



Scottish Local Government Elections

Thursday 5 May 2022

Arrangements in Force at the Poll

At this election the following arrangements will apply:

1. Entitlement to attend the polling station

Candidates and their election agents are entitled to visit any polling station in the electoral ward in which they are standing on polling day; polling agents may also attend at the polling station(s) for which they have been appointed. Only one polling agent from each permitted participants is allowed to enter the polling station at any time. Those attending must have received notification, in writing, of the requirement of secrecy, and must hold the appropriate admission pass from the Returning Officer otherwise admission to the polling stations or the count respectively will not be permitted.

The following people are entitled to attend the polling station: -

- voters
- persons under the age of 16 who accompany voters to the polling station
- candidates and their election agents
- polling agents appointed to attend at the polling station
- clerks appointed to attend at the polling station
- constables on duty
- companions of voters with disabilities
- Returning Officer and members of their team
- persons entitled to attend from the Electoral Commission; and
- accredited observers

It is a Presiding Officer's duty to keep order at their polling station. Anyone attending a polling station must always comply with the instructions given by a Presiding Officer.

Failure to comply with a Presiding Officer's legal request will result in immediate removal from the polling station and if removed shall not, without the Presiding Officer's permission, re-enter the polling station that day.

At these elections, larger multi-stationed polling places will have a No1 Presiding Officer in overall charge. Their main duties will include ensuring control measures are adhered to, managing the flow of electors, dealing with enquires from electors, candidates and agents and accepting postal votes handed in at the polling place.

2. Queuing

There is the potential for small queues to build up at busy times during the day. Presiding Officers and for multiple stations, Information Officers will be monitoring the entrance to the polling place and managing the flow of electors. Any queues will be dealt with as quickly as possible.

3. What does a polling agent do?

Polling agents play an important role on polling day. They can:

- observe the Presiding Officer showing the empty ballot box prior to sealing.
- detect personation and prevent people from voting more than once at the same election (other than proxies).
- report any improper occurrences to the candidate or their election agent.
- be present when the Presiding Officer marks a ballot paper at the request of an elector who needs assistance.
- be present at the close of poll when the various packets of documents are sealed; and
- attach their seal to any packets made up by the Presiding Officer at the close of poll, including the ballot box.

Any number of people may be appointed as a polling agent to attend a particular polling station, although only one polling agent on behalf of each candidate will be allowed into a particular polling station at the same time. A person may be appointed as a polling agent for more than one polling station.

Polling agents must maintain the secrecy of the ballot and therefore should not communicate to anyone outside the polling place the name or elector number of person(s) who have or have not voted or the number of other unique identifying mark on the ballot paper. Polling agents who are marking their own copy of the register of electors should not remove it from the polling station until after the close of poll to ensure that secrecy requirements are not breached. Any person found guilty of breaching the secrecy requirements can face a fine of up to £5,000 or may be imprisoned.

Polling agents **must not** stand in doorways or passages leading to polling stations which may obstruct voters from entering or leaving the polling place. Polling agents must liaise with Presiding Officers, where necessary to agree an area in the polling station where they can undertake the above duties while still maintaining physical distancing.

In respect of polling agents wearing rosettes inside the polling place, the Returning Officer has no objection to this if they are plain and do not refer to a specific candidate or registered political party. Please note that polling agents must not wear, carry, or display any headwear, footwear or other apparel that carries any writing, picture or sign relating to any candidate or party apart from a plain rosette whilst inside the polling place. The Presiding Officer will ask for any such items to be removed with immediate effect.

An election agent can 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.

4. Display of election material

Election material is not permitted to be displayed inside the boundary of any polling place or to be fixed to the perimeter wall surrounding the premises. Permitted participants and agents should ensure that all Election advertisements, including any bills, placards and posters, comply with the Council's guidelines for display of posters on street furniture as published on the council's web-site at www.highland.gov.uk/slg22election

The removal or relocation of any party or candidate election material by any other party, candidate or their agents is prohibited and will be looked upon very seriously by the Returning Officer.

Posters, mounts and string must be removed within the 7 days following the election.

In particular, remember that **no advertisement should be displayed without the permission** of the owner of the site or anyone else with an interest in the site.

5. **Campaigning on polling day**

Campaigning **cannot happen within a Polling Station or Polling Place**. Presiding Officers must ensure that electors can quietly and privately cast their vote free of any intimidation and provide a space where the secrecy of the ballot will be respected. Electors should be able to enter the surrounding area in the same manner.

Campaigning is **not permitted** within a polling station or polling place. Presiding Officers must ensure that electors can quietly and privately cast their vote free of any intimidation and provide a space where the secrecy of the ballot will be respected. Electors should be able to enter the surrounding area in the same manner.

The Presiding Officer has the Returning Officer's permission to remove or relocate any campaign material which does not comply with point 4 above.

6. **Candidates Wearing of Rosettes**

Candidates may enter a polling place wearing a campaign rosette however if they remain in the polling place for longer than 5 minutes then the Presiding Officer will request them to remove this for the remainder of their visit.

7. **Signs and Notices**

The Presiding Officer will ensure that notices are displayed giving directions for the guidance of voters inside and outside the polling station. A notice giving information for voters will be displayed in each compartment of the polling booth.

A large sample copy of the ballot paper will be displayed inside the polling station and an enlarged hand-held copy marked 'sample' will also be available in the polling station.

No posters or other material that might be construed as supporting the views of any candidate or political party involved in this election should be displayed in or on the premises. If any such materials are found, they will be removed or covered up.

8. **Tellers**

Tellers may be present outside the polling place but must not obstruct entrances to the buildings where polling is taking place. Voters who have entered the precincts of the polling place must not be interrupted on their way to vote. Tellers will usually be excluded from the precincts of the building e.g. in a school they should be outside the playground, although, where voters are permitted to use the playground for parking their cars, Tellers may be allowed, at the discretion of the Presiding Officer, to take up station outside the school entrance. **Under no circumstances** will Tellers be permitted to take up station within the building in which polling is taking place.

Anyone campaigning outside the polling place may be required to maintain physical distancing with each other and when interacting with voters. Tellers may approach voters for information as they enter or leave the polling place but should maintain physical distancing as they do so, and they should also ensure that voters can enter or leave the polling station safely and not impede, obstruct or intimidate voters in any way.

Tellers may find that areas where they have previously been stationed at polling places may have changed for this election to support physical distancing and they should adhere to any instructions given by the Presiding Officer in this regard.

Any breaches to public health guidelines will be taken very seriously and may result in tellers being moved further away from the entrance or exit to the polling place. Presiding Officers

have been advised to report repeated breaches to Police Scotland if they feel there is a risk to staff or electors entering or exiting the polling place.

Tellers must not:

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

Tellers may display a coloured rosette or badge displaying the name of the candidate or party and/or emblem or description, as this assists electors by making it clear that they are campaign workers and not electoral officials. The rosette/badge should not bear a slogan or be oversized.

The Electoral Commission has prepared Guidance on the conduct of tellers in and around polling places Tellers do's and don'ts which are available to download from the Electoral Commission website. It is an election agent's responsibility to ensure that anyone employed as a teller at this election is given a copy of this guidance.

9. **Photography**

Photography of any kind (including photos taken on mobile phones) is not permitted in any polling station.

10. **Cars**

There should be no long-term parking of vehicles used for campaign purposes, for example displaying election materials or using loudspeakers, immediately outside the entrances or within a reasonable distance of the entrance to a polling place. The Presiding Officer in overall charge of the polling place will have discretion where local conditions give rise to doubt.

11. **Disabled Voters**

Disabled voters may request the assistance of the Presiding Officer to mark the ballot paper for them. Alternatively, they may be assisted by a companion, with the permission of the Presiding Officer who must be satisfied that the voter's disabilities would prevent them from casting their vote unaided. The companion of a disabled voter will be required to complete a written declaration and must be either a close relative (spouse, civil partner, parent, grandparent, brother, sister, child, or grandchild – if they are aged 16 years or over) or a qualified elector.

12. **Voting Information**

While there is no specific entitlement to agents to be informed of the numbers of persons who have voted, it will be permissible for Presiding Officers to give agents a note of the **actual number** of persons who have voted from time to time throughout the day. Information as to whether or not a particular person has or has not voted **shall not** be given although such information may be necessary in a case where an agent has raised a question of personation. At larger multi-stationed polling places, the No1 Presiding Officer will be responsible for fulfilling any such request.

Requests **will only** be fulfilled if it does not interfere with official duties.

13. Observers

Representatives of the Electoral Commission and accredited observers appointed by the Electoral Commission are entitled to observe various electoral procedures relating to the election including attending in the polling station before, during and after polling hours.

They will be required to adhere to any measures or controls which have been put in place as a result of the Coronavirus pandemic to ensure the safety of staff and electors.

Observers must display identification provided by the Commission and must present it to election officials when requested. Observers must ensure that their identification badge is always visible while observing.

Both Commission representatives and accredited observers agree to abide by a Code of Conduct, which includes an agreement that they will not interfere with any proceedings. Presiding Officers may ask observers (but not Commission representatives) to leave the polling station, but only if they are:

- Breaching or attempting to breach the secrecy of the ballot
- Knowingly obstructing the polling process
- Asking voters about their voting preferences

If an observer is removed from the polling station, the Presiding Officer must provide a note to the observer stating the reasons why they have been removed. Presiding Officers should also record any such incidents and notify the Returning Officer as soon as possible.

Any observer removed in the circumstances above is not entitled to re-enter the polling station for the remainder of the poll.

In the case of overcrowding, Presiding Officers are entitled to limit the number of accredited observers (but not Commission representatives) present inside a polling station at the same time. Where it proves necessary to limit the number of observers, it is suggested that this should be for a specified time, such as for 30 or 60 minutes. However, it is important to note that no officer is entitled to bar all observers from the entire process, only to limit the number of observers present at any one time. When such action is taken, this should be recorded in a polling station log.

Presiding Officers will record the details of any accredited observers or Commission representatives who attend at their polling station.

Electoral observation is a legitimate and valuable part of the electoral process, and care should be taken not to hinder or obstruct the conduct of the observation.

14. Conduct of the Poll

Any matters relating to the conduct of the poll should be referred to the Elections Office by telephone on 01349 886657 or email - election@highland.gov.uk