

# Supporting candidates and agents – May 2021: elections in Scotland during the coronavirus pandemic

## Purpose

The coronavirus pandemic is continuing to impact how we live in Scotland and will present particular challenges for candidates, agents, parties and campaigners in how they prepare for and campaign in elections in May 2021.

We have worked with public health bodies and governments to produce [supplementary guidance](#) to support Returning Officers in planning for and delivering the 2021 polls. We are also working to support Returning Officers with establishing the processes needed to deliver the polls safely in light of the public health situation. The purpose of this document is to help you to understand the changes to the election process that you can expect to see as a result of measures taken locally to help make the elections safe, as well as to support you in participating in the polls safely. It should be read alongside our core [guidance for candidates and agents](#).

We will keep this document under review as the public health situation continues to evolve and will detail any updates in a change log for easy reference. Our existing May 2021 FAQs page for candidates and campaigners on our [website](#) will also be updated throughout the campaign period.

You should also ensure that you read and follow [the latest government and public health guidance](#) for your area:

There are general public health principles to help mitigate the risk of the spread of coronavirus that everyone should follow in all aspects of daily life, including participating in elections:

- Wear a face covering
- Avoid crowded places
- Clean hands and surfaces regularly
- Stay 2 metres away from other people
- Self-isolate and book a test if you have COVID-19 symptoms (new continuous cough, fever, or loss of, or change in, sense of smell or taste)

- Download the [Protect Scotland contact tracing app](#)

## How will the nominations process work?

The usual rules about the completion and submission of nomination papers will still apply, but some adjustments will be needed by Constituency Returning Officers, Regional Returning Officers and candidates and agents to the way that the nominations process is managed in practice to ensure this can be done safely. You may find it helpful to make early contact with them to discuss local arrangements.

### Briefings for candidates and agents

Your Returning Officer will provide you with details of any briefings they plan to hold and how you can participate. It is likely that briefings for candidates and agents will be delivered virtually through an online format using video calling or other technology, and your Returning Officer will provide details of how this will work in practice. If this is not suitable for you, you should let your Returning Officer know so that they can offer an alternative.

If your Returning Officer delivers a briefing in person, you will likely need to register your attendance in advance in order to help the Returning Officer make arrangements to manage the event safely, taking into account the number of people attending. Measures will be put in place to protect you, other attendees and staff. For example, physical distancing will be required, hand cleaning facilities will be provided, and face coverings will need to be worn unless you are exempt.

When attending a briefing, you should be prepared to provide your contact details in the event that these are needed for Test and Protect purposes.

You must not attend a briefing if you have [symptoms of coronavirus](#), if you have tested positive or are awaiting a test result, or are required [to self-isolate for other reasons](#), such as being a close contact of someone who has tested positive.

### Collection of the electoral register and/or nomination packs

You should speak to your Returning Officer / Electoral Registration Officer to understand how this will be managed locally. You may be encouraged to request electronic copies, which you could then print out yourself. If an electronic copy is not suitable for you, you should check with your Returning Officer what arrangements they have agreed with the Electoral Registration Officer for the collection of paper copies. For example, they may have a dedicated collection point or require an appointment to be made for collection, and physical distancing and other public health measures such as the wearing of face coverings will be in place.

## Collection of signatures

The rules about the requirements of nomination papers have not been amended. All signatures on the nomination form must be wet ink signatures, and the original version must be submitted. Electronic signatures will not be acceptable. You will therefore need to plan for how you will collect your witness's signature safely. It is important that you follow the latest government guidelines on physical distancing and hand hygiene, as well as the most up to date [guidelines on the wearing of face coverings](#).

Candidates and election agents should think about preparing nomination papers and party lists, and gathering in signed supporting documents earlier than usual. The consent to nomination must not be signed or dated earlier than one calendar month before the deadline for the delivery of nomination papers.

## Informal checks of nomination papers

Returning Officers should put arrangements in place for candidates and agents to have their nomination papers informally checked prior to their formal submission, as this can help to highlight any issues or correct any errors in the paperwork. They may be adapting their usual arrangements due to the public health situation.

If you want to take the opportunity of an informal check, you should contact the Returning Officer in plenty of time to allow for the checks to be carried out and any issues identified and rectified in advance of the nominations deadline. Your Returning Officer will tell you how the informal check process will work in practice locally. They may offer to carry out an informal check of your nomination papers electronically by reviewing a scanned and emailed copy. For informal checks carried out in person, the Returning Officer will have processes in place for managing this in line with public health guidelines, for example by ensuring physical distancing is maintained and that face coverings are worn (unless you are exempt).

To safely manage the number of people attending the elections office, your Returning Officer is likely to adopt an appointment system for informally checking nomination papers in person.

When attending the elections office, you should be prepared to follow all public health measures in place and to provide your contact details in the event that these are needed for Test and Protect purposes.

You must not attend the elections office if you have [symptoms of coronavirus](#), if you have been tested positive or are awaiting a test result, or are required [to self-isolate for other reasons](#). If you are unable to attend an appointment due to the need to self-isolate, you should contact your local Returning Officer who will be able to advise of any alternative arrangements that can be made to manage your appointment virtually, for example they may provide feedback by e-mail, phone or video call.

## Submission of nomination papers

The nomination form, consent to nomination and, at local government elections, the home address form must be submitted by hand. Your Returning Officer will put measures in place to ensure that they can be delivered as safely as possible, for example by setting up a queuing system, enabling physical distancing, and providing hand washing facilities.

To safely manage the number of people attending the elections office, your Returning Officer may encourage you to make an appointment for the formal submission of your nomination papers.

When attending the elections office, you should be prepared to follow all public health measures in place and to provide your contact details in the event that these are needed for Test and Protect purposes.

You must not attend the elections office if you have [symptoms of coronavirus](#), if you have tested positive or are awaiting a test result, or are required [to self-isolate for other reasons](#).

In the event that you are unable to deliver the nomination papers yourself, you should check the relevant part 2 of our [Guidance for candidates and agents](#) for the election in which you are standing, to check who else is allowed to deliver your nomination papers. You could consider changing your agent where necessary in this scenario to enable papers to be submitted safely.

## What do I need to consider during the campaign?

### Canvassing voters

Guidance on campaigning in the current public health context which candidates, agents and parties can refer to in planning their own activities has been produced by the Scottish Government and can be found [on their website](#).

### How can I advise voters on how to participate safely?

It is important that electors understand that polling stations will be safe places to vote, and that there are a number of ways that they can vote at elections. They can vote in person in a polling station, by post, or by appointing someone they trust to vote on their behalf (known as a proxy). If voters would prefer to vote by post, they should be encouraged to apply early.

In the course of your campaigning you may be asked questions by the public about how they can participate in the polls safely in light of the coronavirus pandemic. The following points are designed to help you to provide information to voters accordingly.

## **Polling stations**

Returning Officers will be putting arrangements in place to ensure that polling stations are safe places to vote. Voters should follow signage and any instructions when they go to vote. Most of the measures that will be in place will be familiar to us all from visiting other public places such as shops and banks, for example wearing face coverings (unless exempt), floor markings to ensure physical distancing and the provision of hand sanitiser on entry and exit.

Voters will be encouraged to bring their own pen or pencil for use in polling stations, but pencils will also be made available for anyone who needs one.

Voters should be encouraged to check their poll card before polling day, to see if their polling station has changed since previous elections. This is particularly important for the May 2021 polls as Returning Officers may have decided to use different venues due to coronavirus considerations, for example so they have more space to enable physical distancing or as a result of issues with venue availability.

## **Absent voting**

When talking to electors about voting by post or proxy, you should make them aware of the relevant deadlines and advise them to apply early.

The deadline for applying for a postal vote at the elections on 6 May 2021 is 6 April 2021 for the Scottish Parliament election and 20 April 2021 for any local government elections. However, the earlier that voters apply for a postal vote, the sooner it can be processed and the quicker it can be sent to them.

The deadline for applying for a proxy vote at Scottish Parliament elections is 27 April 2021, although in some circumstances voters may be able to appoint an emergency proxy after this date and up to 5pm on polling day itself.

Voters should be encouraged to return their applications directly to the Electoral Registration Officer, either by post or by scanning and emailing their application.

As always, you should observe the [Code of Conduct](#) in relation to absent voting, for example by forwarding any applications you receive to the Electoral Registration Officer within two working days of receipt. If you or your campaigners do receive any applications you should follow public health guidelines, such as cleaning hands regularly and avoiding touching your face, particularly when and after handling paper.

The Scottish Government has introduced legislation to allow people diagnosed with coronavirus or who are self-isolating to apply for an emergency proxy vote. Our guidance and our information for voters has been updated to reflect these changes.

# What will be different when attending key electoral processes?

Returning Officers will need to make a range of adjustments to ensure that the proceedings can be safe, such as providing hand sanitiser stations, adopting measures to encourage physical distancing, and requiring the wearing of face coverings. We have produced [supplementary guidance](#) to support Returning Officers to deliver electoral processes safely.

Candidates and agents will still be able to observe proceedings and scrutinise processes, even where layouts at electoral events have been adapted to ensure physical distancing, but they should be aware that the arrangements that will be in place will likely be different to those they will have seen at previous elections.

Your Returning Officer will provide more information on the arrangements that will be in place locally. You should follow the instructions of the Returning Officer and their team, which will be designed to ensure the safety of you and other attendees.

## General safety measures

There will be some safety measures in place which will be common to all of the key electoral processes, such as:

- Hand sanitiser provided on entrance and exit, with everyone attending encouraged to clean their hands regularly.
- One way systems and floor markings to encourage physical distancing; screens and barriers may also be used to keep people at a safe distance.
- Signage to promote physical distancing, good hygiene and the wearing of face coverings

You must not attend an event if you have [symptoms of coronavirus](#), if you have tested positive or are awaiting a test result, or are required [to self-isolate for other reasons](#), such as being identified as a close contact of someone who has tested positive for the virus.

When attending postal vote openings and the verification and count, you should be prepared to provide your contact details in case these are needed for Test and Protect purposes.

### Postal vote opening

In addition to these general safety measures, your Returning Officer is likely to have adapted their postal vote opening sessions in light of the public health situation. For example:

- They may use a different venue than usual, or may be using a number of different rooms, in order to make the event as safe as possible
- They may have more frequent sessions using fewer staff and with fewer observers at a time, to enable physical distancing



- They may limit the number of postal vote agents who are permitted to attend, but will continue to ensure that each candidate is allocated the same number and will take steps to help ensure that the proceedings can be overseen effectively
- They may utilise technology to manage elements of the process. For example, they may arrange for the adjudication of rejected postal votes to be projected onto a screen, to help ensure a safe distance can be maintained between staff and candidates and agents

## **Polling stations**

Your Returning Officer will have made adaptations to the set up and management of polling stations in light of the public health situation.

For example, they may have reviewed their polling stations since the last elections, and there may be some late changes to polling stations if venues become unavailable. Look out for such changes being communicated to you.

Tellers should observe physical distancing with each other and when interacting with voters and must always remain outside the polling station, observing any social distancing markings where available, and must always comply with the instructions of the Returning Officer and Presiding Officer. Tellers may approach voters for information as they enter or leave the polling station but should maintain social distancing as they do so, ensure that voters can enter or leave the polling station safely and not impede, obstruct or intimidate voters in any way.

## **The verification and count**

Your Returning Officer will also have made adaptations to the verification and count in light of the public health situation. While they will still do everything they can to make the process as transparent and accessible as possible, adjustments will be needed to make sure that the proceedings can be delivered in a way that is safe for all those working and observing at the count, so the event may look quite different than at previous elections.

The anticipated duration of the count is likely to be longer than usual because of the impact of measures to ensure the safety of staff and observers. The Convener of the EMB has directed that verification and count for Scottish Parliamentary elections will not commence earlier than 9am on Friday 7 May.

Where there is more than one poll, the Returning Officer may be planning to hold counts at different times or days, to manage the number of attendees. The Returning Officer will communicate in advance the order in which polls are being counted and will keep you updated on progress throughout the proceedings.

Adaptations to the verification and count may include:

- The Returning Officer may use a different venue than usual, or use more than one venue, in order to make the event as safe as possible
- For safety reasons, they may limit the number of counting agents and guests who are permitted to attend, but will continue to ensure that each candidate is allocated the same number

- Access to different areas and parts of the process may be more tightly managed than usual, but Returning Officers will take steps to ensure that those who are entitled to oversee certain processes will still be able to do so, albeit this will be managed differently than at previous elections given the physical distancing guidelines
- There may be fewer staff counting the votes to ensure that the number of people attending can be safely accommodated. Staff may be granted more breaks than usual, so that they can clean their hands regularly
- Some processes, such as the adjudication of doubtful ballot papers, may be managed differently to previous events for public health safety reasons. For example, Returning Officers may arrange for the adjudication of doubtful ballot papers to be projected onto a screen, to maintain a safe distance between staff and candidates and agents
- The communication of provisional results to candidates and agents may also be managed differently, for example, the Returning Officer may not be able to gather candidates and agents together in the traditional way, but may communicate the provisional result to you individually or, where possible, gather candidates in a sufficiently large private room
- Similarly, candidates may not be able gather on the stage for the declaration of the results, and speeches may not be allowed, to ensure that physical distancing can be maintained
- The use of face-coverings will be required for all those attending the verification and count venue (unless subject to an exemption), in line with [government regulations](#)