# Campaigning

The following sections provide guidance on your campaigning. This includes:

- · When you can start campaigning and dos and don'ts for your campaign
- · Using the electoral register and absent voter lists
- · Your role in maintaining the security and integrity of the election
- · Electoral offences and reporting allegations of electoral fraud

Last updated: 5 December 2024

## When can you start campaigning?

You can start campaigning at any time. You do not have to wait until you are validly nominated to declare that you will run for election, ask people to support you or publish campaign material.

Election spending limits apply from the day after the date after a person officially becomes a candidate.

For more information on election spending, please see our guidance on spending and donations.

Last updated: 30 November 2023

# Campaigning dos and don'ts

This section sets out activities that candidates and their supporters can carry out during their campaign, those they should carry out, and things that they must not do.

The RO will have covered the standards of behaviour expected from candidates and their supporters during the election campaign and on polling day as part of their briefing for candidates and agents. You should contact the RO if you were not able to attend the briefing for details of their briefing.

For information about acceptable campaigning activities see our Code of conduct for campaigners

Last updated: 5 December 2024

## During the campaign, you may...

- Encourage people who are not on the electoral register to apply for registration. The deadline for registering to vote in time for an election is 12 working days before the poll. <sup>[1]</sup> Individuals can register online at <a href="https://www.gov.uk/register-to-vote">https://www.gov.uk/register-to-vote</a>.
- Remind voters who wish to vote in person that they will be required to produce an accepted form of photographic ID to prove their identity before they will be issued with a ballot paper. Where an individual does not have or does not wish to use an accepted form of photographic ID, they can apply for a Voter Authority Certificate. For more information on the accepted forms of photographic ID and Voter Authority Certificates see our <u>guidance for polling day.</u>

- Help voters with information about postal and proxy voting and encourage voters to apply online at
   <a href="https://www.gov.uk/apply-postal-vote">https://www.gov.uk/apply-proxy-vote</a>. The deadline for applying for a postal vote for the
   election is 5pm, 11 working days before the poll. [2] The deadline for applying for a proxy vote for the election is 5pm, 6 working
   days before the poll, [3] although in some circumstances electors may apply for an emergency proxy up to 5pm on polling day.

   [4] An elector can apply for an emergency proxy if, after 5pm, 6 working days before the poll, they have had a medical
   emergency, they have been called away on business, or the photographic ID that they intended to use in the polling station
   becomes unavailable and they do not have alternative form of accepted photographic ID.
- Find more information about who can register to vote and postal and proxy voting on our website <u>https://www.electoralcommission.org.uk/i-am-a/voter</u>

1. s13B(1-3), Representation of the People Act 1983 (RPA 1983) and Reg. 29(4), Representation of the People (England and Wales) Regulations 2001 (RPR 2001) 2. Reg 56, RPR 2001

3. Reg 56, RPR 2001

4. Reg 56, RPR 2001

Last updated: 1 December 2023

# During the campaign, you should...

- make sure any application forms you develop include all the required information, otherwise the applications will be rejected. In
  particular, you must make sure that the signature and date of birth fields on postal and proxy application forms are in the correct
  format and that there is a field for applicants to include their National Insurance number. You should use our absent voting
  application forms as a guide and you should liaise with the ERO who may be able to provide you with forms you can use. To help
  ensure that voters' applications are received and processed as quickly as possible, you can also let them know that they can
  apply for an absent vote online <a href="https://www.gov.uk/apply-postal-vote">https://www.gov.uk/apply-postal-vote</a> or <a href="https://www.gov.uk/apply-proxy-vote">https://www.gov.uk/apply-postal-vote</a> or <a href="https://www.gov.uk/apply-postal-vote">https://www.gov.uk/apply-proxy-vote</a>.
- inform voters to return their completed application forms to the ERO as soon as possible. Campaigners should not collect completed paper applications from voters and should not ask voters to send completed applications to campaigners' addresses.
- make sure your supporters follow the <u>Code of conduct for campaigners in Great Britain</u> this will help them to avoid situations where their honesty or integrity could be questioned.
- make sure your supporters are courteous when dealing with other candidates and their supporters whilst campaigning as well as at electoral events such as the verification and count.
- be aware of the deadlines for appointing an election agent, and agents to attend postal vote opening sessions, polling stations and the count. Deadlines are set out in our guidance for postal voting, polling day and the verification and count.
- check our guidance on how postal vote openings, the voting process and the count will work so that you know what you can
  expect to happen.
- comply with any additional security arrangements that ROs may put in place at electoral events, such as the verification and count, for example requiring attendees to show ID or bag checks before being allowed entry and follow any instructions regarding the standards of behaviour expected.
- check that your systems for recording spending and donations are working. For more information see our guidance on donations and election spending.

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# During the campaign, you must not...

- Knowingly make a false statement about the personal character of a candidate [1]
- Pay canvassers. [2] Canvassing means trying to persuade an elector to vote for or against a particular candidate or party.
- Handle completed ballot papers or postal ballot packs for voters who are not close family or someone you care for. [3]

You will need to make sure your supporters are also aware of the restrictions on postal vote handling and follow the <u>Code of conduct for campaigners in Great Britain</u> this will help them to avoid situations where their honesty or integrity could be questioned.

More information on election offences and how to report these can be found in our guidance on offences.

If either you or your election agent have made a mistake and have acted in contravention of the rules, you can apply for relief from the consequences of having made a mistake. See our guidance on <u>what to do if you have made a mistake</u> for more information.

1. s.106, Representation of the People Act 1983 (RPA 1983) 2. s.111, RPA 1983 3. s.112A RPA 1983

Last updated: 16 October 2024

# Campaign publicity dos and don'ts

You must:

- Use imprints on all your printed campaign material and any electronic campaign material that is designed to be printed off locally.
   [1] You should ensure the imprint is clear and visible. See our guidance on <u>using imprints</u> for more information.
- Comply with planning rules relating to advertising hoardings and large banners [2] you should ask the relevant local authority for advice.
- Make sure that outdoor posters are removed promptly after the election you must do this within two weeks of the election.

You should:

- · Include an imprint on all non-printed campaign material, including websites.
- Consider how to make your campaign accessible to all voters for example disabled voters or voters whose first language isn't English, may need campaign material provided in a particular format. You may want to make contact with disability groups in your local area for advice.

You must not:

- Produce material that looks like the poll cards sent to voters. [3]
- Pay people to display your adverts (unless they display adverts as part of their normal business). [4]

1. Section 143 Political Parties, Elections and Referendums Act 2000, section 110 Representation of the People Act 1983 (RPA 1983)

2. Town and Country Planning (Control of Advertisements)(England) Regulations 2007; Town and Country Planning (Control of Advertisements)(Scotland) Regulations 1984; and for Wales, Town and Country Planning (Control of Advertisements) Regulations 1992

3. S.94 RPA 1983

4. S.109 RPA 1983

# **Using imprints**

### What is an imprint?

An imprint must be added by law to all printed election material to show who is responsible for its production. [1]

You should ensure that your imprint is clear and visible.

Our guide to candidate imprints on printed material explains the rules you must follow if you are a candidate in this type of election.

Under the Elections Act 2022, imprints are also required on certain digital material. For the imprint requirements on digital material, please see our <u>statutory guidance on digital imprints</u>.

1. S.143 PPERA 2000 and art. 64 PCCE Order 2012

Last updated: 3 April 2024

## Using the electoral register and lists of absent voters

Once you officially become a candidate you are entitled to receive a free copy of the electoral register. [1] You are also entitled to the lists of people voting by post or proxy ('the lists of absent voters') for the ward that you are contesting.

Registered political parties are entitled to receive a copy of the electoral register at any time.

THERE ARE TWO REGISTERS

Using information received from the public, registration officers keep two registers:

#### THE ELECTORAL REGISTER

The electoral register lists the names and addresses of everyone who is registered to vote in public elections. The register is used for electoral purposes, such as making sure only eligible people can vote. It is also used for other limited purposes specified in law, such as detecting crime (e.g. fraud), calling people for jury service, checking credit applications.

THE OPEN REGISTER (ALSO KNOWN AS THE EDITED REGISTER)

The open register is an extract of the electoral register, but is not used for elections. It can be bought by any person, company or organisation. For example, it is used by businesses and charities to confirm name and address details. Electors can request not to have their name and address included in the open register.

1. Reg. 108, Representation of the People (England and Wales) Regulations 2001

Last updated: 1 December 2023

# Restrictions on the use of the information contained in the electoral register and lists of absent voters

The electoral register and lists of absent voters contain people's personal data and so their use is very carefully controlled.

You can use them to:

- · complete your nomination form
- help you campaign

· check that donations are permissible

You must not release to any person any details that appear only in the electoral register and not on the open register which is available for general sale. You must not use the electoral register and lists of absent voters for any other purpose not listed above. [1]

If you have supplied a copy of the electoral register or lists of absent voters to campaign workers, they must also comply with the requirements above.

You must ensure that you keep both the electoral register and the lists of absent voters secure. <sup>[2]</sup> Once you no longer need the register and lists of absent voters for any electoral purpose, you should securely destroy any copies supplied to you as a candidate in accordance with the Information Commissioner's <u>guidelines</u>.

- 1. Regulations 102 and 108, Representation of the People (England and Wales) Regulations 2001
- 2. Article 5, General Data Protection Regulations 2016

Last updated: 5 September 2024

## Applying for a copy of the electoral register and the lists of absent voters

Copies of the electoral register and lists of absent voters can be obtained from the Electoral Registration Officer. You can find their contact details on <u>our website</u>.

The request must be made in writing [1] and we have made a register request form and an absent voters' lists request form available for this purpose.

The register and lists will be supplied in electronic format unless you specifically request a paper copy.

The version of the electoral register and lists supplied will be the ones current at the time of your request. You may also request the updates to the electoral registers and lists that are published in the lead-up to the poll, including the list of newly registered electors when it is published five working days before the poll.

Any person found breaching the restrictions on use of the electoral register could face an unlimited fine. For more information see our guidance on <u>restrictions on the use of the electoral register</u>.

1. Reg. 102, Representation of the People (England and Wales) Regulations 2001

Last updated: 1 December 2023

## Using schools and rooms for public meetings

You may want to engage with the public at public meetings, promoting your views and responding to questions from the audience.

The ERO keeps a list of the location and availability of meeting rooms in their area. They will make this list available for inspection by candidates and election agents (and persons authorised by them) from the day the notice of election is published. Contact details for EROs can be found <u>on our website</u>.

Once you are a candidate you will be able to use available public rooms up until the day before polling day. [1]

You should contact the owner of the premises to make a booking, giving reasonable notice to reduce the risk of the request being refused.

There is no hire charge for using these rooms, but you must pay for any expenses incurred, such as heating, lighting and cleaning, and for any damage to the premises.

Your right to use the room does not include hours during which a school is used for educational purposes or when any prior letting of a room has been agreed.

1. s.96, Representation of the People Act 1983

Last updated: 1 December 2023

## Maintaining the security and integrity of the election

- Candidates are one of the key public faces of the election, and your conduct will be scrutinised in detail by opponents, the media and voters.
- Voters should be able to trust that candidates will comply with the law and maintain the security and integrity of the election process.
- Election agents are responsible for your campaign and are legally responsible for its financial management.
- You should make sure that your supporters fully understand the law and know what they need to do to ensure that:
   voters can participate freely in this election; and
  - o other candidates and their supporters can participate safely in this election and be free from intimidation
- More information about security guidance for candidates and agents is available at <u>https://www.gov.uk/government/publications/security-guidance-for-may-2021-elections.</u>
- The police can only investigate allegations of electoral fraud where there is evidence to show that an offence has taken place. Claims or allegations should always be substantiated when referred to the police.
- You should also consider the impact on public trust and confidence of making false or unsubstantiated allegations about the conduct of other campaigners.
- Neither the Returning Officer nor the Commission regulate these offences. For details of how to report any allegations see our guidance on <u>reporting allegations of electoral fraud</u>.

Last updated: 29 November 2024

## **Table of offences**

The following table shows a number of electoral and non-electoral offences of which you should be aware. You should seek your own legal advice where necessary.

Offence	Description
Bribery [1]	The offence of bribery includes where someone directly or indirectly gives any money or procures any office to or for any voter, in order to induce any voter to vote or not vote.
Treating [2]	A person is guilty of treating if either before, during or after an election they directly or indirectly give or provide any food, drink, entertainment or provision to corruptly influence any voter to vote or refrain from voting. Treating requires a corrupt intent - it does not apply to ordinary hospitality.

Offence

A person is guilty of undue influence if they carry out an activity on account of:

- a person having voted in a particular way or refrained from voting
- assuming a person to have voted in a particular way or to have refrained from voting

These activities are:

#### Description

- · using or threatening to use violence against a person
- damaging or destroying, or threatening to damage or destroy a person's property
- damaging or destroying, or threatening to damage or destroy a person's reputation
- · causing or threatening to cause financial loss to a person
- causing spiritual injury to, or placing undue spiritual pressure on, a person
- · doing any other act designed to intimidate a person
- doing any act designed to deceive a person in relation to the administration of an election

Undue influence doesn't exclusively relate to physical access to the polling station. For example, a leaflet that threatens to make use of force in order to induce a voter to vote in a particular way could also be undue influence.

It is an offence for political campaigners to handle completed ballot papers or postal ballot packs for voters who are not their close family or someone they care for.

Personation is where an individual votes as someone else either by post or in person at a polling station, as an elector or as a proxy.

This offence applies if the person that is being personated is living, dead or fictitious. Aiding, abetting, counselling or procuring the offence of personation is also an offence.

It is an offence to make or publish a false statement of fact about the personal character or conduct of a candidate in order to affect the return of a candidate at an election.

False statements that are not about a candidate's personal character or conduct are not illegal under electoral law, but could be considered as libel or slander.

It is also an illegal practice to make a false statement of a candidate's withdrawal in order to promote or procure the election of another candidate.

Handling of postal voting documents by political campaigners [4]

Personation [5]

False statements

About a candidate's personal character or conduct [6]

False statements

False registration information and false postal/proxy voting application [8]

Offence

False application to vote by post or by proxy [9]

Multiple voting and proxy voting offences [10]

Breaches of the secrecy of the ballot [11]

**Campaign publicity material** 

**Racial hatred** 

It is an offence to provide a statement on a nomination paper, which you know to be false. For example, if you know you are disqualified from election you must not sign the consent to nomination.

It is an offence to supply false information on a registration, postal vote or proxy vote application form. False information includes a false signature

Description

A person is guilty of an offence if they apply to vote by post or proxy to gain a vote to which they are not entitled or to deprive someone else of their vote.

There are various offences regarding multiple voting and proxy voting, including voting by post as an elector or proxy when subject to a legal incapacity to vote and inducing or procuring another to commit the offence.

Everyone involved in the election process or attending certain proceedings must maintain the secrecy of the ballot. The Returning Officer will give a copy of the official secrecy requirements to everyone who attends the opening of postal votes or the counting of ballot papers and to polling agents.

Certain offences relate specifically to election campaign publicity material. Printed election campaign publicity material must contain an imprint <sup>[12]</sup> and not resemble a poll card. <sup>[13]</sup> Campaign publicity material must also not contain a false statement as to the personal character or conduct of another candidate. <sup>[14]</sup>

Neither the Returning Officer nor the Commission regulate the content of campaign material and are not able to comment on the legality of any particular electoral material beyond what is covered in this guidance.

Under the Public Order Act 1986, it is an offence to publish or distribute threatening, abusive or insulting material that is intended to stir up racial hatred or which is likely to stir up racial hatred. s.113, Representation of the People Act 1983 (RPA 1983)
 s.114, RPA 1983
 s.114A, RPA 1983
 s.112A, RPA 1983
 s.60, RPA 1983
 s.106, RPA 1983
 s.62A, RPA 1983
 s.61, RPA 1983
 s.66, RPA 1983
 s.66, RPA 1983
 s.143, Politcal Parties, Elections and Referendums Act 2000 and s.110, RPA 1983
 s.94, RPA 1983
 s.94, RPA 1983

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## What if you have made a mistake?

You may be able to apply for relief from the penalties of an offence which has been committed inadvertently, innocently or without your knowledge.

You should always seek independent legal advice when considering applying for relief.

For more information, you should contact the:

Election Petitions Office Room E105 Royal Courts of Justice Strand London WC2A 2LL

Email: <u>Election\_Petitions@justice.gov.uk</u>

Phone: 0207 947 6877

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## **Reporting allegations of electoral fraud**

If you are concerned that electoral fraud may have been committed, you should first speak to the Electoral Registration Officer or the Returning Officer.

They may be able to explain whether or not electoral fraud has been committed, and can refer your concerns to the police if necessary. They can also provide you with the details of the police contact for the relevant police force so that you can report the allegation yourself.

If you have evidence that an electoral offence has been committed you should contact the police immediately, using the 101 nonemergency number unless there is a crime in progress, in which case you should use the standard 999 emergency line.

Every police force has a dedicated Single Point of Contact Officer who will be able to provide advice to ensure that your allegations are properly investigated. You should be prepared to give them a statement and substantiate your allegation.

If you do not want to give a statement to the police, you can report your concerns anonymously on the <u>Crimestoppers website</u> or by calling Crimestoppers on 0800 555 111.

You can find contact details of Electoral Registration Officers and Returning Officers on our website.

Please note that if your allegation relates to party, election or registered campaigner finance matters, such as spending or donations, then you should follow the advice given on <u>our website</u>.

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