

New Guidance on Postal Votes

Changes to postal vote handling and secrecy

These provisions will be in effect for polls taking place from 2 May 2024 and arise from legislative changes set out in the Elections Act 2022 and the Representation of the People (Postal Vote Handling and Secrecy) (Amendment) Regulations 2023.

1. Ban on political campaigners handling postal votes

- Political campaigners will be banned from handling postal votes, except where the postal vote is their own, that of a close family member¹, or someone they provide regular care for.
- They are not banned from handling postal votes if they do so in the course of their usual duties (for example, if they work for Royal Mail).
- A political campaigner is defined in legislation as:
 - a) a candidate at the election
 - b) an election agent of a candidate at the election
 - c) a sub-agent of an election agent at the election
 - d) employed or engaged for the purposes of that person's activities as a candidate
 - e) a member of a registered political party and carries on an activity designed to promote a particular outcome at the election²
 - f) employed or engaged by a registered political party in connection with the party's political activities
 - g) employed or engaged by a person within paragraphs (a) to (f) to carry on an activity designed to promote a particular outcome at the election
 - h) employed or engaged by a person within paragraph (g) to carry on an activity designed to promote a particular outcome at the election
- If found guilty of handling postal votes as a campaigner, a person could face a fine and/or imprisonment up to two years.

¹ Two people living together as if they were a married couple, or civil partners are treated as if they were spouses or civil partners of each other. A close relative is defined as a spouse, civil partner, parent, grandparent, brother, sister, child or grandchild. Two people living together as if they were a married couple or civil partners are treated as close relatives.

² This includes displaying posters, distributing leaflets, posting promotional material on social media accounts and canvassing.

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2. Limits on handing in postal votes at polling stations

- There will be a limit on the number of postal votes a person can hand in at a polling station – they will not be allowed to hand in **more than five postal ballot packs for other electors plus their own.**³
- If a person hands in more than five postal ballot packs for other electors, all the postal votes (other than their own) will be **rejected**, unless the person withdraws the excess postal votes.
- If there is reason to suspect that a person has already handed in the maximum number of postal votes on any previous occasion at the election, any subsequent postal votes handed in will be **rejected**.

3. Completion of postal vote documents form

- Anyone handing in postal votes will need to complete a '**postal vote return form**'. This form will be available on request from the Reception at the Council Offices, Pippbrook, Dorking, RH5 4JT or from the Presiding Officer at the relevant polling station **only**.
- The person handing in the postal vote(s) will need to complete the postal vote return form with their name, address and the reason for handing in other people's postal votes (where appropriate).
- They will also need to complete a declaration that they are not handing in more than the permitted number, and that they are not a political campaigner.
- The postal vote return form must be completed and hand-delivered to an Electoral Services or Democratic Services staff member or a Presiding Officer at the polling station, who must endorse it.
- If the postal vote return form is not completed with all the required information, or to the authorised Officer's satisfaction, the postal vote(s) will be **rejected**.
- Rejected postal votes will not be included in the count.

³ Where the elector has been appointed as a proxy postal for another elector – handing in the proxy postal would count towards one of the five for other electors.

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- After the election, the Electoral Registration Officer (ERO) will write to electors who have had their postal votes rejected, telling them why.

4. Handing in postal votes and Postal votes which are 'left behind'

- If a person hands in postal votes without completing the postal vote return form (available only from the Reception at the Council Offices or from the Presiding Officer in a polling station), the 'left behind' postal votes must be **rejected**.
- Postal votes will not be accepted and will be **REJECTED** if they are simply left at:
 - a polling station, without the completed postal vote return form hand-delivered to the Presiding Officer
 - in the internal mail
 - at the Elections Office
 - in Members' post folders
 - in the care of any Council staff other than Electoral Services and Democratic Services staff, with the completed postal vote return form hand-delivered and endorsed by them.
 - at the Reception desk without the accompanying postal vote return form completed and hand-delivered to an Electoral services or Democratic Services staff member, who must endorse it.
 - in the Evening Reception area (a notice warning not to leave them there will be displayed before postal votes are despatched)
 - We cannot accept any postal votes which are left in the council mailbox (notices will be clearly displayed advising of this), or which are put in the internal mail system.
- Between the hours of 2.30pm and 5pm, weekdays (as the Reception desk closes at 2.30pm), a notice will be displayed on the Reception doors instructing voters to call the Elections Office, who will meet

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them to assist them with completing the form to return any postal votes.

- On polling day, the Reception desk at the Council Offices, will be open from 9am to 5pm.
- On poll day, voters coming to the Reception desk after 5pm will be instructed to go to the polling station at Pippbrook to hand in any postal votes. Signs will be clearly displayed.
- Postal votes handed in at any other address will not be accepted as there will be nobody present to provide and sign the postal vote return form.
- Any postal votes which are left at any council building without the 'postal vote return' form being completed as required above will be **rejected**.
- After the election, the ERO will write to electors who have had their postal vote rejected because they were left behind.

5. Secrecy requirements extended to postal and proxy votes

- The secrecy requirements which apply at a polling station are being extended to postal and proxy votes.
- It will be an offence to try to find out how someone has voted when completing their postal vote, or to communicate how a postal or proxy voter has voted.
- Anyone found guilty of breaching the secrecy requirements could face a fine or imprisonment up to six months.

6. What does this mean for you?

- Make sure anyone supporting the election campaign understands what a campaigner is and is aware of the ban on handling postal votes.
- Tell them they can only handle other people's postal votes if they are a close relative or someone they provide regular care for.

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- Be aware that suspicions of campaigners handling postal votes will be reported to the police.
- Please encourage postal voters to return their postal vote via the **Royal Mail** system in plenty of time.
- If they have missed the post, let them know they can still hand it in at:
 - the Council Offices, Pippbrook, Dorking, RH5 4JT, during working days from 9am to 5pm. Please advise them that the Council Offices' Reception desk is open from 9.00am to 2:30pm weekdays, and a notice will be displayed on the Reception doors instructing voters to call the Elections Office between 2.30pm to 5pm. A member of the Elections Team will meet them to assist them with completing the form to return any postal votes.
 - a polling station on poll day before 10pm, or at the Reception desk in the Council Offices before 5pm on polling day and will be required to complete a postal vote return form.
- Inform electors of the limit on handing postal votes in at polling stations and Council Offices – five, plus their own.
- Tell them they must complete a form when handing in postal votes, and any left behind at a polling station or council office will be rejected.
- Ensure electors know postal votes deposited in council letterboxes will be classed as 'left behind' and will be **rejected**.
- Ensure electors know that postal votes left at any council building without the 'postal vote return' form being completed as required above will be **rejected**.
- Inform electors that any postal votes left anywhere other than with Electoral Services and Democratic Services staff or a Presiding Officer, with the completed postal vote return form, **will be rejected**.
- If you are handling any postal vote application forms, make sure you continue to follow the [Electoral Commission's Code of Conduct for campaigners](#).

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- For further information on the changes to postal vote handling, please visit the Electoral Commission website or contact electoral.registration@molevalley.gov.uk