

Guide for candidates and agents

Medway Council Elections

Thursday 3 May 2007

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1 Introduction

- 1.1 This guide aims to provide practical advice for people who want to stand as a candidate in the Medway Council Elections on Thursday 3 May 2007 in the Wards of Chatham Central, Cuxton & Halling, Gillingham South, Gillingham North, Hempstead & Wigmore, Lordswood & Capstone, Luton & Wayfield, Peninsula, Princes Park, Rainham Central, Rainham North, Rainham South, River, Rochester East, Rochester South & Horsted, Rochester West, Strood North, Strood Rural, Strood South, Twydall, Walderslade and Watling.
- 1.2 This guide provides information specific to the Wards within Medway, and more importantly complements the comprehensive guide produced by the Electoral Commission. This guide does not set out to duplicate the information contained in the Commission's guide. All prospective candidates and their agents are strongly encouraged to access the Electoral Commission guide on their web site – www.electoralcommission.org.uk/about-us/guidepolpart.cfm.

How to use this guide

- 1.3 The advice is provided as a *guide* to the requirements for candidates and agents during the election. It should not be relied on as legally definitive and neither Medway Council, nor the Returning Officer can 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 they are strongly recommended to consult the appropriate legislation and seek their own legal advice.

2 Roles and responsibilities - who does what?

The Returning Officer (RO)

- 2.1 The Returning Officer for all the Wards in Medway is the Chief Executive, Neil Davies, and he is responsible for the overall conduct of the elections.

Deputy Returning Officers (DRO's)

- 2.2 The RO delegates most of the day-to-day responsibilities for the planning and conduct of the election to two Deputy Returning Officers (DRO's). Jane Ringham, the Member Services & Elections Manager is responsible for all of the day-to-day conduct and planning of the arrangements for the identification of polling stations, appointment of staff, the nomination process, the conduct of the poll and postal votes. Richard Hicks, the Assistant Director, Customer First, Democracy & Governance, is responsible for the oversight of these activities and particularly responsible for the arrangements for the counting of the votes.

Advice

The contact details for those involved in the election at Medway are as follows:

Neil Davies – 01634 332705 Neil.Davies@medway.gov.uk
Jane Ringham – 01634 332864 Jane.Ringham@medway.gov.uk
Djula Booth – 01634 332832 Djula.Booth@medway.gov.uk
Richard Hicks – 01634 332764 Richard.Hicks@medway.gov.uk
Electoral Services Office – 01634 332832 (general inquiries)

3 The role of a Councillor

- 3.1 Medway Council has a key role in representing the views of the local community. Becoming a Medway Councillor is one of the most challenging and potentially satisfying roles you will ever face. You will become a representative and policy-maker, with wide-ranging responsibilities to the Council and the community.
- 3.2 You will represent the views of your constituents at all levels, dealing with their problems and getting closer to them by attending local meetings. You will be involved in many Council-wide issues and your commitment will be paramount. You will find that you become the contact point used by your constituents to air any Council-related issues.

- 3.3 The Council is expected to be the leader in its community. New powers have been conferred on it to promote the economic, environmental and social well being of the area. This creates a duty to oversee and co-ordinate all the statutory partners in the area with opportunities to influence the provision of all services including those outside the Council's direct control.
- 3.4 Medway Council's democratic structure operates with a Leader and Cabinet, with Cabinet members having responsibility for a different council service, theme or area of work.
- 3.5 Councillors not selected to join the Cabinet will have a role to play representing people who live in their wards and keeping a check on decisions made by the Leader and cabinet. This is done through a series of Overview & Scrutiny Committees. They will also be involved in agreeing budgets and making some policy decisions.
- 3.6 The Independent Remuneration Panel is the body that reviews Members Allowances and when they last undertook a review in 2005, they used a formula that suggested that Councillors undertake Council duties for approximately 22 hours a week, although this may be lower for those not undertaking special responsibilities. Most of the Council's committee and other meetings are currently conducted in the evenings.
- 3.7 Allowances for attending meetings are not paid. However, every Councillor receive a basic allowance (currently £8486.63 per annum), to cover expenses and special responsibility allowances are paid in addition to Councillors who are appointed to be members of the Cabinet or other key posts. Councillors may also claim travel and other allowances for carrying out public duties, in accordance with the agreed Allowances Scheme. The basic allowance is up-rated in line with officers pay awards each year.
- 3.8 There is a Code of Conduct that sets out standards of behaviour and propriety to which all Councillors must subscribe. In particular it sets out the circumstances in which a Councillor must register certain interests and disclose such personal interests as and when matters related to those interests are being considered by the Authority. Councillors must sign their acceptance of the Code within two months of their election or they will cease to be a Councillor. A copy of the Code can be obtained from The Monitoring Officer, Medway Council, Civic Centre, Strood, Rochester, ME2 4AU.

4 Deadlines – the election timetable

- 4.1 Polling day for the Council elections will be **Thursday 3 May 2007**. Certain key dates and deadlines are included in the statutory election timetable, and are shown in Table 1 below. If no time is specified as the deadline for an event or requirement (e.g. noon or 5pm), then the deadline will be **midnight** on that day.

Table 1: Timetable for the Council elections, May 2007

Event	Day
Notice of election: to be published not later than	Tuesday 27 March
Delivery of nomination papers: between 10am and 4pm Monday-Friday	from Tuesday 27 March
Last day for delivery of nomination papers: not later than NOON on	Wednesday 4 April
Statement of persons nominated: to be published after NOON on	Tuesday 10 April
Last day for withdrawals of candidature: not later than NOON on	Wednesday 11 April
Last day for notice of appointment of election agents: not later than NOON on	Wednesday 11 April
Last day for new applications to vote by post, or to change or cancel an existing postal vote or proxy vote appointment: not later than 5pm on	Wednesday 18 April
Last day for publication of Notice of Poll	Wednesday 25 April
Last day for new applications to vote by post or proxy: not later than 5pm on	Wednesday 25 April
Last day for notice of appointment of counting agents and polling agents: not later than	Thursday 26 April
Polling day 7am to 10pm	Thursday 3 May
Last day for the receipt of return of election expenses	Thursday 7 June

5 Getting nominated

How do I become a candidate?

- 5.1 The Notice of Election marks the beginning of the election process. Once it has been published, on **Tuesday 27 March 2007**, you can begin the process of becoming a candidate in the elections. If you are eligible, you will need to complete a nomination paper and consent to nomination form, and submit them to the Deputy Acting Returning Officer (Jane Ringham) by **NOON on Wednesday 4 April 2007**.

The nomination pack

- 5.2 A pack containing the Nomination Paper, Consent to Nomination, Certificate of Authorisation & request to use an emblem are available from the Electoral Services Office on the contact number shown on page 2. You may alternatively use the forms contained in the Electoral Commission Guide.
- 5.3 Jane Ringham, or her Deputy, Djula Booth, can check all draft papers before final submission and their contact details are shown on page 2. It is recommended this be done at least 48 hours before the deadline for the submission of Nominations so there is sufficient time if more work is needed to rectify a difficulty. It would be helpful if appointments were made in advance for the checking and final submission so that candidates are not kept waiting.

Summary

Your Nomination papers must be submitted before **NOON on WEDNESDAY 4 April 2007**, and must include:

1. Form of nomination;
 2. Candidate's consent to nomination;
- And, if you are standing as a party candidate, you must also include:
3. Certificate of authorisation signed on behalf of a registered political party; *and, if desired,*
 4. Request to use a registered party's emblem on the ballot paper.

Nomination papers must be delivered to the Returning Officer, c/o Medway Electoral Services, Council Office, Civic Centre, Strood, Rochester, ME2 4AU

6 Other assistance: polling agents, counting agents and tellers

- 6.1 As well as your election agent, you can also appoint people to help you on election day in polling stations and at the count. These are known as your polling or counting agents. You could also act as your own polling or counting agent.

Polling Agents

- 6.2 You can only appoint up to four polling agents to attend each polling station and only one of your polling agents will be allowed into a polling station at any time. However, each agent may be appointed to attend more than one polling station – you might appoint a polling agent to cover all of the polling stations in a particular ward, for example.
- 6.3 The Electoral Services Section will send you forms on which to appoint polling and counting agents but you do not have to use these forms. You must notify the Deputy Acting Returning Officer **in writing** of the names and addresses of any polling agents no later than **Thursday 26 April**.

Counting Agents

- 6.4 Section 8 of this guide describes the arrangements for the counting of the votes in more detail. The Returning Officer (RO) will decide the maximum number of counting agents you will be allowed to appoint. Each candidate will be allowed to appoint exactly the same number of counting agents. The formula will be calculated by dividing the number of counting staff engaged by the RO by the number of candidates in each ward. The Returning Officer will advise you and your election agents of the maximum number of counting agents allowed soon after the close of nominations (Wednesday 4 April).
- 6.5 You can also appoint one or more agents to attend the proceedings at the Opening of postal ballot papers. You will be given at least 48 hours notice by the Deputy Returning Officer of the time and place for the opening of the postal voters' ballot boxes and the envelopes in them, and that notice will also specify the number of agents you are allowed to appoint. The Returning officer will decide the number. You must notify the Deputy Returning officer **in writing** of the names and addresses of any agents you have appointed before the time for the opening of the postal voters' ballot box.

Written notification of Polling and Count Agents must be delivered to the Returning Officer, c/o Medway Electoral Services, Council Office, Civic Centre, Strood, Rochester, ME2 4AU

7 The Register of Electors & absent voter's lists

7.1 As a candidate you are entitled to a free copy of the section of the full electoral register for the electoral area you are contesting, and a free copy of the list of overseas electors for the area. You are encouraged to request your copy of the register in good time once you have become a candidate. This should be in writing to the Electoral Services Office, Civic Centre, Strood, Rochester, ME2 4AU.

7.2 The register for Medway will be supplied to you in data form, unless you specifically request a paper copy. The data will be supplied in a CSV (comma-separated values) format.

Using data in a Comma Separated Values (CSV) format

CSV files are a simple form of spreadsheet representation that can be read or modified with a number of common desktop applications.

CSV files can be opened using most spreadsheet or database applications, including Microsoft Excel and Access, and can also be read or modified with any text editor or word processing programmes such as Microsoft Word. In particular, CSV files can be used with the mail merge function of most word-processing programmes to create mailing labels or form letters.

7.3 The registration data provided will include the relevant part of the register for the electoral area that was published in December 2006. Further updates can also be provided to reflect any alterations made to the register published at the beginning of January, February, March, and April 2007.

7.4 The Electoral Registration Officer is required to publish two versions of the electoral register: a full version containing the details of all electors in the area, and an edited version which is available for sale and which does not contain information about electors who have requested that their details are not included.

7.5 It is important to note that a number of legal restrictions apply to the use of information in the full electoral register. If you have been supplied with a copy of the full electoral register for a particular area, you must not:

- pass on a copy of the register to any other person;
- disclose any information from the register (which is not contained in the edited version of the register also published by the Electoral Registration Officer); or
- make use of any information from the register *other than for electoral purposes*.

- 7.6 If you are found guilty of breaching these conditions you may face a fine of up to £5,000.
- 7.7 You are also entitled to a copy of the lists of absent voters and proxy voters who are entitled to vote by post for the area. These lists will also be supplied to you in data format by the Electoral Services Office on request.

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8 Polling day

- 8.1 Polling day for the Council Elections in 2007 is **Thursday 3 May 2007**, and polling hours are between **7am and 10pm**.
- 8.2 Details of the locations of polling stations in each ward will be confirmed by the RO in a notice to your election agent before **Wednesday 25 April**.

Entitlement to attend the polling station

- 8.3 As a candidate, you are entitled to visit any polling station in the ward you are standing in, as is your election agent. Your polling agents may also attend at the polling station for which they have been appointed. Only one of your polling agents is allowed to enter each polling station at any time on the day of the election.

Tellers

- 8.4 Candidates may sometimes use 'tellers' to stand outside polling stations and request the electoral numbers of people who have attended the polling station. However, tellers have no status in electoral law, and they are not allowed to actually enter the polling station itself.
- 8.5 Your tellers should not hand out election material, or try to influence the way someone should vote. They should not ask any voter who they voted for, or how they intend to vote. Voters are not *required* to give any information to tellers, and they should not be pressed if they refuse to answer. Any tellers working for you should not give the impression that the information they request is required for official purposes.
- 8.6 In view of the lack of legal guidelines for tellers, you may wish to ensure that your tellers are given a copy of guidance notes issued by the Electoral Commission that are reproduced in the Electoral Commission guide. However, it should be noted that the guidance is not mandatory and therefore has no legal force.
- 8.7 The Returning Officer will allow Tellers to wear coloured rosettes that also bear the emblem of a registered political party. However, they must not show the name of any candidate. Presiding officers will be briefed to ask any teller wearing rosettes that do not comply with this guidance to remove them.

9 The count

- 9.1 The counting of ballot papers for the Council Elections will take place after the close of poll, **from 10 pm on Thursday 3 May 2007**. The count will take place at the Black Lion Sports Centre, Gillingham. The Deputy Returning Officer (Count), Richard Hicks will write to all validly appointed counting agents with more details soon after the deadline for appointing counting agents, Thursday 26 April.

Postal votes

- 9.2 The Returning Officer will give you notice of the time and place for the opening of any postal voters' ballot boxes at least 48 hours in advance. Other than the Returning Officer and his staff, those entitled to attend at the opening of postal voters' ballot boxes and witness proceedings are:
- you, the candidate;
 - your election agent, or anyone appointed by you to attend in place of your election agent; and
 - any agent appointed by you to attend at the opening of postal voters' ballot boxes

Count procedure

- 9.3 Other than the Returning Officer, the Deputy Returning Officer and his staff, only the following people are entitled to attend the count:

- you as candidate, and your partner, husband or wife;
- your election agent;
- any of your appointed counting agents.

- 9.4 The Returning Officer may also permit other people to attend the count at his discretion, but is not obliged to do so. The decision of the Returning Officer as to who may attend the count is final.

- 9.5 The maximum number of counting agents to be appointed by each candidate in each ward will be determined by the Returning Officer, but will be not less than the total number of counting staff divided by the total number of candidates. The number permitted must be the same for each candidate in the ward.

10 Election expenses

Calculation of maximum amount

- 10.1 All candidates contesting an election are subject to limits on expenditure incurred on items used in advance of an election. There is no limit on the amount of personal expenses paid by the candidate him/herself but the current limit on expenditure related to the conduct or management of the election is £600 together with an additional 5p for every entry in the register of electors to be used at the election.
- 10.2 The Register to be used for this election will be that in force on 27 March (date by which the Notice of Election must be published). The electorate currently in each Ward is shown below, but is likely to change by 27 March:

Ward	Electorate as at XX XXXX 2007
Chatham Central	
Cuxton and Haling	
Gillingham North	
Gillingham South	
Hempsstead and Wigmore	
Lordswood and Capstone	
Luton and Wayfield	
Peninsula	
Princes Park	
Rainham Central	
Rainham North	
Rainham South	
River	
Rochester East	
Rochester South and Horsted	
Rochester West	
Strood North	
Strood Rural	
Strood South	
Twydall	
Walderslade	
Watling	

Form of return

- 10.3 Your election agent must deliver to the Returning Officer a return as to your election expenses within 35 days after the result is declared – **Thursday 7 June 2007**. Forms are available from the Electoral Services Section on request or else downloadable versions are available on the Electoral Commission website.

Deadlines

- 10.4 Statutory deadlines that apply to the declaration and return of election expenses are calculated from the day on which the result of the election is declared.

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Appendix – Feedback Form

It would help us to have your comments on this guide and how useful you found it. Please return the completed form to Jane Ringham, Medway Electoral Services, Civic Centre, Strood, Rochester, ME2 4AU Fax 01634 332006 or email jane.ringham@medway.gov.uk.

Content

Strongly agree Agree Disagree Strongly disagree

I found the guide useful

The content of the guide was relevant to my needs

Was any topic missing from the guide that you had expected to be covered in it?
YES/NO

If YES, please provide details below:

Style

The guide was clearly written & easy to understand

The level of detail provided was appropriate

Was there any aspect of the guide that you found either particularly useful or unhelpful?
YES/NO

If YES, please provide details below:

It would help us if you completed the contact details below, but please return the form anonymously if you wish:

Name: _____

Organisation: _____

Contact address: _____

Phone: _____ email: _____