

# Police and Crime Commissioner elections in England and Wales

## Guidance for candidates and agents

### Overview document

September 2023

This document applies to the Police and Crime Commissioner election. Our guidance and resources for other elections in the UK can be accessed from our website at: <http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>.

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# Purpose of our guidance for candidates and agents

1.1 Our guidance aims to provide practical advice for anyone who wants to stand as a candidate or be an agent at a Police and Crime Commissioner election in England (excluding London, Manchester and West Yorkshire) and Wales. It covers the main steps towards standing as a candidate, the campaign and election periods, the declaration of the result and election spending. It includes relevant factual material as well as a guide to sources of further information. Standing for election can be complicated, but we hope that our guidance will make it as straightforward as possible.

- In Cumbria, Essex, North Yorkshire, Northamptonshire and Staffordshire the role of Police and Crime Commissioner also includes responsibility for fire and rescue services in the area.

## How to use our guidance

1.2 Our guidance is made up of six parts, setting out the different stages that candidates and agents need to go through when standing at a Police and Crime Commissioner election.

1.3 Each part is accompanied by a number of forms and resources, which can be directly accessed via links in the individual parts. Alternatively, relevant guidance, forms and resources will be available on our [dedicated webpage for candidates and agents](#) at the Police and Crime Commissioner election.

1.4 The following parts make up our full guidance for the Police and Crime Commissioner election:

Data protection legislation applies to the processing of all personal data.

Please contact the [Information Commissioner's Office](#) for further information about how the current data protection legislation affects you.

- [Part 1 – Can you stand for election?](#)
- [Part 2a – Standing as an independent candidate](#)
- [Part 2b – Standing as a party candidate](#)
- [Part 3 – Spending and donations](#)
- [Part 4 – The campaign](#)
- [Part 5 – Your right to attend key electoral events](#)
- [Part 6 – After the declaration of result](#)

1.5 Before starting the process of standing for election potential candidates need to be confident that they meet all of the requirements. You should therefore first read [Part 1](#) of our guidance, which covers the qualifications and disqualifications.

1.6 Once satisfied that you can stand, you should read [Part 2a](#) of our guidance (if you are standing as an independent candidate) or [Part 2b](#) of our guidance (if you are standing as a party candidate), which deal with the nominations process and guide you through which forms you need to submit and by when.

1.7 Candidates and agents at a Police and Crime Commissioner election must follow rules about how much they can spend, who they can accept donations from, and what they must report after the election. Failure to follow these rules could lead to you committing an offence and losing your seat, if elected. [Part 3](#) of our guidance explains the rules.

1.8 [Part 4](#) covers the rules on publication and display of campaign literature and what you need to bear in mind when campaigning. Each candidate at a PCC election may provide an election address to the PARO for publication on a website and this part explains what you need to do.

1.9 Candidates and agents also have a right to attend key electoral events. These are: the opening of postal votes; the poll; and the count. Others can also be appointed to attend these electoral events. Details on your rights and what to expect at these events are provided in [Part 5](#).

1.10 Finally, there are a number of things candidates and agents will need to do once the result has been declared, including submitting their spending returns to the Police Area Returning Officer. This is covered in [Part 6](#).

1.11 To keep the guidance as relevant to the reader as possible, we have split most guidance parts into an 'Essential information' section, which all candidates and agents should read as it contains information that is relevant to all, and a 'Supplementary information' section, that will be relevant only to some. You will be directed to the 'Supplementary information' section at relevant points throughout the 'Essential information' section.

## The electoral system

1.12 , The Police and Crime Commissioner is elected under the first-past-the-post electoral system, whereby the candidate with the most votes is elected.

1.13 There are currently 35 police areas in England (excluding London, Greater Manchester and West Yorkshire); in 4 of these areas the role of Police and Crime Commissioner also includes the responsibility for fire and rescue services. In Wales there are 4 police areas, each of which elects a Police and Crime Commissioner. Each of the police areas contains a number of local authority areas. More information on the police areas can be found on the [Association of Police and Crime Commissioners website](#).

## Who does what at a Police and Crime Commissioner election and how to contact them?

### The Police Area Returning Officer

1.14 Each police area has a Police Area Returning Officer who has overall responsibility for the election of the Police and Crime Commissioner in that area. The Police Area Returning Officer is the Acting Returning Officer for a designated UK Parliamentary constituency which falls wholly or partly within the police area. In practice, this means they are normally a senior officer of one of the local authorities in the police area and independent of the authority in respect of their electoral functions.

1.15 The Police Area Returning Officer is responsible for the nomination process and for calculating and declaring the result of the election. The Police Area Returning Officer will liaise with and coordinate the work of Local Returning Officers in their police area, and they also have the power to give directions to Local Returning Officers relating to the discharge of their functions at the election.

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

1.17 The Police Area Returning Officer will also be the Local Returning Officer for the individual local authority area they represent.

## The Local Returning Officer

1.18 Local Returning Officers are responsible for running the Police and Crime Commissioner election at a local level. They are responsible for administering the conduct of the poll, the issue and opening of postal ballot papers and the counting of votes for their voting area.

1.19 The Local Returning Officer for the Police and Crime Commissioner election is the person who acts as Returning Officer for local elections in that area and is normally a senior officer of the local authority and is independent of the authority in respect of their electoral functions.

1.20 Some Local Returning Officers may also offer briefings on local arrangements for the poll.

### **Contacting the Police Area Returning Officer and Local Returning Officers**

1.21 You can [contact us](#) to find out who the Police Area Returning Officer is for each area. The Police Area Returning Officer will also be able to provide contact details for Local Returning Officers.

1.22 You will be able to contact the Local Returning Officer for any local authority area by contacting the relevant local authority elections office. You can find the contact details at

[www.electoralcommission.org.uk/i-am-a/voter/your-election-information](https://www.electoralcommission.org.uk/i-am-a/voter/your-election-information).

## The Electoral Registration Officer

1.23 The Electoral Registration Officer is responsible for maintaining the register of electors and absent voters' lists for their local authority area. In England and Wales, the Electoral Registration Officer is normally a senior officer in the local authority and may also be the Local Returning Officer. Contact details for all Electoral Registration Officers can be found at <https://www.electoralcommission.org.uk/i-am-a/voter/your-election-information>.

## The Electoral Commission

1.24 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.

1.25 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, including Police and Crime Commissioner elections, 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.

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

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

## Contacting us

### If you are a candidate or agent in England

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

Email: [pef@electoralcommission.org.uk](mailto:pef@electoralcommission.org.uk)

Tel: 0333 103 1928

1.29 For **any other queries**, please contact us at:

Email: [infoengland@electoralcommission.org.uk](mailto:infoengland@electoralcommission.org.uk)

Tel: 0333 103 1928

### If you are a candidate or agent in Wales

1.30 In Wales, you can contact us for **all queries** at:

Email: [infowales@electoralcommission.org.uk](mailto:infowales@electoralcommission.org.uk)

Tel: 0333 103 1929