

# Electoral Commission Guidance on the conduct of tellers in and around polling places

## Introduction

- 1.1 This guidance provides advice for those involved in administering and campaigning in election and referendums, and aims to ensure that tellers, agents, candidates and polling station staff know precisely what is and is not accepted when campaigning in and around polling places. These guidelines intend to promote appropriate standards of conduct to be maintained throughout the UK. Agents who also act as tellers are also subject to the provisions in this guidance.
- 1.2 This guidance should be read alongside any guidance issued by the Returning Officer; as they are ultimately responsible for the conduct of elections their decision is final.
- 1.3 For the purposes of this guidance:
  - 'Polling place' means the building in which polling stations are located.
  - 'Polling station' is defined as the room or area within a polling place where electors cast their votes, which contains the polling booths, ballot box and Presiding Officer's table. The polling station is a self-contained area which only those allowed by law may enter. More than one polling station may be located within a polling place.

## Tellers

- 1.4 Tellers are usually volunteers for candidates. They stand outside polling places and record the electoral number of electors who have voted. By identifying electors who have not voted and relaying this information to the candidate or their supporters, tellers play an important role in elections and referendums. The candidate or their supporters may then contact the voters who have not yet been to vote during polling day and persuade them to vote, which may help to increase turnout.
- 1.5 Tellers must not impede or interfere with the efficient and secure administration of the election and must comply with any instructions issued by the Returning Officer or the Presiding Officer.
- 1.6 Tellers have no official legal status. They should not be confused with polling agents, whose appointment and rights are described in legislation. Tellers, unlike polling agents, may not be admitted to the polling station in their capacity as tellers (see 'Location' below).

## Tellers' activities

- 1.7 Tellers should concern themselves only with checking who is about to vote or has voted. This will involve politely asking voter for their poll card, elector number or name and address. Returning Officers may advise tellers that they may approach voters for information as they either enter or leave the polling station.
- 1.8 If asked, tellers should explain that they are activists seeking to determine who has actually voted. No impression should be given that any information provided will be used for official purposes or that they are employed by the Returning Officer.

- 1.9 Tellers should not display or distribute election material (e.g. billboards, posters, placards or pamphlets) on walls or around the polling place. Any display of such material should be brought to the attention of the Presiding Officer immediately.
- 1.10 Presiding Officers have responsibility for ensuring that electors are given an opportunity to cast their vote in a free and fair manner. Any decision regarding the location or behaviour of tellers is a matter for the Presiding Officer and Returning Officer; tellers must comply with their instructions.
- 1.11 Tellers must not attempt to induce, influence or persuade an elector how or whether to vote. Tellers cannot promote particular candidates or political parties. Their conduct must not give rise to allegations of undue influence, e.g. discussing voting intentions, party affiliations, a candidate's history, election campaigns, or undertaking any other activity particularly associated with one particular party or candidate. Any queries that relate to the electoral process must be directed to the Presiding Officer.
- 1.12 Voters must never be asked to re-enter the polling station to ascertain their elector number or retrieve a poll card. Voters are not obliged to comply with any request for information. Tellers must not press voters if their initial request for information is declined.

## Number of tellers

- 1.13 There should be no more than one teller at a polling station for each candidate at any time. Where a polling place contains more than one polling station with separate entrances, it may be appropriate for there to be tellers at each entrance, but no more than one per candidate. Their behaviour and numbers should never be capable of being seen as intimidating in any way.

## Location

- 1.14 Tellers must remain outside the polling place itself; they may only enter polling stations for the lawful purpose of casting their own vote, voting as a proxy, assisting a voter with disabilities, or fulfilling duties of their appointment as a polling agent, election agent, or candidate.
- 1.15 The Presiding Officer may allow tellers to enter the polling place (e.g. stand under porticos and entrances) provided that they are outside the polling station and do not impede or obstruct the access of voters. Tellers must not be able to see or hear what is going on inside the polling station. Where a polling place consists of one room only, tellers must not under any circumstances seek or be allowed to enter that room. Tellers cannot enter the polling station under any circumstances in their capacity of tellers.

## Poll Cards

- 1.16 The activities of tellers are limited to the collection of elector numbers or poll cards. Poll cards left with tellers should be given to the Presiding Officer or Poll Clerk by the close of poll. Tellers must not ask polling staff to hand over poll cards that may have been left with them or in bins.

- 1.17 Tellers may use a receptacle for voters to discard their poll cards, to help them establish who has voted during their absence. Such receptacles must not obstruct voters who are entering or leaving the polling station. The contents must be returned to polling station staff after the close of poll.

## Appearance

- 1.18 Tellers should wear coloured rosettes of a reasonable size, as this assists electors by making it clear that they are activists and not electoral officials. The rosette may display the name of a candidate and/or an emblem or description.
- 1.19 Tellers must not wear, carry or display any headwear, footwear or other apparel that carried any writing, picture or sign relating to any candidate or party apart from a rosette.

## Application of this guidance

- 1.20 With regard to the collection of elector numbers from voters on the way in or out of the polling station, this guidance is intended to be amended to coincide with any guidelines or instructions provided by the Returning Officer. The Returning Officer is ultimately responsible for the conduct of an election; as such, their decision is final. Each individual Returning Officer is independent of the local authority when they are conducting the election, and everything is done under their personal responsibility.
- 1.21 The value of local agreements cannot be over-emphasised. It is recommended that the Returning Officer arranges a briefing with all agents and tellers at the earliest opportunity following the close of nominations to communicate the same message to all concerned. This will ensure that everyone is aware of the local circumstances and conducts their campaign within the same guidelines. It may pre-empt problems by discussing campaigning in and around polling places and the conduct of tellers, and reaching consensus amongst those present as to what is acceptable, especially with regard to whether to gather elector numbers as voters either enter or leave the polling stations. Guidance should be distributed with nomination packs or at pre-election briefings.
- 1.22 On polling day, Returning Officers may find it helpful to provide Presiding Officers with posters to display that outline the main responsibilities of tellers. The poster could be displayed outside the polling station close to where tellers stand, serving both to self-regulate the activity of tellers and to alert voters that tellers are not official polling station staff. It could also be handed to any tellers prior to polling day to advise them of what they can and cannot do. The poster is intended to be used by the Returning Officer in conjunction with agreed local arrangements on the collection of elector numbers.
- 1.23 If in doubt about the actions of a teller, the Presiding Officer or Returning Officer should consider: 'What would a reasonable observer think?' in line with the advice of the Committee on Standards in Public Life.<sup>1</sup>

## Complaints

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<sup>1</sup> Committee on Standards in Public Life, Standards in Public Life: Standards of Conduct in Local Government in England, Scotland and Wales, Third Report. Chairman Lord Nolan (The Stationery Office: London, 1997).

- 1.24 If a complaint is received about the conduct of tellers, the electoral administrator should contact the relevant Presiding Officer and request that the matter be dealt with and monitored by the polling station staff there. Presiding Officers have the power to keep order in the station and may require any teller who refuses to carry out their instructions to be removed.
- 1.25 If it is not possible to contact the Presiding Officer, or there are continuing difficulties with the activities of tellers or campaigners, a member of the Returning Officer's staff should visit the polling place. The member of staff should speak to the Presiding Officer before approaching the campaigners or tellers. Tellers may be reminded of this guidance, provided with a copy if necessary, and advised that it is an offence under electoral law for anyone to impede or interfere with any electors prior to their voting.
- 1.26 Tellers should be advised that if the interference persists the police will be called. The Presiding Officer should be advised of the action taken and asked to monitor the situation and report any further problems to the elections office. The agent of the party or candidate they are representing should also be informed.
- 1.27 This enables the party or candidate concerned to take action against such tellers and ensure that they are properly briefed before being allowed to act as tellers in future elections and referendums.

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Committee on Standards in Public Life, Standards in Public Life: Standards of Conduct in Local Government in England, Scotland and Wales, Third Report. Chairman Lord Nolan (The Stationery Office: London, 1997).