

Guidance for Candidates and agents

London Borough of Hounslow Local Elections 5 May 2022

The aim of this guide is to outline the main points of relevance for Candidates and election agents regarding the above election.

Disclaimer: please note that this document is provided purely as a *guide*. It is not to be relied upon as legally definitive and no responsibility is accepted for any errors or omissions. If in any doubt candidates and agents should seek their own independent legal advice. Comments on the guidance would be welcome.

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SECTION 1: INTRODUCTION

- 1.1 This guidance aims to provide early practical advice for people who want to stand as a candidate in the local government elections to be held in the London Borough of Hounslow.
- 1.2 The information below complements the comprehensive guidance produced by the Electoral Commission to assist candidates and agents which can be found here. [Local elections in England | Electoral Commission](#)
- 1.3 The advice should not be relied on as legally definitive and if candidates or agents have any doubts about a particular legal position, they are strongly recommended to consult the appropriate legislation and seek their own legal advice.
- 1.4 The Returning Officer and his staff must always act impartially in their dealings with candidates and agents during the conduct of the election.
- 1.5 However, it is important to note that they are not responsible for monitoring the conduct of candidates, agents and campaigners, and any concerns regarding such conduct should be brought to the attention of the Returning Officer or, if appropriate, directly to the police.
- 1.6 Changes to ward boundaries

In 2018, The Local Government Boundary Commission for England (LGBCE) reviewed Hounslow's borough ward boundaries. [The London Borough of Hounslow \(Electoral Changes\) Order 2020 \(legislation.gov.uk\)](#) was made on 12th October 2020 which introduced the recommendations made by the LGBCE. This means, the new ward arrangements for Hounslow Council will come into force at the local elections in May 2022.

In addition to ward boundary changes and some ward name changes, the Order will introduce 22 wards (currently 20 wards) and 62 Councillors (currently 60 councillors).
- 1.7 How do I become a candidate?

The Notice of Election marks the beginning of the election process and will be published on Wednesday 23 March 2022. It is from this point onwards that you can begin the process of becoming a candidate in the election. If you are eligible, you will need to complete the forms included in the nomination pack and submit to the Returning Officer on any working day between 10am and 4pm from the date stated on the Notice of Election.
- 1.8 The deadline for submission of nominations is 4pm on Tuesday 5 April 2022.

SECTION 2: CONTACT INFORMATION

The following people can be contacted with questions or concerns about the election.

Returning Officer: Niall Bolger Email: niall.bolger@hounslow.gov.uk
Tel: 020 8583 2095

Deputy Returning Officer: Kully Tumber Email: Kully.tumber@hounslow.gov.uk
Tel: 020 8583 2095

Deputy Electoral Services Manager: Sonia Phillips Email: sonia.phillips@hounslow.gov.uk
Tel: 080 8583 2095

Senior Electoral Services Officer: Steven Browne Email steven.browne@hounslow.gov.uk
Tel: 020 8583 2137

SECTION 3: THE RETURNING OFFICER

The Returning Officer (RO), Niall Bolger, is personally responsible for the running of the election, which includes:

- Giving notice of the elections
- The conduct of the nomination process
- Printing of ballot papers
- Encouraging participation
- Appointment of polling staff and stations
- Management of the postal voting process
- Verification and counting of the votes
- The declaration of the result
- Ensuring consistency of service for all electors in the Borough Wards

SECTION 4: THE ELECTION TIMETABLE

Most events in the election timetable are statutory. Some have specific deadlines that an action must be completed by, whereas other events have an exact deadline.

Date	Item
23/03/2022	Publication of Notice of Election
05/04/2022	Deadline for receipt of nominations (4PM)
05/04/2022	Deadline to appoint election agents (4PM)
06/04/2022	Publish Statements of Persons Nominated (4PM)
14/04/2022	Deadline for Registration (midnight)
19/04/2022	Deadline for receipt of Postal Vote applications (5PM)
26/04/2022	Publication of Notice of Poll
26/04/2022	Deadline for receipt of Proxy Vote applications (5PM)
27/04/2022	Deadline to appoint Polling and Count Agents
28/04/2022	First day to re-issue replacement postal votes
05/05/2022	Polling Day (7am to 10pm)
05/05/2022	Deadline to receive Emergency Proxy Applications (5PM)
05/05/2022	Deadline for issuing replacement postal votes (5PM)
05 -06/05/22	Counting of Votes (Rose Suite, Twickenham Stadium)
10/06/2022	Candidates and Agents Declaration of Expenses

SECTION 5: MEETINGS FOR CANDIDATES AND AGENTS

The Returning Officer will provide briefings to any interested persons wishing to stand as a candidate at these elections. The dates for these briefings are as follows:

Date and Time	Topic	Venue
2 nd March at 6pm	Standing as a candidate – Nomination Process Setting expectations and Nomination Process	Hounslow House 6 th floor, 7 Bath Road Hounslow, TW3 £EB
12 April at 6pm	Count Process – for nominated candidates and agents only	

To register your interest to attend any of the above briefings please email Kully Tumber at kully.tumber@hounslow.gov.uk

To arrange an appointment for a one-to-one meeting, please contact Kully Tumber.

Where possible, meetings will be conducted remotely (online or by phone).

SECTION 6: NOMINATIONS

6.1 **Nomination Period.** This begins the day the Notice of Election is published which will be 23 March 2022. If you are eligible, you will need to complete the forms included in the nomination pack and submit to the Returning Officer on any working day between 10am and 4pm from the date stated on the Notice of Election.

(23 March – 5 April between 10am – 4pm on any working day)

6.2 Nomination packs containing the Nomination Paper, Consent to Nomination, Certificate of Authorisation, and a Request for a Party Emblem will be made available on the Councils website in March 2022.

6.3 As a matter of course the Returning Officer/Deputy Returning Officer will offer a pre-check of nomination papers before accepting the formal submission of the paperwork. It is strongly recommended that candidates/agents take advantage of this process – it relieves the stress of the nomination process and provides an opportunity to ask further questions where needed. It will also enable any obvious errors to be highlighted to the candidate/agent and where necessary any corrections undertaken before the formal submission.

6.4 The deadline to submit the nomination papers is set out in law and cannot be changed for any reason.

6.5 Nomination papers must be **hand delivered** to the Returning Officer on any working day between 10am and 4pm from the date stated on the Notice of Election to:

Kully Tumber
Deputy Returning Officer
Hounslow House
7 Bath Road
Hounslow
TW3 3EB **by appointment only**

6.6 **How must nomination papers be submitted**

The following papers must be delivered by hand (and cannot be submitted by post, e-mail or other electronic means)

Form 1a - Nomination Paper. Please contact Kully Tumber for electoral register numbers if you do not hold a copy of the electoral register

Form 1b - Home address form, part 1 and part 2, (must submit – even if left blank)

Form 1c - Candidate's consent to nomination, including the pages of legislation.

6.7 The following papers can be delivered by hand or post (emailed copies cannot be accepted)

Form 2 - Certificate of authorisation

Form 3 - Request for a party emblem

Form 4 - Notification of election agent

6.8 Please ensure where signatures are required, you submit the original signed version of each completed paper. Copies of forms cannot be accepted. A certificate of authorisation which has been sent as an attachment to an email to be printed out, for example, would make it a 'copy document' and not the original document.

6.9 It is your responsibility to ensure that your nomination papers are delivered in the correct manner and by the required deadlines. We recommend that you, your agent, or someone you trust delivers them, so you can be sure they are delivered to the Returning Officer in time.

6.10 **Form 1a - The Nomination Form**

The nomination form contains the following:

- Full name
- Commonly used name (if applicable)
- A description
 - Candidates representing a political party may use the party name or one of their registered descriptions
 - Independent candidates may leave this blank or use the word "Independent"
- Two signatures, one from a proposer and one from a seconder who must be registered electors from the ward and entitled to vote at said election
- Signatures from 8 other assentors who must be registered electors from the Ward and entitled to vote at the said election

6.11 **Form 1b - Home Address Form (must still be submitted even if blank)**

The safety and security of candidates is paramount, and this allows candidates to withhold their home address from the ballot paper and replace with the name of the local authority in which they live. Please note that the home address form also asks for information that is similar to the consent to nomination. Please ensure that any address stated on this form matches the information given on the consent to nomination.

6.12 **Form 1c - Candidate's consent to nomination**

Each candidate nominated must also submit a consent to nomination. Candidates must be British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain.

6.13 The consent to nomination must contain the following:

- Full name
- Date of birth (must be 18 years old or older on the date this form is signed)

- Signature (sign and date in the presence of another person and must not be signed earlier than one calendar month before the deadline for submitting nomination papers)
- At least one of the qualifying criteria (a to d) must be completed, and where relevant the address must match that specified on the Home Address Form.
- Signature and name of a witness (an election agent is permitted to be the witness).
- Extract of Local Government Act 1972 - Section 80 & 81 and extract of the Localism Act 2011 – Section 34 Offences.

6.14 **Form 2 – Certificate of authorisation**

Political parties may authorise candidates to stand for them by issuing a certificate of authorisation, which must be signed by the registered Nominating Officer of the political party or someone authorised to act on their behalf. The certificate must state that the candidate can stand on their behalf and allow the candidate to use the party name or party description formally registered with the Electoral Commission.

- 6.15 Please note that if the party name/description on the certificate of authorisation does not match the party name/description on the nomination paper, the whole nomination will be invalid.

Without the certificate, no party description will appear on the ballot paper.

6.16 **Form 3 – Request for a party emblem**

If the Candidate has been authorised by a political party to use the party name or registered description on the ballot paper, they may also request that one of the party's official emblems is printed on the ballot paper next to their name.

- 6.17 The request for a party emblem must be made in writing state the exact emblem required All emblems must be registered with the Electoral Commission and are given a description and a reference number. To ensure the correct emblem is used it is necessary to provide either the correct description or the reference number, or both.

Without the written request the emblem will not appear on the ballot paper.

6.18 **Form 4 - Notification of Election Agent**

Candidates do not have to appoint an election agent but are entitled to do so. The acceptance of being appointed as election agent role is extremely important and all agents appointed should be conversant with electoral law to support their candidate. This includes all spending incurred is recorded correctly and the formal return of election expenses completed, representation at the count and the production of election documentation.

Acting as an Election Agent should not be underestimated and is a position that should not be taken lightly. Further information on the roles and responsibilities can be found here

[LGEW Part 2b - standing as a party candidate - NDS \(electoralcommission.org.uk\)](#) (Page 14)

If a candidate does not appoint an election agent, then they are considered to have appointed themselves as the election agent.

- 6.19 The election agent appointment must detail an office address of the election agent which will be published by the Returning Officer. This office address must be within the same local authority or adjoining authority.

- 6.20 There are other roles at the election such as counting agents and postal voting agents. You can find more information about their role later in this guidance. These appointments are also

subject to deadlines but need not be made until after the nominations process has been completed.

6.21 False statements on Nomination Papers

It is a criminal offence to knowingly make a false statement on nomination papers. The offence applies for all information on the form, for example, it is an offence to provide a commonly used name that the candidate does not actually commonly use. The penalty for a false statement is either a fine (currently set at a maximum of £5,000, or unlimited upon indictment), and/or up to one year's imprisonment.

6.22 What Happens Next?

Statement of Persons Nominated

As soon as is practicable after the deadline for receipt of nominations the Returning Officer will publish on Hounslow Council website a list of candidates that have been validity nominated, together with Notice of Election Agents.

SECTION 7: THE ELECTORAL REGISTER & ABSENT VOTERS LIST

7.1 The electoral register and lists of absent voters contain people's personal data and so their use is very carefully controlled.

You can use them to:

- complete your nomination form
- help you campaign
- check that donations are permissible

7.2 You must not divulge to any person any details that appear only in the Full Register of Electors and not on the Open Register which is available for general sale.

7.3 You must not use the electoral register and lists of absent voters for any other purpose not listed above. If you have supplied a copy of the electoral register or lists of absent voters to campaign workers, they must also comply with the requirements above. You must ensure that you keep the electoral register secure and list of absent voters secure.

7.4 Once you no longer need the register and lists of absent voters for any electoral purpose, you must securely destroy any copies supplied to you as a candidate in accordance with the Information Commissioner's [guidelines. You may return the documents provided to the elections team if this is more convenient for you.](#)

7.5 After the publication of the Notice of Election a candidate, may receive on request and free of charge, a copy of the Register of Electors for the Ward in which they standing, in data format unless he/she requests this to be supplied in printed form.

Please note:

Registered political parties can obtain registers at any time throughout the year on written request and this could be before the publication of the Notice of Election for these polls. Candidates associated with these parties will, as a direct result, have access to these registers earlier than the publication of the Notice of Election.

Independent Candidates are not permitted to receive a Register of Electors until they officially become a candidate and the earliest this can happen is on the date of the publication of the Notice of Election.

7.6 The register data provided will include the register as of 1 March 2022 which is the register to be used for nominations.

7.7 It is important to note that several legal restrictions apply to the use of information from 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 persons
- disclose any information from the register (which is not contained in the open version of the register or
- make use of any information from the register other than for electoral purposes.

7.8 Candidates are entitled to a copy of the lists of absent voters for the area they are standing on written request. The lists will be provided in paper format unless requested otherwise but can be provided as a digital comma separated value file (CSV)

7.9 The list of postal and proxy voters will be updated after the respective deadlines for applications on 5pm Tuesday 19 April 2022 and a list of the additions will be provided on written request.

SECTION 8: AGENTS - POLLING, POSTAL VOTING AND COUNT

- 8.1 The candidate and/or election agent may appoint people to any of the roles above. We will provide forms that make the appointment process easier, or they can be downloaded from the Electoral Commission website (Part 5) [Local elections in England | Electoral Commission](#)
- 8.2 **Polling Agents (deadline to appoint 27 April)**
- 8.3 Polling agents are appointed to attend a specific polling station(s). Their role is to detect electoral fraud – specifically personation (where somebody assumes the identity of a voter to use their vote). Only 1 polling agent per party/independent candidate may be present in a polling station at any one time. The Returning Officer reserves the right to impose a limit on the total number of polling agents admitted to any one station at any one time. Polling Agents can be appointed to attend more than one polling station.
- 8.4 **Postal Vote Agents**
- 8.5 Postal vote agents are appointed to attend the opening of postal votes. Postal vote agents can observe the opening process, adjudication of dates of birth and signatures, and the opening of the ballot paper envelopes. Please note postal ballot papers will be placed face down, keeping the vote secret until the day of the count
- 8.6 The Returning Officer will give at least 48 hours' notice of the time and place for the opening of the postal voters' ballot boxes, and that notice will also specify the number of agents you can appoint. The Returning Officer will decide the number. You must notify the 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.
- 8.7 **Counting Agents (deadline to appoint 27 April)**
- 8.8 A counting agents' role is to observe and scrutinise the count process. All counting agents must be officially appointed by the candidate or election agent, in writing.
- 8.9 Each candidate will be allowed to appoint the same number of counting agents to ensure that the allocation is fair, transparent, and proportional to each candidate.
- 8.10 A formula will be used to ascertain the number of counting agents this is calculated by dividing the number of counting staff engaged by the RO divided by the number of candidates in the borough or ward. The Returning Officer will advise the maximum number of counting agents allowed soon after the close of nominations but reserves the right to determine the number of counting agents if the above formula is not practicable for the venue.
- 8.11 Each candidate is also able to nominate one person as a guest to attend the count.

SECTION 9: POSTAL VOTING

9.1 All electors eligible to vote in these polls are entitled to apply to vote by post. If they have not already done so, they must submit a postal vote application by the deadline at 5pm on the 19th April 2022. The exact date for the delivery of the postal packs to those with postal votes set up has yet to be determined. All candidates and agents will be notified of the exact arrangements for the opening of the postal votes as soon as the arrangements are confirmed. Candidates, election agents, and postal voting agents are all entitled to attend postal vote opening sessions.

Additional guidance will be released in due course to cover the handling of postal vote applications and packs by campaigners.

9.2 All electors in the borough will have received at least two communications to encourage them to consider voting by post in this election

9.3 **Issue of postal vote ballot papers**

The Returning Officer will advise candidates and agents of the date on which postal vote packs will be issued and posted/delivered to the electorate. Candidates and Agents are not entitled to attend the issue of postal votes.

9.4 **Opening of postal votes**

9.5 The Returning Officer will give you at least 48 hours advance notice of the times and place for the opening of the postal voters' ballot boxes.

9.6 Other than the Returning Officer and his staff, those entitled to attend at the opening of postal voters' ballot boxes and witness proceedings are:

- the candidate
- election agent, or anyone appointed to attend in place of an election agent
- any agent appointed to attend at the opening of postal voters' ballot boxes; and
- observers accredited by the Electoral Commission

9.7 At the opening of postal voters' ballot boxes, attendees must not attempt to ascertain how a voter has cast his or her vote and will not be permitted to 'tally' the number of votes cast for any candidate.

9.8 Please note that objections to rejected postal votes will be recorded but objections cannot be made to postal votes that are included as part of the adjudication process.

9.9 The opening of postal votes will be conducted on the 6th floor in Hounslow House.

9.10 No-one should attend any electoral events if they are unwell, symptomatic with COVID-19, a confirmed case, or a confirmed contact of someone who is self-isolating.

SECTION 10: THE POLL

- 10.1 Polling day for the election is Thursday 5 May 2022, and polling hours are between 7am and 10pm.
- 10.2 Details of the locations of polling stations will be available on the Councils website and a statutory notice (Notice of Poll with list of polling stations and electors allocated to it) published no later than 26 April 2022.
- 10.3 As a candidate, you are entitled to visit any polling station in the Ward you are standing, as is your election agent. Your polling agents may also attend the polling station/s for which they have been appointed.
- 10.4 Only one polling agents can enter each polling station at any time on the day of the election for each candidate with a maximum of 4 allowed in the station at any one time for all candidates combined.
- 10.5 Every polling place has undergone a thorough Covid risk assessment, which involved, but was not limited to the following:
- the room where polling takes place is large enough to maintain social distancing.
 - the building to be well ventilated
 - an area to provide hand sanitisers on the arrival and exit.
 - Space outside the polling station for electors to queue safely
- 10.6 In February 2022, Household Notification Letters will be sent to all residential properties informing residents of names of registered electors on the electoral register for their address, location of polling station, key deadlines, how to apply for a postal vote and Covid safety measures that will be place in all polling stations.
- 10.7 On 22 March 2022 electors will be issued with a polling station poll card and will be reminded of what to expect at the polling station and the deadlines associated with applying for an absent vote if they so wish.
Electors, when voting in person can expect the following in polling stations:
- there will be signage encouraging electors to sanitise hands on arrival and when exiting the polling station & to wear face covering
 - there will be Perspex screen dividers between staff and electors.
 - staff will encourage electors to take their poll card and not leave them in the polling station.
 - electors advised to bring their own pen/pencil
 - where pencils are offered, they are used once and cleaned before re-use
 - regular cleaning throughout the day of touchpoints, such as doors, polling booths.
- 10.8 **Tellers:**
Tellers have no legal status in electoral law; however, the Returning Officer understands that they are an important part of the democratic process. Candidates and election agents are reminded of the guidance on the conduct of tellers, which can be found on the Electoral Commissions website. [Tellers guidance generic \(electoralcommission.org.uk\)](https://www.electoralcommission.org.uk)
- 10.9 Due to the current pandemic, tellers are reminded of the importance of maintaining social distancing with each other and voters.
- 10.10 Voters have the right to refuse to give Tellers any information. 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.

SECTION 11: COUNT (Rose Suite, Twickenham Stadium - 5 May)

- 11.1 The counting of the votes will take place after the close of poll (overnight) on Thursday 5 May 2022.
- 11.2 The deadline to appoint counting agents and guests is no later than 27 April
- Only the following persons are entitled to attend the counting of votes:
- The Returning Officer and his clerks
 - The candidates and one other person chosen by each of them
 - The election agents
 - The counting agents
- 11.3 Further information regarding the count process will be provided in due course.

SECTION 12: ELECTION EXPENSES

- 12.1 All candidates contesting an election are subject to limits on expenditure incurred.
- 12.2 **How much can I spend?**
- The spending limit for the regulated period is £806, plus 7p per local government elector in the ward registered to vote on the last day for publication of the ward.
- For example, if there are 7,500 electors in a ward the spending limit would be
- $$£806 + (7,500 \times 0.07) = £1,331.$$
- 12.3 The Register to be used for this calculation will be that in force on the last day for publication of the Notice of Election and the office will provide that figure when it is known.
- 12.4 If you share your costs with another candidate in the same ward you are a joint candidate and if:
- you have the same election agent or
 - use the same campaign rooms or
 - publish joint material, the spending limits are reduced as follows because you will be sharing your costs.
- The spending limit should be calculated as explained above, and then reduced by 25% if there are two joint candidates and if three or more by 33%
- 12.5 It is the election agent's responsibility to record and report on their candidates spending fully and accurately, although both the election agent and the candidate must sign and submit their own declarations as to the validity of the returns made.
- 12.6 Expenses cannot be reclaimed from the Returning Officer. Even if you don't spend any money, a return must still be submitted.
- 12.7 Election expenses must be returned to the Returning Officer by the deadline of 35 days after the declaration of result.
- 12.8 The rules regarding election expenses are produced by the Electoral Commission. It is imperative that the election agent familiarise themselves with the guidance and the rules regarding election expenses, donations, and declarations. We would encourage all candidates and election agents to read the guidance carefully and to complete the expenses forms as expenses are incurred, rather than waiting until the end.
- 12.9 The forms [can be found in Part 3 of the guidance and resources](#)