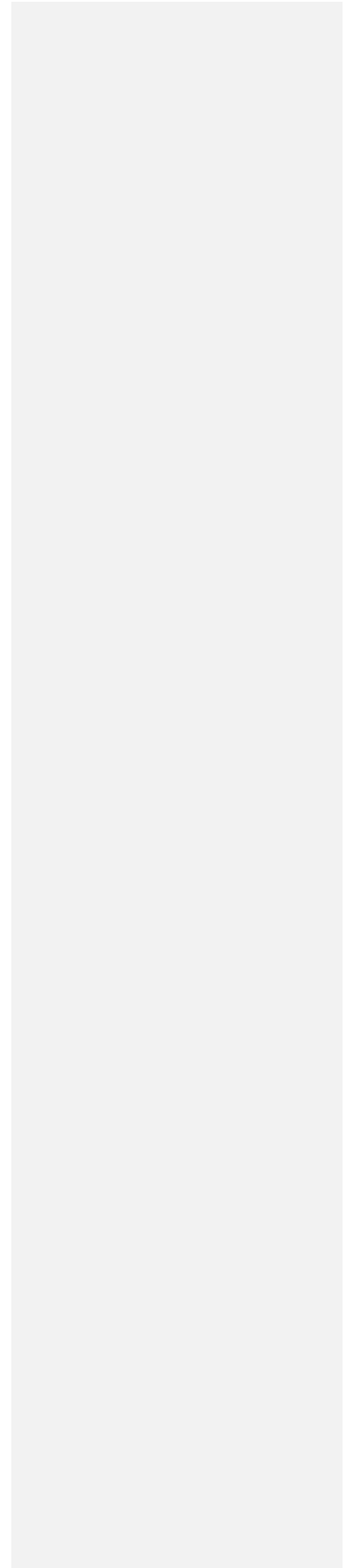


Part D – Absent voting

The Scottish Independence Referendum:
guidance for Counting Officers



Translations and other formats

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Comment [AL1]: Insert contact details



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Comment [AL2]: Check and revise pagination

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1 Absent voting timetable

[1.1](#) The deadline for changes (including cancellations) to existing absent vote arrangements (i.e., postal, proxy and postal proxy) is the same as the deadline for new postal and postal proxy applications - namely 5pm on 3 September, 11 working days before referendum day.

~~1.1.2~~ Shortly after these application deadlines, the Electoral Registration Officer will be able to provide you with the absent voters' lists, i.e., the postal voters' list, the postal proxy voters' list and the list of proxies.

~~1.2.3~~ If you are not also the Electoral Registration Officer, you should liaise closely with them regarding the transfer of the relevant absent voting data. If there is a need for exchanging data electronically, you should ensure that a test of the process is carried out ahead of the first scheduled transfer.

~~1.3.4~~ The legislation also allows for a proxy to be appointed in the case of an emergency medical condition, illness or disability arising after the deadline for ordinary proxy applications, subject to the appropriate attestation being provided. The deadline for emergency proxy applications is **5pm on ~~polling day~~ referendum day**. Mental health patients who are detained under civil powers (i.e., who are not detained offenders) are also entitled to appoint a proxy up to **5pm on ~~polling day~~ referendum day**.

Comment [AL3]: Proxy rules likely to change – await final legislation

A General guidance for Electoral Registration Officers on dealing with absent voting applications is contained in [Part G of the Commission's guidance manual for Electoral Registration Officers, Managing electoral registration in Great Britain](#).

Comment [AL4]: Similar advice to apply?

2 Proxy voting

2.1 The Electoral Registration Officer will provide you with a list of all electors who have, by 5pm, ~~six~~ eleven working days before ~~polling day~~ referendum day, appointed a proxy to vote on their behalf. By law, you must supply Presiding Officers with the relevant parts of this list of proxies.

Comment [A5]: Change in legislation expected

2.2 A separate list will contain the details of postal proxies. The law also requires that the ~~polling~~ Polling List ~~station register~~ be marked with an 'A' against ~~their name~~ the name of the elector who has appointed the proxy who has chosen to vote by post.

Emergency proxies

Comment [A6]: Note changes to legislation still to be advised

2.3 If you are not also the Electoral Registration Officer, you should agree with them a method for communicating any additions to the list of proxies that result from the granting of emergency proxy applications.

2.4 Whenever an emergency proxy has been appointed, every effort should be made to contact the appropriate polling station staff to inform them of this, including by phone, particularly as there is no requirement in law for the proxy to provide any documentation in order to be permitted to vote.

2.5 Wherever possible, however, the Electoral Registration Officer should provide the proxy of any voter whose application has been accepted with a letter authorising them to act as a proxy, which should include details of the person on whose behalf they are voting. The proxy should then be instructed to take that authorisation with them when they go to vote and to hand it to polling station staff. This letter can then be retained with the list of proxies and marked to show that the proxy has been issued with a ballot paper. You should also, where possible, issue to the relevant polling station a supplementary list of proxies, which can be added to the list originally supplied.

2.6 Whatever method is agreed for communicating additions to the list of proxies on ~~polling day~~ referendum day should be covered at the training session for polling station staff. Further information on training polling station staff can be found in ***Part B – Planning and organisation***.

2.7 Polling station inspectors may be involved in liaising with the electoral registration office regarding on emergency proxy applications granted on ~~polling day~~ referendum day. If this is the case, you should advise them of the procedures to be followed.

A

Further information on emergency proxy applications can be found in [Part G of the Commission's guidance manual for Electoral Registration Officers, Managing Electoral registration in Great Britain.](#)

Comment [AL7]: Check reference

Limits on numbers of proxies and voting as proxy

2.8 By law, a person may not have more than one proxy at any time.

2.9 A person is not entitled to vote as proxy ~~in the referendum on behalf of more than two others of whom that person is not a close relative. at the same local government election in any particular ward on behalf of more than two electors who are not close relatives.~~ A person can act as proxy for any number of the following close relatives: spouse, civil partner, parent, grandparent, brother, sister, child or grandchild.

2.10 Although a person can be appointed as a proxy by more than two people, the proxy would be committing an offence if they voted on behalf of more than two people who are not close relatives.

3 Preparing for the absent vote processes

3.1 As a requirement to **meet performance standard – insert details**, your project plan must include a plan to deliver key electoral processes, including the management of the absent voting process.



To demonstrate that you have met **performance standard – insert details** you ~~must provide~~ **must be able to provide** the ~~Commission~~ **Chief Counting Officer** with confirmation that your project plan includes the management of the absent voting process.

Further information on planning for ~~an election~~ **the referendum** can be found in **Part B – Planning and organisation**.

Staffing and training

3.2 Information on staffing postal vote issue and opening sessions and the training of postal vote issue and opening staff can be found in **Part B – Planning and organisation**.

Layout of venues



Guidance on the identification of suitable venues for postal vote issuing and opening sessions can be found in **Part B – Planning and organisation**.

3.3 You should produce layout plans of your issuing and opening venues. These plans should include the positioning of staff and the equipment needed, and outline the workflows to be followed. When mapping out workflows, you should take into account any lessons learned from previous electoral events. If your last postal vote opening session is to take place at the verification and count venue, you should ensure that your count layout plan makes provision for this.

3.4 Going through the process of producing layout plans will help to highlight any potential issues prior to the setting up of the venues and will allow for any modifications to workflow or the positioning of staff or equipment to be made in good time. Layout plans also contribute towards transparency, as these plans can be handed out to anyone entitled to be present in order to help them to follow what is happening, where and when.

3.5 You should ensure that whatever layout you choose, it is accessible to all those working on the processes and those entitled to observe them.

3.6 Even if you have outsourced the issuing of postal votes, you should be satisfied that your contractors have made adequate arrangements to administer the issue effectively and in a transparent manner. As part of this, you could ask your contractor for layout plans. These plans would also help to ensure that any observers present understand the processes that are being followed and will be of particular assistance if a member of your staff has been appointed to conduct spot-checks during the printing, collation and issuing of postal ballot packs. As a requirement to meet *performance standard – insert details*, you must designate a member of the project team to monitor any outsourced work and the work to the contractor, specifically attending those parts of the issuing process that have been contracted out.

Equipment for the issue, receipt and opening of postal votes

3.7 If you are issuing postal votes in-house, you should ensure that you have the necessary equipment in place to do so, including:

- ballot papers, postal voting statements and envelopes
- postal voters' list and postal proxy voters' list
- stamping instruments (if being used to add the official mark to ballot papers)
- corresponding number list(s)
- sets of envelopes for the corresponding number list(s)
- statement of postal votes issued
- control sheets to document the number of postal votes issued and despatched
- staff signature sheet to check off the staff that attend
- declarations of secrecy
- labelled trays
- fingerettes
- assorted stationery, such as pens, pencils, bulldog and paper clips, rubber bands, adhesive tape and rulers

Comment [AL8]: Does anyone still use these?

3.8 You must, by law, provide a ballot box for the covering envelopes returned by postal voters (the 'postal voters' ballot box') and for the postal ballot papers (the 'postal ballot box').

3.9 At each opening session, you are also legally required to provide receptacles for the following:

- rejected votes
- postal voting statements
- ballot paper envelopes
- rejected ballot paper envelopes

3.10 In addition, you should also consider what other equipment you will require at the opening of postal votes, and ensure that it is in place and tested in advance. This should include:

- scanners
- extension leads
- printer
- projector and screen
- laptop
- rejected stamp and pad
- assorted stationery

Options for delivering postal ballot packs

3.11 You will need to put in place arrangements for the delivery of postal ballot packs. By law, you have a choice of two methods:

- by hand
- by post

3.12 Whichever method you choose, you should ensure that the necessary activities arising out of the decision are identified, planned for and taken forward.

By hand

3.13 If you decide to deliver postal votes by hand, you should plan for how this will work in practice. You should appoint sufficient staff to enable the delivery of postal votes to be completed within the same timeframes as would be achieved by delivering them using second class post, i.e. within three working days, including Saturdays. You should also have in place a mechanism for monitoring the delivery of postal ballot packs, with a view to ensuring that they have been delivered across the whole of the local authority area and to agreed timeframes. This may include requiring delivery staff to fill in log sheets, having supervisors carry out spot-checks, and monitoring any unusually low returns of completed postal ballots by polling districts.

By post

3.14 By law, you may use Royal Mail or any other commercial delivery firm for the delivery of postal votes. In all instances, you should obtain proof of postage when delivering postal votes by post and have in place a mechanism for monitoring the delivery of postal ballot packs, with a view to ensuring that they have been delivered across the whole of the local authority area and to agreed timeframes. If possible, you should have arrangements in place to track deliveries in order to assist with responding to any enquiries from electors regarding the delivery of their postal ballot pack.

3.15 If you are posting postal ballot packs, you should liaise regularly with either Royal Mail or the commercial delivery firm you have contracted, including to discuss any delivery issues.

3.16 If you are using Royal Mail to deliver your postal votes, you should put in place arrangements for the relevant licences and Business Reply numbers as soon as possible and confirm that your proposed stationery meets their specifications in order to avoid any potential delays at the time when your postal ballot packs are due to be distributed to electors. If you are using a commercial delivery firm, you should make similar arrangements as appropriate.

3.17 If you are using Royal Mail to deliver your postal votes, you should ensure that you have an up-to-date copy of Royal Mail's best practice guidance on postal voting, [Managing Postal Voting](#).

Comment [AL9]: Check reference – link not working

Issuing postal votes to overseas addresses

3.18 Postal ballot packs that are to be sent overseas (including, for example, to service voters) must, in order to meet **performance standard – insert details**, be prioritised in order to allow as much time as possible for the ballot pack to reach the elector and to be completed and returned. As part of your preparations for the issue of postal votes, you should agree with your printers a process that will enable you to do this.

3.19 Postal votes going overseas should be sent via air mail (or by the British Forces Post Office for relevant service voters) in order to allow the maximum possible time for postal votes to be received, completed and returned. Postal ballot packs to be sent overseas should be sorted and identified to the mail service provider so that they can be sent by the appropriate mail service.

3.20 You should liaise with Royal Mail about the cost of postage for sending items overseas in order to ensure that postal ballot packs are posted with the correct outgoing postage. There is no requirement for pre-paid postage to be included on the return envelope if the address provided by the elector for the postal ballot pack to be sent to is outside the UK.

3.21 Where it may not be realistic for a postal ballot pack to be despatched, completed and returned before the close of poll, the Electoral Registration Officer should consider advising the elector to appoint a proxy as an alternative. It is, of course, the choice of the elector as to which method of voting they prefer, but it is important that electors are fully advised of the circumstances surrounding their choice so that they can make an informed decision.

Issuing postal votes to anonymous electors

3.22 Postal ballot packs sent to anonymously registered electors must, by law, be sent in an envelope or covering that does not disclose that the elector is registered anonymously. You should therefore send postal ballot packs to anonymously registered electors in a plain outgoing envelope. By law, the postal voting statement must also omit the elector's name. As part of your preparations for the issue of

postal votes, you should agree with your printers a process that will enable you to do this. The records of granted applications will include the address to which the anonymous elector has requested that their postal vote should be sent.

Number and timing of postal vote opening sessions

3.23 You must, as a requirement to meet **performance standard – insert details**, identify the number and timing of your postal vote opening sessions and make arrangements for these as necessary. The number of postal vote opening sessions you will require will depend largely on the total number of postal voters that you have and your estimated turnout of postal voters. ~~Your turnout estimate should be based on the assumption that the turnout of postal voters will not be less than the turnout of postal voters at the last local government election.~~ You should take into account the likelihood that the demand for postal votes at the referendum will be greatly increased from that at recent electoral events. The resources you have available to conduct these processes, including numbers of staff and size of venue, will also be a relevant consideration.



To demonstrate that you have met **performance standard – insert details**, you ~~must provide~~ must be able to provide the ~~Commission~~ Chief Counting Officer with the scheduled dates of your postal vote opening sessions.

3.24 Your first opening session should be held within a couple of days of your first issue. Even if you have not received a high number of returned postal votes by then, you should still conduct a session at that time and take the opportunity to test your equipment and assess your workflows under real conditions. After this first session you should gauge whether your estimate of the number of postal vote opening sessions required is sufficient or whether it will need to be revised. There is nothing in law that prevents the opening of postal votes being carried out on a Saturday, Sunday or bank holiday, and indeed you may wish to consider doing so, particularly if additional postal vote opening sessions are found to be required.

4 Production of postal vote stationery

Corresponding number lists

4.1 You are under a legal obligation to produce a corresponding number list to be used at postal vote issuing sessions. The corresponding number list is prescribed and must contain the ~~ballot paper number and~~ unique identifying ~~mark~~ number of all ballot papers.

Producing the postal voting stationery

4.2 You will need to decide whether the production of postal voting stationery and the issuing of postal votes will be carried out in-house or outsourced. You should not automatically assume that outsourcing is your best option when it comes to producing and issuing postal ballot packs. Any decision to outsource should be taken as part of an assessment of the costs, risks and benefits.

4.3 To meet **performance standard – insert details**, you must include in your project plan an assessment of the need to outsource and, if outsourcing is considered appropriate, the management of contractors and suppliers and the development and management of contracts.

A Guidance to support you in deciding whether or not to outsource, and on the procurement process and the management of contractors and suppliers if you do decide to outsource, can be found in [Part B – Planning and organisation](#).

4.4 If you are outsourcing postal vote production, you should ensure that your software 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 in what format you will supply the data and in what format they will send you any proofs, and this should be included in your specification and contract.

4.5 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 postal voting statement and envelopes.

4.6 As a requirement to meet **performance standard – insert details**, a process must be in place for proof-checking postal vote stationery. 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 demonstrate that you have met **performance standard – insert details** , you must **be able to** provide the **Commission-~~Chief~~ Counting Officer** with confirmation that arrangements for proof-checking postal vote stationery are in place.

4.7 Electoral registration data held by the contractors should be destroyed as soon as possible after **polling day**~~referendum day~~. A written undertaking should be produced for contractors to sign confirming this. It should state that the contractor understands that information from the full **electoral register**~~Polling List~~ cannot be disclosed at any time, **and must** confirming that they will not disclose data to any unauthorised party and that, after the **election**~~referendum~~, they will return any discs and paper records provided to them and securely destroy any other electronic or paper copies of the data.

Contents of postal ballot packs

4.8 You are legally required to send all eligible postal voters a postal ballot pack.

4.9 By law, postal ballot packs need to include the following:

- an outgoing envelope
- return envelopes: envelope 'A' (the ballot paper envelope) and envelope 'B' (the covering envelope for the return of envelope 'A' and the postal voting statement)
- a ballot paper
- a postal voting statement

4.10 To comply with legislation, you will also need to issue to those entitled to vote by post information about how to obtain:

- translations into other languages of any directions to or guidance for voters sent with the ballot paper
- a translation into Braille of such directions or guidance
- a graphical representation of such directions or guidance
- the directions or guidance in any other form (including any audible form)

Envelopes

4.11 The law requires that the outgoing envelope is addressed to the elector at the address **to which** they have asked for their ballot paper to be sent ~~to~~ and which is shown in the postal voters' list or the postal proxy voters' list.

4.12 Whenever you communicate with an anonymous voter you are required by law to send the communication in an envelope or other form of covering in such a way that does not disclose to any other person that the voter has an anonymous entry.

Postal ballot packs should, therefore, be sent to anonymously registered electors in a plain outgoing envelope.

4.13 To preserve the secrecy of the ballot, there are two separate envelopes provided for in law for returning the ballot paper and the postal voting statement:

- Envelope 'A' – this is the envelope for the return of the ballot paper, which is to be marked with the letter 'A', the words 'ballot paper envelope' and the unique identifying number of the ballot paper.
- Envelope 'B' – this is the covering envelope for the return of the ballot paper envelope (envelope 'A') and the postal voting statement. It is to be marked with the letter 'B' and your address.

4.14 You should print the name of your local authority on all 'A' and 'B' envelopes as this will help to reduce instances of postal votes becoming undeliverable if, for example, a voter returns the 'A' envelope with both the ballot paper and postal voting statement inside it, without putting it in the 'B' envelope.

4.15 Unless you are delivering a postal vote by hand, you are required by law to pre-pay postage on the outgoing envelope addressed to the postal voter. You are also required by law to pre-pay postage on all return envelopes, except where postal votes have been issued to an address outside of the UK.

The ballot paper

4.16 The form of the ballot paper is prescribed in Schedule 1 to the ~~appendix to the election rules~~ Scottish Independence Referendum Act 2013 and you have a legal duty to follow this precisely.

A Guidance on the printing of ballot papers can be found in Part C – Administering the poll.

Postal voting statement

4.17 In order performance standard – insert details, you must produce postal voting statements in accordance with any example templates provided by the Electoral Commission ~~Chief Counting Officer~~ or designed in line with the criteria set out in the Electoral Commission guidance. The example templates for Scottish local government elections the referendum have been developed by the Commission Chief Counting Officer and the Forms Working Group of the Electoral Management Board for Scotland.



To demonstrate that you have met performance standard – insert details, you must be able to provide the Commission ~~Chief Counting Officer~~ with confirmation that your postal voting statement is produced in accordance with any example templates provided by the Commission ~~her~~ or designed in

line with the criteria set out in the [Electoral Commission guidance](#).

4.18 The postal voting statement must, by law, include the voter's name (unless ~~they are the voter is~~ an anonymous elector) and the [unique identifying](#) number of the ballot paper being issued with the statement. ~~The legislation also requires that it contain another unique identifying mark, which could be a barcode but could be in another format. This mark does not have to be connected to the unique identifying mark on the ballot paper: it may be the same but equally it could be different or connected.~~ The postal voting statement must, by law, also contain the instructions to the voter on how to vote by post.

4.19 You are legally required to produce different forms of the postal voting statement for anonymous electors and for those who have been granted a waiver. The postal voting statement for anonymous electors must, by law, not show the name of the elector. Also, where an elector has been granted a waiver by the Electoral Registration Officer, you are required by legislation to omit the signature box and any reference to signing the form in the instructions to voters.

Guidance for postal voters

4.20 The ~~Commission~~ [Chief Counting Officer](#) has produced a [template quick start guide for postal voters](#) which can be included in each postal ballot pack, alongside the instructions for postal voters.

Comment [AL10]: Is this on Forms Group list?

Marking of ~~polling~~ [Polling station registers](#) [Lists](#)

4.21 To indicate that an elector is entitled to vote by post and must not be given an ordinary ballot paper at a polling station, the law requires the ~~polling station~~ [Polling Lists registers](#) to be marked with an 'A' using the information contained in the postal voters' list and the list of postal proxies.

5 Procedure for issuing and distributing postal votes

Who must be sent a postal vote?

5.1 The following must be sent a postal vote:

- any elector who appears on the postal voters' list for the [election referendum](#)
- any proxy who appears on the postal proxy voters' list for the [election referendum](#)

Who can attend [the issue of postal votes](#)?

5.2 In addition to you and your staff, Commission representatives and accredited observers are entitled to attend the issuing process. If you have outsourced the postal vote issuing process, you should ensure that these persons are able to access the premises of the company conducting the issue. The law requires that anyone attending a postal vote issue session, including your staff, is provided with a copy of the relevant [secrecy provisions](#).

The issuing process


5.3 The processes to be followed when issuing postal ballot packs are provided for in legislation:

- The elector number must be marked on the master corresponding number list beside the ~~ballot paper number and~~ unique identifying ~~mark number relevant of to~~ the ballot paper to be issued to that elector.
- The [unique identifying](#) number of the postal ballot paper must be included on the postal voting statement to be sent with that ballot paper.
- The address to which the postal ballot pack should be sent is the address shown in the relevant postal voters' list. In the case of a postal proxy, this is the address shown in the postal proxy voters' list. In the case of an anonymous elector, the address can be found in the Electoral Registration Officer's records of granted applications.
- A mark must be placed in the postal voters' list (or the postal proxy voters' list as the case may be) to show that a postal ballot pack has been issued.
- You are legally required to seal in a packet the corresponding number list that relates to the ballot papers that have been issued as soon as practicable after each issue. These packets can only be opened and inspected by the order of a court. New lists and packets are therefore required at every issuing session. The list could, however, be printed single-sided and cut after the last ballot

paper that has been issued so that the remainder of the list can then be used at the next issuing session.


5.4 The ~~Commission~~ Chief Counting Officer has produced a *flowchart summarising the stages of the issuing process*.

5.5 If you have outsourced the issuing of postal votes or any part of that process, in order to meet *performance standard – insert details*, you must designate a member of your project team to monitor the outsourced work and the work of the contractor, specifically attending those parts of the issuing process that have been contracted out.

 To demonstrate that you have met *performance standard – insert details*, you must *be able to* provide the ~~Commission~~ Chief Counting Officer with confirmation that arrangements are in place for the monitoring of outsourced work, and in particular arrangements for attending those parts of the issuing process you have contracted out.

5.6 Regardless of whether you have outsourced the issuing of postal votes, you should quality-assure the entire process. As part of this, you should instruct a member of your staff to carry out regular spot checks during each issue to ensure that the correct details appear on the stationery and that the postal ballot packs have been properly collated.

5.7 You must, as a requirement to meet *performance standard – insert details*, maintain a clear audit trail of the issue of postal ballot packs. As part of this, you should ensure that the number of postal votes issued is accurately recorded at the end of each issuing session and when issuing replacement postal ballot packs. These numbers will be required for the completion of the statement as to postal ballot papers.

 To demonstrate that you have met *performance standard – insert details*, you must *be able to* provide the ~~Commission~~ Chief Counting Officer with confirmation that arrangements are in place for recording the number of postal votes issued at the end of each issuing session and when issuing replacement postal ballot packs.

5.8 If you are not delivering the postal ballot packs by hand, you should make arrangements for the secure transfer of the postal ballot packs to Royal Mail or a commercial delivery firm.

5.9 Postal ballot packs cannot be issued until after 5pm on the eleventh working day before the ~~election~~ referendum. In order to *meet performance standard – insert details*, the first issue of postal votes must be carried out by not later than the eighth working day before the ~~election~~ referendum. Issuing as soon as possible after 5pm on the eleventh working day before the poll will ensure that postal voters have as much time as possible to complete and return their votes. You may need to consider

Comment [AL11]: Likely to be an amendment in the legislation. Maybe head this up as When can you issue postal votes? to draw attention.

Comment [AL12]: Also introduce any direction by the CCO re issue dates.

additional staffing in order to ensure that all postal ballot packs can be issued as early as possible.

5.10 Postal votes cannot, however, be sent to electors who have registered under the 11-day rule until after they have been added to the register. The first issue of postal votes to such electors should therefore take place as soon as possible after the publication of the notice of alteration.



To demonstrate that you have met **performance standard – insert details**, you must **be able to** provide the **Commission-Chief Counting Officer** with the scheduled and actual dates of despatch for postal ballot packs.

5.11 Also, in order to meet **performance standard – insert details**, postal ballot packs which are to be sent overseas (for example, to service voters) must be prioritised. You should ensure that they are sent out as soon as possible after 5pm, 11 working days before **polling day referendum day**.

Comment [AL13]: Check any direction by CCO



To demonstrate that you have met **performance standard – insert details** you must **be able to** provide the **Commission-Chief Counting Officer** with the scheduled and actual dates of despatch for postal ballot packs to be sent overseas.

Re-issuing postal ballot packs

5.12 It is possible to re-issue postal ballot packs in the following circumstances:

- to replace a spoilt postal ballot paper and/or postal voting statement
- to **replace a replace postal ballot pack that has been** lost or **has not been** received **postal ballot pack**
- to correct a procedural error

Procedure for re-issuing spoilt postal votes

5.13 If a person spoils their postal ballot paper and/or postal voting statement, it is possible for them to obtain a replacement postal ballot pack. Replacements can be issued up until 5pm on **polling day referendum day**.

5.14 If the request for a replacement postal ballot pack is made between 5pm on the day before **polling day referendum day** and 5pm on **polling day referendum day** itself, the replacement postal vote may only be issued to the elector if the spoilt documents are returned by hand. In such cases, the issue of a replacement can also only be made by hand.

5.15 You should put in place systems to enable you to issue replacements up to 5pm on ~~polling day~~referendum day. Particular consideration will need to be given to this where the issue of postal votes has been outsourced.

5.16 Before a replacement can be issued, the spoilt postal ballot paper or spoilt postal voting statement must, by law, be returned to you, along with the remaining ballot paper or postal voting statement, return envelope 'B' and ballot paper envelope 'A', regardless of whether or not these have been spoilt.

5.17 A new postal ballot pack can then be issued to the elector.

5.18 The legislation requires that any returned spoilt ballot papers and postal voting statements have to be cancelled and sealed in a packet for spoilt postal ballot papers, even if only one of them has actually been spoiled.

5.19 The elector's name and electoral number must be added to the list of spoilt postal ballot papers. The name should not, however, be added if the elector is registered anonymously. The ~~ballot paper~~unique identifying number of the replacement ballot paper must also be added to the list. In the case of a postal proxy, the name and address of the proxy must be added to the list alongside the other details.

5.20 The ~~Commission~~Chief Counting Officer has produced a *flowchart summarising the procedure for re-issuing spoilt postal votes*.

Procedure for re-issuing lost/not received postal votes

5.21 Where a voter claims either to have lost or not to have received their postal ballot paper, postal voting statement or return envelopes 'A' and 'B', it is possible for a replacement postal ballot pack to be issued from 4 working days before ~~polling day~~referendum day up until 5pm on ~~polling day~~referendum day.

5.22 If the request for a replacement postal ballot pack is made between 5pm on the day before polling day and 5pm on ~~polling day~~referendum day itself, the issue of a replacement pack may only be made ~~by hand~~if the postal voter applies in person.

5.23 If not all parts of the postal ballot pack have been lost or not received, the voter must, by law, return those documents that they do have. You are then required under the legislation to immediately cancel those documents.

5.24 By law, you must re-issue a postal ballot pack if you are satisfied as to the postal voter's identity and have no reason to doubt that they have lost or did not receive their original postal ballot pack. To establish the postal voter's identity, a proportionate approach should be adopted that seeks to use some proof of identity that can be easily verified by staff, but that is not too onerous for the elector.

5.25 Voters may telephone your office to enquire about a replacement postal ballot pack if their postal vote has failed to arrive. If this is the case, your staff should

advise about the procedure for re-issuing and explain what proof of identity they will be asked to produce before a replacement postal ballot pack will be issued.

5.26 The following are a set of recommendations regarding proof of identity that you should consider when determining how you will want to be satisfied as to the identity of an elector seeking to be issued with a replacement.

Recommendation 1

5.27 One primary proof of identity should be provided before a replacement postal ballot pack is issued. This should be an official document that includes a photograph of the elector, together with the elector's name. The two most secure examples are:

- passport
- photocard driving licence

5.28 Other documents may be acceptable as primary proof, as long as they have a sealed photograph. Examples include:

- local bus pass
- student card issued by a recognised further or higher education body
- identity card issued by a recognised employer

5.29 Some electors may not be able to produce photographic identification. In these circumstances, it is recommended that they should be asked to provide two examples drawn from the list of secondary proofs as listed below.

Recommendation 2

5.30 If you still have any doubt about the identity of an elector requesting a replacement postal ballot pack, a secondary proof of identity could be sought. Also, if an elector cannot produce a primary proof of identity, two secondary proofs of identity could be requested.

5.31 Secondary proofs of identity include:

- full driving licence (without photograph)
- council tax payment book or recent council tax bill
- council or social landlord rent book
- recent rent receipts or tenancy agreement
- allowance, benefits or pension book issued by the Department for Work and Pensions
- cheque book, cheque card or National Savings book
- recent bank or building society statement (not a store card statement)
- recent utility bill (two different ones are preferable; not a mobile phone bill)
- P45
- correspondence from a government department
- identity card issued by a member state of the European Union/European Economic Area, travel document issued by the Home Office, or certificate of naturalisation or registration

- letter (attested statement) from a responsible person such as a solicitor, doctor, minister of religion, magistrate, teacher, hostel manager, social worker, district nurse, midwife or other responsible person, which says that they know the elector and can confirm their name and address. You may wish to include the elector's landlord or tenant in this category and possibly stipulate that they are on the electoral register
- National Health Service medical card or National Insurance card
- birth, adoption, marriage, civil partnership, divorce or statutory declaration certificates (these should preferably have been issued within six months of the event to which they refer and not be replacements)

5.32 The following points should also be considered:

- For added security, originals, not photocopies, of the proof of identity should be produced.
- The evidence provided by the voter should show a clear link between the name on the identifying document and the current entry on the electoral register.
- Birth certificates are not absolute proof of identity and so the voter may be asked to provide additional evidence to allow their identity to be checked.
- Where utility bills or bank statements are provided, they should be recent (i.e., issued within the last three months).
- Cheque, bank or credit cards should be checked against the voter's signature.
- Before an attestation is sought, the voter should be advised that some signatories may charge a fee for the service.
- You should state that proof of identity will not be retained and that the documents will be treated confidentially.

5.33 Where you re-issue a postal vote due to it being lost or not received, you must, by law, add the elector's name and elector number to the list of lost postal ballot papers. The name must not, however, be added if the elector is registered anonymously. The [unique identifying ballot paper](#) number of the replacement ballot paper must also be added to the list. In the case of a postal proxy, the name and address of the proxy must be added to the list alongside the other details.

5.34 The ~~Commission~~[Chief Counting Officer](#) has produced a [flowchart summarising the procedure for re-issuing lost/not received postal votes](#).

Procedure for re-issuing as a result of a procedural error

5.35 If you have issued incorrect or incomplete postal ballot packs in error, you may be able to re-issue postal ballot packs using your powers in law to correct a procedural error.

5.36 Depending on the circumstances, you will need to decide whether to re-issue some or all of the postal ballot packs. For example, if an error in collation affected a certain range of packs, only those packs would need to be re-issued.

5.37 Decisions about re-issuing as a result of a procedural error should be made on a case-by-case basis. In each case, consideration should be given to the impact that the error and any action to correct it could have on electors. For example, you will need to ensure that any action will rectify the error and not cause unnecessary confusion or result in a different error.

5.38 Any decision to take action to rectify a procedural error should be made following legal advice. Both the error and any corrective action taken should be documented in case there is a challenge to the [electionreferendum](#) and a need to claim against insurance.

5.39 Whatever action is taken, you should ensure that any communications to those voters who are affected clearly explain the error and the steps that you are taking to remedy it. You should also notify [candidates and referendum](#) agents of the error and your intended corrective action as soon as possible. By being transparent about the problem and the solution you will minimise the risk of a loss of confidence in the administration of the [electionreferendum](#).

5.40 When a postal vote has been re-issued the original ballot paper must be cancelled and must not be allowed to go forward to the count.

A See [Part A: Counting Officer role and responsibilities](#) for further details on your power to correct procedural errors.

6 Receiving and opening postal votes

Receipt of postal votes

6.1 As a requirement to meet **performance standard – insert details** you must make contact with Royal Mail to confirm arrangements for the return of postal votes.



To demonstrate that you have met **performance standard – insert details**, you must **be able to** provide the ~~Chief Counting Officer~~ ~~Commission~~ with confirmation that you have arrangements in place with Royal Mail, including for the return of postal votes and for any final sweep to be carried out on ~~polling~~ ~~day~~ **referendum day**.

Postal ballot boxes and packets

6.2 You must, as a requirement to meet **performance standard – insert details** maintain the secure storage of returned postal ballots at all times and ensure that postal votes are transported securely to the opening and count venues. The methods of storage and transportation should be such that you can be satisfied that you have taken all necessary steps to ensure that the returned postal ballots are kept securely and cannot be interfered with.



To demonstrate that you have met **performance standard – insert details**, you must **be able to** provide the ~~Commission~~ ~~Chief Counting Officer~~ with confirmation that arrangements are in place to store the postal ballots securely and to transport them to the opening and count venues.

6.3 All postal votes received by you, either at your office or at a polling station on ~~polling~~ ~~referendum~~ day must, by law, be stored in appropriate receptacles. You have a legal duty to take proper precautions for the safe custody of these receptacles.

6.4 You are required by law to have two types of ballot box for returned postal votes: the postal voters' ballot box and the postal ballot box.

6.5 The **postal voters' ballot box** is used to store any returned postal vote covering envelopes. Any postal ballot papers, postal voting statements or ballot paper envelopes that are not received as a complete pack should also be placed in the postal voters' ballot box. You are legally required to mark all postal voters' ballot boxes with the words 'postal voters' ballot box' and the name of the ~~ward~~ ~~local~~ **government area**.

6.6 You are required by law to take proper precautions to ensure the safe custody of the postal voters' ballot box. You should maintain the secure storage of the postal ballots at all times and ensure the security of the contents of the postal voters' ballot box by sealing it and storing it in a secure place until the next scheduled opening of postal votes.


6.7 **Postal ballot boxes** are used to store the postal ballot papers which have been through the opening process and are to go forward to the count. By law, you are required to mark each postal ballot box with the words 'postal ballot box' and the ~~name of the ward~~name of the local government area.

6.8 You are required by the legislation to seal all postal ballot boxes and store them securely until the count. For postal votes handed in to polling stations on ~~polling day~~referendum day, you should emphasise to polling station staff, including polling station inspectors, the importance of maintaining the security of the returned postal votes at all times. You should provide polling stations with sufficient packets for received postal votes. These packets should be clearly labelled as containing postal votes and include the name of the polling station and polling station identifier.

A Further guidance on dealing with postal votes returned to polling stations can be found in the [Chief Counting Officer's polling station handbook](#).

Record-keeping

6.9 You must, as a requirement to meet **performance standard – insert details** maintain a clear audit trail of the receipt and opening of postal ballot packs, recording the total number of envelopes received and the number of envelopes counted as part of the opening process and ensuring that all of the figures required for completion of the statement as to postal ballot papers are accurately recorded.

 To demonstrate that you have met **performance standard – insert details** you ~~must provide~~must be able to provide the ~~Commission~~Chief Counting Officer with confirmation that arrangements are in place to maintain a clear audit trail of the receipt and opening of postal ballot packs.

6.10 In order to maintain a clear audit trail you should keep a record of the total number of envelopes received at your office and placed in a postal voters' ballot box and use this record for audit purposes and check it against the number of envelopes counted as part of the opening process.

6.11 You should also complete a postal vote ballot paper account for every postal ballot box. The ~~Commission~~Chief Counting Officer has produced a [template postal vote ballot paper account](#) that you can use for this purpose.

6.12 In addition, you should prepare a schedule recording the total number of postal votes placed in each postal ballot box, as well as the total number of such boxes. You should also batch ballot papers to ensure that you are able to retrieve

and cancel any particular ballot paper as required (for example, if you have had to re-issue following a procedural error).

6.13 You are required, by law, to complete a *statement as to postal ballot papers* ~~for each ward, for the local government area~~ which forms a key part of your audit trail. You should ensure that all of the figures required for the statements are accurately recorded during the receipt, opening and verification of postal votes.

6.14 You should also ensure that you keep a record of the categories under which you are rejecting individual postal voting statements. The ~~Commission~~ *Chief Counting Officer* has produced a *table summarising the different categories of rejection* to assist you with categorising rejections under each heading.

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Further details on data returns and the statement as to postal ballot papers can be found in *Part F – After the declaration of results*.

Opening of postal votes

Who can attend the opening of postal votes?

6.15 In addition to you and your staff, ~~candidates, election referendum~~ agents, any person appointed by ~~a candidate to attend in the election the referendum agent to attend in his/her agent's place, and the~~ postal voting agents appointed by the referendum agents, Commission representatives and accredited observers are entitled to attend the opening of postal votes.

6.16 Each referendum agent is entitled to appoint one or more postal ballot agents to attend the opening of the postal votes. It is for you as Counting Officer to determine how many agents can be appointed, but the number must be the same for each referendum agent.

6.17 You have a legal duty to give referendum agents at least 48 hours' notice, in writing, of the time and location of each opening session. In addition, this written notice must, by law, also state the maximum number of postal voting agents that a referendum agent may appoint.

6.18 The referendum agent must give you notice of the appointment of postal ballot agents no later than the time fixed for the opening of the postal voters' box.

6.19 The postal vote opening process should be transparent. As a requirement to meet *performance standard – insert details*, you must ensure that all those entitled to attend opening sessions are able to follow what is happening, where and when. Anyone attending should be provided with information on the opening processes you are going to follow, whether as a verbal explanation or through the provision of written guidance notes. Also, copies of your layout plan could be handed out to

anyone entitled to be present in order to help them to follow what is happening, where and when.



To demonstrate that you have met **performance standard – insert details**, you ~~must provide~~ **must be able to provide** the ~~Commission Chief~~ **Counting Officer** with confirmation that you have in place a layout plan for your opening venue and workflows that you intend to follow.

6.20 The law requires that anyone attending a postal vote opening session, including your staff, is provided with a copy of the **relevant secrecy requirements**.

6.21 Although throughout the opening sessions you are legally required to keep the ballot papers face down, there may be occasions when the front of a ballot paper becomes visible. However, anyone attending the opening of postal votes, which includes your staff working at the opening session, is prohibited by law from revealing any information regarding the vote cast on any particular ballot paper and must maintain the secrecy of voting. **This is something that you should emphasise to attendees at the sessions.**

Postal vote opening procedure

6.22 The processes to be followed when opening postal ballot packs are provided for in legislation:

Stage 1: opening of the postal voters' ballot box

- Count the number of returned postal ballot packs (i.e., the number of envelopes 'B' in the postal voters' ballot box).
- Open covering envelope 'B' and remove the postal voting statement and ballot paper envelope.
- Place a mark in the postal voters' list or postal proxy voters' list as appropriate to show that a postal voting statement has been returned.
- Check the number on the postal voting statement matches the number on the ballot paper envelope (envelope 'A').

Stage 2: checking the personal identifiers

- Check that the elector has signed the statement and given a date of birth.
- Check the signature and date of birth on the postal voting statement matches those on the personal identifiers record. By law you are required to check the identifiers on at least 20% of returned postal voting statements. However, as a requirement to meet **performance standard – insert details** you must put arrangements in place to check 100% of postal vote identifiers.
- If you reject a postal voting statement, record the reason for the rejection and give any postal vote agents present the opportunity to object to your decision.

Stage 3: opening of postal ballot paper envelopes

- Open the ballot paper envelope (envelope 'A') and remove the ballot paper, ensuring the ballot paper is kept face down at all times.

- Check the number on the ballot paper envelope (envelope 'A') matches the [unique identifying](#) number on the back of the ballot paper.
- Place the ballot paper in the postal ballot box.

Stage 4: sealing the postal ballot boxes

- Count and record the number of postal ballot papers to be sealed in each postal ballot box.
- Seal and securely store the postal ballot boxes.

6.23 The ~~Commission~~**Chief Counting Officer** has produced a [postal vote opening flowchart](#) which provides a summary of this process, and also sets out the processes to be followed in case the identifiers on the postal voting statement are missing or do not match those on the personal identifiers record, or if a ballot paper/postal voting statement has been returned without the corresponding document.

6.24 As a requirement to meet **performance standard – insert details**, you must ~~maintain~~**maintain** a clear audit trail of the receipt and opening of postal ballot packs, recording the total number of envelopes received and the number of envelopes counted as part of the opening process and ensuring that all of the figures required for completion of the statement as to postal ballot papers are accurately recorded.


6.25 You should batch ballot papers in such a way as to ensure that you will be able to retrieve and cancel any particular ballot paper (for example, because you have had to re-issue following a procedural error). For this reason, and taking into account the need to verify the contents of all postal ballot boxes at the verification, you should consider how many ballot papers you want to store in each box.

Matching up postal voting statements with postal ballot papers

6.26 You are legally required to keep two lists of provisionally rejected postal ballot papers: one to record the [unique identifying ballot paper](#) number of any postal ballot paper that has been returned without a postal voting statement, another to record the [unique identifying ballot paper](#) number on any postal voting statement that was not returned with a postal ballot paper. The ~~Commission~~**Chief Counting Officer** has produced a [spreadsheet](#) that you can use for this purpose. You should check these lists regularly to ensure that any mismatched documents can be matched up, enabling those postal ballots to be re-introduced into the process.

Postal voting statement verification

6.27 By law you must check the identifiers on at least 20% of returned postal voting statements. However, as a requirement to meet **performance standard – insert details** you must put arrangements in place to check 100% of postal vote identifiers.

 To demonstrate that you have met **performance standard – insert details**, you ~~must provide~~**must be able to provide** the ~~Commission~~**Chief Counting Officer** with the % of postal vote identifiers to be checked and the actual % of postal vote identifiers checked. Where 100% is not checked, you must also provide details of why you are/were unable to check all of the identifiers.

6.28 Any person who will be undertaking the verification of postal vote identifiers and has been delegated the authority by you to make decisions on postal voting statements should be provided with a copy of [the Electoral Commission and Forensic Science Service guidance on signature checking](#), which is supported by the Scottish Police Services Authority Forensic Services, and be instructed to follow it.

6.29 By law, complete absence of a signature (where the elector has not been granted a waiver) or a date of birth must always lead to a rejection.

6.30 In determining the validity of the postal voting statement, neither the signature nor the date of birth is more important than the other – by law, both must be provided (unless the signature has not been provided and the elector has been granted a waiver), and both must match.

6.31 If the date of completion is given on the statement, the statement must be rejected as this will not match the voter's date of birth as contained on the personal identifiers record. Similarly, if the date of completion had been given on the original postal vote application form in error, this will not match the date of birth given on the postal voting statement and the statement must be rejected.

6.32 It is possible that the voter may complete the date of birth field in a different format to the one asked for on the postal voting statement. In such a case, if you are satisfied that the voter's date of birth has been given and matches that held on the personal identifiers record, you may still be able to satisfy yourself that the postal voting statement has been duly completed.

6.33 You are not confined to making a determination on a postal voting statement based solely on the information on the postal voting statement and personal identifiers record. You may also refer to other sources and consider any additional information you have when making your decision. You could, for example, also refer to the signature provided on a registration form.

6.34 Also, an elector may contact you to say that they have broken their arm since supplying their identifiers to the Electoral Registration Officer and are unable to replicate their normal signature. If you are satisfied that this is the case, you may decide to accept their postal voting statement as valid, even if it has a signature that looks different to the one on the personal identifiers record.

6.35 Every decision on a postal voting statement should be taken on an individual basis.

6.36 ~~Candidates, Referendum election~~ agents and postal voting agents may object to the rejection of a postal voting statement. If they object to a rejection, the postal voting statement must, by law, be marked 'rejection objected to' before being attached to the ballot paper envelope and placed in the receptacle for rejected votes. Accredited observers and representatives of the Commission have no right to object to the rejection of a postal voting statement.

Marking the postal voters' and postal proxy voters' lists

6.37 There is a legal requirement for you to mark the postal voters' list or postal proxy voters' list, as appropriate, whenever a postal voting statement is returned, regardless of whether or not it is accompanied by a ballot paper.

6.38 If requested, you are legally required to confirm to a voter or postal proxy whether you have received a postal voting statement back from that voter or postal proxy by checking the marked lists. You are also required to confirm if the [unique identifying](#) number of the ballot paper issued to the elector or postal proxy has been recorded on either of the two lists of provisionally rejected votes that are required to be kept and used for matching up documents.

6.39 If you receive a request for confirmation, you are required by law to satisfy yourself that the request has been made by the elector or postal proxy before providing the confirmation. In order to determine whether you are satisfied in any particular case, you should consider asking for name, address and date of birth.

Retrieval of cancelled postal votes

6.40 Where any postal ballot papers have been cancelled (for example, if you have re-issued to correct a procedural error), both the postal voting statement and the ballot paper are required by law to be retrieved. Any cancelled documents must, by law, be sealed in a separate packet.

6.41 You should record the cancellation for the purposes of maintaining an audit trail.

6.42 The ~~Commission~~ [Chief Counting Officer](#) has produced a [flowchart summarising the procedure to be followed for retrieval of a cancelled postal vote](#).

The final opening of postal votes

6.43 It is advisable to keep to a minimum the number of postal votes that have still to be opened during the verification and count in order to avoid any potential delay to the verification and count processes.

6.44 Irrespective of whether the last opening of postal votes takes place at the verification and count venue or elsewhere, you must ensure that the opening of postal votes is carried out in full view of any ~~candidates~~, agents and observers present. As with all other opening sessions, you are required by law to give 48 hours' notice in writing to ~~candidates~~ [referendum agents](#) of the time and place of the last opening session.

A Following the completion of the final opening of postal votes, you must, by law, securely seal and store various receptacles and documents. You can find further guidance on this in [Part F – After the declaration of results](#).