Nominations

The following sections provide guidance on standing as a candidate at a district, borough, county, or unitary authority election in England. [1]

The guidance covers:

- · The nomination process, including what forms you need to complete
- · When and how you need to submit your nomination papers
- · What happens after you submit your nomination papers

There are specific rules that candidates need to follow, depending on whether they are standing as a political party candidate or standing as an independent candidate. These differences will be clearly highlighted throughout the guidance.

Guidance on standing for other elections can be found on our website.

1. Please note that 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.

Last updated: 16 October 2024

Completing your nomination papers

To become nominated as a candidate at a local government election in England, you need to submit a completed set of nomination papers to the place fixed by the Returning Officer (RO) by 4pm, 19 working days before the poll. [1]

This deadline is set out in law and cannot be changed for any reason.

The start date from which you will be able to submit nomination papers, as well as the times and place for delivery, will be set out in the notice of election published by the local RO. [2]

There are three nomination papers that you must submit to make your nomination valid: [3]

- the nomination form
- · a home address form
- · your consent to nomination

The RO can hold your nomination paper invalid if the particulars of your nomination are not as required by law. The RO can also reject your nomination if they conclude it is clearly a sham, for example an obviously fictitious name is provided.

If you, your agent or someone you trust are unable to complete the nomination form, the RO can help by preparing the form for your signature. [4]

The RO may also be able to offer informal checks of your completed nomination papers before you submit them. You should find out from the RO whether they plan to offer informal checks.

Note that any information you provide on your nomination papers must be true to the best of your knowledge. It is an offence to provide a false statement on your nomination papers. Providing a false statement could invalidate your election, and is also punishable by an unlimited fine and/or imprisonment. ^[5]

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

2. Schedule 2, Rule 3(1)(a), LEPAR 2006

- 3. Schedule 2, Rule 4, LEPAR 2006
- 4. Schedule 2, Rule 6(4)(b), LEPAR 2006
- 5. s.65A, Representation of the People Act 1983

The nomination form

Your name and description (if you choose to use one) should be written on the nomination form before you ask subscribers to sign the form.

The nomination form must be completed in English.

The form must contain:

YOUR FULL NAME [1]

- This means your surname and other names in full.
- · Using initials only could lead to your nomination paper being rejected.
- Do not use prefixes such as Mr, Mrs, Dr or Cllr as part of your name.
- The same applies to suffixes. However, if you have a title, you can use this as your full name. For example, if your actual name is Joseph Smith but your hereditary title is Joseph Avon, you can use the name Joseph Avon as your full name.

SIGNATURES OF TWO REGISTERED ELECTORS [2]

- · Also known as subscribers from the ward.
- Your subscribers must be on the local government electoral register, in the ward you are planning to contest, that is in force on 25 working days before the poll. For more information on see our guidance on <u>subscribers</u>.

DESCRIPTION

You can also choose to use a description on your nomination paper. The type of description you can use depends on whether you are an independent or party candidate.

Independent Candidates	You can only use "Independent" as your description.
Political Party Candidates	If you want to use a party name or description, you must also submit alongside your other nomination papers a certificate that shows that you are authorised to use the party's name or description. More information is set out in our guidance on <u>standing on behalf of political parties</u> .

You do not have to use a description. If you choose not to use a description, you can leave the description field of the nomination form blank.

- 1. Schedule 2, Rule 4(2)(a), Local Elections (Principal Areas) (England and Wales) Rules 2006
- 2. Schedule 2, Rule 6(1), Local Elections (Principal Areas) (England and Wales) (Amendment) (England) Rules 2022

Last updated: 11 September 2024

Commonly used name(s)

You must complete your full name on the nomination form. [1]

If you:

- · commonly use a surname or forename that is different from any other surname or forename you have
- use one or more forenames or surname in a different way from the way they are stated on your nomination form

you may state your commonly used name(s) on your nomination form in addition to your full names and can ask for your commonly used name(s) to be used instead. [2]

For example, you may be known by your abbreviated name 'Andy', rather than your full first name 'Andrew'. In that case, you can write 'Andy' into the commonly used forename box on the nomination paper if you would rather that name appear on the ballot paper.

You can request to use a commonly used forename, surname or both.

Any commonly used name(s) would then appear on:

- · the statement of persons nominated
- · the notice of poll, and
- · the ballot papers

The Returning Officer (RO) will disallow commonly used names that are likely to mislead or confuse electors, or are obscene or offensive. [3] If the name(s) are not permissible, the RO will write to you stating the reason for rejection. In those cases, your actual name will be used instead.

If either the commonly used forename or surname box on the nomination paper is left blank, then your actual forename or surname, depending on which commonly used name box has been left blank, will be used.

It is an offence to give a false statement on your nomination form. Therefore, if you choose to provide a commonly used name, you must ensure that it is a forename or surname which you commonly use.

- 1. Schedule 2, Rule 4(2), Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)
- 2. Schedule 2, Rule 4(3), LEPAR 2006
- 3. Schedule 2, Rule 9(4), LEPAR 2006

Last updated: 22 October 2024

Signatures of subscribers

Each nomination form needs to be signed (subscribed) by two electors, who are on the local government electoral register in the ward you are planning to contest.

The electors must be of voting age by polling day and be on the register that is in force on the last day for publication of notice of election. [1]

Each elector may not subscribe more nomination forms than there are vacancies. [2]

For example, if there are two vacancies in a ward, an elector may subscribe up to two candidates' nomination forms in that ward; if three candidates submit nomination forms subscribed by the same person, the two that were submitted first will be accepted, but the third will be invalid.

You should therefore always enquire, before asking a subscriber to sign your form, if they have already signed someone else's.

If a nomination form contains more than two subscribers' signatures, only the first two will be accepted. [3] If either of the first two subscribers are invalid, the Returning Officer (RO) must hold the nomination form invalid, regardless of whether the form contains more than two.

There is nothing to prevent you from subscribing your own nomination providing that you are registered in the relevant ward.

There may be some electors on the register who have registered anonymously because of risks to their safety.

Anonymously registered electors may not subscribe nomination forms.

Anonymous electors are shown on the register with just their poll number and the letter 'N' (rather than with their name and address).

Nomination forms should not be altered once they are subscribed. All of your details should be completed before you invite anyone to subscribe your nomination. Once the RO has formally accepted a nomination form, signatures cannot be withdrawn.

The elector number

The elector number of each subscriber, as it appears on the electoral register, must be entered on the nomination form. [4] The elector number includes the distinctive numbers or letters of the polling district, which can usually be found at the front of the register.

Both the RO and Electoral Registration Officer (ERO) will be able to advise you how the register is laid out.

You will be entitled to a free copy of the electoral register for the ward you are contesting. [5]

You should use it to ensure that your nomination form is properly subscribed.

In line with data protection legislation and the electoral provision under which you have obtained the register, you must ensure that you keep the electoral register secure and, once you have finished with it, ensure that it is securely destroyed.

Data protection considerations

When collecting subscriber information, you should point out what the information will be used for and how personal data will be processed and kept secure. The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in Representation of the People Act 1983 and associated regulations.

You should also explain that the information will be shared with RO. For further information on data protection and processing you should refer to the RO's privacy notice on their website.

Data protection legislation applies to the processing of all personal data. Please contact the <u>Information Commissioner's Office</u> for further information about how the current data protection legislation may affect you as a candidate.

- 1. Schedule 2, Rule 6(7), Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)
- 2. Schedule 2, Rule 6(5), LEPAR 2006
- 3. Schedule 2, Rule 6(2), Local Elections (Principal Areas) (England and Wales) (Amendment) (England) Rules 2022
- 4. Schedule 2, Rule 6(3), LEPAR 2006
- 5. Reg. 108, Representation of the People (England and Wales) Regulations 2001

Last updated: 1 December 2023

Consent to nomination

You must formally consent to your nomination in writing. [1]

The content of the consent to nomination form is fixed by law and you must return the entire form in order for your nomination to be valid.

On the form you will be asked to state that you are qualified and not disqualified from standing.

You must meet at least one of the qualifications to stand for election. On the consent to nomination form you should state as many of the qualifications as apply.

You must also state your date of birth.

You are not allowed to sign the consent form earlier than one calendar month before the deadline for submitting your nomination papers. [2]

Your signature must be witnessed and the witness must attest the form. [3]

The witness's full name and home address in full must be provided on the home address form.

There are no restrictions on who can be a witness to the consent to nomination. [4]

1. Schedule 2, Rule 7, Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)

- 2. Schedule 2, Rule 7(a), LEPAR 2006
- 3. Schedule 2, Rule 7(c), LEPAR 2006
- 4. Schedule 2, Rule 7(c), LEPAR 2006

Last updated: 11 September 2024

Home address form

The home address form must state: [1]

- your full name
- your home address in full
- your qualifying address, or, where you have declared on your consent to nomination that you meet more than one qualification, your qualifying addresses
- · which of the qualifications your qualifying address or addresses relate to
- the full name and the home address in full of the witness to your consent to nomination form

Your home address:

- must be completed in full
- must not contain abbreviations
- must be your current home address
- must not be a business address (unless you run a business from your home)

THE QUALIFYING ADDRESS

Where you have selected one of the following options on the consent to nomination, you must state:

- option (a) on the consent to nomination the address in full where you are registered as a local government elector
- option (b) on the consent to nomination a description and the address of that land or premises which you have occupied as owner or tenant
- option (c) on the consent to nomination the address of your place of work
- option (d) on the consent to nomination the address or addresses in full of where you have resided

CHOOSING NOT TO PUBLISH YOUR HOME ADDRESS

You may choose for your home address not to be published on the statement of persons nominated or the ballot paper.

In this case the home address form must contain, as well as your full name and home address:

- a statement, signed by you, which states that you require your home address not to be made public
- the name of the relevant area in which your home address is situated (if your home address is in the UK)
- if you live outside the UK, the name of the country in which your home address is situated

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 still be published on the notice of election agents. ^[2] This is the case even where you have chosen to withhold your home address from the statement of persons nominated and ballot paper.

WHAT IS THE RELEVANT AREA?

The relevant area means:

- For home addresses in England:
 - if the address is within a district for which there is a district council, that district;
 - if the address is within a county in which there are no districts with councils, that county;
 - if the address is within a London borough, that London borough;
 - if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
 - if the address is within the Isles of Scilly, the Isles of Scilly
- · For home addresses in Wales:
 - o if the address is within a county, that county;
 - if the address is within a county borough, that county borough
- For home addresses in Scotland:
 - the local government area in which the address is situated
- For home addresses in Northern Ireland:
 the local government district in which the address is situated
- 1. Schedule 2, Rule 4(5), Local Election (Principal Areas) (England and Wales) Rules 2006
- 2. s.70(4)(a), Representation of the People Act 1983

Last updated: 1 December 2023

Candidates standing on behalf of political parties

This section provides specific information for candidates standing on behalf of a political party on the additional information required to be submitted as part of their nomination papers.

To stand on behalf of a registered political party, the party must be registered on the Commission's <u>register of political parties</u> and be listed as allowed to field candidates in England. You will also need to submit a certificate of authorisation to be able to stand on behalf of that party. If you also wish to use an emblem of the party, you will also need to submit an emblem request form as part of your nomination.

Last updated: 1 December 2023

The certificate of authorisation

Political parties authorise candidates to stand for them by issuing a certificate of authorisation. This must state that the named candidate can stand on their behalf and allow them to use one of the following: [1]

- · the exact party name as registered with the Commission
- one of the party's registered descriptions
- · your choice of either the registered party name or one of the registered descriptions.

Particular care should be taken by the Nominating Officer (or someone authorised to act on their behalf) when completing the certificate of authorisation. If the certificate explicitly authorises a particular party name/description and this does not match the party name/description on the nomination paper, the whole nomination will be invalid. [2]

The certificate of authorisation must be signed by the registered Nominating Officer of the political party or by someone authorised by the Nominating Officer to act on their behalf [3] and must be received to the Returning Officer by the nominations deadline, 4pm, 19 working days before the poll. [4]

If you are standing on behalf of two or more parties, you will need a certificate of authorisation from the Nominating Officer of each of the registered parties (or people authorised to act on their behalf). ^[5] Joint descriptions are listed on the Commission's register of political parties on the registration page for the relevant parties.

- 1. Schedule 2, Rule 5(1), Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)
- 2. Schedule 2, Rule 8(2)(a), LEPAR 2006
- 3. Shceudle 2, Rule 5(1)(a), LEPAR 2006
- 4. Schedule 2, Rule 5(1)(b), LEPAR 2006
- 5. Schedule 2, Rule 5(3), LEPAR 2006

Last updated: 1 December 2023

Request to use an emblem on the ballot paper

If you have been authorised by a political party to use the party name or a registered description on the ballot paper, you can also request that one of the party's official emblems is printed on the ballot paper next to your name. [1]

You must make the request for an emblem in writing and deliver it to the Returning Officer (RO). ^[2] The request must be received by the RO by 4pm, 19 working days before the poll. ^[3]

A party can register up to three emblems. You may want to check with your party (e.g. the nominating officer or someone authorised to act on their behalf) which emblem to use. Make sure you request a current emblem.

Candidates standing on behalf of two or more registered parties and using a joint description can use an emblem that has been registered by one of the relevant parties. [4] The request must be made in writing and delivered to the RO by the close of nominations, i.e. 4pm, 19 working days before the poll. [5] The RO will supply you with a form you can use to make this request or, alternatively, you can use the emblem request form produced by the Commission.

The request should state both the name of the political party and the description of the emblem to be used, as listed on the Commission's online register of political parties. Registered emblems cannot be varied in any way.

- 1. Schedule 2, Rule 16(3), Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)
- 2. Schedule 2, Rule 16(4), LEPAR 2006
- 3. Schedule 2, Rule 16(4)(b), LEPAR 2006
- 4. Schedule 2, Rule 16(3A), LEPAR 2006
- 5. Schedule 2, Rule 16(4)(b), LEPAR 2006

Last updated: 12 September 2024

Submitting your nomination papers

It is your responsibility to ensure that your nomination papers, including the home address form and the consent to nomination, and where you are standing on behalf of a party, the certificate of authorisation and emblem request form, are delivered to the place specified on the notice of election by 4pm, 19 working days before the poll. [1] If you are <u>appointing an election agent</u>, you will also need to submit their appointment form by this deadline.

We recommend that you, your agent, or someone you trust delivers them, so you can be sure they are delivered to the Returning Officer (RO) in time.

You should contact the RO as soon as possible to find out what arrangements are in place for submitting nomination papers. You will be able to contact the RO via your local elections office. Contact details can be obtained from our website.

1. Schedule 2, Rules 3(1)(a), 4(1), and 7, Local Elections (Principal Areas) (England and Wales) Rules 2006

Last updated: 1 December 2023

How must nomination papers be submitted?

The nomination form, the home address form and consent to nomination must be delivered by hand and cannot be submitted by post, e-mail or other electronic means. [1]

The certificate of authorisation and the emblem request form may be submitted by post, but may not be submitted by fax, email or other electronic means. [2]

The original version of each completed paper must be submitted. [3]

For example, a certificate of authorisation which has been sent as an attachment to an email to be printed out would make it a 'copy document' and not the original document.

1. Schedule 2 Rules 4(1) and 7(d), Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)

- 2. Schedule 2 Rules 5(1), (3) and 16(4), LEPAR 2006
- 3. Schedule 2 Rule 5(1) and 16(4), LEPAR 2006

Last updated: 1 December 2023

When must nomination papers be submitted?

You should submit your nomination papers as early as possible to give you sufficient time to submit new nomination papers should your first set contain any errors.

Usually, nomination papers can only be delivered during normal office hours. The RO will confirm the exact details of when and where they can be delivered on the notice of election.

The notice of election will be published no later than 25 working days before the poll and will state the earliest date on which you can submit nomination papers. [1]

In most cases, the notice of election will be published on the local authority's website.

After you have submitted your nomination papers you will be sent a notice by the RO to let you know whether or not your nomination is valid. [2]

If, after you have submitted your nomination papers you change your mind and no longer want to stand for election, <u>you can withdraw</u>, provided you do so by 4pm, 19 working days before the poll.

1. Schedule 2 Rule 1, Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006) 2. Schedule 2 Rule 8(6), LEPAR 2006

Last updated: 1 December 2023

Withdrawing

You may withdraw as a candidate by signing and submitting a withdrawal notice, which must be witnessed by one other person. ^[1] There are no restrictions on who may submit the notice, but it must be delivered by hand. Your witness must also sign the notice. You can obtain a notice of withdrawal from the local Returning Officer (RO) or download it from our website.

If you are outside the UK and want to withdraw, your proposer can sign the withdrawal notice on your behalf. The withdrawal must be accompanied by a written declaration signed by your proposer confirming your absence.

If you are outside the UK and stand nominated by more than one nomination form, you should speak to the RO if you wish to withdraw as special rules apply in this instance.

The withdrawal notice must be submitted by the deadline for withdrawals (i.e. by 4pm on 19 working days before the poll).

After the withdrawal deadline it is not possible to withdraw from the election, and your name will appear on the ballot paper. If the election is uncontested, you will be declared elected.

1. Schedule 2, Rule 13, Local Elections (Principal Areas) (England and Wales) Rules 2006

Last updated: 1 December 2023

Being validly nominated in more than one ward

If you are validly nominated in more than one ward within the same local authority, you must withdraw from all wards but one before the deadline for withdrawals (i.e. by 4pm, 19 working days before the poll).

If you do not withdraw from all but one ward, you will be deemed to have withdrawn from all of the wards. [1]

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

Last updated: 1 December 2023

What happens after the close of nominations

The RO will publish a statement of persons nominated for each ward by 4pm, 18 working days before the poll. [1]

The statement will include: [2]

- · the full or commonly used names, as the case may be, of all candidates validly nominated
- the names of candidates who no longer stand nominated, if any (i.e. invalid and withdrawn candidates), with the reason why they are no longer standing
- the address of each candidate, or if they have requested not to make their home address public, the name of the relevant area in which their home address is situated (or the country if their home address is situated outside the UK)
- each candidate's description (if any)

1. Schedule 2, Rule 1, Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006) 2. Schedule 2, Rule 9, LEPAR 2006

Last updated: 1 December 2023

Inspection of nomination, consent and home address forms

Nomination forms and consent to nomination forms that have been delivered to the Returning Officer (RO) are open to inspection by anyone from the close of nominations until the day before the poll. Inspections take place during normal office hours, and anyone inspecting these forms can take a copy of them. [1]

Inspecting the home address form ^[2]

Only certain people are entitled to inspect home address forms. These people are:

- · any (other) person standing nominated as a candidate in the same electoral area as you
- the election agent of any other person standing nominated as a candidate in the same electoral area as you (or, if the candidate is acting as their own agent, any person nominated by them)
- the proposer or seconder of any other person standing nominated as a candidate in the same electoral area as you

Inspections of the home address form can take place during normal office hours from the close of nominations until the day before the poll, however, no-one is permitted to take an extract from them or make a copy of them.

1. Schedule 2, Rule 11, Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006) 2. Schedule 2, Rule 11A, LEPAR 2006

Last updated: 1 December 2023

Will the election be contested or uncontested?

If there are more candidates than there are seats in the ward after the deadline for withdrawals, then after the close of nominations there will be a poll. [1] If, however, after the deadline for withdrawals the number of validly nominated candidates in a ward is less than or equal to the number of seats to be filled, those candidates are declared to be elected. [2]

In this case, the Returning Officer will declare those candidates to be elected as soon as possible and will give public notice of the names of those declared elected.

Even if the election is uncontested, elected candidates must still make a declaration as to their election spending. You can find more information in our guidance about <u>submitting spending returns</u> and <u>taking up office</u>.

- 1. Schedule 2, Rule 14(1), Local Elections (Principal Areas) (England and Wales) Rules 2006 (LEPAR 2006)
- 2. Schedule 2, Rule 50(2), LEPAR 2006

Last updated: 1 December 2023

Death of a candidate

If the Returning Officer (RO) is notified of a candidate's death during the election campaign or even on polling day itself (but before the declaration of the result), the poll will be cancelled. [1]

The RO will in that case order a new election to fill the vacancy. The new polling day will be within 35 working days of the day fixed for the first election. [2]

Candidates already validly nominated do not have to be nominated a second time. [3]

Should a fellow candidate die during the campaign, the RO will provide you with further guidance.

If an already elected candidate dies after the declaration of the result, a by-election would be needed to fill the vacancy.

Information about the death of an agent can be found in our guidance on appointing an election agent.

- 1. Schedule 2, Rule 55(1), Local Elections (Principal Areas) (England and Wales) Rules 2006
- 2. s.39, Representation of the People Act 1983 (RPA 1983)
- 3. s.39(5)(b), RPA 1983

Last updated: 1 December 2023