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Dear Member

SELECTION AND MEMBER SERVICES COMMITTEE - THURSDAY, 25 FEBRUARY 2021

I am now able to enclose the following presentation which was given to the Thursday, 25 February 2021 meeting of the Selection and Member Services Committee.

Agenda Item No

5

Local Government Elections - Presentation by General Counsel (Pages 1 - 16)

Yours sincerely

A handwritten signature in black ink, appearing to read 'B. Watts', is written over a faint, illegible printed name.

Benjamin Watts
General Counsel

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Election Update

Ben Watts
General Counsel & County Returning Officer
25/02/2021



May 2021 Delivery Plan

Nominations and Campaigning

- Number of subscribers required for a nomination paper has reduced from 10 to 2 to reduce the travel and contact involved with the nomination process.
- Under the current national lockdown, leafleting and door-knocking by party activists is not permissible.
- The government has uprated election expenses for council candidates to provide greater opportunity for candidates to campaign via digital channels.

Proxy Voting

- The government is amending secondary legislation to further support proxy voting for people affected by coronavirus close to the polls.
- These changes will allow those self-isolating as a result of coronavirus exposure, testing, or symptoms to apply for a proxy vote leading up to polling day, and **until 5pm on polling day**, without having to find someone to attest their application. This will also be available to those who test positive for the virus on the same basis.
- If a person has already appointed a proxy to vote for them, but the proxy has been affected by Covid-19 there will be the ability to make an alternative proxy arrangement.

Postal Voting

- The government are working with suppliers, local authorities, and Royal Mail to ensure the Covid-19 secure and effective operation of the postal vote system.
- Royal Mail have agreed to prioritise the delivery of elections mail, including delivery and return, of ballot packs, in the same way as it does for coronavirus tests.

In person at a polling station:

There will not be a change to the hours of polling.

The Cabinet Office has identified the following changes that are likely to be seen in polling stations in May:

- Social distancing (inside and outside venues)
- Limited number of people inside polling stations
- Face coverings worn by staff and voters
- Voters bring their own pen or pencil
- Maximum ventilation
- Plastic screens (where appropriate)
- Hand sanitiser
- Regular cleaning

Public health and social distancing

- Social distancing and other safety measures will be in operation in polling stations.
- Everyone should wear a face covering in polling stations and at counts (unless exempt). The government guidance on face coverings and legislation will be amended to clarify this.
- Voters will be encouraged to bring their own pen or pencil.
- Anyone travelling to a polling station should consider the government's safer travel guidance, including for car sharing. The government recommends that political parties and candidates do not offer lifts to members of the public to and from polling stations.

Government Funding

The government has allocated an estimated **£92 million** to support local authorities with the elections. Of this, **£31 million** is an uplift to address costs associated with making the elections Covid-19 secure.

The government is making the following commitments:

- Voters will have a choice between in person and absent voting.
- The government will work with partners to make sure everyone is protected to the maximum extent possible from the spread of disease.
- Candidates and their agents will have additional guidance on social distancing and other regulations to their activities.
- Returning Officers and local authorities will have support from the government.

Pre-Election Guidance

The pre-election period for the Kent County Council elections will run from **Friday 19 March – Friday 7 May 2021.**

Statutory Framework

Under the Local Government Act 1986, KCC must take particular care during the pre-election period to ensure it is not seen to be attempting to influence public opinion or promote the public image of individual candidates or the views of a political party.

KCC's Members Code of Conduct has two key provisions which take on a particular significance in the run-up to an election. These prohibit Members from improperly:

- Conferring an advantage or disadvantage on any person, including themselves.
- Using the Council's resources for political purposes.

Pre-election Guidance

Whilst KCC can generally adopt a business-as-usual approach during a pre-election period, careful consideration will need to be given to the following activities:

- Holding of Council, Cabinet and Committee meetings.
- Processing and scrutiny of Cabinet Member decisions.
- Holding of consultation events, launches, openings and other public meetings.
- Promotion and communication regarding the actions and activities of the Council.

These activities should be concluded **before 19 March.**

The following activity must be avoided:

- Members should not be quoted in proactive publicity such as news releases issued by the council
- Any publicity, which supports or appears to support any candidate or group of candidates or which seeks or appears to seek to influence voters.
- Any publicity on controversial issues, which identifies the names and political party (if any) of any candidate.
- Council resources, including officer time and knowledge, must not be used to prepare any party political publicity.
- Officers being placed in the position of appearing to endorse one candidate and their policies above another.
- Party political information must not be displayed anywhere on Council property, including street furniture, vehicles and notice boards; nor should this be displayed or be visible while participating in a publicly webcast Council meeting.

Use of Council Facilities

The key points are:

- Officers' time or knowledge must not be used for party political purposes – anything which will call into question an officer's political impartiality.
- Political groups may use Council's meeting rooms for party political meeting at the same rate as the Council charges for external hiring and in accordance with any local policy in place regarding building use.
- Political groups may use County Print service for printing party political literature at the same rate that applies to the County Council.
- Members can continue to use their KCC ICT equipment for council business but it may not be used for party political, election and campaigning purposes.

Nominations

Nominations

- Nomination papers will be available from your local election office – EC advise that revised nomination papers to reflect changes will be available by 1 March
- Nomination papers can only be submitted, to your local elections office, between **Monday 22 March – Thursday 8 April** on working days between **10:00 – 16:00**.
- Your local DRO will hold candidate and agent briefings to outline the election process.

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