



**COMMUNITY COUNCIL ELECTIONS:  
FIRST PAST THE POST ELECTIONS:  
THE ELECTION PROCESS AND  
A SUGGESTED TIMETABLE**

V2 REVISED  
AUGUST 2008

## **INTRODUCTION**

The Highland Council's Renewing Democracy and Community Planning Select Committee, at its meeting held on 5<sup>th</sup> November 2003, agreed that Community Council Elections should be conducted by Postal Ballot, except in exceptional circumstances.

The following pages outline the Council's current advice on the running of Community Council elections.

If you do have any concerns about the running of a Community Council Election, please get in touch with your Corporate Manager's Office for advice. The Corporate Managers are

### **Caithness, Sutherland & Easter Ross**

Ian Hargrave  
Market Square  
Wick  
KW1 4AB

Tel: 01955 607791 e-mail: [ian.hargrave@highland.gov.uk](mailto:ian.hargrave@highland.gov.uk)

Fax: 01955 607706

### **Ross, Skye & Lochaber**

Bob Cameron  
Council Offices  
High Street  
Dingwall  
IV15 9QN

Tel: 01349 868500 e-mail: [bob.cameron@highland.gov.uk](mailto:bob.cameron@highland.gov.uk)

Fax: 01349 863465

### **Inverness, Nairn, Badenoch & Strathspey**

William Gilfillan  
Town House  
Inverness  
IV1 1JJ

Tel: 01463 724212 e-mail: [william.gilfillan@highland.gov.uk](mailto:william.gilfillan@highland.gov.uk)

Fax: 01463 724300

Alternatively, you can also contact John Bruce, the Council's Elections Manager direct as follows: -

Council Offices,  
Dingwall IV15 9QN  
t: 01349 868524 f: 01349 863465  
m: 0788 750 3221  
e-mail: [john.bruce@highland.gov.uk](mailto:john.bruce@highland.gov.uk)

## **1.0 FREQUENCY AND METHOD OF ELECTION**

- 1.1 Elections shall be held every 3 or 4 years in the month detailed in the Community Council's Constitution. The Election shall be conducted by postal ballot held in the Community Council area for the first and all subsequent elections. For the first election, the Highland Council will appoint the Returning Officer to conduct the election.
- 1.2 After the first Election, the Community Council will itself appoint a Returning Officer. In all cases the Returning Officer must not be a candidate or a proposer or seconder of a candidate, or a close relative of any candidate or of a proposer or seconder of a candidate, but may be a retiring member of the Community Council.
- 1.3 Guidance on the running of an Election commences at Page 6.

## **2.0 METHODS OF ELECTION**

- 2.1 (a) First elections of a new Community Council

For the election of Councillors to a new Community Council, the Highland Council will (subject to the following paragraphs) organise the election on the basis of a postal ballot, held on a specified day (by convention this has been a Thursday), with the Corporate Manager (or another appointed Officer of the Council) acting as the Returning Officer for each of the new elections.

All expenses arising from the conduct of the first election for a new Community Council including the hire of any premises, printing of ballot papers, postage and providing staff both for polling day and for counting of ballot papers will be met by the Highland Council.

- 2.2 (b) All other elections

After the first elections, the responsibility for organising and paying the costs of elections will be undertaken by the Community Council, with the exception of postage costs which will be met by the Highland Council (this includes outgoing mailing costs as well as return postage of completed ballot papers). The Community Council will appoint a Returning Officer, who may be an employee of the Highland Council, but must not be a candidate or a relative of a candidate or of a proposer or seconder of a candidate. This is to ensure that the Returning Officer is seen to be impartial and independent. Unless an adequate case is made to the Council to do

otherwise, all elections will be by postal ballot using the first past the post system.

- (i) If on the expiry of the period for lodging nominations referred to in paragraph 9 in the Election Guidance below: -
  - (a) Where the number of candidates validly nominated is equal to or exceeds two thirds but is less than or equal to the total number of elected members as specified in the Community Council's Constitution, the candidates will be declared to be elected and no ballot will be held. Community Councils may co-opt Members onto the Council to bring the membership up to the required number.
  - (b) Where the number of candidates validly nominated exceeds the number specified in Community Council's Constitution, the arrangements for a ballot will be implemented, with those entitled to vote at the election being residents within the area of the Community Council whose names appear on the relevant **FULL** Electoral Register.
  - (c) Where the number of candidates validly nominated is below two thirds of the number specified in Community Council's Constitution (unless the Constitution provides differently on this issue), no Community Council shall be established at that time and the Highland Council shall take such action as is deemed appropriate, subject to the terms of the Council's Scheme for Community Councils.
- (ii) The Returning Officer shall, within 21 days of any election, convene the first meeting of the elected members. It will be the first duty of the elected members to appoint a Chair. This appointment may be made by asking for a show of hands for each candidate, or by carrying out a ballot in secret, each Community Councillor having only one vote.
- (iii) In the event of the death, resignation, disqualification or removal of a member of a Community Council during the term of office, it shall be at the discretion of the Community Council to fill the vacancy that has arisen by co-option. In the event of such casual vacancies causing the number of elected members to fall below two thirds of that specified in the Community Council's Constitution, the Highland Council shall be informed and the procedure to be followed shall be determined by the Highland Council in consultation with the

Community Council. That procedure may involve the formal dissolution of the Community Council.

### **3.0 ONGOING FREQUENCY OF ELECTIONS**

- 3.1 Members directly elected to Community Councils will serve for a maximum period of 4 years, or until the next ordinary election, subject to a retiring Community Councillor being eligible for re-election.
- 3.2 Co-opted Members will remain as members until the next ordinary election.

### **4.0 NOMINATION AND BALLOT PAPERS**

- 4.1 Generic versions of the Notice of Election, Nomination Paper and Ballot Papers are shown at the end of the election guidance. These forms require personalisation for the Community Council involved. The parts which require to be personalised have been highlighted in yellow for your guidance. Please remove the highlighting before printing the document.

# THE ELECTION PROCESS: FIRST PAST THE POST SYSTEM

## 8 – 10 WEEKS PRIOR TO THE DAY OF ELECTION

1. Appoint a Returning Officer and get them to do everything. The Returning Officer should neither be involved with the running of Community Council; be intending to seek nomination to the Community Council, nor be closely related to any of the prospective Candidates.
2. Prepare an Election timetable - an essential tool for forward planning – See Appendix - Form1.
3. Determine date for publication of Notice of Election - see Appendix - Style No. 2
4. Prepare Nomination Papers - see Appendix - Style No. 3. Contact the Corporate Manager's Office, where an example can be prepared for you.
5. Obtain an up to date copy of the **FULL** Register of Electors covering ALL of your Community Council area. ***It may be necessary to work out who, on a particular Register or Registers (if more than one Polling District is involved) is entitled to vote. The importance of this exercise cannot emphasised enough.*** The Register is available, free of charge from your local Electoral Registration Office. Please note that the full Register can only be used for Election purposes. Use of the full Register for any other purpose is an offence.

The Electoral Registration Officer operates out of four offices which have geographical responsibility as follows:

### Inverness Area

- Moray House, 16-18 Bank Street, Inverness IV1 1QY  
Phone: (01463) 703340 / Fax (01463) 703301

### Nairn, Badenoch and Strathspey, Lochaber, Skye and Lochalsh Areas

- Moray House, 16-18 Bank Street, Inverness IV1 1QY  
Phone: (01463) 703320 / Fax (01463) 703301

### Ross and Cromarty, Sutherland Areas

- Robertson House, Greenhill Street, Dingwall IV15 9QR  
Phone: (01349) 863260 / Fax (01349) 865942

Caithness Area  
- 3A Bridge Street, Wick KW1 4AG  
Phone: (01955) 602251 / Fax (01955) 603982

#### **6TH WEEK BEFORE DAY OF ELECTION**

6. The Returning Officer should arrange for the Notice of Election to be published. Preferably, the Notice should be published in a Local Newspaper, but a few Notices placed at strategic points in the Community Council Area (such as the local shop or Post Office) would suffice.
7. The Returning Officer should issue Nomination papers on request. It would be helpful if Nomination Papers could be made available for downloading from the Community Council's Website, if it has one.

#### **FROM 6TH WEEK TO 5TH WEEK BEFORE DAY OF ELECTION**

8. Returning Officer should receive completed Nomination Papers. It is helpful to note on the Nomination Paper, the date and time it was received. The Nomination Papers will have to be checked against the current Full Register of Electors to ensure that the Candidate and the Proposer and Secunder are on the Community Council Electoral Register. If not, the Nomination is invalid. Please note that an elector can only propose or second one Candidate. Proposing or seconding more than one candidate will render the second and all subsequent Nominations invalid. It is advisable to check the Nomination Paper as soon as possible after its receipt. The Candidate should be advised as soon as possible as to whether the Nomination Paper is valid or invalid

#### **4TH TUESDAY BEFORE ELECTION**

9. The closing date, time and place for receipt of Nomination Papers. Fix a specific time for the close of receipt of Nomination Papers, say 5.00pm. Thereafter publicise the Nominations received. If more Nominations than vacancies have been received, there is a possibility that some Nominees may withdraw, possibly dispensing with the need to have an election.

#### **4TH THURSDAY BEFORE DAY OF ELECTION**

10. Give one or (preferably) two days for nominees to withdraw. At this point, if there are more nominations than vacancies, then the election must go ahead. There should be no withdrawals after this point.

11. Advise all the Candidates that an election will take place. Notify them of the date, time and location of the counting of the votes. They are all, of course, invited to attend to watch the votes being counted.
12. Arrange for the printing of Ballot Papers, in the style shown in the Appendix - Style 4. The Corporate Manager's Office can, on request, arrange for preparation and printing of the Ballot Papers.
13. Book a local hall for the Counting of the Votes.
14. Arrange for someone to get people (who should not be related to any of the Candidates) to assist at the Count.
15. You will already have determined the electorate for the election – this is obtained from the Electoral Register – referred to at paragraph 5 above.
16. The Corporate Manager's Office will be able to supply you with printed labels and envelopes (both outgoing and pre-paid incoming envelopes).
17. The timetable provides for a period of 2 weeks from the close of Nomination to the posting out of the Ballot Paper. This should give sufficient time for carrying out the tasks involved.
18. Ask the Corporate Manager's Office to arrange for the printing and **NUMBERING** of the ballot papers. Guidance on voting should be printed on the face of the ballot paper if there is sufficient room or on the reverse of the ballot paper. You will be able to obtain pre-paid First Class Mail envelopes for the return of the ballot paper (to the Corporate Manager's Office). Do not buy stamps for the return envelope.

## **2<sup>ND</sup> THURSDAY BEFORE DAY OF ELECTION**

19. Post out the ballot papers, using second class mail. This can either be done via the Royal Mail or if possible, you can arrange for the ballot papers to be hand delivered. However, hand delivery should only be done if there is a considerable degree of trust in the Community Council Area. If the election is contentious, use the Royal Mail.

## **BEFORE THE MONDAY BEFORE THE DAY OF THE ELECTION**

20. Confirm Hall booking for the Count (if required).
21. Confirm staffing arrangements for the counting of the votes. Try to use people who are not related to any of the Candidates.

## **DAY OF ELECTION**

22. If there were a lesser, or equal, number of valid Nominations than the number of vacancies, then the validly Nominated candidates are elected as Community Councillors from this day.
23. If not, an election is taking place and ballot papers should be delivered to the Corporate Manager's Office by the time specified on the ballot paper.

## **FOLLOWING THE CLOSE OF THE POLL**

24. Arrange for the returned Ballot Papers to be collected from the Corporate Manager's Office and taken to the Count location, if it is in a different building.
25. Open the envelopes that have been returned, count the total number of votes cast and work out the turnout. Divide the total number of votes cast by the electorate. This gives the percentage of electors who voted.
26. Thereafter, count the number of votes for each candidate.
27. The successful candidates are those with the highest number of votes, with the number of successful candidates equalling the number of vacancies.
28. When counting the votes, make sure than electors have not voted for more candidates than they are entitled to. If they do, the ballot paper must be rejected and not counted.
29. If the number of votes cast for 2 or more candidates are equal, where the election of both or all will be greater than the number of vacancies, it will be necessary to have a recount to check that the original count was accurate. If the numbers differ, recount again. If they are the same, the successful candidate(s) will need to be determined by lot. This can be done in a number of ways - toss of a coin, cutting of cards, drawing a name or extra vote out of a hat. Whatever method is used, it must be made clear that the result is final.
30. Publish the results of the election in the Community. There is no need to place an advert in the local press.
31. Retain the counted ballot papers for a few weeks in case there are queries about the conduct of the Election. Thereafter, dispose of the papers.

John Bruce,  
Elections manager  
Council Offices,  
Dingwall  
August 2008

**INDICATIVE COMMUNITY COUNCIL  
ELECTION TIMETABLE**

Appoint a Returning Officer and start the election process		Monday 1 <sup>st</sup> January 200*
Publication of notice of election		Friday 12 <sup>th</sup> January 200*
Delivery of Nomination Papers	Between but not later than 5.00 pm	Friday 12 <sup>th</sup> January 200* Tuesday 23 <sup>rd</sup> January 200*
Publication of Candidates Nominated	As soon as possible after 5.00 pm on	Tuesday 23 <sup>rd</sup> January 200*
Withdrawal period	From Until 5.00 pm on	Tuesday 23 <sup>rd</sup> January Thursday 25 <sup>th</sup> January
Arrange printing of ballot papers etc	From Until	Friday 26 <sup>th</sup> January Friday 9 <sup>th</sup> February
Post out Ballot papers		Friday 9 <sup>th</sup> February
Day of Election	Closes at 5.00 pm on	Thursday 22 <sup>nd</sup> February
The Count		Friday 23 <sup>rd</sup> February
First Meeting of the Community Council		Within 21 days of the Count

Please adjust the election timetable to suit your own particular circumstances.

**(INSERT NAME OF COMMUNITY COUNCIL) COMMUNITY COUNCIL  
NOTICE OF ELECTION**

Nominations are invited for the election of **(insert number of vacancies)** Community Councillors to the **(insert name of Community Council)** Community Council.

Nomination Papers are available from **(insert addresses where nomination papers are to be made available)**.

All electors in the Community Council area are entitled to stand

The Nomination Papers, duly proposed and seconded by eligible electors must be received by the Returning Officer **(insert name of Returning Officer)** at **(insert address)** no later than **(insert closing date and time)**. If more than **(insert number of vacancies)** nominations are received, an election will take place on **(insert date of Election)**.

\*\*\*\*\*  
**COMMUNITY COUNCIL**  
**ELECTION ON \*\*DAY \*\*TH \*\*\*\*\* 200\***

**NOMINATION PAPER**

We, the undersigned, being electors for the said Community Council area, do hereby nominate the under-mentioned person as a candidate at the said election.

Candidate's Surname as in register of electors	Other names as in register of electors	Electoral Registration Number	Address as in register of electors

Signatures	Electoral number (as shown in the Register of Electors)		Address as in Register of Electors
	Distinctive letter(s) or number(s)	Number	
Proposer ..... .....	.....	.....	..... ..... .....
Secunder .....	.....	.....	..... ..... .....

**Do not sign more than one Nomination Paper as the second and subsequent signed papers will be declared invalid**

I, the nominee for election, consent to being nominated as a candidate and, if elected, accept office as a councillor for the said Community Council. I declare that, if elected, I shall faithfully perform the duties of the office.

.....  
 (Date)                      (Signature of Candidate)

Completed forms should be returned to \*\*\*\*\* by 5.00pm on \*\*\*\*\*

**\*\*\*\*\* Community Council  
- Postal Ballot -**

**\$\$ nominations have been received for the  
\*\*\* Community Council.**

There are @ vacancies. Vote by marking a cross (X) in the box opposite the names of the candidates you are voting for. You may vote for up to @ candidates.

	Vote X
<p><b>Richard Apple,</b> Littleburn, Munloch, IV8 8PA</p>	
<p><b>Hamish Bush</b> Littleburn Road, Munloch, IV8 8PA</p>	
<p><b>Linda Cherry</b> Little Brae, Munloch, IV8 8PA</p>	
<p><b>Isobel Date</b> Belmadrum, Munloch, IV8 8PA</p>	
<p><b>Michael Elderberry</b> Burn Place, Munloch, IV8 8PA</p>	

Please use the enclosed envelope provided to return Postal Ballot Papers.  
**THE ENVELOPE MUST BE RETURNED TO THE  
CORPORATE MANAGERS OFFICE, COUNCIL OFFICES,**  
**\*\*\*\*\* BY 5.00 P.M. ON \*\*<sup>TH</sup>\*\*\*\*\* 200\***

**Ballot Paper No.....**