or
   (b) is the subject of a bankruptcy restrictions order or interim order; or
   (c) has been sentenced to a term of imprisonment (whether suspended or not) of not less than three months without the option of a fine, during the five years before the day of election; or
   (d) has been disqualified under Part III of the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices and offences relating to donations).

3.6. Disqualification may occur following a decision by the First Tier Tribunal (formerly Adjudication Panel for England and Wales).

3.7. The full range of disqualifications is complex, and certain exceptions may also apply. Candidates should carefully check the position before signing their consent to nomination, in order to ensure that no disqualifications apply, and seek legal advice if necessary.

1A councillor seeking re-election may consider that the council is his/her place of work.
3.8. The qualifications for candidature are also set out on the Candidates’ Consent to Nomination (see also section 6 below).

4. Nomination

4.1. Nomination packs are provided to the parish clerk. Further copies are available from the Council’s website or from the Electoral Commission.

4.2. We require care in the completion of Nomination Papers to ensure that the Returning Officer does not have to rule the nomination to be invalid. Please read carefully the information contained in the following paragraphs and follow the guidance.

4.3. Nominations for each candidate must be on a separate Nomination Paper in the prescribed form. The Nomination Paper must give the full names (surname first) of the candidate. There is now no requirement for the candidate’s home address to be published on either the ballot paper, the Statement of Persons Nominated or the Notice of Poll.

4.4. If the candidate wishes to use a description on the ballot paper, that description must
- not exceed SIX words in length
- not be likely to lead a voter to associate the candidate with a registered political party, UNLESS the description has been authorised by the Party concerned
- if it is a description authorised by a political party, be either a description registered by the relevant political party [and a registered political party may register up to 12 descriptions], or the name of the political party as registered – see also section 6 below.

4.5. Important: More information on descriptions is included in paragraph 6 below. If in any doubt, please do not hesitate to contact the Elections Office.

4.6. In summary, candidates have the following options with regard to the description:
(a) Leave the description part of the form blank, in which case no description will appear on the ballot paper; or
(b) Use the description ‘Independent’; or
(c) Use a description that is registered with the Electoral Commission, which the Nominating Officer of a registered political party, or someone appointed to act on their behalf, has authorised the use of in writing; or
(d) Use the name of a political party as it is registered with the Commission which, again, requires authorisation in writing; or
(e) Use a description containing no more than SIX words, provided that it is not one which will lead a voter to associate it with a registered political party.

4.7. The candidate’s full name is required and the use of initials is likely to invalidate the nomination paper. There is also provision for “commonly used” surname(s) and forename(s), as long as the Returning Officer is satisfied that they are not likely to mislead or confuse electors, and are not obscene or offensive. If the name is not permissible, the Returning Officer will write to the candidate stating the reason for disallowing the commonly used name, and the notices and ballot paper will show the candidate’s full names. The boxes on the nomination paper for these should be left blank if none is required.
4.8. Titles or prefixes, such as Mr, Mrs, and Dr should not be used; the format should be, for example, Jones, Edward Leslie. If the candidate is normally known by another name, it can be included as follows: Jones, Edward Leslie and the ‘commonly used forenames’ section could show ‘Ted’. This would mean that the ballot paper would read ‘JONES’ then, ‘Ted Jones’.

4.9. The exact wording of the candidate’s name, as entered on the nomination paper, will appear on any notices and on the ballot paper. If using the ‘commonly used’ surname and/or forename we will use these on the Statement of Persons Nominated, the Notice of Poll, and the ballot paper.

4.10. A proposer and a seconder must subscribe Nomination Papers. The proposer and seconder must be local government electors for the parish or, if the parish is divided into wards, the parish ward, and their electoral numbers must appear on the Nomination Paper.

A person’s electoral number is their number in the register in force at the time of publication of the notice of election (i.e. Tuesday 26 March 2019) together with the distinctive letters of the relevant parliamentary polling district (as shown on the published register) – e.g. AA100.

4.11. No person may sign more Nomination Papers than there are vacancies within the parish or parish ward, or sign more than one Nomination Paper in respect of the same candidate.

4.12. Care is required to ensure that the distinctive (polling district) letters and the electoral numbers used on the Nomination Paper are those for the current register and NOT those on a previous register. The relevant register for Thursday, 2 May 2019 is that published on 1 March 2019.

4.13. Please see also section 13 below relating to the supply of the electoral register.

4.14. The rules require the proposer and seconder to sign the Nomination Paper and they should use their usual signature, even if the Register of Electors entry happens to be different or inaccurate. Therefore, the surname should not be written first, nor names written in full, unless that is the usual signature. The subscribers are also requested to PRINT their name AS SIGNED alongside their signature, in the column provided – i.e. if signed Ted Jones, then print TED JONES.

4.15. In order to ensure the validity of the nomination, and to reduce the likelihood of its validity being challenged, we advise that Nomination Papers are free of errors and crossings out. We do not recommend the use of corrective fluids, which could result in the Returning Officer declaring the nomination invalid. If a Nomination Paper is declared invalid, any person who signed the nomination cannot sign another Nomination Paper, if this would result in that person having signed more Nomination Papers than there are councillor vacancies for that parish or parish ward.

4.16. It is an offence to include false information relating to the name or address of a candidate in a Nomination Paper, or to falsify the signature of an elector. A person found guilty of this offence may be sentenced to imprisonment for up to a year, or face an unlimited fine, or both. If a candidate is found guilty of making a false statement in a Nomination Paper the election may be invalidated.

4.17. The Returning Officer is permitted to correct minor errors made on a Nomination Paper, including errors to a person’s electoral number and obvious errors of spelling in relation to the details of a candidate. Where there is no elector number, the Returning Officer will reject the nomination paper on the basis that there is no error in the elector number in that it has not been supplied.

The candidate should take care to ensure that all nomination papers are completed correctly; you should not rely on the provision to correct minor alterations.
5. Home Address Form

5.1 The Local Elections (Parishes and Communities) (England and Wales) (Amendment) (England) Rules 2018 came into force on 31st December 2018 and apply for the 2nd May 2019 elections. The need for candidates to provide a home address to be printed on the ballot paper, Statement of Persons Nominated and Notice of Poll has been removed.

5.2 Part 1 of the home address form must state:

(a) The candidate’s full name and home address in full;
(b) The candidate’s qualifying address(es);
(c) Which of the qualifications the candidate’s qualifying address or addresses relate to (a, b, c and/or d);
(d) The full name and home address in full of the person attesting the home address form (which must be the same person as who signs the consent to nomination).

5.3 Part 2 of the home address form must be completed if the candidate does NOT want their address to be made public, and must state:
(a) The name of the relevant area in which the candidate’s home address is situated (if the address is in the UK); or
(b) If the candidate lives outside the UK, the name of the country in which the candidate’s home address is situated.

6. Use of Name/Emblem of Registered Political Party

6.1. All candidates have the option of not using a description at all and leaving that part of the nomination paper, and hence the ballot paper, blank (see paragraph 4.4 above relating to the candidate’s description). If a candidate wishes to have a ballot paper description that is either the name of the relevant political party as registered with the Electoral Commission, or a description registered with the Commission by the party [and up to 12 may be registered], then when submitting your Nomination Paper you must also submit a certificate of authorisation from that party’s nominating officer (or a person appointed by him to act on their behalf) giving you permission to use that description. You can see the register of political parties at: https://pefonline.electoralcommission.org.uk/search/searchintro.aspx. Information and guidance about registering a party is also available from the Commission’s website.

6.2. A party may register up to three party emblems, and a candidate may request that one of those emblems is printed on the ballot paper opposite their name. This request has to be submitted in writing, during the nominations period and, if the party concerned has registered more than one emblem, the request must specify the one to be used. The request form is included in the nomination pack.

6.3. Candidates standing on behalf of two or more parties require a certificate from each party and each must allow use of the same registered joint description.

6.4. A deadline exists for receipt of the certificate authorising a description and a request from the candidate for use of a party emblem on the ballot paper. The Returning Officer must receive them during the period for the delivery of nomination papers (i.e. by no later than 4pm on Wednesday, 3 April 2019).
6.5. If the Returning Officer is of the opinion that a Nomination Paper does not meet the requirements outlined above, he will declare the nomination invalid at the close of the period for the delivery of nominations. Please note that:

(a) the certificate must authorise the precise description entered on the nomination paper. If it doesn’t, the nomination paper will be invalid; and
(b) it is essential that a person signing the certificate who is NOT the registered nominating officer (and there is only one registered nominating officer per registered party) has full authority to sign on behalf of that person.

6.6. A candidate using a party emblem on the ballot paper cannot use a variation on a registered emblem.

6.8. The candidate/party concerned does not have to use the forms supplied in the nomination pack provided, of course, that a request and certificate are submitted as described.

6.9. Whilst we can accept the certificate and request at any time during the period for the delivery of nomination papers it would assist if they are delivered with the Nomination Paper.

7. Consent to Nomination

7.1. The candidate must, on or within one month before the last day and time for the delivery of Nomination Papers, deliver to the Returning Officer a Consent to Nomination signed by them and containing a statement declaring with reference to the day of their nomination that to the best of their belief they are qualified to be elected, and giving particulars of the qualification. The Consent to Nomination must include the candidate’s date of birth. The person who witnesses the candidate’s signature on the consent form must also sign the form and give their full name and address. The consent also requires the date, which must be no more than one month prior to the last day for the delivery of nominations i.e. between Monday, 25 March 2019 and Wednesday, 3 April 2019.

7.2. The nomination is NOT valid unless the Consent, properly completed and attested, is delivered within the time stated.

7.3. Several qualifications for candidature exist: these are set out on the consent form. We recommend that all candidates indicate ALL of the qualifications that apply to them. Although failure to indicate more than one qualification will not, in itself, affect the validity of the nomination, it is good practice and could avoid a future loss of reasons for qualification (see paragraph 3.3).

7.4. The rules do not specify who can witness this form. However good practice suggests that the witness knows the candidate. The Returning Officer and their staff will NOT act as witness.

7.5. It is a serious offence to include false information in nomination papers, e.g. a signature of an elector, a candidate’s name and address, date of birth or qualification for being elected at that election. This offence also applies if the prospective candidate signs a declaration that they are qualified if they know they are not. If a person is found guilty of this corrupt practice by an election court, they may be sentenced to imprisonment for up to a year, a fine, or both. If a candidate is elected and subsequently they or their agent are found guilty of making a false statement in a nomination paper, their election shall be void. The Returning Officer must take each application on face value. As such it is important that candidates check all details carefully. If it is believed that an offence has been committed through a statement on a nomination paper, and the complainant is prepared to substantiate this allegation through a written statement, this should be brought to the attention of the police.
7.6. Nomination papers can be inspected at the office of the Returning Officer during normal office hours after the close of nominations at 4pm on Wednesday, 3 April 2019 until the day before polling day, Wednesday, 1 May 2019. They are not available for inspection after this.

8. Delivery of Nomination Papers

8.1. The Nomination Form, Home Address Form and the Consent to Nomination (and any certificate or request relating to the description of the candidate and the use of an emblem on the ballot paper) MUST be delivered to the Returning Officer at the Electoral Services Office, Queen’s Buildings, Potter Street, Worksop, S80 2AH by 4pm on Wednesday, 3 April 2019 at the LATEST.

8.2. The Nomination Form, Home Address Form and Consent Form MUST be delivered by hand.

8.3. We will publish the Notice of Election on Friday, 22 March 2019. Thereafter we can accept nominations between the hours of 10am and 4pm on Mondays to Fridays.

8.4. Candidates should submit the completed Nomination Papers as soon as they possibly can after the publication of the Notice of Election. In particular, we advise that you do not leave nominations until the last two days if possible because if an error is discovered, the candidate may not have time to submit a fresh Nomination Paper. If a candidate is nominated by more than one Nomination Paper they are asked to indicate which one we should use for the purpose of the Notice of Poll. If they do not do so, the Returning Officer will select which one to use.

8.5. Please note that an appointments system will be operating for the delivery of nomination papers. Please ring 01909 533 252 for an appointment. When making the appointment, please state how many papers you expect to deliver and the name of the parish council.

8.6. It is permissible to just turn up with nomination papers but if anyone does this they may have an extended wait as we will give priority to those who have made an appointment.

8.7. Please also note that we cannot extend the deadline. We cannot accept nominations sent by post, fax or email.

8.8. We recommend submission of nominations in advance of the final deadline. Doing so could ensure that sufficient time remains available to correct rejected nomination.

9. Validity of Nomination

9.1. The Returning Officer will decide the validity or otherwise of nominations as soon as practicable after delivery of the Nomination Paper. Where possible we will give an informal indication at the time of delivery in the presence of the candidate. This may not always be possible, especially at busy periods.

9.2. We will send a notice of the decision on the validity of the Nomination to each candidate.
10. Statement of Persons Nominated

10.1. We must publish a Statement of Persons Nominated no later than 4pm on Thursday, 4 April 2019. We will send a copy of this Statement to candidates as soon as possible. As well as showing the persons who stand nominated, it will show the reasons why any other person nominated no longer stands nominated.

10.2. In addition, we will publish details of the candidates nominated for each parish on the council’s website as soon as possible after the deadline for their receipt. See paragraph 1.4 above for more details.

11. Withdrawal from Candidature

11.1. A candidate may withdraw their candidature on submission of their signed notice of withdrawal, attested by one witness and delivered to the Returning Officer by 4pm on Wednesday, 3 April 2019.

11.2. A candidate may submit nomination papers for more than one parish of the same local government area. However, by the deadline for withdrawals they must have withdrawn from all those parishes except one. Failure to do so will invalidate the nomination papers for all parishes.

12. Uncontested Election

12.1. If, after the close of nominations and the time allowed for withdrawals, there are insufficient candidates for a poll, any person remaining validly nominated will be elected without a contest. In this event, we will supply further information to the successful candidate(s).

12.2. If there were fewer candidates than vacancies that constitute a quorum of the parish council (and the quorum is one third of the membership, subject to a minimum of three), then a further election would be called to fill the remaining vacancies, and further information on the process to be followed would be available from the Elections Office.

13. Register of Electors

13.1. Each candidate is entitled, on written request, to one free copy of the Register of Electors for the parish. We will provide this in data format, unless we receive a request for a paper copy.

13.2. A request sheet is included in the nomination pack.

13.3. If you need the register numbers for the proposer and seconder for inclusion on the nomination paper, and your own for inclusion in the consent to nomination, you can get these from the parish clerk.

13.4. The data/copy supplied will be for the register in force at the last date for publication of the notice of election, i.e. Tuesday, 26 March 2019. However, persons may apply to be registered to vote up to the 12th working day before the poll, i.e. Friday, 12 April 2019.

Candidates are also entitled to request the list of newly registered electors, which is provided for in the register request sheet referred to above.
13.5. A number of legal restrictions apply to the use of information included in the electoral register. Candidates who have received a copy of the full electoral register must not pass on a copy of the register to any other person, must not disclose any information from the register which is not contained in the edited version of the register or make use of any such information from the register *other than for electoral purposes*.

13.6. Any person found guilty of breaching these conditions may face a fine of up to £5,000.

**14. Election Agent**

14.1. A candidate at a parish election need not appoint an Election Agent, and where appointed their functions are limited, as the rules do not make provision for an Election Agent to attend at the opening of postal ballot papers, or at polling stations, or at the counting of the votes.

14.2. An agent may, however, be appointed for the purposes of making a return of the candidate’s election expenses.
ADDITONAL INFORMATION, ABSENT VOTING AND SECRECY

15. Additional Arrangements

15.1. As soon as possible after the last day for withdrawal (4pm on Wednesday, 3 April 2019), we will notify candidates of the polling station arrangements for those parishes where there are contested elections.

15.2. We will also supply details of the arrangements for the opening of postal voters’ ballot papers, the appointment of polling and counting agents and agents for the opening of postal ballot papers (see also paragraphs 21 to 24 below), and arrangements for the count.

16. Absent Voters

16.1. Supplies of forms for persons to apply to vote by post or proxy are available from the Council's website at www.bassetlaw.gov.uk/elections or from the Elections Office.

16.2. The final date for the receipt of applications to vote by post, or to change or cancel an existing postal vote or proxy appointment in respect of this election is 5pm on Monday, 15 April 2019. We may accept applications to vote by proxy, however, up to the deadline of 5pm on Wednesday, 24 April 2019. Applications to vote by proxy on grounds of medical or employment emergency may be received after then and up to 5pm on Thursday, 2 May 2019.

16.3. The above deadlines are absolute and we must receive properly completed applications at the Electoral Services Office, Queen’s Buildings, Potter Street, Worksop, S80 2AH by the times and dates shown. Electors can also send signed applications as a scanned email attachment to elections@bassetlaw.gov.uk.

16.4. Each candidate is entitled to a copy of the lists of absent voters. These will be supplied, ON REQUEST, and may be supplied at any time after the date of publication of the notice of election, i.e. Tuesday 26 March 2019. As with the supply of the electoral register, referred to in paragraph 13.1 above, we will provide it in data format unless a paper copy is requested.

16.5. The Electoral Commission has produced a Code of Conduct for Campaigners which includes comment on the handling of postal vote applications and postal ballot papers (see page 23).

17. Secrecy Requirement

17.1. Candidates and all other persons concerned with the elections must ensure the secrecy of the ballot in all its stages.

17.2. Candidates, polling and counting agents, and agents appointed for the opening of postal ballot papers will therefore be issued with a copy of the secrecy requirements.
18. Notice of Poll

18.1. Where an election is contested we will publish a Notice of Poll giving the details of the candidates and polling arrangements.

18.2. We will send a copy of the Notice to all candidates.

19. The Election Campaign

Part 4

TELLERS, POLLING/COUNTING AGENTS AND AGENTS FOR THE OPENING OF POSTAL BALLOT PAPERS

20. Tellers at Polling Stations

20.1. It is common practice for some candidates to appoint ‘tellers’ to stand outside polling stations and identify electors who have voted, but their activities can sometimes be confusing or intimidating to voters. Tellers are not permitted to be inside the polling station other than to exercise their own vote or to vote as a proxy.

20.2. Tellers have no status in electoral law and should concern themselves only with checking who has voted. Anything else could give rise to the risk of allegations of undue influence or antagonising voters. The full guidance, entitled ‘Guidance on the conduct of tellers in and around polling places’ is available from the Electoral Commission’s website at www.electoralcommission.org.uk/__data/assets/pdf_file/0005/141890/Tellersguidance-generic.pdf.

21. Polling Agents


21.2. There is often confusion as to the necessity to appoint polling agents and as to their purpose but there is no requirement for the appointment of any polling agents.

21.3. The main duties of a polling agent are as follows:

• To be present at their designated polling station before the opening of the poll to observe the Presiding Officer showing the empty ballot box prior to sealing.
• To detect personation and prevent people voting more than once at the same election. Voters believed to have committed the offence of personation or who attempt to vote twice should be challenged before they leave the polling station - to do this effectively, the polling agent should require the Presiding Officer to put forward the statutory questions to the elector.
• Polling agents must not give information to anyone as to who has or has not voted, or a person’s electoral number, or the official mark.
• To report to their candidate any improper occurrences and retain notes for use in giving evidence to a court, if required.
• To be present when the Presiding Officer marks ballot papers at the request of electors.
• To be present at the close of poll when the various packets of documents are sealed. At the close of poll, the polling agent may attach their seal to any packets made up by the Presiding Officer, including the ballot box. (Please note that polling agents’ seals cannot be attached to ballot boxes at the commencement of or during the poll.)
• They can mark off on their copy of the register of electors those voters who have applied for ballot papers. However, if they leave the polling station during the hours of polling, they should leave their marked copy of the register in the polling station in order not to breach the secrecy requirements.
21.4. A candidate can also do any of the things that a polling agent is authorised to do. However, just because a polling agent is entitled to witness various aspects of the polling procedure, the procedure is not invalidated if they have not witnessed it.

21.5. As mentioned in paragraph 17.2 above, polling agents are required to adhere to the requirement for secrecy. Accordingly, a polling agent must not give information to anyone as to who has or has not voted, or a person's electoral number, or the official mark. Also for this reason, a polling agent who leaves the polling station during the hours of polling must leave their marked copy of the register in the polling station.

21.6. Whilst a polling agent may mark a copy of the register at the polling station with the details of electors who have voted, the Returning Officer will NOT supply a copy of the Register for this purpose.

21.7. Candidates can appoint any number of polling agents to attend each polling station, although polling station staff will only allow one of each candidate's polling agents into a particular polling station at any time. There is a statutory limit of four polling agents permitted to be in a polling station at any one time. A candidate can appoint any agent to attend more than one polling station.

22. Counting Agents

22.1. Every candidate may appoint counting agents to attend at the counting of the votes. Notice of the appointment must be given in writing by no later than Thursday, 25 April 2019. The Returning Officer can set limits to the number of counting agents who can be appointed on behalf of each candidate, and the permissible number will be notified to the candidates after the closing date for the withdrawal of candidates.

22.2. The main role of a counting agent is to oversee the counting process on the candidate's behalf and make sure that it is undertaken in an orderly, accurate and correct manner. Counting agents cannot participate directly in the counting process and can only observe the proceedings. Counting agents cannot handle ballot papers.

23. Statutory Deadline for Appointments

23.1. The statutory deadline for the written appointment of polling and counting agents MUST be adhered to. The forms are included in the nomination pack. We cannot allow any appointments received after Thursday, 25 April 2019.

23.2. We can receive the notice of appointments as a scanned email attachment sent to elections@bassetlaw.gov.uk provided that the notice has been signed, and is received by no later than Thursday, 25 April 2019.
24. Agents for the Opening of Postal Ballot Papers

24.1. A candidate may attend the opening of postal ballot papers without giving notice, and may also appoint agents to attend. We will give notice of the time and place for the opening and of the number of agents who may be appointed for each candidate as soon as possible after the last day for candidate withdrawals.

24.2. Notice of any appointments must be given no later than the date and time fixed for the opening. We can receive the notice as a scanned email attachment – see paragraph 23.2 above for details.
Part 5

POLLING DAY, THE COUNT AND AFTER THE ELECTION

25. Hours of Poll

25.1. The hours of the poll will be 7am to 10pm.

25.2. There are provisions for a poll not to take place or to be abandoned or adjourned in the event of the death of a candidate or of “riot or open violence”. In the unlikely event of any of these circumstances arising, we will advise candidates as soon as possible.

26. Polling Stations - Location and Admission

26.1. As mentioned in paragraph 18.1, we will provide details of polling stations after the final date for withdrawal of candidature.

26.2. The only persons entitled to enter a polling station are:

- The Returning Officer and members of his staff
- The Presiding Officer
- Poll Clerk(s)
- Police Officer and Police Community Support Officer
- The voter (and person assisting a voter with disabilities)
- Candidate(s)
- Polling Agents
- Observers accredited by the Electoral Commission
- Any person authorised by the Electoral Commission to attend at polling stations as a representative of the Commission

26.3. All persons in attendance at the polling station must adhere to the statutory provisions relating to the requirement for secrecy mentioned in paragraph 17.2 above.

27. The Count

27.1. The verification of all votes will take place after the close of poll at the North Notts Community Arena, Eastgate, Worksop, S80 1QS, commencing at 10.30pm.

27.2. The parish counts will take place on Friday 3 May at the North Notts Community Arena, Eastgate, Worksop, S80 1QS, following the conclusion of the District Council counts. We will provide further information following the close of nominations.

27.3. The candidate and one other person chosen by each of them may attend the count without giving notice although we will require details of the “other person” for administrative purposes.

28. Acceptance of Office and Registration of Interests

28.1. The elected councillors come into office on the fourth day after the day of the election, which this year will be Tuesday, 7 May 2019. This is different to an election to fill a casual vacancy when the councillor comes into office on election. All those elected or re-elected must subscribe a “Declaration of Acceptance of Office” in a prescribed form before or at the first meeting of the
parish council after their election or, if the council at that meeting so permits, before or at a later meeting of the council. They must not act as a councillor until they have made the declaration. Failure to make the declaration within the appointed time means that the office will become vacant.

28.2. Councillors are also required to register interests. This must be completed within 28 days of coming into office (i.e. by no later than Wednesday, 5 June 2019). The Monitoring Officer will provide more information about the code of conduct and the registration of interests to successful candidates after the election.

29. Questioning an Election

29.1. A parish council election can be questioned only by way of an election petition. A petition may be issued by:
• a person claiming to have been a candidate at the election; or
• four or more persons who voted as electors at the election or had a right to vote.

29.2. The allowable grounds for a petition are:
• that the person whose election is questioned was disqualified at the time of the election; or
• that the person whose election is questioned was not duly elected; or
• that the election was invalidated by corrupt or illegal practices.

29.3. Normally, a petition must be presented within 21 calendar days after the date of the election. However, if the petition complains of corrupt or illegal practices involving the payment of money or other reward, or an illegal practice relating to election spending, further time may be allowed.

29.4. For any questions relating to election petitions, including to confirm the deadlines for lodging a petition, you should contact:

The Elections Petition Office, Room E113, Royal Courts of Justice, Strand, London, WC2A 2LL.
Tel: 0207 947 6877
Email: election_petitions@hmcts.gsi.gov.uk

29.5. There are costs attached to an election petition. For obvious reasons, anyone considering lodging an election petition is advised to seek specialist legal advice.
Part 6

ELECTION EXPENSES AND CORRUPT AND ILLEGAL PRACTICES

30. Election Expenses

30.1. The Return of Election Expenses must be submitted to the Returning Officer by Friday, 31 May 2019.

30.2. We recommend that candidates read the Electoral Commission’s guidance on expenses.

30.3. The required return of expenses is for the purpose of confirming that the expenses incurred do not exceed the statutory maximum. It does not entitle the candidate to any refund of such expenses from Bassetlaw District Council.

30.4. **Note:** the return is required for all candidates, whether or not the election is contested and even if no expenditure has been incurred.

30.5. The maximum amount for expenditure is calculated by a base amount of £740 for the parish or parish ward, plus 6p for every registered local government elector as at the date of publication of notice of election. If there are joint candidates then the amounts are reduced as set out in the guidance referred to in paragraph 30.2 above. At the time of writing the electorates at notice of election date are not known, but we will provide the relevant figures to candidates in due course.

30.6. Failure to comply with the requirements for the return and declaration is an illegal practice. In addition, the law prohibits a candidate from sitting or voting on the council where there has been a failure to submit the return and declaration, until such time as they have been submitted, or an authorised excuse has been allowed.

31. Corrupt and Illegal Practices

31.1. The following paragraphs summarise some of the main points relating to corrupt and illegal practices.

31.2. A person found guilty of a corrupt practice is, in general, liable to imprisonment, or to a fine, or to both, and is disqualified for five years from being registered as an elector, voting or holding any elective office. If an elected candidate is reported guilty of a corrupt practice by an election court, their election will be void.

31.3. It is a **corrupt practice** to influence, or attempt to influence, a person in the way they vote by:
   (a) treating, i.e. providing food, drink or entertainment
   (b) undue influence, i.e. using or threatening any kind of force, violence or duress
   (c) bribery, i.e. giving any gift or procuring any office

31.4. Under Section 65A of the Representation of the People Act 1983, it is also now a corrupt practice to make a false statement of the name or home address of a candidate or to forge or fraudulently obtain the signature of a subscriber on a Nomination Paper.
31.5. A person convicted of an illegal practice is liable to a fine not exceeding level five on the standard scale (£5,000) and is disqualified from being registered as an elector, voting or holding elective office for three years. If an elected candidate is reported guilty of an illegal practice by an election court, their election will be void.

31.6. A candidate or election agent may be convicted of an illegal practice if they:

(a) make or publish any false statement of fact in relation to the candidate’s personal character or conduct unless they can show that they had reasonable grounds for believing, and did believe the statement to be true;
(b) publish a false statement of a candidate’s withdrawal for the purpose of promoting or procuring the election of another candidate;
(c) pay any voter for the exhibition of any election address, bill or notice unless the voter’s ordinary business is that of an advertising agent;
(d) print, publish, post or distribute any bill, placard or poster promoting or procuring the election of a candidate unless it bears on the face of it the name and address of the printer and promoter and of any person on whose behalf it is being published (and who is not the promoter);
(e) employ or engage canvassers for payment;
(f) with intent to influence the voting make use of any television or other wireless transmitting station outside the United Kingdom otherwise than under arrangements for a broadcast by the B.B.C., Sianel Pedwar Cymru, or the holder of any licence granted by the Independent Television Commission or the Radio Authority.

31.7. The publishing, before the poll is closed, of any statement as to the way in which voters have voted or any forecast as to the result of the election, based on information given by voters after they have voted (“exit polls”) is, by virtue of the new Section 66A of the Representation of the People Act 1983, an offence with a liability of a fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding six months.

32. Display of Advertisements

32.1. Any advertisements, posters etc. relating specifically to a pending election must be removed within fourteen days after the close of the poll.

32.2. The consent of the landowner is required.
Code of conduct for campaigners: postal voting, proxy voting and polling stations

Campaigners are an essential element of a healthy democracy, and their right to put their arguments to voters should be supported and protected. It is equally important, however, to ensure that the activities of campaigners do not bring into question the integrity of the electoral process.

This Code provides a guide for campaigners, electoral administrators and police forces to what is, and is not, considered acceptable behaviour at polling stations and in the community during the lead-up to polling day.

As a guiding principle, if there is any doubt about a particular activity, campaigners should ask themselves “What would a reasonable observer think?”

More detailed guidance about electoral offences can be found in the full guidance published jointly by the Electoral Commission and the UK’s Associations of Chief Police Officers, which is available on our website at: http://www.electoralcommission.org.uk/I-am-a/candidate-or-agent

This Code has been agreed by the political parties represented on the House of Commons Parliamentary Parties Panel and the panels for the Scottish Parliament and the National Assembly for Wales, and is endorsed by the members of the Electoral Commission’s UK Electoral Advisory Board of senior Returning and Electoral Registration Officers and Electoral Integrity Roundtable.

The Code has been sent to all registered political parties in Great Britain, and Returning Officers will draw it to the attention of all candidates and parties contesting elections.

Scope of this code

This code covers all those actively involved in campaigning in elections or referendums in Great Britain. All references to campaigners in this code include:

• Candidates standing at an election, their agents and their staff and supporters
• Political party officers, members and supporters campaigning at an election
• Other people and organisations campaigning for or against a candidate, a group of candidates or a party at an election
• People and organisations campaigning for or against a particular outcome at a referendum

Compliance with this code

Any concerns that this code has been breached should be raised first with the candidate, political party or campaigner in question.

Any further concerns should be drawn to the attention of the Electoral Commission. The Commission will raise them with the relevant party or campaigner if appropriate, and will agree appropriate actions to remedy or prevent a reoccurrence of any breach.
Postal and proxy vote applications

1.1 Campaigners should ensure that any bespoke postal or proxy voting application forms conform fully to the requirements of electoral law, including all the necessary questions and the options open to electors.

Campaigners can download a template form from our website at: www.yourvotematters.co.uk/how-do-I-vote

1.2 Campaigners should always explain to electors the implications of applying to vote by post or appointing a proxy.

It is important that electors understand that they will not be able to vote in person on polling day if they or their proxy apply for and are granted a postal vote, and will not be able to vote in person if their appointed proxy has already voted on their behalf. To avoid duplication and unnecessary administrative pressures for Electoral Registration Officers, campaigners should try to ensure that electors who are included in current postal or proxy voter lists, or have already applied for a postal or proxy vote for a particular poll, do not submit an additional application.

Postal vote applications

1.3 Campaigners should not encourage electors to have their postal ballot pack redirected to anywhere other than the address where they are registered to vote.

Electors should take care to protect their ballot paper and postal ballot pack, and they will be best able to do so at their home address unless there are compelling reasons why receiving the postal ballot pack at the address where they are registered to vote would be impractical. Electors must state on the application form the reason why they need their postal ballot pack sent to another address.

1.4 Campaigners should ensure that the local Electoral Registration Officer’s address is provided as the preferred address for the return of absent vote application forms.

To minimise the risk of suspicions that completed applications could be altered or destroyed, campaigners should always provide the relevant Electoral Registration Officer’s address as the preferred return address, even if an alternative address is also given.

1.5 Campaigners should send on unaltered any completed application forms given to them to the relevant Electoral Registration Officer’s address within two working days of receipt.

To minimise the risk of absent vote applications being refused because completed forms arrive with the Electoral Registration Officer after the statutory deadline before a poll, campaigners must ensure that there is no unnecessary delay in forwarding on application forms which have been received directly.

Proxy vote applications

1.6 Electors should be encouraged to explore other options for people to act as a proxy – including relatives or neighbours, for example – before a campaigner agrees to be appointed as a proxy.
To minimise the risk of suspicions that campaigners may be seeking to place undue pressure on electors, electors should not be encouraged to appoint a campaigner as their proxy.

**Postal voting ballot papers**

2.1 Campaigners should never touch or handle anyone else’s ballot paper.

If you are asked for assistance in completing a ballot paper, you should always refer the voter to the Returning Officer’s staff at the elections office who may be able to arrange a home visit if necessary. Assistance will also be available for electors at polling stations.

2.2 Campaigners should never observe voters completing their ballot paper. If you are with a voter when they complete their ballot paper, remember they should always complete it in secret.

Equally, you should ensure that the voter seals both envelopes personally and immediately after completing their ballot paper and postal voting statement. If you are asked to give advice, it is acceptable and often helpful to explain the voting process, but do not offer to help anyone to complete their ballot paper.

2.3 Campaigners should not ask or encourage voters to give them any completed ballot paper or ballot paper envelope.

Wherever practical, the voter should be encouraged to post or deliver the completed ballot paper themselves. While campaigners may be approached for help by a voter who is unable to post their ballot paper or make arrangements for it to be returned in time, other options for delivering the postal ballot pack – including relatives or neighbours, for example – should be explored before a campaigner agrees to deliver a postal ballot pack.

2.4 If asked by a voter to take a completed postal ballot pack on their behalf, campaigners should immediately post it or take it directly to the office of the Returning Officer or to a polling station.

To ensure completed postal ballot papers are received by the Returning Officer before the close of poll, and to minimise the risk of suspicions that they could be altered or destroyed, campaigners should ensure that there is no delay in forwarding on postal ballot packs which have been given directly to them. Campaigners should not allow large numbers of completed postal ballots to accumulate before forwarding them to the Returning Officer or handing them in at an appropriate polling station.

**Campaigning outside polling places**

3.1 Campaigners should be allowed to put their messages to voters on polling day, including in public spaces outside polling places.

Polling station staff and police officers should not seek to discourage or remove campaigners who are otherwise peacefully communicating with voters, as long as they are not within or impeding access to the grounds of the polling place. Campaigners should be careful, however, to ensure that their approach is proportionate and should recognise that groups of supporters may be perceived as intimidating by voters.
3.2 Campaigners should keep access to polling places and the pavements around polling places clear to allow voters to enter.

The Presiding Officer is responsible for maintaining order in the polling place, and campaigners who appear to be impeding access by voters to a polling place may be asked to move by polling station staff or police officers.

Complaints and allegations about electoral fraud

4.1 Campaigners should be prepared to give the police a statement and substantiate any allegations of electoral fraud they make.

The police will investigate allegations where someone is prepared to provide evidence or a statement in support of the complaint, but unsubstantiated claims about electoral fraud have the potential to damage confidence in the integrity of the electoral process. Campaigners should ensure they are confident that evidence can be provided to the police before considering whether it is appropriate to publicise any specific allegation.

4.2 Campaigners who are concerned or think that electoral fraud may have taken place should raise the matter with their election agent or local party, or with the relevant Electoral Registration Officer or Returning Officer for the area.

They may be able to explain whether or not an election-related crime has been committed, and refer it to the police if appropriate or provide details of the police contact for the relevant area so that campaigners can report their allegation. Concerns about breaches of the political finance rules should be raised directly with the Electoral Commission.

4.3 Any campaigner who has actual evidence of an electoral offence having been committed should report it directly and without delay to the police.

If appropriate, the police will investigate the matter. Every police force has designated a Single Point of Contact (known as a SPOC) to lead on election matters and who will deal directly with the matter or give advice to local police officers. The Electoral Commission can help provide contact details for local police force SPOCs.
Contact us

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All offices are open: Monday to Friday 9:00am to 5:00pm

If you need any help communicating with us or understanding any of our documents, please contact us on 01909 533 533.

We can arrange for a copy of this document in large print, audiotape, Braille or for a Language Line interpreter to help you.