**Briefing note for candidates and elected members**

**Changes to postal vote handling and secrecy**

These provisions have been brought into effect by the Elections Act 2022 and will be in effect for polls taking place from 2 May 2024.

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 member[[1]](#footnote-1), 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:

	1. a candidate at the election
	2. an election agent of a candidate at the election
	3. a sub-agent of an election agent at the election
	4. employed or engaged for the purposes of that person’s activities as a candidate
	5. a member of a registered political party and carries on an activity designed to promote a particular outcome at the election[[2]](#footnote-2)
	6. employed or engaged by a registered political party in connection with the party’s political activities
	7. 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
	8. 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. **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]](#footnote-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**.
* 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**.
1. **Completion of postal vote documents form**
* Anyone handing in postal votes will need to complete a ‘**return of postal voting documents’ form**.
* The person handing in the postal vote(s) will need to complete the 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.
* If the 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.
* After the election, the Electoral Registration Officer (ERO) will write to electors who have had their postal votes rejected, telling them why.
1. **Postal votes which are ‘left behind’**
* Postal votes will not be accepted if they are simply left at a polling station.
* If a person hands in postal votes without completing the return of postal vote documents form, the ‘left behind’ postal votes must be rejected.
* After the election, the ERO will write to electors who have had their postal vote rejected because they were left behind.
1. **Handing in postal votes to the Returning Officer**
* Electors sometimes hand postal votes in directly to the Returning Officer in advance of the election, and on polling day itself.
* The same restrictions, limits, and requirement to complete a form which apply at polling stations, will also apply to postal votes handed to the Returning Officer or at council offices.
* We will accept postal votes handed in personally to a member of the electoral services team only at the Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND during normal office hours.
* Any postal votes which are left at any council building without the ‘return of postal voting documents’ form being completed will be **rejected**.
* We cannot accept any postal votes which are left in the council mailbox, or which are put in the internal mail system.
1. **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.
1. **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.
* 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 a polling station, before 10pm on polling day but will be required to complete a form; or to a member of the electoral services team only at the Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND during normal office hours.
* 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 left in council letterboxes will be classed as ‘left behind’ and 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](https://www.electoralcommission.org.uk/sites/default/files/2023-02/Code%20of%20Conduct%20for%20Campaigners%20-%20reserved%20elections%20in%20GB%20from%20January%202023.pdf).
* For further information on the changes to postal vote handling, please contact electoral services, elections@shropshire.gov.uk
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. [↑](#footnote-ref-1)
2. This includes displaying posters, distributing leaflets, posting promotional material on social media accounts and canvassing. [↑](#footnote-ref-2)
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. [↑](#footnote-ref-3)