

Contacting us

If you are a candidate or agent in England

If your question is about spending or donations, please contact us at:

Email: pef@electoralcommission.org.uk

Tel: 0333 103 1928

For any other queries, please contact us at:

Email: infoengland@electoralcommission.org.uk

Tel: 0333 103 1928

What you need to know before you stand as a candidate

Before starting the process of standing for election, potential candidates need to be confident that they meet all of the requirements. They also need to be aware of the rules that apply to candidates relating to spending and donations.

This guidance sets out details of:

- When do you officially become a candidate?
- Who is responsible for candidate spending and donations?
- Qualifications and disqualifications for standing for election
- Appointing your election agent and other agents

Last updated: 29 November 2023

Who does what at a local election and how to contact them

The Returning Officer

Local elections are run by the Returning Officer, who is normally a senior officer of the local authority and independent of the authority in respect of their electoral functions. You will be able to contact the Returning Officer for your area by contacting your local elections office. Addresses and telephone numbers of all elections offices can be found on [our website](#).

The Returning Officer will offer briefings ahead of an election and we strongly encourage you or your agent to attend, even if you have been an agent or stood for election before.

The Electoral Registration Officer

The Electoral Registration Officer is responsible for maintaining the register of electors and absent voters' lists for their local authority area. The Electoral Registration Officer is normally a senior officer in the local authority and may also be the Returning Officer. You can find the contact details for your Electoral Registration Officer on [our website](#).

The Electoral Commission

We are an independent statutory body established in November 2000 by the Political Parties, Elections and Referendums Act 2000. We are currently headed by ten Commissioners, including a Chair. We report directly to the UK Parliament through a committee chaired by the Speaker of the House of Commons.

We are responsible for registering political parties and non-party campaigners, the monitoring and publication of significant donations to registered political parties and the regulation of party and non-party campaigner spending at certain elections. We also have a role in promoting voter awareness. We are required to report on the administration of certain electoral events, to keep electoral matters under review and, if requested, must review and report on any electoral matter. We also accredit observers to be present at election proceedings.

We do not run elections but have responsibility for providing advice and assistance on electoral matters to all those involved in elections, including Returning Officers, Electoral Registration Officers, political parties and candidates.

We are here to help, so please get in touch if you have any questions.

Last updated: 24 January 2024

When do you officially become a candidate?

The earliest you can officially become a candidate is on the last date for publishing the notice of election, which is 25 working days before the poll.

You will officially become a candidate on this day if, on or before this date, you have already declared yourself a candidate at the election (or another person has declared that you are a candidate).

If, after this date, you or others declare that you will be a candidate at the election, you will become a candidate on the date such a declaration is made, or on the date that you submit your nomination papers, whichever is earlier.

The day after the date you officially become a candidate, [spending and donation rules](#) will apply. Once you have officially become a candidate, you are entitled to a copy of the electoral register. ^[1]

You are also entitled to a copy of the lists of absent voters for the ward you are standing in. In addition, you can use [publicly funded rooms and schools](#) for public meetings.

You can start campaigning before you officially become a candidate. More information is set out in our [guidance on campaigning](#).

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

Last updated: 1 December 2023

Qualifications and disqualifications for standing for election

In order to stand as a candidate you must ensure that you meet the necessary qualifications and be sure that you are not disqualified. This section sets out the [qualifications](#) and [disqualifications](#) for standing for election.

It is your responsibility to ensure that you are qualified to stand and are not subject to any disqualifications. Neither the Returning Officer nor the Electoral Commission can confirm this to you. If you are in doubt about your eligibility you should seek legal advice.

Last updated: 15 October 2024

Qualifications

To be able to stand as a candidate at a local government election in England you must:

- be at least 18 years old ^[1]
- be a British citizen, an eligible Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen or an EU citizen with retained rights ^[2]
- meet at least one of the following four qualifications:
 - You are, and will continue to be, registered as a local government elector for the local authority area in which you wish to stand from the day of your nomination onwards. ^[3] More information is set out in our guidance on [being a registered local government elector](#).
 - You have occupied as owner or tenant any land or other premises in the local authority area during the whole of the 12 months before the day of your nomination and the day of election. ^[4] More information is set out in our guidance on [occupying as owner or tenant any land or other premises in the local authority area](#).
 - Your main or only place of work during the 12 months prior to the day of your nomination and the day of election has been in the local authority area. ^[5] More information is set out in our guidance on [your main or only place of work is in the local authority area](#).
 - You have lived in the local authority area during the whole of the 12 months before the day of your nomination and the day of election. ^[6] More information is set out in our guidance on [living in the local authority area](#).

When completing your home address form and consent to nomination form you will be asked to indicate which qualifications you meet. You should indicate on the forms all those qualifications that apply to you.

Meaning of an eligible commonwealth citizen

An eligible Commonwealth citizen is a Commonwealth citizen who either:

- does not need leave to enter or remain in the United Kingdom, or
- has indefinite leave to remain in the United Kingdom

Meaning of qualifying EU citizens

A qualifying EU citizen is a citizen of a country:

- that has a bilateral Voting and Candidacy Rights (VCR) treaty with the UK
- is resident in the UK
- with any form of leave to remain, or does not require such leave.

Currently the UK holds bilateral treaties with the following countries:

Denmark

Luxembourg

Poland

Portugal

Spain

Meaning of EU citizens with retained rights

An EU citizen has retained rights if:

- they are a citizen of a country which does not have a bilateral Voting and Candidacy Rights (VCR) treaty with the UK
- and they have been legally resident in the UK since before the UK left the EU on 31/12/2020 (the Implementation Period Completion Date – IPCD)

The member states of the European Union which do not currently have a bilateral VCR treaty with the UK and are not Commonwealth countries are:

Austria

Hungary

Belgium

Italy

Bulgaria

Latvia

Croatia

Lithuania

Czech Republic

The Netherlands

Estonia

Romania

Finland

Slovakia

France

Slovenia

Germany

Sweden

Greece

1. s.79(1), Local Government Act 1972 (LGA 1972)
2. s.79(1), LGA 1972
3. s.79(1)(a), LGA 1972
4. s.79(1)(b), LGA 1972
5. s.79(1)(c), LGA 1972
6. s.79(1)(d), LGA 1972

Last updated: 15 October 2024

Being a registered local government elector

To be able to use this qualification, your name must appear on the register of local government electors for the local authority area you wish to stand in at the time of your nomination and throughout your term of office should you be elected. ^[1]

Unlike the other qualifications that must only be satisfied on the day of your nomination and on polling day, this is an ongoing qualification. We therefore recommend that if you meet any of the other qualifications as well, you also indicate this on your [home address form](#) and [consent to nomination](#), which are two of the required nomination papers.

1. s.79(1)(a), Local Government Act 1972

Last updated: 1 December 2023

Occupying as owner or tenant any land or premises in the local authority area

To be able to use this qualification, you must have occupied as owner or tenant any land or other premises in the local authority area during the whole of the 12 months before the day of your nomination and before polling day. ^[1]

You must occupy 'land or other premises' to meet this qualification. The inclusion of the words 'other premises' can be taken as something other than land (i.e. some form of structure). Because 'land' and 'other premises' are alternatives it is, in theory, possible for a person to meet this qualification by occupying land only. There are some structures that might, arguably, fall outside the term 'premises' (e.g. a tent, caravan, house boat or mobile home). However, a person occupying such a structure need only establish occupancy of the land on which, for example their tent, is located.

If the land or premises crosses a local authority boundary, the land/premises is in that area with respect to both local authorities.

You must also occupy the land or other premises as an 'owner' or 'tenant'. Ownership may be established by showing title to the land or premises in question. Tenancy is established by showing a lease or in certain circumstances another legal interest over the land. In a number of circumstances, a lease will survive even though it has expired and the parties have failed to sign a new lease, and the tenancy survives through tacit agreement between the parties. Therefore, there may be circumstances in which a person's tenancy of land or premises might need to be established by evidence other than a current lease.

You must also have 'occupied' the land or premises. Therefore, in addition to establishing legal ownership or legal tenancy, you must establish that you have actually occupied the land or premises. This is a question of fact in each case. The interpretation of the term 'occupy' in other legal contexts suggests that it is not necessary for a person to be personally resident on the land or premises (which may in any event be covered by the qualification of 'lived in the local authority').

However, it does require something to be actually done on the land or premises – an empty unlocked house cannot be described as 'occupied', for example. It also requires a sufficient degree of control to exclude or prevent others from interfering with the land or premises. If you have sub-let all of your land or premises to another person, this will point against you having 'occupied' it yourself.

Finally, you must have occupied the land or premises 'during the whole of the twelve months preceding' the day on which you are nominated and polling day. Whether an absence will prevent you from claiming that you have occupied the land or premises for the preceding year should be worked out by taking into account all other factors: for instance, whether you have allowed others to occupy the land or premises in your absence, and the reason for your absence.

1. s.79(1)(b), Local Government Act 1972

Last updated: 1 October 2024

Your main or only place of work is in the local authority area

To be able to use this qualification, your main or only place of work must have been in the local authority area during the 12 months prior to your nomination and prior to polling day itself. [\[1\]](#)

You do not have to be in paid employment to qualify, as long as you satisfy the requirement of your main or only place of work being in the local authority area. Councillors whose main or only job is being a councillor would be able to use this qualification, provided that their place of work is within the local authority.

1. s.79(1)(c), Local Government Act 1972

Last updated: 1 December 2023

Living in the local authority area

To be able to use this qualification, you are not required to have lived at the same address for the whole of the 12 months before the day on which you are nominated, but you must have lived in the same local authority area during the whole of those 12 months. [\[1\]](#)

If in the last 12 months you have lived at more than one address in the local authority area you should declare on the [home address form](#) all of the addresses at which you have lived during that period.

This qualification also requires you to live in the local authority area from the date of nomination to polling day.

1. s.79(1)(d), Local Government Act 1972

Last updated: 1 December 2023

Disqualifications

Apart from meeting the qualifications for standing for election, you must also not be disqualified.

The full range of disqualifications is complex and if you are in any doubt about whether you are disqualified, you must do everything you can to check that you are not disqualified before submitting your nomination papers.

You must be sure that you are not disqualified as you will be asked to sign one of the required nomination papers to confirm that you are not disqualified.

It is a criminal offence to make a false statement on your nomination papers as to your qualification for being elected, so if you are in any doubt you should contact your employer, consult the legislation or, if necessary, take your own independent legal advice.

The Returning Officer will not be able to confirm whether or not you are disqualified.

There are certain people who are disqualified from being elected to a local authority in England. You cannot be a candidate if at the time of your nomination and on polling day:

- You are employed by the local authority or hold a paid office under the authority (including joint boards or committees). ^[1] Note that you may be 'employed by the local authority' if, for example, you work at certain schools, fire services, police or health services. This list is not exhaustive and more information is set out in our guidance: [Working for the local authority](#).
- You hold a politically restricted post. ^[2] More information is set out in our guidance: [Politically restricted posts](#).
- You are the subject of a bankruptcy restrictions order or interim order. ^[3] More information is set out in our guidance: [Bankruptcy restrictions or interim orders](#).
- You are the mayor for a combined authority area that the local authority is a part of. ^[4] The only exception to this is where the combined authority mayoral election and the election of councillors falls on the same day. ^[5] In that case, you may stand at both contests. However, if you are elected at both, a vacancy in the office of councillor will automatically arise. ^[6]
- You have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine, during the five years before polling day. ^[7] and the ordinary period allowed for making an appeal or applications in respect of the conviction has passed. A person who is in the process of making an appeal or application in relation to the conviction is not disqualified at any time before the end of the day on which the appeal or application is disposed of, abandoned or fails by reason of non-prosecution. ^[8]
- You have been disqualified under the Representation of the People Act 1983
 - The disqualification for an illegal practice begins from the date a person has been reported guilty by an election court or convicted and lasts for three years.
 - The disqualification for a corrupt practice begins from the date a person has been reported guilty by an election court or convicted and lasts for five years. ^[9]
- You are subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003, and the ordinary period allowed for making an appeal or application in respect of the order or notification has passed. ^[10] A disqualification set under s.81A of the Local Government Act 1972 will only apply to a person who is subject to any relevant notification requirements or relevant order made on or after 28 June 2022. A person who is in the process of making an appeal or application in relation to the disqualification is not disqualified at any time before the end of the day on which the appeal or application is disposed of, abandoned or fails by reason of non-prosecution. ^[11]
- You have been convicted of an intimidatory criminal offence motivated by hostility towards a candidate, future candidate or campaigner or holder of a relevant elective office. ^[12] The effect of a disqualification order is that the person will be disqualified from standing for, being elected to, and holding any relevant elective office for five years.

A person may be disqualified from being or becoming a member of certain authorities ^[13] following a conviction under the Localism Act 2011. ^[14]

1. s.80(1)(a), Local Government Act 1972 (LGA 1972)
2. s.2, Local Government and Housing Act 1989 (LGHA 1989)
3. s.80(1)(b), LGA 1972
4. Schedule 5B, Para 7(3). Local Democracy, Economic Development and Construction Act 2009, (LDEDC 2009)
5. Schedule 5B, Para 7(4), LDEDC 2009
6. Schedule 5B, Para 7(1), LDEDC 2009
7. s.80(1)(d), LGA 1972
8. s.80(5), LGA 1972
9. s.80(1)(e), LGA 1972
10. s.81A(4) and (5), LGA 1972
11. s.81A(4)(b), LGA 1972
12. s.30, Elections Act 2022
13. s.27(6), Localism Act 2011 (LA 2011)
14. s.34(4), LA 2011

Working for the local authority

You are disqualified from standing as a candidate at elections to a particular local authority if you are a paid officer or employee of that local authority. ^[1] This would be the case where your appointment:

- has been made
- could be made
- has been confirmed by the local authority itself
- has been confirmed by any committee or sub-committee of the local authority
- has been confirmed by any joint committee or National Park authority where the local authority is represented by a person holding such an office or employment

However, the disqualification on the basis of being a paid officer or employee does not apply to the office of chairman, vice-chairman or deputy chairman of the local authority. Some authorities will have executive arrangements which involve a leader and cabinet executive. In those cases, the disqualification will not apply to the office of executive leader or member of the executive.

Local authorities typically have committees and sub-committees. Paid officers of a local authority employed under the direction of such committees or sub-committees are disqualified from standing to that authority. In addition, where such a committee or sub-committee has a member, or members, appointed on the nomination of another local authority, the disqualification will also apply to being elected to the other local authority.

If you are a paid officer of a local authority employed under the direction of a joint board, joint or combined authority, joint waste authority, economic prosperity board or joint committee, you will be disqualified from being elected as a member of all of the authorities that are represented on that body.

Joint boards, committees etc. can include various organisations, such as fire services and education authorities. Therefore, as a general rule, if you work in the local public sector, you should seek advice from your employer's HR department to help you establish whether the disqualification would apply to you. Sometimes employment relationships can be complex and if this is the case for you, we recommend that you seek your own legal advice.

If you are a teacher (or are a non-teaching member of staff) at a school or other educational institution maintained or assisted by a county council, you may be able to stand at elections to the district council provided you meet the qualifications and are not otherwise disqualified.

The disqualification of working for the local authority applies on both the date of your nomination and on polling day. If you were employed by the local authority, you must have resigned and served any notice period before the date of your nomination to avoid having a contract of employment with the local authority at that time.

1. s.80(1)(a), Local Government Act 1972

Politically restricted posts

If you are an employee of a local authority anywhere in Great Britain you must check that you do not hold a politically restricted post. If you hold a politically restricted post, you are disqualified from standing for election to any county, district or London borough council in England. ^[1] You may, however, stand at parish council elections (provided you are not also employed by the parish council, meet all the qualifications and are not otherwise disqualified).

The posts that are politically restricted are:

- the Head of the Paid Service

- the statutory chief officers (the chief finance officer, chief education officer, chief officer at certain fire brigades or the director of social services)
- non-statutory chief officers (including a person who, as respects all or most of the duties of their post, is required to report directly or is directly responsible to the local authority or any committee or sub-committee of the authority or the head of the authority's paid service)
- deputy chief officers (a person who, as respects all or most of the duties of their post, is required to report directly or is directly accountable to one or more of the chief officers)
- the monitoring officer
- officers exercising delegated powers
- assistants to political groups
- a sensitive post which meets one or both of the following duties-related criteria:
 1. giving advice on a regular basis to the authority (including committees, sub-committees and joint committees on which the authority is represented)
 2. speaking on behalf of the authority on a regular basis to journalists or broadcasters

You should check with the HR department of your employer if you are not sure whether you hold a politically restricted post.

1. s.2, Local Government and Housing Act 1989

Last updated: 1 December 2023

Bankruptcy restrictions or interim orders

Bankruptcy in itself is not a disqualification. If you have been adjudged bankrupt by a court in England, Wales or Northern Ireland, you are not disqualified on that basis. However, you are disqualified if you are currently subject to any of the following: ^[1]

- an interim bankruptcy restrictions order
- a bankruptcy restrictions order
- an interim debt relief restrictions order
- a debt relief restrictions order made by a court in England or Wales. If the order was made in Northern Ireland, you should take your own legal advice since the law is complex in this area.

1. s.80(1)(b), Local Government Act 1972

Last updated: 1 December 2023

Can I stand for election in more than one ward within the same local authority?

While you may submit nomination papers for more than one ward, you cannot stand for election in more than one ward within the same local authority after the deadline for withdrawals. ^[1]

If the Returning Officer accepts your nomination papers and you are validly nominated in more than one ward within the same local authority, you must withdraw from all wards but one by 4pm on the nineteenth working day before the poll. If you do not, then you will be deemed to have withdrawn from all of the wards. ^[2]

More details can be found in our guidance on [nominations](#).

1. Rule 12, Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)
2. Rule 12, LEPAR 2006

Last updated: 1 December 2023

Appointing your election agent and other agents

The election agent is the person responsible for the proper management of your election campaign and in particular for its financial management. You must have an election agent. If you do not appoint an agent, you will become your own agent by default. ^[1]

Once appointed, payments for election expenses can only be made by or through the election agent. ^[2] For more information see our guidance on [candidate spending](#).

You can also appoint other agents to observe the following electoral processes, which both you and your election agent are also entitled to observe: ^[3]

- the opening of postal votes
- the poll
- the count

1. s.67(1) and s.70, Representation of the People Act 1983 (RPA 1983)
2. s.73, RPA 1983
3. Schedule 2, Rule 27, Local Elections (Principal Areas) (England and Wales) Rules 2006, and Regulation 69, Representation of the People (England and Wales) Regulations 2001

Last updated: 1 December 2023

Who can be an election agent

There are no particular qualifications needed to be an election agent and you can be your own agent if you wish.

However, the following people are not allowed to be election agents:

- the Returning Officer or a member of their staff ^[1]
- a partner or clerk of the Returning Officer or a member of their staff ^[2]
- 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 ^[3]

1. s.99 Representation of the People Act 1983 (RPA 1983)
2. s.99 RPA 1983
3. s.165 RPA 1983

Last updated: 8 November 2024

Appointing an election agent

Because of the responsibilities attached to the role of an election agent you should consider carefully who you are going to appoint and make sure that they understand their obligations. You can be your own agent if you wish.

- within the same local government area where the election is being held, or
- within the UK Parliamentary constituency or one of the constituencies included in the local government area, or
- in a Welsh county borough which adjoins the local government area, or
- in a London borough or district which adjoins the local government area

The local government area for a unitary authority is the unitary area. For a county, district or borough it is the area of that county, district or borough.

The agent's office address will often be their home address, but it could be an office set up for the election.

If you act as your own election agent, unless you provide an office address, your home address as provided on the home address form will be published on the notice of election agents. ^[5] If that address is outside the permitted area, the office address is deemed to be the address of your proposer (i.e. the first subscriber on your nomination form).

This is the case even where you have chosen to withhold your home address from the statement of persons nominated and ballot paper.

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 Returning Officer. ^[6] Any new appointment in these circumstances must be made without delay.

1. s.67, Representation of the People Act 1983 (RPA 1983)
2. s.70(1), RPA 1983
3. s.69, RPA 1983
4. s.69(2), RPA 1983
5. s.70(4), RPA 1983
6. s.67(4), RPA 1983

Last updated: 13 September 2024

Revoking an election agent appointment

You can revoke the appointment of your election agent at any time, including after polling day, and a new appointment can be made in the same manner as outlined in [appointing an election agent](#). ^[1] If you revoke your election agent's appointment and do not appoint anyone else, you will be deemed to be your own election agent.

If you are acting as your own agent, you can revoke your own appointment and appoint someone else as your agent.

Once an agent has accepted their appointment, they cannot resign and must fulfil the duties required of them unless you revoke their appointment.

1. s.67(3), Representation of the People Act 1983

Last updated: 1 December 2023