

Verification and count

The following sections provide guidance on the process of verifying and counting the votes in the election. As a candidate you will be invited to attend and observe these processes.

It includes guidance on the following:

- when and where the count will take place
- who can attend the count
- what does a counting agent do?
- duty to maintain secrecy
- how votes are counted
- what if the vote on a ballot paper is not clear?
- doubtful ballot papers
- declaration of result

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When and where will count take place

The verification and count may take place immediately following the close of poll or the Returning Officer (RO) may decide to verify and count during the following day(s).

The RO will notify you of the exact time and location and will request that you provide a list of who will be attending with you. See our guidance on [who can attend the count](#) and [appointing counting agents](#) for more information.

The RO will issue instructions or an invitation with any requirements they have in place for attendance. This could include information about additional security measures in place such as requiring attendees to show ID and bag checks before being allowed entry, as well as information about the expected standards of behaviour for attendees. You should ensure these instructions are followed by yourself and anyone else attending with you.

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Who can attend the count?

You and your election agent are entitled to observe the count. ^[1]

Additionally, you can invite one other person to attend. This person is in attendance as your guest. They have no powers or functions.

You may also appoint agents to attend the count on your behalf. ^[2]

You should ensure that you and all your attendees comply with any instructions given by the Returning Officer.

1. Rule 44, Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)
2. Rule 27, LEPAR 2006

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What does a counting agent do?

Counting agents have a number of important roles to play at the count:

- they observe the counting process and make sure that it is accurate
- they can draw to the attention of count staff any doubtful ballot papers
- if they disagree with a decision by the Returning Officer (RO) to reject a ballot paper, they can ask the RO to mark on the ballot paper “rejection objected to”
- if a count is suspended for any reason, counting agents can add their seals when the RO seals the ballot boxes and envelopes

You and your election agent can do anything a counting agent is allowed to do.

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Appointing your counting agents

You may appoint other people as agents to attend the count. [\[1\]](#)

Anyone apart from those listed below can be appointed as a counting agent. The following people are not allowed to be counting agents:

- the RO or a member of their staff [\[2\]](#)
- a partner or clerk of the RO or a member of their staff [\[3\]](#)
- anyone not entitled to vote at the election as a result of the report of an election court or a conviction for a corrupt or illegal practice under the Representation of the People Act 1983 [\[4\]](#)

The same person may be appointed as a counting agent for more than one candidate. [\[5\]](#) Both you and your election agent can also automatically act as one of those agents without the need of an official appointment. [\[6\]](#)

The RO will tell you the maximum number of counting agents you can appoint. [\[7\]](#) All candidates will be allowed to appoint exactly the same number.

At the count, unless there are special circumstances, the number of counting agents allowed for each candidate will not be less than the number obtained by dividing the number of counting assistants (i.e., those staff employed on the counting) by the number of candidates. [\[8\]](#)

The request to appoint these agents must be made in writing to the RO. [\[9\]](#) It must contain the names and addresses of the people being appointed. [\[10\]](#) The RO will provide forms you can use for this, or you can use the counting agent appointment forms below.

The deadline for appointing counting agents is by no later than the fifth working day before the poll. [\[11\]](#)

If an agent dies or becomes incapable of acting, you may appoint another agent in their place by submitting the relevant appointment form to the RO. [\[12\]](#) Any new appointment in these circumstances must be made without delay.

For more information on what agents can and cannot do and what they can expect to see at the count, guidance can be found in [What does a counting agent do?](#)

1. Schedule 2, Rule 27, Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006) and Reg. 69, Representation of the People (England and Wales) Regulations 2001 (RPR 2001)
2. Section 99 Representation of the People Act 1983 (RPA 1983)
3. s.99 RPA 1983
4. s.165 RPA 1983
5. Schedule 2, Rule 27(2), LEPAR 2006
6. Schedule 2 Rule 27(9) and (10), LEPAR 2006 and Reg/s 68 and 69(7), RPR 2001
7. Schedule 2, Rule 27(4), LEPAR 2006 and Reg. 69(1), RPR 2001
8. Schedule 2, Rule 27(4), LEPAR 2006
9. Schedule 2, Rule 27(5), LEPAR 2006 and Reg 69(2), RPR 2001
10. Schedule 2, Rule 27(5), LEPAR 2006 and Reg 69(2), RPR 2001
11. Schedule 2, Rule 27(5), LEPAR 2006
12. s.67(4), RPA 1983

Duty to maintain secrecy

Anyone attending the count has a duty to maintain the secrecy of the count. ^[1] In particular, anyone attending must not:

- ascertain or attempt to ascertain number or other unique identifying mark on the back of any ballot paper
- communicate any information obtained at the count as to the candidate for whom any vote is given on any particular ballot paper

1. s.66, Representation of the People Act 1983

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How the votes will be counted

Stage 1 – Check in

The Returning Officer's (RO) staff will deliver the ballot boxes from the polling station to the count venue.

The RO's staff check the ballot boxes as they arrive at the count venue.

Stage 2 – Verification

Ballot boxes are emptied onto tables and the empty boxes are shown to agents.

Staff count the ballot papers from each polling station.

Staff verify that the number of ballot papers matches the number of papers issued, as recorded on the Presiding Officers' ballot paper accounts.

The verified ballot papers are shown to election and counting agents face up.

The RO determines the reasons for any discrepancies and produces a final verified total.

The RO produces a statement of the verification. Agents can view or copy this statement if they wish.

Where the election has been combined with another electoral event, all ballot boxes will be verified before any results are declared.

There may be a single ballot box for all elections or separate boxes for each. In any case, ballot papers will be sorted into the separate contests.

Any ballot paper found in the 'wrong' ballot box is still valid and will be moved to the correct box during verification.

If the count does not take place immediately following verification, the verified boxes will be stored securely. Candidates and agents can attach their seals to boxes if they wish.

Stage 3 – Counting of the votes

Staff sort ballot papers by candidate. Where more than one candidate is to be elected, the RO may use different methods to establish the votes cast for each candidate, e.g., counting sheets or ‘grass skirts’.

Staff count the number of votes cast for each candidate.

The RO will share the provisional result with you and the agents. You or your election agent can ask the RO to recount the votes.

The RO can refuse to recount if they think the request is unreasonable.

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What if the vote on a ballot paper is not clear?

A ballot paper will not be counted if it:

- is unmarked
- does not contain the official mark
- contains votes for more candidates than the number of vacancies
- contains any mark or writing that can identify the voter
- does not indicate the voter’s intention with certainty

The Returning Officer (RO) must draw up a statement showing the number of ballot papers rejected for these reasons.

The RO must mark the work “rejected” on any ballot paper that is rejected. They must add the words “rejection objected to” if a counting agent objects to the RO’s decision.

If the voter’s intention is clear on a ballot paper and the voter cannot be identified by any mark or writing, it will not be void if a vote is marked:

- elsewhere than in the proper place
- by other means than a cross (e.g., a tick)
- by more than one mark

Doubtful ballot papers

To assist ROs, we have produced guidance on how to adjudicate votes on ballot papers that may appear doubtful. This guidance is contained in our booklet “Dealing with doubtful ballot papers”. We have produced doubtful ballot paper placemats for one-member, two-member and three-member wards that ROs may refer to at the count.

The examples given in these documents are based on the elections rules.

Please note that while these documents provide guidance for ROs, each individual RO has the ultimate responsibility for making a decision on individual ballot papers. Their decision to reject a particular ballot paper during the count or recount is final and can be reviewed only at an election petition after the declaration of result. For more details, see our guidance on [election petitions](#).

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Equality of votes

If two or more candidates have the same number of votes, and a further vote for either would see the candidate elected, the Returning Officer (RO) must decide between them by drawing lots.

The RO will decide the method of drawing lots.

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Declaration of result

The Returning Officer (RO) will declare elected the candidate (or candidates in the case of multi-seat vacancy) with the most votes.

For more information about the allocation of seats see our guidance on the [allocation of seats where a scheduled election is combined with a by-election in the same ward](#).

The RO will give public notice of the result.

The RO will publish a notice with the name of each candidate elected, the number of votes for all candidates, and the number of rejected ballot papers.

Some ROs allow candidates to make speeches after the result is declared. Please check arrangements with your RO. You should ensure that you and your supporters comply with any instructions given by the RO regarding the standards of behaviour required during verbal announcements.

What happens to the paperwork after the results is announced?

The RO must seal all election documentation, add a description of the contests to each packet and forward them on to the Electoral Registration Officer.

For more information on what happens after the declaration of the result, see our guidance on [after the election](#).

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