

# Local elections in England and Wales

# Guidance for candidates and agents

## Overview document

September 2018

This document applies to district, borough, county, county borough and unitary authority elections. It does not apply to parish and community council elections, mayoral elections or elections to the Greater London Authority. Our guidance and resources for other elections in the UK can be accessed from our website at: [www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents](http://www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents).

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## Purpose of our guidance for candidates and agents

1.1 Our guidance aims to provide practical advice for anyone who wants to stand as a candidate or be an agent at a local government election in England and Wales. It covers the main steps towards standing as a candidate, the campaign and election periods, the declaration of the result and election spending. It includes relevant factual material as well as a guide to sources of further information. Standing for election can be complicated, but we hope that our guidance will make it as straightforward as possible.

## How to use our guidance

1.2 Our guidance is made up of six parts, setting out the different stages candidates and agents need to go through when standing at a local government election in England and Wales.

1.3 Each part is accompanied by a number of forms and resources, which can be directly accessed via links in the individual parts. Alternatively, relevant guidance, forms and resources will be available on our [dedicated webpage for candidates and agents](#) at a local election in England and Wales.

1.4 The following parts make up our full guidance for local elections:

- [Part 1 – Can you stand for election?](#)
- [Part 2a – Standing as an independent candidate](#)
- [Part 2b – Standing as a party candidate](#)
- [Part 3 – Spending and donations](#)
- [Part 4 – The campaign](#)
- [Part 5 – Your right to attend key electoral events](#)
- [Part 6 – After the declaration of results](#)

Revised data protection legislation applies from 25 May 2018 and will apply to the processing of all personal data.

Please contact the [Information Commissioner's Office](#) for further information about how the General Data Protection Regulation affects you.

1.5 Before starting the process of standing for election potential candidates need to be confident that they meet all of the requirements. You should therefore first read [Part 1](#) of our guidance, which covers the qualifications and disqualifications.

1.6 Once satisfied that you can stand, you should read [Part 2a](#) of our guidance (if you are standing as an independent candidate) or [Part 2b](#) of our guidance (if you are standing as a party candidate), which deal with the nominations process and guide you through which forms you need to submit and by when.

1.7 Candidates and agents at local government elections must follow rules about how much they can spend, who they can accept donations from, and what they must report after the election. Failure to follow these rules could lead to you committing an offence and losing your seat, if elected. [Part 3](#) of our guidance explains the rules.

1.8 [Part 4](#) covers the rules on publication and display of campaign literature and what you need to bear in mind when campaigning.

1.9 Candidates and agents also have a right to attend key electoral events. These are: the opening of postal votes; the poll; and the count. Others can also be appointed to attend these electoral events. Details on your rights and what to expect at these events are provided in [Part 5](#).

1.10 Finally, there are a number of things candidates and agents will need to do once the result has been declared, including submitting their spending returns to the Returning Officer. This is covered in [Part 6](#).

1.11 To keep the guidance as relevant to the reader as possible, we have split most guidance parts into an 'Essential information' section, which all candidates and agents should read as it contains information that is relevant to all, and a 'Supplementary information' section, that will be relevant only to some. You will be directed to the 'Supplementary information' section at relevant points throughout the 'Essential information' section.

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## Terminology used in the guidance

1.12 At local government elections, the local government area is subdivided into electoral areas for the purposes of administering the election. Throughout the parts we have used the term 'ward' to refer to the electoral area for any local government election. The term 'ward' should, however, be read as 'electoral division' in elections for unitary, county and county borough councils.

## Who does what at a local election and how to contact them?

### The Returning Officer

1.13 Local elections in England and Wales are run by the Returning Officer, who is normally a senior officer of the local authority and independent of the authority in respect of their electoral functions. You will be able to contact the Returning Officer for your area by contacting your local elections office. Addresses and telephone numbers of all elections offices in England and Wales can be found at [www.yourvotematters.co.uk](http://www.yourvotematters.co.uk).

1.14 The Returning Officer will offer briefings ahead of an election and we strongly encourage you or your agent to attend, even if you have been an agent or stood for election before.

### The Electoral Registration Officer

1.15 The Electoral Registration Officer is responsible for maintaining the register of electors and absent voters' lists for their local authority area. In England and Wales, the Electoral Registration Officer is normally a senior officer in the local authority and may also be the Returning Officer. You can find the contact details for your Electoral Registration Officer at [www.yourvotematters.co.uk](http://www.yourvotematters.co.uk).

## The Electoral Commission

1.16 We are an independent statutory body established in November 2000 by the Political Parties, Elections and Referendums Act 2000. We are currently headed by ten Commissioners, including a Chair. We report directly to the UK Parliament through a committee chaired by the Speaker of the House of Commons.

1.17 We are responsible for registering political parties and non-party campaigners, the monitoring and publication of significant donations to registered political parties and the regulation of party and non-party campaigner spending at certain elections. We also have a role in promoting voter awareness. We are required to report on the administration of certain electoral events, to keep electoral matters under review and, if requested, must review and report on any electoral matter. We also accredit observers to be present at election proceedings.

1.18 We do not run elections but have responsibility for providing advice and assistance on electoral matters to all those involved in elections, including Returning Officers, Electoral Registration Officers, political parties and candidates.

1.19 We are here to help, so please get in touch if you have any questions.

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## Contacting us

### If you are a candidate or agent in England

1.20 If your question is about **spending or donations**, please contact us at:

Email: [pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)

Tel: 0333 103 1928

1.21 For **any other questions**, please contact us at:

Email: [infoengland@electoralcommission.org.uk](mailto:infoengland@electoralcommission.org.uk)

Tel: 0333 103 1928

### If you are a candidate or agent in Wales

1.22 In Wales, you can contact us for **all queries** at:

Email: [infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk)

Tel: 0333 103 1929