



# Part C

# Administering the Poll

**The Scottish Independence  
Referendum  
Guidance for Counting Officers**

## Translations and other formats

This document can be made available in certain alternative formats. For further information, contact Ros Wilson at [ros.wilson@edinburgh.gov.uk](mailto:ros.wilson@edinburgh.gov.uk), telephone 0131 469 3820

---

# Contents

<b>1.</b>	<b><u>Campaigners and agents</u></b>	<b>1</b>
	<u>Permitted participants, designated organisations and referendum agents</u>	1
	<u>Permitted participants</u>	1
	<u>The “responsible person”</u>	1
	<u>Designated organisations</u>	1
	<u>Referendum agents</u>	3
	<u>Guidance for campaigners</u>	4
	<u>Guidance on the referendum process</u>	4
	<u>Briefings</u>	5
	<u>Other agents at the referendum</u>	5
	<u>The opening of postal votes</u>	6
	<u>The poll</u>	6
	<u>The count</u>	7
	<u>Access needs for agents</u>	8
<b>2.</b>	<b><u>The electoral registers and the polling list</u></b>	<b>9</b>
	<u>The register of young voters</u>	9
	<u>The polling list</u>	10
	<u>Destruction of registration documents</u>	10
<b>3.</b>	<b><u>Production of notices, poll cards and ballot papers</u></b>	<b>12</b>
	<u>Production and publication of notices</u>	12
	<u>The notice of referendum</u>	12
	<u>Translation and formats of notices</u>	13
	<u>Production of poll cards</u>	14
	<u>Poll card delivery</u>	16
	<u>Poll cards delivered to electors after the cut-off date</u>	16
	<u>Production of ballot papers</u>	17
	<u>Front of the ballot paper</u>	17
	<u>The official mark</u>	17
	<u>Back of the ballot paper</u>	18
	<u>Printing of the ballot papers</u>	18
	<u>Ballot paper security</u>	19
<b>4.</b>	<b><u>Polling station voting</u></b>	<b>20</b>
	<u>Setting up polling stations</u>	20
	<u>Polling station equipment and materials</u>	21
	<u>Allocation of ballot papers</u>	22
	<u>Polling lists and absent voting lists in polling stations</u>	24
	<u>Corresponding number lists</u>	25
	<u>Packets for postal ballot papers delivered to polling stations</u>	25
	<u>Polling station log</u>	26
	<u>Guidance for voters notice</u>	26
	<u>Close of poll</u>	26

# 1 Campaigners and agents

## Permitted participants, designated organisations and referendum agents

### Permitted participants

- 1.1 Anyone can campaign for a particular outcome in the referendum as long as they do not spend more than £10,000 during the referendum period, which begins on 30 May 2014. Anyone spending more than this amount must register with the Electoral Commission as a “permitted participant” unless they are working together with a designated organisation as set out in the Commission’s guidance. Permitted participants are also referred to as “registered campaigners”. Information on registration is contained on [the Electoral Commission’s website](#).
- 1.2 Only the following types of individuals or organisations can register as permitted participants:
- A UK registered political party
  - A qualifying individual (i.e. a person resident in the United Kingdom or registered on the electoral register or the register of young voters)
  - A qualifying body as defined in [Schedule 4 para 2 of the Scottish Independence Referendum Act 2013](#).
- 1.3 The register of permitted participants can be accessed on the [Electoral Commission’s website](#).
- 1.4 Permitted participants have a higher spending limit than non-registered campaigners and have the right to nominate representatives to attend postal vote opening sessions, polling stations and the counting of votes.

### The “responsible person”

- 1.5 All permitted participants must have registered someone as their “responsible person”<sup>1</sup>. This person will be responsible for making sure that the permitted participant complies with rules on spending and donations under the [Scottish Independence Referendum Act 2013](#).

---

<sup>1</sup> SIRA 2013 Schedule 4 para 3(3)(ii)

## Designated Organisations

- 1.6 Designated organisations are lead campaigners appointed by the Commission from among the permitted participants for each of the outcomes in the referendum.<sup>2</sup> The designated organisations are “Better Together” and “Yes Scotland”.
- 1.7 The designated organisations are entitled to obtain from the Electoral Registration Officer, on request and free of charge, one copy of the **edited polling list** (i.e. the polling list but with all voter numbers and all anonymous entries removed) and of the absent voters’ lists.<sup>3</sup> [A request form](#) has been prepared for this purpose.
- 1.8 Designated organisations have a higher spending limit than other registered campaigners, are entitled to make referendum campaign broadcasts and can send information to voters free of charge.
- 1.9 Persons authorised by designated organisations are entitled to use publicly maintained accommodation for public meetings in support of their campaigns during the period of 28 days prior to the referendum<sup>4</sup>. Use of the accommodation is to be free of charge except for expenses involved in preparing, heating, lighting and servicing the accommodation or in rectifying any damage done to it.
- 1.10 Such accommodation includes rooms in schools maintained by an education authority and meeting rooms in Scotland maintained by the Scottish Ministers, any other part of the Scottish administration and any Scottish public authority with mixed functions or no reserved functions (defined by [the Scotland Act 1998](#))<sup>5</sup>.
- 1.11 The term “meeting room” is defined as any room which it is the practice to let for public meetings and the term “room” is defined as including a hall, gallery or gymnasium.
- 1.12 The right to use such rooms can only be exercised at reasonable times and on reasonable notice. Use of schools must not interfere with the hours during which they are used for educational purposes and the use of meeting rooms must not interfere with the purposes of the person maintaining it or with any prior agreement for its letting<sup>6</sup>.
- 1.13 Any arrangement for the use of a room in school premises is to be made with the relevant education authority and any question as to which rooms can be used at which times or as to the notice which is reasonable are to be determined by the

---

<sup>2</sup> SIRA 2013 Schedule 4 para 6

<sup>3</sup> SIRA 2013 Schedule 2 para 50

<sup>4</sup> SIRA 2013 Schedule 4 para 8

<sup>5</sup> SIRA 2013 Schedule 4 para 8(1)(2) and (3)

<sup>6</sup> SIRA 2013 Schedule 4 para 8(5)

Scottish Ministers<sup>7</sup>.

- 1.14 Any person authorised by a designated organisation is entitled to inspect your Council’s list of its premises covered by this requirement or to copy such a list.<sup>8</sup>
- 1.15 Accordingly, you should ensure that your Council’s list of suitable premises is up-to-date and that staff who make bookings are aware of the requirements of the Act insofar as they relate to the premises on the list.

## Referendum Agents

- 1.16 A permitted participant can appoint one referendum agent per local authority area,<sup>9</sup> who may be the “responsible person” referred to in [para 1.5 above](#). Referendum agents carry out a similar role to election agents, but they are not, in that capacity, responsible for campaign spending.
- 1.17 Where a permitted participant wishes to appoint a referendum agent, their “responsible person” is required by law to give you written notification of the appointment of a referendum agent by not later than noon on the twenty-fifth day before the referendum- i.e. by **Thursday 14 August 2014**.<sup>10</sup> While a [form for the notification of a referendum agent](#) has been developed by the Chief Counting Officer, there is no obligation on the “responsible person” to use a form for this purpose. It is sufficient for them to submit a written appointment, so long as it bears their signature and is delivered by the deadline.
- 1.18 If you are notified that a permitted participant has appointed a referendum agent, you are legally required to publish a notice giving the name and address of the referendum agent and the name of the permitted participant as soon as practicable.<sup>11</sup> A [style for this notice](#) has been developed by the Chief Counting Officer.



To be able to achieve the outcome set out in performance standard 2, you should be able to provide the Chief Counting Officer with a copy of the notice of referendum agents and the date of its publication.

- 1.19 If a permitted participant revokes the appointment of their referendum agent or if their referendum agent dies and if that permitted participant has already notified you of the appointment of polling or counting agents under [Rule 14 of Schedule 3](#), they must appoint a replacement referendum agent as soon as practicable by giving

<sup>7</sup> SIRA 2013 Schedule 4 Para 9

<sup>8</sup> SIRA Schedule 4, para 9(4)

<sup>9</sup> SIRA 2013 Section 17(1)

<sup>10</sup> SIRA 2013 Section 17(2) and (3)

<sup>11</sup> SIRA 2013 Section 17(6)

you written notification. In these circumstances you must publish a notice to that effect as soon as you can<sup>12</sup>. You can do this by amending your previous notice.

## Guidance for campaigners

- 1.20 The Electoral Commission is responsible for providing guidance for campaigners on campaign registration, designation, campaign spending and donations. It is not for Counting Officers to advise on these issues. Any such enquiries should be referred to the Commission's Scotland Office at 0131 225 0202 or email [scotreferendum@electoralcommission.org.uk](mailto:scotreferendum@electoralcommission.org.uk).

## Guidance on the referendum process

- 1.21 You are responsible for providing guidance to campaigners on the referendum process locally. You need to ensure that referendum agents are issued with written guidance including local arrangements. You should also make information for campaigners available on your council website and ensure that frontline staff are briefed on the [Frequently asked questions \(FAQs\)](#) insofar as they affect campaigners and campaign organisations.



To be able to achieve the outcome set out in performance standard 2, you need to be able to provide the Chief Counting Officer with confirmation that referendum agents are issued with written guidance on the process, including local arrangements and that frontline staff have been issued with FAQs adapted for local use.

- 1.22 Referendum agents should be provided with a local information pack to contain:
- Guidance for agents covering key aspects of the referendum process including [Dos and Don'ts for Campaigners](#), a document produced jointly by the Chief Counting Officer and the Commission and [Information for Campaigners](#), a document prepared by the Chief Counting Officer to give generic advice on referendum procedures including accessing proceedings such as the opening of postal votes and the count and what happens after the declaration of the result
  - Contact details for your referendum team, for your local ERO, for the Chief Counting Officer's office and for the Electoral Commission's Scotland Office (0131 225 0202 or email [scotreferendum@electoralcommission.org.uk](mailto:scotreferendum@electoralcommission.org.uk)), and
  - Any other relevant local information

---

<sup>12</sup> SIRA 2013 Section 17(7) and (8)

## Briefings

- 1.23 You must ensure that any local referendum campaigners who have contacted you and all local referendum agents are offered a briefing session on the referendum process, including local arrangements. The Chief Counting Officer has produced a [template presentation for referendum agents](#) that you could use for the purpose.



To be able to achieve the outcome set out in performance standard 2, you need to be able to provide the Chief Counting Officer with confirmation that briefing sessions have been offered, the date(s) of sessions and confirmation that briefing resources have been prepared.

- 1.24 All briefing sessions should stress the importance of following the Conduct Rules for the referendum in [Schedule 3 of the Scottish Independence Referendum Act 2013](#).
- 1.25 You should also highlight any security arrangements that have been put in place in consultation with the police.
- 1.26 The briefings should allow for the fact that there may be people who have little or no knowledge of referendum rules and procedures or who have not previously been involved in any electoral events. You should make sure that campaigners are made fully aware of the secrecy requirements for the opening of postal votes, the poll and the count and of the code of conduct for dealing with absent vote applications.
- 1.27 You may choose to hold more than one briefing session (for example, one in the early evening to accommodate agents who may be working during the day).

## Other agents at the referendum

- 1.28 Referendum agents can appoint agents to observe the opening of postal votes, the poll and the count. They are **not** entitled to attend or to appoint agents to attend the issue of the postal votes.<sup>13</sup>
- 1.29 You are required by law to ensure that all appointed agents are given a copy of the relevant [secrecy requirements](#) for the opening of postal votes, the poll and the count.<sup>14</sup>

---

<sup>13</sup> SIRA 2013 Schedule 2 para 20(1)

<sup>14</sup> SIRA 2013 Schedule 2 para 21 (postal votes); Schedule 3 Rule 16 (poll and counting of votes) Requirement of secrecy contained in Schedule 7 para 7(1) polling stations; (4) the count; (7) postal votes



## The opening of postal votes

- 1.30 Postal voting agents are permitted by law to observe the opening of returned postal votes and the checking of signatures and dates of birth provided on returned postal voting statements<sup>15</sup>. Such appointments must be made in writing before the start of any particular session that the agents are seeking to attend. [Forms for the appointment of postal voting agents](#) have been developed by the Chief Counting Officer. However, referendum agents do not have to use these forms. Written notice, signed by the referendum agent and delivered to you by the relevant deadline, is sufficient for the purpose.
- 1.31 You are legally required to give referendum agents at least 48 hours' notice of the time and place of any postal vote opening session and the number of agents that may be appointed to attend each opening.<sup>16</sup> [A style for this purpose](#) has been prepared by the Chief Counting Officer.
- 1.32 As Counting Officer, it is for you to decide how many postal voting agents may be appointed to attend the sessions, but the number must be the same for each referendum agent.<sup>17</sup> In deciding the number of agents to attend, you should take into account the capacity of the room(s) to accommodate agents and any observers together with any relevant health and safety factors.

## The poll

- 1.33 Polling agents are entitled by law to access polling stations for the purpose of detecting personation (the crime of fraudulently obtaining another person's vote).<sup>18</sup> They can also observe the procedures to be followed inside a polling station.
- 1.34 The Chief Counting Officer has prepared a [form for the appointment of polling agents](#), however, referendum agents do not have to use the form provided so long as the appointments are made in accordance with the rules, namely:-
- (a) in writing
  - (b) stating the name and address of the person(s) appointed
  - (c) setting out which polling stations the agent may attend: and
  - (d) by the cut-off date of midnight on Thursday 11 September 2014<sup>19</sup>
- 1.35 By law only one polling agent may be admitted at the same time to a polling station on behalf of the same permitted participant.<sup>20</sup> The same polling agents may be appointed to attend more than one polling station but the notice appointing those

---

<sup>15</sup> SIRA 2013 Schedule 2 para 20(3)-(9)

<sup>16</sup> SIRA 2013 Schedule 2 para 31

<sup>17</sup> SIRA 2013 Schedule 2 para 20(4)

<sup>18</sup> SIRA 2013 Schedule 3 Rule 14(1)(a)

<sup>19</sup> SIRA 2013 Schedule 3 Rule 14(4)-(5)

<sup>20</sup> SIRA 2013 Schedule 3 Rule 15(5)

agents must specify the polling stations that they are to attend.<sup>21</sup> It is recommended that you advise referendum agents to appoint all polling agents to attend any or all polling stations in the council area.

## The count

- 1.36 Referendum agents may appoint counting agents to observe the verification and counting processes.<sup>22</sup> The law requires that you are notified in writing of the appointment of counting agents by not later than five working days before the date of the referendum – i.e. by Thursday 11 September 2014 - for their appointment to be in force by the time of the count.<sup>23</sup> The notice must contain the names and addresses of the agents appointed and must set out which counts they may attend<sup>24</sup>. [A form for the appointment of counting agents](#) has been prepared by the Chief Counting Officer. You are legally required to give notice in writing of the time and place at which the verification and count will begin to the Chief Counting Officer, each of the referendum agents appointed for the area and their appointed counting agents.<sup>25</sup>
- 1.37 As Counting Officer, it is for you to determine how many counting agents may be allowed access to each count. Each referendum agent should, as far as possible, be permitted to appoint sufficient numbers of counting agents to enable full and proper scrutiny of the verification and count processes.
- 1.38 The number of counting agents that may be appointed by each referendum agent should not be less than the number obtained by dividing the number of counting assistants you employ by the number of referendum agents.<sup>26</sup>
- 1.39 You must ensure that the number of counting agents that may be appointed by each referendum agent is the same<sup>27</sup>.
- 1.40 You must consider any health and safety implications, including fire regulations, for the count venue when deciding on maximum numbers of counting agents per participant.

---

<sup>21</sup> SIRA 2013 Schedule 3 Rule 14 (7)(c)

<sup>22</sup> SIRA 2013 Schedule 3 Rule 14(1)(b)

<sup>23</sup> SIRA 2013 Schedule 3 Rule 14(4)

<sup>24</sup> SIRA 2013 Schedule 3 Rule 14(7)(d)

<sup>25</sup> SIRA 2013 Schedule 3 Rule 29(2)

<sup>26</sup> SIRA 2013 Schedule 3 Rule 14(2)(b)

<sup>27</sup> SIRA 2013 Schedule 3 Rule 14(2)(a)



To be able to achieve the outcome set out in performance standard 2, you should be able, if required, to provide the Chief Counting Officer with details of your processes for determining the number of counting agents that each referendum agent may appoint.

You should also be able to provide evidence that counting agents have received timely notification of appointment and a copy of the secrecy requirements.

## Access needs for agents

- 1.41 You should bear in mind that referendum and other agents may have specific access needs and also may need any guidance produced in a large print or other format, such as Braille or audio, or in a language other than English. It is important to seek information on any specific access needs at an early stage.

## 2 The electoral registers and the polling list

### The register of young voters

- 2.1 The Scottish Independence Referendum is the first national electoral event in which young people aged 16 and 17 will have the right to vote.
- 2.2 At any time, the local government register contains details of eligible voters who are already 18 or who will attain the age of 18 during the 12 month period following the next 1st December. Although the register is normally published on 1st December each year, for reasons unconnected with the referendum, publication was delayed by statute and in 2014 had to take place by 10 March.<sup>28</sup> This delay meant that anyone who was already 16 by 1st December 2013 could be entered in the local government register published in March, depending on the date by which they made application. Specific arrangements were required to take account of those young people who are eligible to vote at the Scottish Independence Referendum but who were too young to be included in the register because they were under 16 at 1st December 2013.
- 2.3 [The Scottish Independence Referendum \(Franchise\) Act 2013](#) (SIR(F)A 2013) provides for a register of young voters to be compiled in each local government area. This register comprises the names of young persons not on the local government register but who meet the requirements (other than the age requirement) for inclusion on it and who have reached the age of 16 or who will attain that age on or before the date of the referendum.
- 2.4 The register of young voters will contain the names of the persons so entitled together with their respective dates of birth, qualifying addresses (except for anonymous entries) and voter numbers.
- 2.5 The register of young voters is not to be published and EROs are not permitted to disclose any information from it other than in the precise and limited circumstances allowed by law<sup>29</sup>.

---

<sup>28</sup> Representation of the People – The Electoral Registration (Postponement of 2013 Annual Canvass) Order 2013 Regs 2(1) and 3(2)

<sup>29</sup> SIR(F)A 2013 Section 9

# The polling list

- 2.6 For the referendum, EROs will merge the register of young voters with the register of local government electors to form the polling list which will be used in polling stations.<sup>30</sup>
- 2.7 The entries in the polling list will not differentiate between entries from the two registers. Dates of birth will be omitted, so there will be no distinguishing mark to identify entries drawn from the register of young voters.
- 2.8 The ERO will supply you as Counting Officer, on request and free of charge, with as many printed copies of the polling list, the notices of alteration, the records of anonymous entries, the postal voters list, the list of proxies and the proxy postal voters list as you may reasonably require to use at the referendum, together with one data copy of the polling list and notices of alteration.<sup>31</sup>
- 2.9 The designated organisations are eligible to receive from the ERO, on written request and free of charge, one copy of the **edited polling list** (i.e. with all voter numbers and all anonymous entries removed) together with copies of the postal voters list, the list of proxies and proxy postal voters list and any updates either in paper or in data form, according to their preference. Where no preference is expressed, the documents must be supplied in data form.<sup>32</sup>
- 2.10 The permitted participants are eligible to receive from the ERO on written request and free of charge, one copy of the **register of local government electors** together with copies of the postal voters list, the list of proxies and proxy postal voters list and any updates either in paper or in data form, according to their preference. Where no preference is expressed, the documents must be supplied in data form.<sup>33</sup>
- 2.11 It is the responsibility of the ERO to provide the relevant registration documents directly to the campaigners. EROs will check every application against the Commission's records to ensure that the applicant is eligible to receive the registration documents.

## Destruction of registration documents

- 2.12 Counting Officers must, by law, ensure the secure destruction of all copies they hold of the registration documents comprising the polling list, the notices of alteration and any record of anonymous entries, the postal voters list, the list of proxies and the proxy postal voters lists no later than one year after the date of the referendum,

---

<sup>30</sup> SIRA 2013 Schedule 2 para 18

<sup>31</sup> SIRA 2013 Schedule 2 para 48

<sup>32</sup> SIRA 2013 Schedule 2 para 50

<sup>33</sup> SIRA 2013 Schedule 2 para 51

unless otherwise directed by an order of the Court of Session or a sheriff principal.<sup>34</sup>

- 2.13 Failure to comply with para 2.12 above constitutes an offence liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5,000).
- 2.14 The same obligation of secure destruction applies to any person holding copies of these documents. This should be emphasised to designated organisations and permitted participants.

---

<sup>34</sup> SIRA 2013 Schedule 2 para 55

# 3 Production of notices, poll cards and ballot papers

## Production and Publication of Notices

- 3.1 To meet performance standard 1, you need to publish notices by posting them in a conspicuous place within your local authority area. This should be defined as including local authority offices, noticeboards, libraries and other public buildings. Notice may also be given in such other manner as you think fit.



To be able to achieve the outcome set out in performance standard 1, you should be able to confirm that the notices are accessible for anyone interested in them, such as through using the local authority's website to facilitate access.

## The notice of referendum

- 3.2 You are required by law to publish the notice of referendum not later than the twenty-fifth day before the referendum, excluding dies non, – i.e. by Thursday 14 August 2014.<sup>35</sup>

- 3.3 The notice of referendum must, by law, include the following:-

- the date of the referendum
- the hours of polling
- a description of who is entitled to vote at each polling station: and
- the situation of each polling station in the local government area

- 3.4 The notice should also include the date by which –

- applications to register to vote
- applications to vote by post or proxy and
- other applications and notices about postal or proxy voting (including emergency proxies)

must reach the Electoral Registration Officer to be effective for the referendum.

- 3.5 Contact details for the ERO should be supplied.

---

<sup>35</sup> SIRA 2013 Schedule 3 Rule 1

- 3.6 The notice must be in the form prescribed by the Chief Counting Officer but can include such variations as the circumstances may require<sup>36</sup>. Accordingly, the Chief Counting Officer has developed a [template notice of referendum](#) that you can adapt for your use.
- 3.7 The Chief Counting Officer has directed that all Counting Officers publish the notice of referendum on **Wednesday 13 August 2014**, the day before the latest date required by law.
- 3.8 As soon as practicable after publishing the notice, you must give a copy of it to each of the referendum agents for the area.<sup>37</sup> You should note that the deadline for the appointment of referendum agents is **noon on Thursday, 14 August**.



To be able to achieve the outcome set out in performance standard 1, you need to be able to provide the Chief Counting Officer with a link to the page on the local authority website on which the notice of referendum has been published.



See [Part B – Planning and Organisation](#) for more general guidance on communicating information to electors.

## Translation and formats of notices

- 3.9 Where you consider it appropriate, you may supply polling stations with notices translated into other languages or produced in another format. When considering this issue, you should have regard to the [Equality Act 2010](#) which imposes a positive duty on Returning Officers to take steps to promote equality thereby eliminating unlawful discrimination. You may provide notices:
- in Braille
  - in languages other than English
  - using graphical representations
  - in audio format
  - using any other means of making information accessible
- 3.10 While, by law, the enlarged sample ballot paper can be provided in translation to such other languages as you may think appropriate<sup>38</sup>, the ballot paper itself cannot be produced in any other language or format.

---

<sup>36</sup> SIRA 2013 Schedule 3 Rule 41

<sup>37</sup> SIRA 2013 Schedule 3 Rule 1(5)

<sup>38</sup> SIRA 2013 Schedule 3 Rule 13(8)



# Production of poll cards

- 3.11 Each poll card must, by law, follow the form prescribed by the Chief Counting Officer.<sup>39</sup> You may incorporate only such variations as are required by local circumstances.<sup>40</sup> The templates produced by the Chief Counting Officer contain all the legislative requirements.
- 3.12 You must ensure that you follow the separate forms of poll cards for electors set to vote:
- in person at a polling station
  - as proxy at a polling station
  - by post
  - by post as proxy
- 3.13 By law, the poll card must include<sup>41</sup>:-
- the voter's name, qualifying address and number on the polling list (except where the elector has an anonymous entry – see next paragraph)
  - the date of the referendum
  - the hours of the poll, and
  - in the case of a polling station voter, the situation of the polling station
  - where the poll card is sent to a voter who has appointed a proxy, the card must also notify the voter of the proxy's appointment.<sup>42</sup>
- 3.14 The prescribed format further requires that you include
- the name of your council area
  - in the case of a postal or postal proxy voter, confirmation that they will receive their ballot paper by post, with an indication as to when it is likely to be sent out, and information on how the elector may arrange to cancel their postal vote or obtain a replacement postal ballot pack
  - in the case of a proxy or postal proxy voter, the proxy's name and address in addition to the details of the voter for whom the proxy is voting
  - such other information as local circumstances require; and
  - the prescribed instructions to be included on the back of the poll card
- 3.15 In the case of an anonymous elector, the name and address of the anonymous elector must be omitted and the poll card must be sent in a covering envelope.<sup>43</sup> Poll cards for anonymous electors must be sent to the elector's qualifying address or,

---

<sup>39</sup> SIRA 2013 Schedule 3 Rule 11(5)

<sup>40</sup> SIRA 2013 Schedule 3 Rule 41(2)

<sup>41</sup> SIRA 2013 Schedule 3 Rule 11(6)

<sup>42</sup> SIRA 2013 Schedule 3 Rule 11(7)

<sup>43</sup> SIRA 2013 Schedule 3 Rule 11(8)

where a different address has been specified on their registration application, the poll card must, by law, be sent to that other address.

- 3.16 By law, a poll card must be sent to the elector’s qualifying address or, in the case of a proxy or a postal proxy, to the proxy’s address as shown in the list of proxies. For postal voters, the poll card is to be sent to the address to which the voter has stated that the ballot paper has to be sent.<sup>44</sup>



To be able to achieve the outcome set out in performance standard 1, you should be able to provide the Chief Counting Officer with confirmation that your poll cards have been produced in accordance with prescribed templates supplied by her through the Forms Working Group on the Knowledge Hub.

- 3.17 You will need to dispatch your poll card data to your printers. If you are outsourcing the production of poll cards, you should ensure that your software (or that of your Electoral Registration Officer, depending on how you manage the process locally) is able to produce a data file that your printers can use to produce the materials to the specification required. At an early stage in discussions with suppliers you should address the format in which you will supply the data and the format in which they will send you any proofs and this should be included in your specification and contract.



Further details on the management of contractors and suppliers can be found in [Part B – Planning and Organisation](#)

- 3.18 You should conduct a test-run by submitting sample data to the printers in advance of “live” data being submitted. This will also enable pre-proofs to be developed, so that it is clear which part of the data should go where on the poll card.
- 3.19 You must ensure that you have a process in place for proof-checking poll cards. You should also have in place arrangements to check the actual stationery being produced, which will highlight if any of the signed-off proofs have been inadvertently altered.



To be able to achieve the outcome set out in performance standard 1, you should be able to provide the Chief Counting Officer with confirmation that arrangements for proof-checking poll cards are in place.

- 3.20 Electoral registration data held by contractors should be destroyed as soon as possible after the day of the referendum. A written undertaking should be produced for contractors to sign confirming this. It should state that the contractor understands that information from the full polling list cannot be disclosed at any

---

<sup>44</sup> SIRA 2013 Schedule 3 Rule 11(2)-(4)

time, confirming that they will not disclose data to any unauthorised party and that, after the referendum, they will return any discs and paper records provided to them and securely destroy any other electronic or paper copies of the data.

## Poll card delivery

- 3.21 You are required by law to send out poll cards as soon as reasonably practicable after the publication of the notice of referendum.<sup>45</sup> The Chief Counting Officer has directed that the notice of referendum should be posted on **Wednesday 13th August 2014**.
- 3.22 It is important that the poll cards are issued as early as possible after publication of the notice of referendum to give voters sufficient time to apply for or to cancel postal or proxy votes. The Chief Counting Officer has directed that all Counting Officers should ensure that poll cards are handed over by their printers for dispatch between **Thursday 14 August and Friday 15 August 2014**.



To be able to achieve the outcome set out in performance standard 1, you should be able to provide the Chief Counting Officer with the scheduled and actual date of dispatch of poll cards.

- 3.23 You can deliver poll cards by hand, by post, or by some other method determined by you as the most appropriate for your area. If you decide that poll cards are to be delivered by hand, you should appoint sufficient staff to enable the delivery of poll cards to be completed efficiently. You should have in place a mechanism for monitoring the delivery of poll cards across the whole of your area.
- 3.24 For poll cards delivered by post, you should track deliveries so that you are well placed to be able to respond to any queries from electors. If you are using Royal Mail for posting poll cards, you should liaise with them on a regular basis.

## Poll cards delivered to electors after the cut-off date

- 3.25 The deadline for registering to vote is midnight on **Tuesday 2 September 2014 – the twelfth day before the referendum** (excluding dies non).<sup>46</sup>

---

<sup>45</sup> SIRA 2013 Schedule 3 Rule 11(1)

<sup>46</sup> Work recently undertaken by the Electoral Commission and the Cabinet Office has identified that the effect of Sections 13B(2) and (3) of RoPA 1983 (as amended) taken with Regulation 29(4) of the RoPA (Scotland) Regulations 2001(as amended), is that the last day for making an application for registration before an election is the twelfth working day before that election rather than the eleventh day as previously thought. See Electoral Commission bulletin Issue 53(Scotland) – 10 Jan 2014. This means that for all polls for which a notice of election or notice of referendum is published from this point forwards, the deadline for registration applications should be taken as 12 days before the poll.

- 3.26 An update of the registration data should be sent to your printers as soon as practicable after the registration deadline to enable the production of poll cards for new electors.
- 3.27 You may wish to liaise with the ERO on the potential for sharing distribution costs by combining the required confirmation of registration with the poll card for those registering under the 12 day rule.

## Production of ballot papers

- 3.28 You are responsible for arranging the printing of the ballot papers for your local authority area.
- 3.29 The form of the ballot paper and the directions as to printing it are prescribed in legislation (and you have a legal duty to follow these precisely).<sup>47</sup> By law, ballot papers for postal voters and for polling station use must be the same in form, except that the official mark may be different if so desired (but see 3.34 below).<sup>48</sup>
- 3.30 The CCO has directed that the colour of the ordinary ballot papers at the referendum will be white and the tendered ballot papers will be pink.<sup>49</sup> You must use these colours for the ballot papers.<sup>50</sup>
- 3.31 The ballot paper must be at least 180mm wide and the voting boxes where the vote is to be marked must each be 21mm square.

## Front of the ballot paper

- 3.32 The form of the front of the ballot paper must be in accordance with the directions for printing the ballot paper contained in [Schedule 1 to the Scottish Independence Referendum Act 2013](#).

## The official mark

- 3.33 An appropriate security mark – the “official mark” – is required by law to be added to the front of the ballot paper.<sup>51</sup> It should be capable of being seen on the front of the ballot paper so that it can be seen without having to turn the ballot paper over. The official mark must be kept secret.<sup>52</sup>

---

<sup>47</sup> SIRA 2013 Schedule 1

<sup>48</sup> SIRA 2013 Schedule 3 Rule 6(2)

<sup>49</sup> SIRA 2013 Schedule 3 Rule 24(7)(a)

<sup>50</sup> SIRA 2013 Schedule 3 Rule 3(3)

<sup>51</sup> SIRA 2013 Schedule 3 Rule 6

<sup>52</sup> SIRA 2013 Schedule 3 Rule 6(4)

- 3.34 The CCO has directed that there will be a single official mark throughout Scotland for ballot papers to be issued at polling stations and a different official mark for ballot papers to be issued to postal voters. The official marks will form part of the ballot paper artwork which will be provided to Counting Officers by the CCO.

## Back of the ballot paper

- 3.35 The following information is required by law to be included on the reverse of the ballot paper in the specified format:<sup>53</sup>

Unique identifying number (UIN) [To ensure that no two papers in Scotland will bear the same number, the Chief Counting Officer has directed that each council area will use a prefix before the ballot paper number. Further information will be issued separately on the form this will take.]

Area of [*insert the name of your Council*]

Referendum on Thursday 18th September 2014.

- 3.36 Ballot paper numbers should run consecutively but do not have to start at 1.

## Printing of the ballot papers

- 3.37 For this referendum, a high turnout is anticipated. The Chief Counting Officer has directed that you should base your print-run on 100% turnout of eligible electors together with an additional contingency of 20% in case of unexpected printing problems or of loss or damage to ballot papers. Your print run should be based on the registers (including the number of electors on the register of young voters) in force at the time of printing, with provision made for any extras that may be required to deal with any additions to the register after that point.
- 3.38 You should also take steps to ensure that additional ballot papers can be printed at short notice if required and decide how polling station staff would be briefed should this situation occur.
- 3.39 You should start the printing of ballot papers as soon as possible after the final proofs have been signed off.
- 3.40 You must ensure that a process is in place for proof-checking ballot papers. You should also have in place arrangements to check the actual ballot papers being produced, which will highlight if the signed-off proof has been inadvertently altered.
- 3.41 When proof-checking ballot papers, you should check that every detail on the ballot paper is spelled and located correctly and in accordance with legislation.

---

<sup>53</sup> SIRA 2013 Schedule 1

- 3.42 Once you have received the batches of printed ballot papers, you should carry out a final check before any ballot papers are issued either at a postal vote issuing session or are supplied to a polling station. This should be done by checking at least the first and last ballot paper in each book and by checking that the numbers in each book or packet run sequentially. You should check that they bear the appropriate official marks.
- 3.43 Since the official mark for the polling station ballot papers is different from that to be used for postal votes, you must be careful to keep them separately and to ensure that the correct ballot papers are used for each purpose.
- 3.44 Guidance on the allocation of ballot papers to polling stations can be found in paragraph [4.16 below](#).



To be able to achieve the outcome set out in performance standard 1, you should be able to provide the Chief Counting Officer with confirmation that you have arranged to produce the ballot papers in line with CCO guidance and directions and that arrangements are in place for proof-checking them effectively.



General guidance on the management of contractors and suppliers can be found in [Part B – Planning and Organisation](#)

## Ballot Paper Security

- 3.45 Once the official marks are printed on your ballot papers, they are effectively “live”. Regardless of whether you have outsourced your printing or are printing in-house, you must take steps to ensure the security of ballot papers during production and storage. Your security arrangements should prevent unauthorised access to or use of the ballot papers during all stages of the production process and storage between printing and the poll.



To be able to achieve the outcome set out in performance standard 1, you should be able to provide the Chief Counting Officer with confirmation that steps are taken to ensure the security of ballot papers.

# 4 Polling Station Voting

- 4.1 The Chief Counting Officer has produced a [polling station handbook](#) which covers in detail the voting procedures and what polling staff can expect on the day of the referendum. Every member of the polling station staff should receive a copy of the handbook. You will be invited to place an order for the number of copies that you require.
- 4.2 The guidance contained in the polling station handbook has not been reproduced here. Instead, this part of our guidance focuses on the preparations Counting Officers will need to make in advance of the referendum.

## Setting up polling stations



Guidance on the identification of suitable polling stations can be found in [Part B – Planning and Organisation](#)

- 4.3 You should take all necessary steps to ensure that polling stations are laid out with the voter in mind. In particular, the needs of voters with a range of disabilities should be taken into account. The positioning of all the required furniture and equipment, as well as the locations to display notices, should also be considered, along with the placement of signage within the polling station and outside it.
- 4.4 You should develop plans for the layout of each of your polling stations which can be used to assist those setting them up.
- 4.5 Whoever is in charge of setting up polling stations should be instructed on how to do so and what the layout should be capable of achieving.
- 4.6 You must ensure that all polling station staff are trained to set up polling stations in such a way that takes account of voter needs, including access needs, taking into consideration voter throughput and flow and how the voter will move through the voting process from entering to leaving the polling station.
- 4.7 Even if polling station staff are not expected to set up polling stations, they should be instructed to check that the polling station has been set up properly and should have reference to any layout plans you have produced and the polling station set-up checklist in the Chief Counting Officer’s polling station handbook when doing so. The polling station handbook also covers issues in relation to the positioning of equipment and display of notices.

- 4.8 Polling station inspector visits can be used to check polling station set-up and to ensure that all notices remain properly displayed throughout the day of the referendum.



Further guidance on the training of polling station staff and the role of polling station inspectors can be found in [Part B – Planning and Organisation](#)

## Polling station equipment and materials

- 4.9 You are legally required to provide polling stations with certain materials<sup>54</sup>:-

- ballot box(es)
- polling screens<sup>55</sup>
- ballot papers (including tendered ballot papers)
- materials to enable voters to mark their ballot papers (in practice, pencils- you may wish to provide string to attach pencils to the polling booths)
- the relevant part of the polling list including copies of any notices of alteration to the register of electors
- absent voters' lists – postal voters', proxy voters' and postal proxies' lists
- list of tendered votes
- copies of forms, of declarations and other documents required for the purpose of the poll
- the relevant Corresponding Numbers List (CNL) for the station
- enlarged hand-held sample copy of the ballot paper (clearly marked as a Specimen)
- voting device for use by blind or partially sighted voters
- notices giving directions for the guidance of voters to be displayed inside and outside every polling station and in every compartment of every polling station

- 4.10 You may also arrange for an enlarged sample copy of the ballot paper to be displayed at every polling station and may include a translation of it into such languages as you think appropriate.

- 4.11 You must ensure that polling staff have been provided with a copy of the appropriate [requirement of secrecy](#)<sup>56</sup>.

- 4.12 You should also provide the following:-

- packets, with seals, in which to place postal ballot papers returned to the polling station

---

<sup>54</sup> SIRA 2013 Schedule 3 Rule 13

<sup>55</sup> SIRA 2013 Schedule 3 Rule 9

<sup>56</sup> SIRA 2013 Schedule 3 Rule 16 and Schedule 7 para 7



- envelopes, with seals, in which to place any ballot papers that have been issued but which the elector has not placed in the ballot box
  - a form or list to record electors marked as postal voters but who claim not to have applied for one
  - a form to record the details of electors who have been issued ballot papers after the correction of a clerical error (which may be appended to the station's polling list)
  - notepaper for use by polling station staff
  - stationery items as required, e.g. paper clips, drawing pins, adhesive tack, adhesive tape, pens and pencils, pencil sharpener for ballot pencils
  - plastic sacks or other containers for returning stationery and equipment to the count venue; and
  - envelopes for making up assorted packets
- 4.13 Styles for the full range of forms required by polling staff have been developed by the Forms Working Group for the Chief Counting Officer and will be made available on the [Knowledge Hub](#).
- 4.14 At an early stage, you should check that all polling station equipment is fit for purpose and that you have a sufficient quantity. You should have prepared your polling station equipment and materials in good time before the referendum, either for delivery to polling stations or collection by Presiding Officers.
- 4.15 As part of your evaluation of the suitability of your polling station, you will already have considered accessibility issues both inside and outside each of your polling stations. You should ensure that any additional equipment you have identified as required to make the polling station accessible is delivered and set up in good time for the opening of the poll.

## Allocation of ballot papers

- 4.16 By law, you must provide each polling station with such number of ballot papers as you consider necessary<sup>57</sup>. Careful consideration needs to be given to the number that will be required in each case, particularly if you are considering allocating fewer ballot papers than would be required in the event of 100% turnout of eligible electorate (i.e. all electors entitled to vote in person at the polling station). (See paragraph [3.37](#) above)
- 4.17 It is strongly recommended that you allocate ballot papers to polling stations based on 100% turnout of eligible electorate. If, however, you decide for any reason not to do so, you should take steps to ensure that additional ballot papers can be provided in a timely manner to any polling station that may require them.

---

<sup>57</sup> SIRA Schedule 3 Rule 13(1)

- 4.18 The Chief Counting Officer has directed that you must print 120% of ballot papers required for both postal voters and for those who vote in person at polling stations. This is intended to provide an appropriate contingency in case of unexpected printing problems, damage to or loss of ballot papers and also takes account of the requirement for different official marks on polling station and postal ballot papers. The additional ballot papers should not be allocated to polling stations but should be retained centrally as a contingency. You should also prepare CNLs for these ballot papers to be issued with them if an emergency occurs to require their use. Under no circumstances should postal ballot papers with their distinctive official mark be issued to polling stations.
- 4.19 When allocating ballot papers to polling stations, it is important to ensure that the numbers on the ballot papers allocated to each polling station run consecutively in order to avoid any problems with completing the corresponding number list or ballot paper account. Further guidance on the printing of ballot papers is provided in paras [3.28-3.35](#) above.
- 4.20 Tendered ballot papers should be supplied to polling stations in a sealed envelope with instructions stating that the envelope should be opened and the ballot papers within it issued only in prescribed circumstances, and a brief description of those circumstances should also be provided. A further precaution is to require Presiding Officers to consult with either the Senior Presiding Officer in a polling place with multiple stations or with the referendum office in a polling place with a single station before issuing a tendered ballot paper. These measures can help to avoid tendered ballot papers being issued in error.
- 4.21 You should take all necessary steps to ensure that all polling station staff understand that there are limited circumstances in which tendered ballot papers can be issued and that they are made aware of what these circumstances are and what processes they must follow for issuing them.<sup>58</sup> The circumstances in which tendered ballot papers can be issued and the processes for doing so are covered in the polling station handbook.



Further guidance on training polling station staff can be found in [Part B – Planning and Organisation](#)

---

<sup>58</sup> SIRA 2013 Schedule 3 Rule 24

# Polling lists and absent voting lists in polling stations

- 4.22 By law, you must provide each Presiding Officer with the appropriate part of the polling list for their station and appropriate absent voting lists.<sup>59</sup> Printing of these lists can be finalised once the referendum notice of alteration has been published - i.e. **Thursday 11 September** - five days before the referendum (excluding dies non).
- 4.23 Procedures should be put in place to deal with any necessary amendments to the polling lists for polling stations and proxy lists notified by the Electoral Registration Officer after that time resulting from alterations arising from the correction of clerical errors or court decisions on registration appeals and the granting of emergency proxy applications.
- 4.24 Whether such determinations are made before polling day or on polling day itself, if you are not also the Electoral Registration Officer, you should agree with them a method of communicating the relevant information to Presiding Officers which may be done orally, but which is best done in writing, if time permits. Where a clerical error is detected too late on referendum day to allow written notification to be issued, you should agree procedures for oral communication of the amendment to Presiding Officers. You should cover this in your training for polling staff.
- 4.25 Where a clerical error has been rectified and the relevant elector arrives at the polling station and applies for a ballot paper, the Presiding Officer is legally required to issue a ballot paper in the usual manner. The Presiding Officer is also under a legal duty to make a written record of the elector to whom a ballot paper has been issued following an alteration to the polling list due to a clerical error. This record should include the elector's name and elector number.<sup>60</sup> To assist Presiding Officers, you should attach an additional sheet to the polling lists in use at the polling station to allow them to record any such amendments.
- 4.26 Similar processes should also be developed to communicate additions to the proxy voters' list as a result of emergency proxy applications.
- 4.27 Where an elector makes a complaint to polling station staff that suggests that he/she should be on the polling list, the Presiding Officer must communicate that complaint to the Electoral Registration Officer as soon as is practicable. For this to work effectively there will need to be suitable oral and written communication systems in place between Presiding Officers and the Electoral Registration Officer.

---

<sup>59</sup> SIRA 2013 Schedule 3 Rule 13(3)(b) and (c)

<sup>60</sup> SIRA 2013 Schedule 3 Rule 26

## Corresponding number lists

- 4.28 You are under a legal obligation to prepare and provide each polling station with a corresponding number list (CNL) containing the numbers corresponding to those on the ballot papers issued to the Presiding Officer at that station.<sup>61</sup> The [corresponding number list](#) is a document prescribed by the Chief Counting Officer.

## Packets for postal ballot papers delivered to polling stations

- 4.29 Most postal voters will return their postal votes by post or by hand to the Counting Officer's place of business. However, postal voters can also return their postal vote by hand to any polling station in their local authority area.



Polling station staff should be advised that only postal votes for the local authority area can be returned to their polling station. Further details on training polling staff can be found in [Part B – Planning and Organisation](#)

- 4.30 You should provide polling stations with sufficient packets for received postal votes. Records of all such packets should be kept so that each one can be accounted for. The packets should be clearly labelled as containing postal votes. The labels should include the name of the polling station and polling station identifier. You should ensure that the packets are capable of being securely sealed. Polling agents are entitled, by law, to attach their seal to sealed packets before they are removed from the polling station and must therefore be permitted to do so.<sup>62</sup>
- 4.31 You should emphasise to Presiding Officers the importance of maintaining the security of postal votes returned to polling stations by instructing them to place any returned packets immediately in the packets provided and to ensure that the packets are stored securely.
- 4.32 You should arrange for postal votes to be collected from polling stations throughout the day as this will help to reduce the number that will have to be dealt with after the close of poll. Polling station inspectors can perform this duty. You should ensure that processes are in place to maintain a clear audit trail and to ensure the security of collected postal vote packets while in transit.

---

<sup>61</sup> SIRA 2013 Schedule 3 Rule 13(3)(e)

<sup>62</sup> SIRA 2013 Schedule 2 para 33(3) and (4)

## Polling station log

- 4.33 Polling station staff should be advised to log any problems or anomalies arising on referendum day. This record can be very helpful in explaining any apparent issues with the ballot paper account at the verification – for example if a voter has been seen leaving the polling station with a ballot paper. The style of [ballot paper account](#) developed by the Chief Counting Officer includes a section to record these issues and it is strongly recommended that you use this style.

## Guidance for voters notice

- 4.34 The “[Guidance for voters](#)” notice is to be printed in conspicuous characters and exhibited inside and outside each polling station as well as inside every polling booth<sup>63</sup>.
- 4.35 The “[Guidance for voters](#)” notice is prescribed by the Chief Counting Officer<sup>64</sup>. You must design and print the notice in accordance with the example template that the Chief Counting Officer has developed in line with the criteria set out in Electoral Commission Guidance. You may incorporate such variations as may be required by local circumstances.

## Close of poll

- 4.36 Any voter who attends the polling station before 10pm but who has not yet been able to cast their vote must, by law, be permitted to do so.<sup>65</sup> This also applies to persons waiting to hand in postal votes.
- 4.37 Good planning and flexible staffing should minimise the risk of there being queues. However, you still need to be prepared to deal with any queues should they arise.



Further guidance on flexible staffing arrangements at polling stations and relevant training of staff so that they can carry out each other’s roles insofar as the law permits can be found in [Part B – Planning and Organisation](#).

- 4.38 The Chief Counting Officer’s polling station handbook will set out in detail the processes to be followed at the close of poll, including how to deal with voters waiting to vote at 10pm.

---

<sup>63</sup> SIRA 2013 Schedule 3 Rule 13(5)

<sup>64</sup> SIRA 2013 Schedule 3 Rule 13 (6) and Rule 41

<sup>65</sup> SIRA 2013 Schedule 3 Rule 21(6)