

Midlothian Council by-election

Thursday 25 March

Ward 5 – Midlothian East

Administrative arrangements

1 The Returning Officer and the Election Office

The Returning Officer is Dr Grace Vickers, however, the day to day running of the By-Election will be carried out by the Elections Officer (and Depute Returning Officer), Gill Smith and the Legal Manager (and Depute Returning Officer) Alan Turpie.

The Election will be administered from the **Election Office, Midlothian Council, Midlothian House, 40-46 Buccleuch Street, Dalkeith, EH22 1DN.**

- Telephone No - 0131 271 3365
- Public Helpline No – 0131 271 3384 (From 23 February 2021)
- Email - elections@midlothian.gov.uk
- Web - www.midlothian.gov.uk/by-election

The office is open on weekdays from 10.00 am to 4.00 pm excluding Saturdays and Sundays. Outwith the nomination period the office is open as above except on Fridays when the office closes at 3.30 pm.

Additionally, the office will be open on the day of the poll (Thursday 25 March 2021) from 7.00 am to 10.00 pm.

Please note that reception facilities at Midlothian House are closed whilst the Coronavirus (COVID 19) restrictions are in place. Accordingly, if you wish to meet either the Returning Officer or one of her Depute Returning Officers (Alan Turpie/Gill Smith) you are advised to telephone or e-mail in advance. Please note these meetings, if possible, will be held remotely.

2 Coronavirus (COVID 19) Safeguards

The Electoral Commission has developed a set of election objectives with the UK's governments, political parties and electoral administrators, to ensure the elections can be delivered safely and successfully. This has been done with the input of all political parties and governing bodies. The assessment of risk in relation to the

coronavirus pandemic is an ongoing process and the position will be kept under review in accordance with the latest national and local guidance in relation to Covid-19 restrictions and public health guidance. Arrangements will be in place to help ensure polling stations meet strict health and safety standards for those who wish to vote in person.

Risk assessments will be completed to determine what measures need to be in place at polling stations. All measures will be in accordance with the most up to date public health guidance and in keeping with any national or local Covid-19 restrictions that are in force on the day of the by-election. Voters can expect many of the measures they've become used to over recent months, such as the use of hand sanitiser, floor markings and face coverings. Arrangements will be communicated in advance of the polling date of Thursday 25 March.

Should the Returning Officer (or a Depute) become concerned that an activity is not being carried out in a way compliant with public health, that activity will be suspended until the situation is resolved.

3 Electoral Registration Officer

Enquiries relating to (a) entitlement to vote by post/proxy and (b) the register of electors should be addressed to the Electoral Registration Officer, Lothian Valuation Joint Board, 17A South Gyle Crescent, Edinburgh, EH12 9FL.

- Telephone No - 0131 344 2500
- Email – enquiries@lothian-vjb.gov.uk
- Web - www.lothian-vjb.gov.uk

4 Delivery of Nomination Papers under Coronavirus Conditions

The RO has planned how best to conduct the nominations process according to the rules, ensuring that physical distancing is maintained between RO staff and candidates/agents and that essential hygiene measures are followed.

An informal check of nomination papers is available prior to formal submission. To minimise in-person visits, this will be done electronically. You should scan and email your papers to Gillian.smith@midlothian.gov.uk as an electronic alternative to face to face checks. Please ensure this is done well in advance of the closing deadline of **Monday 22 February at 4pm.**

For a Council by-election, submission of the Nomination Form itself **must be made in person.** It is requested that only one person – for example the Candidate OR the Agent – attends the submission of nominations. (Please note that the Nomination Form must be submitted in person but that this person does not **have** to be the Candidate or Agent). We will ensure that physical distancing and essential hygiene measures are in place. Please sanitise your hands on entry and exit and you are requested to wear a face covering. You will be asked to provide your contact details for the purposes of contact tracing if required.

While nomination papers must be submitted in person, other papers can be submitted by hand or by post but not by electronic means. Please refer to the Electoral Commission guidance for additional detail.

Appointment of Polling and Count Agents forms are within the Nomination Pack and are the **only** forms which may be submitted by e-mail if wished.

Delivery of nomination papers may be made by hand to the election office from **Tuesday 16 February 2021** until **Monday 22 February 2021 at 4.00 pm**. By law, the Returning Officer **cannot** accept any form submitted after the deadline of **4pm on Monday 22 February 2021**.

Due to Covid Restrictions the reception desk at Midlothian House is closed and therefore you are asked to make an appointment to lodge your nominations papers by telephoning 0131 271 3365 or emailing Gillian.smith@midlothian.gov.uk to arrange a suitable time. This can be between 10am and 4pm.

While in practice most people submitting nomination papers will want to wait until the Returning Officer's team has accepted the nomination, you are free to simply hand over your paperwork and leave.

5 Briefing for Candidates and their Election Agents

The members of the Election Team will be available for 'one to one' briefings with Candidates/Election Agents throughout the election process and particularly when nomination papers are being uplifted and deposited but please note that we strongly advise that this is by appointment.

A Covid briefing by the Returning Officer and Public Health colleagues will be held for Candidates and Agents at a date to be determined. This will be notified to you by email in due course.

The Returning Officer shall also hold a short briefing meeting regarding the Count process by MS Teams and this will be held on Thursday 25 March 2021 at 4pm. If you wish to attend this briefing please advise the Depute Returning Officer by either telephoning on 0131 271 3365 or emailing Gillian.smith@midlothian.gov.uk and an invite shall be sent to you.

6 Notice of Election, Notice of Poll, etc

Enclosed in the Nomination Pack, for information, is a copy of the formal Notice of Election and a copy of the 'Scheme of Polling Arrangements on Polling Day' which indicates the current eligible electorate to vote by post or in person at a polling station.

The '*Notice of Poll/Statement of Persons Nominate*' (which will include at Part 2 the "*Situation of Polling Stations and Descriptions of Voters Entitled to Vote therein*") will be forwarded to Election Agents following the close of nominations.

7 Campaign Posters

Please be aware that Midlothian Council has a Policy of not permitting the attachment of Posters to Council owned Street Lighting Columns and Street Furniture, etc

The Council will, if necessary, remove offending items displayed on its non-domestic property.

Please consult the 'Notes for Candidates and Agents on Polling Procedures' a copy of which is in the Nomination Pack and is also issued with polling agent cards and which sets the rules for displaying political posters outside polling places on polling day and also for wearing rosettes (in the Polling Place, but not the polling station).

In addition, Transport Scotland has advised that the display of advertisements on Trunk Roads is not permitted.

8 Notice of the Opening of Postal Ballot Boxes and Envelopes

All the postal vote application signatures and dates of births in the postal vote statements in the returned postal ballot packs will be electronically verified.

Formal notice of the opening of the postal ballot boxes and postal ballot paper envelopes and the verification of postal voter identifiers has been issued separately in the Nomination Pack. It also gives details regarding the appointment of agent(s) to attend the postal openings. (The openings will be held in the Council Chambers, Midlothian House, 40-46 Buccleuch Street, Dalkeith, EH22 1DN.

Note: Ballot Papers are not being adjudicated or counted by candidate at the postal pack openings.

As we do not have reception facilities at any of the Council buildings whilst the Coronavirus (Covid 19) Restrictions are in place, we cannot unfortunately offer the convenience of a ballot box being placed in Midlothian House reception for receiving postal votes. However, postal vote packs may be deposited in the secure external mail box situated at the front of Midlothian House until close of poll at 22.00 hours on 25 March 2021. Any packs deposited after that time will not be treated as having been received timeously.

9 Appointment of Polling and Counting Agents

The appointment of Polling and Counting Agents may be made by the Candidate or the Election Agent.

Notice of the appointments requires to be given to the Returning Officer in writing, stating the names and addresses of the persons appointed and can be submitted in hard copy or by email to elections@midlothian.gov.uk. (For convenience the relevant forms which you may wish to use to make the various appointments are enclosed in

the Nomination Pack and are also available for download on the Council's Election website at www.midlothian.gov.uk/by-election

There is no restriction on the number of polling agents to be appointed but not more than one polling agent may be admitted at the same time to a polling station on behalf of the same candidate.

In regard to Counting Agents the number to be allowed for each Candidate will be determined after the close of nominations when the number of candidates is known. In addition, each Candidate is entitled to nominate one person as his/her guest to attend the Count but that person has no legal status in the proceedings.

The name and address of the guest should be entered on the counting agent form.

Notice of appointments must be given to the Returning Officer **not later than Thursday 18 March 2021** – if necessary this can be done by email.

Polling Agent Guidance – Covid Safety

Polling Agents will be encouraged to wear face coverings where possible upon entry to polling places;

Consider suitable distancing for polling agents, campaigners and tellers around polling place entrances, queueing areas and exits;

Consider infection risks in handing voters information leaflets etc and the implications of such items being taken into the polling place;

Information Officers will be sited at each polling place to manage the flow of electors and will monitor positioning of polling agents to ensure safety for all.

Count Attendance – Covid Safety

Our aim is to maximise transparency of count processes without compromising safety;

Face coverings will be required to be worn (unless exempt);

Additional hygiene measures will be in place;

The layout of the Count hall will allow scrutiny and observation of the processes wherever possible but will also be such as to allow physical distancing;

The number of Count Agents will be minimised – the number allowed per candidate will be confirmed in due course;

We will collect names and addresses of those in attendance for contact tracing purposes, if required.

10 Poll and Count Admission Cards

In regard to the poll and count admission cards, please state on the appropriate forms a contact name and telephone number of who will be available to collect the cards from the Election Office at Midlothian House, 40-46, Buccleuch Street, Dalkeith, EH22 1DN. **This must be done by appointment.**

11 Close of Poll and Security of Ballot Boxes Overnight

The Poll closes at 10 pm on Thursday 25 March 2021 after which the ballot boxes are sealed and taken by polling staff, along with the relevant election stationery boxes, etc, to Newbattle Community Campus, Newbattle Road, Easthouses, EH22 4SX.

The ballot boxes and ballot paper accounts, election stationery box, etc will be logged in at Newbattle Campus and then placed in a secure room.

When the Returning Officer is satisfied that all is in order, the secure room will be locked and sealed in the presence of witnesses, which will include the Police and a security presence will be on duty until the room is unlocked on the morning of 26 March 2021.

At 9.00 am on Friday 26 March 2021 the door seals of the secure room will be checked to ensure they are still intact and, if so, recorded in the presence of witnesses, which will include the Police. Thereafter the room will be unlocked and opened and the Ballot Boxes transferred to the Count Hall in Newbattle Community Campus.

Candidates and their Election Agents are invited to observe any of the above events taking place.

12 The Count

The verification and subsequent counting of ballot papers will commence at 10.00 am, Friday 26 March 2021, at Newbattle Community Campus, Newbattle Road, Easthouses, EH22 4SX. The telephone number is 0131 561 6740

Please note that it will be a manual single transferable vote count and it could take several hours to reach the result depending on the number of elimination stages and subsequent transfers of ballot papers required.

Count Accreditation Cards will be issued with the Midlothian Council '*Count Booklet*' which will contain full details of the count method, count rules, venue facilities, Covid Secure guidance, 'on the day' electorate by polling station, etc.

**Dr Grace Vickers
Returning Officer
15 February 2021**

If you wish clarification of any point in regard to the Midlothian Council by-election please do not hesitate to contact either the Returning Officer or her depute on 0131 271 3365

