

Parish and community council elections in England and Wales

Guidance for candidates

Part 2a of 6 – Standing as an independent candidate

This document applies to parish and community council elections only. It does not apply to district, borough, county, county borough and unitary authority elections, or mayoral elections. Our guidance and resources for all local elections in England and Wales can be accessed from our website at: www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/candidates-and-agents.

Contents

Essential information	2
Completing your nomination papers	2
The nomination form	3
Consent to nomination	5
Submitting your nomination papers	5
What happens after the close of nominations?	7
Being validly nominated in more than one ward	7
Withdrawing as a candidate	7
Inspecting other candidates' nomination papers	8
Will the election be contested or uncontested?	8
Appointing your postal voting, polling and counting agents ..	8
Death of a candidate	10
 Supplementary information	 11
Commonly used name(s)	11
Signatures of proposer and seconder	12
Death of a candidate	13

Essential information

This section of the document contains our guidance on standing as an independent candidate at a parish council election in England or a community council election in Wales. Supplementary information, which may only be relevant to some candidates, is provided at the back of this document. You can also view this supplementary guidance by clicking on the links within this document or by clicking on the chapter heading on the contents page.

We are here to help, so please contact your local Commission team if you have any questions. See our [Overview document](#) for contact details.

In this document, we use 'you' to refer to the candidate. We use 'must' to refer to a specific legal requirement and 'should' for recommended practice.

Deadlines mentioned in this document are generic. We have published a [generic election timetable on our website](#). Once an election has been called, you will be able to obtain a copy of the specific timetable for that election from the Returning Officer.

Completing your nomination papers

1.1 To become nominated as a candidate at a parish or community council election in England or Wales, you need to submit a completed set of nomination papers to the Returning Officer by 4pm on the 19th working day before the poll. 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 official notice of election published by your local Returning Officer.

1.2 There are two nomination papers that you must submit for your nomination to be valid:

- the nomination form
- your consent to nomination

1.3 You can obtain nomination papers from your local elections office. Contact details can be obtained from our About my vote website www.aboutmyvote.co.uk. Alternatively, the Commission has produced a set of [nomination papers](#) that you could use.

1.4 If you, your agent or someone you trust are unable to complete the nomination form, the Returning Officer can help by preparing the form for your signature.

1.5 The Returning Officer may also be able to offer informal checks of your completed nomination papers before you submit them.

1.6 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 a maximum fine of £5,000 (or unlimited if convicted on indictment) and/or imprisonment of up to six months.

The nomination form

1.7 By law, a [nomination form](#) must be completed in English or, in Wales, in English or Welsh. The form must contain:

- **Your full name.** This means your surname and other names in full. Using initials only could lead to your nomination paper being rejected. Also, 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.

- **Your full home address.** 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)

Unless you are relying on the qualification of being registered as an elector for the parish/community area, your home address does not need to be in the parish/community area in which you wish to stand. If you are relying on the qualification of having lived in the area (or within 3 miles of it) for the whole of the last 12 months, then your home address must be in the parish/community area (or within 3 miles of it).

- **Signatures of 2 registered electors** (known as a proposer and seconder) from the parish/community area, or from the parish/community ward if the parish/community is warded. Your proposer and seconder must be on the electoral register that is in force for nominations. For more information on proposers and seconders, see paragraph **1.45**.

1.8 The following is optional:

- **A commonly used name** – if you commonly use a name that is different from your actual name and you wish this to appear on the ballot paper, you need to state this on the nomination form. See paragraph **1.38** for further details.
- **A description** – if you want the word ‘independent’, and/or ‘Annibynnal’ in Wales, to appear on the ballot paper underneath your name, you need to state this on the nomination form.

Alternatively, you may use a description of no more than six words in English or, in Wales, in English and/or Welsh. It can be any description providing it is sufficient to identify you and is unlikely to associate you with a political

Your name, address and any description should be written on the nomination form **before** you ask the proposer and seconder to sign the form.

To find out how to obtain the electoral register, see: [Part 4: The Campaign](#)

For details on descriptions that candidates standing on behalf of registered political parties can use, see our document [Part 2b: Standing as a party candidate](#).

For information on how to register a political party, see our website at www.electoralcommission.org.uk/guidance/resources-for-those-we-regulate/register-a-new-party

party registered with the Electoral Commission. Examples include 'farmer', 'Baker in the High Street', 'member of village action team', etc. Note that the six-word limit is set out in law and the Returning Officer will have to reject your nomination if you exceed it. If you are in any doubt about whether your description exceeds six words, you should contact the Returning Officer for advice.

Remember that the description is optional and you may choose not to have a description at all by leaving this part of the form blank.

Consent to nomination

1.9 You must also formally consent to your nomination in writing. The content of the [consent to nomination form](#) is fixed by law and the entire form must be returned 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 also state your date of birth.

1.10 You must meet at least one of the qualifications to stand for election, as explained in [Part 1: Can you stand for election?](#) On the consent to nomination form you should state as many of the qualifications as apply.

1.11 You are not allowed to sign the consent form earlier than one calendar month before the deadline for submitting your nomination papers. Your signature must be witnessed, and the witness must sign the form and give their full name and address. There are no restrictions on who can be a witness to the consent to nomination.

Submitting your nomination papers

1.12 All nomination papers, including the consent to nomination, must be delivered to the place specified on the notice of election by 4pm on the 19th working day before the poll. It is your responsibility to ensure that your nomination papers are delivered in the correct manner and by the required deadlines. We recommend that you or someone you trust hand-delivers them, so you can be sure they are delivered to the Returning Officer in time.

1.13 Your nomination papers must be submitted in person and cannot be submitted by post, fax, e-mail or other electronic means.

1.14 The **original version** of each completed paper must be submitted.

1.15 You should submit your nomination papers as early as possible to give the Returning Officer an opportunity to conduct an informal check and to give you sufficient time to submit new nomination papers should your first set contain any errors.

1.16 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. In most cases, the notice of election will be published on the website of the local authority in which the parish/community is situated.

1.17 Usually, nomination papers can only be delivered during normal office hours. The Returning Officer will confirm the exact details of when and where they can be delivered on the official notice of election. You will be able to contact the Returning Officer via your local authority elections office. Contact details can be obtained from our About my vote website www.aboutmyvote.co.uk.

1.18 You should contact the Returning Officer as soon as possible to find out what arrangements are in place for submitting nomination papers.

1.19 After you have submitted your nomination papers you will be sent a notice by the Returning Officer to let you know whether or not your nomination is valid.

1.20 If, after you have submitted your nomination papers you change your mind and no longer want to stand for election, you can withdraw, provided you do so by 4pm on the 19th working day before the poll. For more details on withdrawing, see paragraph **1.23**.

What happens after the close of nominations?

1.21 The Returning Officer will publish a statement of persons nominated for each parish/community, or for the parish/community ward if the parish/community is warded, by 4pm on the 18th working day before the poll. The statement will include:

- 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
- each candidate's description (if any)

Being validly nominated in more than one ward

1.22 If the parish/community is warded and you are validly nominated in more than one ward in that parish/community, you must withdraw from all wards but one before the deadline for withdrawals (i.e. by 4pm on the 19th working day 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.

Withdrawing as a candidate

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

1.24 The withdrawal notice must be submitted by the deadline for withdrawals. 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.

Inspecting other candidates' nomination papers

1.25 From the close of nominations until the day before the poll, nomination papers that have been delivered are open to inspection during normal office hours, and any member of the public can take a copy of them.

Will the election be contested or uncontested?

1.26 After the close of nominations, the Returning Officer will establish whether or not there is a need to hold a poll in the electoral area(s). If the parish/community is not warded, the electoral area will be the whole of the parish/community. If the parish/community is warded, the electoral area will be the parish/community ward. If there are more candidates than seats after the deadline for withdrawals, there will be a poll.

1.27 If, however, after the deadline for withdrawals there is only one validly nominated candidate, that candidate is declared to be elected.

1.28 In this case, the Returning Officer will declare that candidate to be elected to the parish/community council as soon as possible and will give public notice of it.

If elected at an uncontested election, candidates must still make a declaration as to their election spending.

See [Part 3: Spending and donations](#) for further details.

Appointing your postal voting, polling and counting agents

1.29 You can appoint agents to observe the following electoral processes, which you are also entitled to observe:

- the opening of postal votes
- the poll
- the count

1.30 Anyone, except for the following, can be appointed as a postal vote, polling or counting agent:

- the Returning Officer or a member of their staff
- a partner or clerk of the Returning Officer or a member of their staff
- anyone not entitled to vote at the election as a result of the report of an election court or a conviction for a corrupt or illegal practice under the Representation of the People Act 1983

1.31 You can appoint any number of polling agents to attend each polling station, but only one polling agent for each candidate can be present in a polling station at any time. A polling agent can be appointed to attend multiple polling stations. The number of agents who may be appointed to any particular polling station is limited to four, or such greater number as the Returning Officer decides to allow. If more than that number are appointed, the Returning Officer will draw lots to determine those people who may attend. Your right to attend will remain unaffected by this.

1.32 The Returning Officer will tell you the maximum number of postal voting and counting agents you can appoint. All candidates will be allowed to appoint exactly the same number.

1.33 The request to appoint these agents must be made in writing to the Returning Officer. It must contain the names and addresses of the people being appointed. The Returning Officer will provide the relevant forms for this, or you can find [postal voting](#), [polling](#) and [counting](#) agent appointment forms on the Commission's website.

1.34 The deadline for appointing these agents will depend on the process they are to attend. Polling and counting agents must be appointed by not later than the fifth working day before the poll. However, appointment forms for postal voting agents only need to be submitted to the Returning Officer by the time fixed for the opening of postal votes they want to attend. The Returning Officer will give you at least 48 hours' notice before the scheduled start of each postal vote opening session.

1.35 If an agent dies or becomes incapable of acting, you may appoint another agent in their place by submitting the relevant appointment form to the Returning Officer. Any new appointment in these circumstances must be made without delay.

10

1.36 More information on what agents can and cannot do and what they can expect to see at postal vote opening sessions, polling stations and the count, can be found in [Part 5: Your right to attend key electoral events.](#)

Death of a candidate

1.37 If a candidate dies during the election period, see paragraph **1.52** for further information on how this will affect the election.

Supplementary information

Commonly used name(s)

1.38 If you commonly use a different name from your actual name, you can ask for your commonly used name(s) to be used instead of your actual name. The commonly used name(s) would then appear on:

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

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

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

1.41 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' in the commonly used forename box on the nomination paper if you would rather that name appear on the ballot paper.

1.42 You may also use initials as part of your commonly used name if you are commonly known by them.

1.43 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.

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

Signatures of proposer and seconder

1.45 Each nomination form needs to be signed (subscribed) by 2 electors registered in the parish/community or in the parish/community ward if the parish/community is warded.

1.46 The two electors will sign and print their names as proposer and seconder.

1.47 The elector numbers of the proposer and seconder as they appear on the electoral register, including the distinctive numbers or letters of the polling district, must be entered on the nomination form. The distinctive numbers/letters of the polling district can usually be found at the front of the register. Both the Returning Officer and the Electoral Registration Officer will be able to advise you how the register is laid out.

1.48 You will be entitled to a free copy of the electoral register for the parish/community area or parish/community ward you are contesting, as appropriate. You should use it to ensure that your nomination form is properly subscribed.

1.49 Each elector may not subscribe more nomination forms than there are vacancies. For example, if there are two vacancies in a parish/community ward, an elector may subscribe up to two candidates' nomination forms in that ward. If three candidates submit nomination forms signed 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.

1.50 If a nomination form contains more than two subscribers' signatures, only the first two will be accepted. If either of the subscribers is invalid, the Returning Officer must hold the

To find out how to obtain the electoral register, see:

[Part 4: The Campaign](#)

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

Anonymous 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 form invalid, regardless of whether the form contains more than two.

1.51 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 Returning Officer has formally accepted a nomination form, signatures cannot be withdrawn.

Death of a candidate

1.52 If the Returning Officer 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.

1.53 The Returning Officer 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. Candidates already validly nominated do not have to be nominated a second time.

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

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