

Guidance for observers of local elections in Northern Ireland | Electoral Commission Search

Guidance for observers of local elections in Northern Ireland

You are in the Guidance and feedback for observing elections section

Home Observing elections and referendums Guidance and feedback for observing elections

On this page What elections are taking place? Postal voting Postal vote opening procedure Duty to maintain secrecy Observing at polling stations Observing the verification and count

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May 2023 May 2023 This guidance is for electoral observers who have been accredited by the Electoral Commission. It includes information on what elections are taking place, who does what at these elections and what to expect at the electoral processes you are entitled to observe.

about becoming an accredited observer What elections are taking place? On Thursday 18 May 2023, 462 councillors will be elected across the 11 councils in Northern Ireland. In each council election councillors are elected to represent a District Electoral Area (DEA). This guidance is for accredited observers in Northern Ireland. There is separate guidance available for observers in England, Scotland, and Wales.

What can I observe? As an accredited observer you are entitled to attend: the issue and receipt of postal ballot papers the poll the verification and counting of the votes

We have published a Code of Practice for electoral observers. You must comply with the standards of behaviour set out in this Code. You do not need to tell electoral officials that you want to observe proceedings; by law you have a right to attend as detailed above. However, if you do tell them, they may be able to provide you with some relevant local and practical information, for example a list of polling stations or adaptations made to venues for accessibility purposes. You can still make unannounced visits or change your plans if you want to.

Who can vote in these elections? A person can vote in these elections if they are: included on the electoral register at least 18 years of age on the day of election a British, Irish, qualifying Commonwealth citizen or a citizen of the European Union

What voting method will be used? The Single Transferable Vote (STV) system will be used for these elections. The instructions on the ballot paper will tell voters to rank the candidates in order of preference. Mark a '1' next to their first choice, '2' next to their second, '3' by their third, and so on. They can vote for as few or as many candidates as they like – it's entirely their choice.

Who does what at the local council elections? The Returning Officer

The Returning Officer for all elections in Northern Ireland is the Chief Electoral Officer (CEO). The CEO is also the Registration Officer for the whole of Northern Ireland and is responsible for maintaining the register of electors and the absent voters list. You can contact them as follows: Chief Electoral Officer 3rd Floor St Anne's House 15 Church Street Belfast BT1 1ER Tel: 028 9044 6680 Email: info@eoni.org.uk

The Electoral Office for Northern Ireland (EONI) is the collective name for the staff who assist the Chief Electoral Officer in the performance of their statutory duties.

Deputy Returning Officers At local council elections in Northern Ireland the Chief Executive of each council act as Deputy Returning Officer (DRO). Their responsibilities include: receiving candidate nominations publishing the statement of persons nominated and notice of poll managing the verification and count of ballot papers receiving returns and declarations of election expenses

Find the contact details for all DROs

The Electoral Commission . Our contact details are: The Electoral Commission Ground Floor 4 Cromac Place The Gasworks Belfast BT7 2JB 0333 103 1928 Email: infonorthernireland@electoralcommission.org.uk

Postal voting Voters in Northern Ireland can apply for a postal vote if they are unable to make it to their polling station in person on polling day. They must provide a valid reason as to why they

cannot attend, for example because of illness, disability, holiday or work arrangements. The EONI starts to send postal voting packs to postal voters around two weeks before polling day. Completed postal ballot papers must be returned by 10pm on polling day. You are entitled to attend both the issuing of postal voting packs and postal vote opening sessions. The notice of issue and opening of postal votes times can be found on EONI's website. What happens at a postal vote issuing session? At the issuing session, postal voting packs will be put together. The packs will include: Envelope A – this is the envelope that the elector returns their ballot paper in. It is marked with the letter 'A' and the words 'ballot paper envelope' Envelope B – this is the envelope that the elector will use to return the ballot paper envelope and the postal voting statement. It is marked with the letter 'B' and the address of the EONI The postal voting statement – this contains the elector's name, the number of the ballot paper issued to them, instructions on how to vote by post and space for the elector to sign and provide their date of birth The ballot paper Postal voting packs will then be delivered to electors by post. What happens at a postal vote opening session? Postal voters must complete and return a postal voting statement which includes their signature and date of birth, as well as their ballot paper. An appointed representative of the Chief Electoral Officer will decide whether or not the date of birth and signature provided by electors on their postal voting statements matches the signature and date of birth previously provided. If they do not match, the postal vote will be rejected. Staff will explain the postal vote opening process to you. They may issue you with information on the procedures to be followed during the opening session, including instructions on what you can and cannot do at the session. You should comply with any instructions that the Chief Electoral Officer or staff have given. Ballot papers will be kept face down throughout a postal vote opening session. Anyone attending an opening session must not attempt to see how individual ballot papers have been marked. Postal vote opening procedure Stage 1 Step 1: Open the postal voters' ballot box. Step 2: Count and record the number of covering envelopes (Envelopes 'B') Step 3: Open the covering envelopes (envelopes 'B') and remove the postal voting statement and ballot paper envelope (envelope 'A') Step 4: Mark all returned postal vote statements on the postal/postal proxy list to show it is returned If not all parts of the postal vote have been returned: Step 5: Mark the envelope 'provisionally rejected', attach contents and add to the rejected votes packet. Add to the lists as appropriate: the list of ballot papers received without a valid (or any) postal voting statement the list of ballot paper numbers of postal voting statements received without a ballot paper. See Stage 4. Stage 2 Step 1: Verify the personal identifiers on the returned postal voting statements Step 2: Separate the ballot paper envelopes from the postal voting statements and keep both in order Step 3: Determine those postal voting statements that are missing a date of birth and/or signature or where either/both do not match those held on the identifier record. Adjudicate those and reject where either are not included or you are not satisfied that the statement is duly completed. Invalid postal voting statements are rejected. The statements, ballot paper and envelopes are marked 'rejected' and placed in the receptacle for rejected votes Postal voters who have been granted a waiver only need to complete their date of birth Step 4: Check the number on the postal voting statement matches the number on the ballot paper envelope (envelope "A"). After matching, package up the postal voting statements and seal the packet. If the numbers do not match: Step 5: Open the envelope. If the ballot paper matches the statement, it is valid and should go in the postal ballot box. Non-matching ones should be provisionally rejected. Stage 3 Step

1: Open the ballot paper envelopes (envelopes 'A') If the ballot paper is inside the envelope: Step 2: Remove the ballot paper(s), ensuring they are kept face down at all times Step 3: Check the number on the ballot paper envelope (envelope 'A') against the number on the back of the ballot paper Step 4: Keep the ballot papers face down at all times. Don't look or allow others to look at the votes marked on the ballot papers. Step 5: Place ballot papers in the postal ballot box or appropriate receptacle and proceed to Stage 5. If the ballot paper number does not match: Step 2: Attach the ballot paper to the envelope Step 3: Mark it as 'provisionally rejected' and put it in the receptacle for rejected votes Step 4: Add to the both the list of ballot papers received without a valid postal statement and the list of ballot paper numbers of postal voting statements received without a ballot paper If there is no ballot paper inside the envelope: Step 2: Mark 'provisionally rejected' and put in the receptacle for rejected ballot paper envelopes. Step 3: Add to the list of ballot paper numbers of postal voting statements received without a ballot paper. Stage 4 Step 1: To match up separated documents, check the two reject lists against all ballot papers/postal voting statements that have been returned separately from their corresponding postal voting statement/ballot paper and, if possible, match them up The two lists must be taken to the final opening of postal votes to carry out any final matching Step 2: Record any successful match on the relevant lists Step 3: Place the ballot papers that are no longer to be treated as provisionally rejected in the postal ballot box or appropriate receptacle and place the accompanying postal voting statements in the appropriate receptacle. Stage 5 Step 1: Count and record the total number of ballot papers, keeping the ballot papers face down at all times Actual votes are not counted at this stage Step 2: Place the ballot papers in the postal ballot box, which must be sealed at the end of each opening session and stored securely Step 3: Complete postal vote ballot paper account Duty to maintain secrecy The Returning Officer or their representative will give you a copy of the statutory Requirement of Secrecy. Anyone attending a postal vote opening must comply with this. Ballot papers will be kept face down throughout a postal vote opening session. Anyone attending an opening session must not: attempt to see how individual ballot papers have been marked attempt to look at identifying marks or numbers on ballot papers disclose how any particular ballot paper has been marked pass on any such information gained from the session Anyone found guilty of breaching these requirements can face an unlimited fine, or may be imprisoned for up to six months. Observing at polling stations You are entitled to observe inside polling stations. You can find a list of polling stations on the EONI website . When are polling stations open? Polling stations will be open between 7am and 10pm on Thursday 18 May 2023. You are permitted to arrive shortly before this to observe the sealing of the ballot box(es) prior to the poll opening. What will the inside of the polling station look like? The layout within each polling station may differ, but it may look similar to the images below: Who can vote at polling stations? Any person on the polling station's electoral register can vote at the polling station in a local election, unless: they are a registered postal voter they are a registered proxy voter, and their proxy has already voted for them or has applied to vote on their behalf by post they are not 18 years of age or older on polling day they are registered as an overseas elector Electors receive a poll card before the election telling them where they can vote. Who is allowed to be in the polling station? The following people are entitled by law to be present in a polling station: voters persons under the age of 18 who accompany voters companions of disabled voters candidates and their election agents polling agents the Returning Officer, the DRO and their staff the Presiding Officer and

clerks constables on duty Electoral Commission representatives observers accredited by the Electoral Commission What do polling agents do? Candidates can appoint polling agents to be present at any polling station. Only one polling agent for each candidate may be present at the same time. The main role of a polling agent is to detect personation (when an individual votes as someone else – whether that person is living or dead or is a fictitious person). Other duties that the polling agents may undertake include: checking that the ballot box is empty at 7am being present when the Presiding Officer marks a ballot paper on behalf of a voter being present at the close of poll to observe the sealing up of the ballot box and other packages attaching their own seal to the ballot box or any packet in addition to the official seal What happens in a polling station? Polling station staff will: ask voters for their name and address, and make sure they are eligible to vote ask voters for photographic ID mark a straight line against the voter's entry on the register of electors call out the number and name of the elector write the elector number on a list next to the number of the ballot paper to be issued ensure the ballot paper includes the official mark (e.g. a barcode or watermark) fold the ballot paper and then hand it to the voter unfolded so that they can see all of the options on the ballot paper Voters will need to produce one of the following documents in order to prove their identity: a UK, Irish or EEA Driving Licence (photographic part, provisional accepted) a UK, Irish or EU Passport (including an Irish Passport Card) an Electoral Identity Card a Translink Senior SmartPass a Translink 60+ SmartPass a Translink War Disabled SmartPass a Translink Blind Person's SmartPass a Translink half fare SmartPass. a Biometric Immigration Document These documents are listed in legislation and no other forms of identity can be accepted. The identification document does not need to be current, but the photograph must be of a good enough likeness to allow polling station staff to confirm the identity of the holder. What assistance is available for voters with disabilities? Through our work with civil society organisations and charities we have identified a range of equipment that can help to overcome the known barriers faced by disabled people. The following equipment should, as a minimum, be provided in all polling stations to support disabled voters: chairs/seating – this provides a place to rest for voters who cannot stand for long periods and a seat for voters who would like to take some time to think before entering the polling booth magnifiers – these can provide support for voters who are visually impaired to vote independently by increasing the size of the text on a document tactile voting device – tactile voting devices provide support for voters who are visually impaired to mark their vote on the ballot paper in the correct place, provided it is placed on the ballot paper correctly. They have been found to provide assistance in completing the ballot paper once visually impaired voters know the position on the ballot paper of the candidate for whom they wish to vote. They do not allow blind voters to vote independently unless they also have accessible information about the order of the candidates on the ballot paper polling booth at wheelchair level – helps to ensure that voters who use a wheelchair are able access a lower writing surface to ensure they can cast their vote in secret in a booth that is accessible badges identifying polling station staff – these help voters more easily identify who is a member of staff in the polling station and can therefore be approached for assistance. pencil grip – these can help voters with dexterity impairments to more easily hold and use a pencil independently ramps (for buildings with steps) – these support access to a polling station for voters who use a wheelchair or have difficulty using steps temporary alerters or temporary doorbells for any doors that are required to remain shut during the day (for example, fire

doors) – these provide a way for voters to let polling station staff know that they need assistance to open the door so they can access the polling station. These do not need to be permanently fixed or installed in a building used as a polling station but can be temporarily placed at an accessible level on a table or chair next to any doors that must remain closed appropriate lighting – some polling station venues have good lighting but others may need additional lighting at the desk; to ensure that voters can clearly see the faces of staff, and in the polling booths; to support voters with visual impairments to be able to read and complete the ballot paper. parking spaces reserved for disabled voters (where parking is available at the venue) – this ensures that disabled voters can park as close as possible to the polling station a large print version of the ballot papers (for reference purposes only) Voters with sight loss may use apps on their mobile phones or carry pocket-sized assistive equipment, such as video magnifiers to help them read documents. These could be used in conjunction with the template. The Returning Officer may also have provided magnifying glasses to support voting without assistance. If a voter is unable to mark a ballot paper themselves because they have a disability, the Presiding Officer or a companion can mark it for them. The voter must tell the polling station staff that this is how they want to vote and the reason why. If a companion marks the ballot paper for a voter, they will be asked to fill in a form. A companion cannot assist more than two electors to vote at an election. Electors can contact the Returning Officer to explain any specific access needs that they have. As a result, there may be extra equipment in certain polling stations where the Returning Officer has allocated specific equipment to meet those access needs. The Chief Electoral Officer will be providing a helpline that will allow blind and partially-sighted people to hear the list of candidates in their DEA in the order they appear on the ballot paper. What happens after polls close? Polls close at 10:00pm. Any voters waiting in a queue at their polling station at 10pm will be allowed to vote, even if they haven't been issued with a ballot paper yet. Once all voters who have been issued with a ballot paper have voted, the Presiding Officer must seal the ballot box. Candidates, agents and polling agents can also add their own seal if they want to. The Presiding Officer must then complete a number of official forms: the ballot paper account (this states how many ballot papers were issued) the list of voters with disabilities assisted by companions the list of votes marked by the Presiding Officer the statement of the number of voters whose votes were marked by the Presiding Officer the list of tendered votes The Presiding Officer must take the following to the count venue or a designated point for collection without delay: the ballot box(es) official forms election stationery all other materials Duty to maintain secrecy in the polling station Anyone attending a polling station has a duty to maintain the secrecy of the ballot. In particular, the following information must not be disclosed: the name or electoral number of who has or has not voted the number or other unique identifying mark on the ballot paper Anyone attending a polling station must not try to determine how a voter has voted or who they are about to vote for. A polling agent can mark off on their copy of the register of electors those voters who have applied for ballot papers. If the polling agent leaves the polling station during the hours of polling, they must leave the marked copy of the register in the polling station to ensure that secrecy requirements are not breached. Observing the verification and count You are entitled to attend the verification and count. You are only permitted to observe the process. You are not allowed to enter the restricted area where staff count the votes. The DRO has the right to limit the number of observers who may be present at any one time

during the verification and count. The verification and counting of votes will start at 8.00am on Friday 19 May. The location of the count for each council area is available on EONI's website www.eoni.org.uk/Elections/Media-Centre. The DRO will also be able to provide you with a Count Information Pack which will outline the arrangements for the count. Who can attend the count? The following people are entitled by law to attend the verification and count: the Returning Officer, DRO and their staff candidates, plus one guest per candidate election agents counting agents Electoral Commission representatives observers accredited by the Electoral Commission any other person permitted by the Returning Officer or DRO The DRO may allow representatives of the media to attend the verification and count. They must not interfere with the process or compromise the secrecy of the vote. What do counting agents 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 DRO to reject a ballot paper, they can ask the DRO 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 DRO seals the ballot boxes and envelopes What is verification? After polling stations close at 10pm the ballot boxes will be delivered to the count venue. These boxes will be opened at 8am on Friday 19 May. Postal ballot papers will also be brought to the count venue in sealed boxes to be opened. Verification has two main purposes: to make sure and show that all ballot papers issued at polling stations and all returned postal ballot papers have been brought to the count to provide the figure that should match the result of the count The number of ballot papers in each box will be compared with the number on the ballot paper account. If the number of ballot papers in each box matches the ballot paper account the verification of that box is complete. If the numbers do not match, the ballot papers will be recounted and the documentation checked again. The process will continue until the DRO is satisfied as to the actual number of ballot papers to be included in the count. The number of ballot papers in each box will be recorded on the verification statement. When will the count take place? The counting of ballot papers will begin once the verification stage has been completed. How are the votes counted? After verification is complete, the DRO must mix the ballot papers before sorting and counting the votes. Count staff will then sort the ballot papers into piles for each candidate according to the first preference marked. The number of votes for each candidate will be counted and the total number of valid votes calculated. A formula will then be applied to calculate a quota: Where the total number of votes for a candidate at any stage of the count is equal to or exceeds the quota that candidate shall be deemed to be elected. The next stages of the count will involve either the transfer of the surplus vote from a candidate deemed to be elected or the exclusion of one or more candidates with the least votes. The ballot papers should be visible at all times to any candidates, agents and observers present. Any doubtful ballot papers should be placed aside for adjudication. What are doubtful ballot papers? A doubtful ballot paper is a ballot paper that has not been completed in accordance with the instructions. During the count, these ballot papers will be placed aside. The DRO will adjudicate these ballot papers regularly throughout the count to determine whether the intention of the voter clearly appears on the ballot paper. An announcement will be made that an adjudication on doubtful ballot papers is about to be made. The DRO will decide whether each doubtful ballot paper is valid in the presence of candidates, agents and observers. You can attend the adjudication but it will not be delayed if you are not present. The DRO will inform those present

whether or not each doubtful ballot paper is valid and the reason for their decision. The DROs decision is final and can only be challenged by an election petition. If a candidate or agent does not agree with any decision to reject a ballot paper as invalid, they can tell the DRO and the paper will be stamped "rejection objected to". Any doubtful ballot papers that are declared as valid must be counted and included in the total number of votes cast for the appropriate candidate. A ballot paper will not be counted if it: is unmarked does not contain the official mark contains any mark or writing that can identify the voter does not indicate the voter's intention with certainty has no first preference has the same preference vote given to more than one candidate The DRO must mark the word "rejected" on any ballot paper that is rejected and must draw up a statement showing the number of ballot papers rejected for these reasons. What happens after the votes are counted? After staff have finished counting the votes at each stage of the count, the DRO will share the provisional result with the candidates and their agents. They may ask the DRO to recount the votes for that stage although the DRO can refuse to do so if they think the request is unreasonable. Once a stage of the count has been completed there can be no requests for recounts of this stage later on in the count process. Once the number of seats to be filled in the DEA have been filled the DRO will declare the candidates elected. The results will be published on the council and EONI websites. Duty to maintain secrecy Anyone attending the count has a duty to maintain the secrecy of the count. 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 Submitting feedback We welcome feedback from your electoral observations and on your experiences of the Electoral Commission's observer scheme which you can submit using our feedback form. If you want to submit feedback on the May 2023 local elections in Northern Ireland, the deadline for this feedback to be considered is Friday 9 June 2023. Feedback may be shared with the Chief Electoral Officer and relevant DROs to help improve the running of elections and the observer scheme. You may find it helpful to print a copy of the feedback form in advance to take with you when observing. If you would like to send feedback in a different format, please email observers@electoralcommission.org.uk