



Candidate Information Pack

Stromness & South Isles Ward By-Election

28 March 2024

www.orkney.gov.uk

Introduction

This document aims to give a brief overview of what you might wish to know, as well as providing a number of links to more detailed information that we would encourage you to read, and our Election Team will be happy to assist you with clarifications and in directing you to specific material that will help you in considering the role fully.

February 2024



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About Orkney Islands Council

How we work

Council activities touch the lives of everyone living in our island community, from schools to the care of the elderly, from rubbish collection to maintaining the county's roads and from caring for burial grounds to handling planning applications. Orkney Islands Council has an impact on many aspects of everyday life, and is the county's biggest employer.

Orkney Islands Council works closely with other organisations to provide services to the local community. For example, the Orkney Integration Joint Board (IJB) commissions the delivery of all Community Health and Social Care functions in Orkney, under the 'delivery arm' or

service of Orkney Health and Care (OHAC).

Orkney Health and Care, (OHAC) is a partnership between Orkney Islands Council and NHS Orkney. The Partnership aims to improve and develop social care, community health and wellbeing. We want to provide the best possible care for people in Orkney, wherever they live and whatever their circumstances.

Additionally, a large part of the Council's joint working with local organisations is carried out through community planning and involves many partner organisations. These partners have a legal duty to facilitate community planning: Orkney Islands Council, NHS Orkney, Highlands and Islands Enterprise, Police Scotland and the Scottish Fire and Rescue Service. Other organisations have a duty to participate in the process, have been co-opted or play an important part as members of one of the Delivery Groups and more information can be found on the [Orkney Partnership website](#).

The current [Council Plan 2023 - 2028 \(orkney.gov.uk\)](#) details the position and aims of the Council as set out and agreed in 2023.

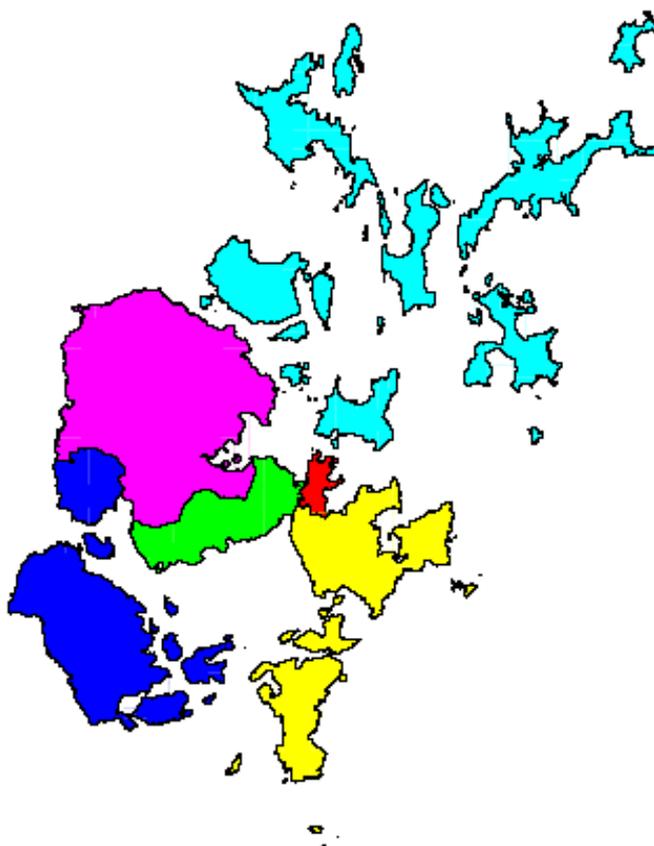
Our [Customer Service Charter](#) sets out the standards that employees should strive for when dealing with customers.

Electoral Wards

The Orkney Islands Council area comprises of six electoral wards and the total number of elected members is 21.

Each ward is represented by either three or four members as detailed below:

Ward No.	Ward Area	Number of Elected Members
1	Kirkwall East	4 Members
2	Kirkwall West & Orphir	4 Members
3	Stromness & South Isles	3 Members
4	West Mainland	4 Members
5	East Mainland, South Ronaldsay & Burray	3 Members
6	North Isles	3 Members



There is currently no ruling political party in Orkney Islands Council, so it is classed as independent.

Business is conducted through a number of committees in the Council Chamber.

Committee meetings are audicast live with recordings made available to the public using SoundCloud.

The Role of Councillor

As explained in more detail on the localcouncillor.scot site, there are 7 areas that councillors will potentially be involved in:

- Decision making
 - Providing direction, accountability and appropriate working arrangements to ensure the council achieves what it sets out to do
- Developing and reviewing policy
 - Through constituency case work, a role on policy or scrutiny committees, as a representative on local community groups
- Scrutiny
 - Monitoring and scrutinising how well services are delivered by the Council and its partners
- Representation
 - Communicate council policy and decisions within their ward and act as advocates for their communities, being visible and a trusted point of contact
- Leadership
 - Support communities, balance competing demands and lobby for local issues
- Regulator
 - In issues such as planning, licensing, trading standards and environmental health
- Political Role
 - Additional duties if representing a political party including reporting back and engaging with the local organisation and working within a national framework of rules

What else do I need to know?

The term of office if elected would be from March 2024 to May 2027.

The rate of pay for Councillors is set by Scottish Ministers and not by the Council. Councillors are eligible to join the Local Government Pension Scheme.

Many Councillors retain another job or paid commitment alongside their elected position, but this may need careful consideration and discussion with your current employer to ensure there is flexibility available.

All Councillors go through an induction process and there will be additional training for specific roles and positions – some of this may be mandatory to fulfil certain Council positions and roles.

The Council's Democratic Services team will be available to support Councillors with administrative duties including diary co-ordination, arranging travel and processing expense claims.

Key Contacts

Organisation of Elections

The Chief Executive of Orkney Islands Council is the Returning Officer for the conduct of the poll and the counting of votes cast within the Orkney electoral wards. The team responsible for organising and administering the election are:

Returning Officer	Oliver Reid
Depute Returning Officers	Karen Greaves & Gareth Waterson
Election Manager	Fiona Ratter
Assistant Election Manager	Audrey Waterson
Service Manager / Team Leader, Communications	Ross Cunningham/Kirsty Groundwater

Election enquiries

Day to day enquiries about the election, polling stations, the processes for prospective councillors etc are dealt with through the Elections Office based within the Council Offices.

Address: Elections Office, Council Offices, School Place, Kirkwall, KW15 1NY

Telephone: 01856 886 350

Email: electionoffice@orkney.gov.uk

Electoral Registration enquiries

Enquiries relating to electoral registration and postal and proxy vote applications are dealt with by the Electoral Registration Office, adjacent to the Cathedral.

Address: Electoral Registration Office, 8 Broad Street, Kirkwall, KW15 1NX

Telephone: 01856 876222

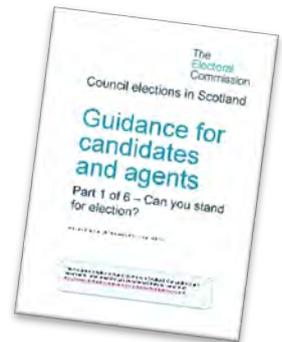
Email: ero@orkney.gov.uk



How to stand as a candidate

Nomination qualification

There are qualifications as to whether someone can stand as a candidate at a local Council election in Scotland and, to ensure you are able to do so, we strongly advise you check the "[Guidance for candidates and agents](#)" overview and accompanying documents published by The Electoral Commission.



Key dates for nomination

Once you have checked that you can stand as a candidate, you need to prepare nomination forms. These will be provided on request as part of the nomination pack for candidates and will also be available to download from the Council's website.

Nomination period commences	Friday 9 February 2024
Deadline for lodging nomination papers	Monday 26 February 2024 at 4pm
Appointments for lodging of nomination papers can be made	Monday to Friday between 10am and 4pm

A full timetable of relevant deadlines can be found at Appendix 1 at the end of this Information Pack.

What do I need to provide?

The items required if **standing as an independent**:

1. Nomination paper
 - Includes home address and consent to nomination
2. Appointment of an Election Agent

The items required if **standing on behalf of a political party**:

1. Nomination paper
 - Includes home address and consent to nomination
2. Appointment of an Election Agent
3. Certificate of authorisation
4. Authorisation to use registered party emblem

When and how do I lodge a nomination?

You may return completed nomination forms and the related papers between 10am and 4pm on any weekday after the Notice of Election is advertised - **between Friday 9 February and Monday 26 February 2024.**

It is essential that you keep to these dates. **The Returning Officer is, by law, unable to accept any form submitted after the final deadline of 4pm on Monday 26 February 2024.**

Forms must be submitted in hard copy and in person to the Election Office. Please telephone (01856 886 350) or email (electionoffice@orkney.gov.uk) in advance to arrange an appointment to lodge your nomination.

Appointment of an Election Agent

All nominated candidates must name an Election Agent by declaring the agent's name and address on the form enclosed within the nomination pack and submitting this along with their nomination paper prior to the deadline of 4pm on Monday 26 February 2024.

A candidate may name themselves as Election Agent in terms of Section 67(2) of the Representation of the People Act 1983. If a candidate does not return the form by this date the law deems the candidate has named themselves as Election Agent and their name will be published accordingly.

Appointment of Polling and Counting agents

Details and forms for the purpose of appointment of Polling and Counting agents will be issued as soon as possible after the close of nominations.

Accuracy and checking of nomination papers

When nomination papers are lodged, they will be checked for accuracy to ensure that they conform to statutory requirements. Occasionally, nomination papers cannot be accepted and new or amended papers are required to meet statutory requirements although the Election Team are there to assist with any corrections.

It is, however, in the interest of candidates when submitting their nominations to take this into account and ensure they have given themselves sufficient time in case any amendments are required.

What if I change my mind after lodging my nomination papers?

If a candidate wishes to withdraw their nomination, they must lodge a Notice of Withdrawal with the Election Office before the **close of the period for withdrawals on Monday 26 February 2024 at 4pm.** This must be signed by the candidate and by one witness. The nomination pack includes a form for this purpose.

Candidate spend

During the election regulated period you must record all spend on activities to promote your candidacy. You will need to include this information in your spending return.

Once appointed, the agent is responsible for all payments and must keep invoices or receipts for any payments over £20.

For each item of spending, you must record the following information to put into your spending return:

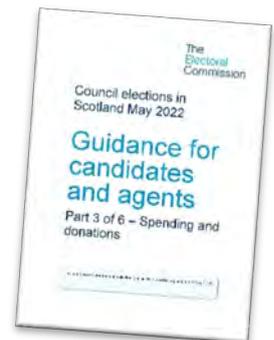
- What the spending was for – for example, leaflets or advertising
- The name and address of the supplier
- The amount or value
- The date that you spent the money

The spending limit for the regulated period in 2024 is £806 plus 7p per local government elector in the ward registered to vote on the last day for publication of the notice of election in the ward which you are standing for – Monday 19 February 2024.

Full guidance on this is set out in Electoral Commission's "[Guidance for candidates and agents – Part 3 of 6 – Spending and Donations](#)".

Forms, declarations and spreadsheets to report and declare a candidate's spending, as required in law, will be provided to the candidate's election agent after the close of nominations.

! Candidate spending is often known as "expenses". Sometimes, people think this means that spending can be reclaimed from the local council. This is not the case. You are not entitled to recover any spending from public funds.



Poll, postal vote and count information

Polling stations



Polling takes place on Thursday 28 March 2024 and the polling stations are open from 7am to 10pm.

There are 2 polling places one at Warehouse Buildings, Stromness and the other at Customer Services, Council Offices, Kirkwall.

Postal votes

The first issue of postal ballot papers will be passed to Royal Mail for delivery around Tuesday 19 March 2024.

Completed and returned postal ballot envelopes will be opened to verify the identity of the elector, but the ballot papers themselves will not be counted until the count commences.

Candidates and Election Agents may attend postal vote opening sessions if they wish to and information on the dates and times of these will be issued after the close of the nomination period.



Close of poll

Following the close of poll sealed ballot boxes from the polling stations will be delivered to the Council Offices for the count to commence.

The verification of identities of electors on postal votes handed into polling stations will be undertaken at close of poll, along with those on any postal votes retrieved from Kirkwall Post Office and the Council Offices mailbox by 10pm on Thursday 28 March 2024.



The Count

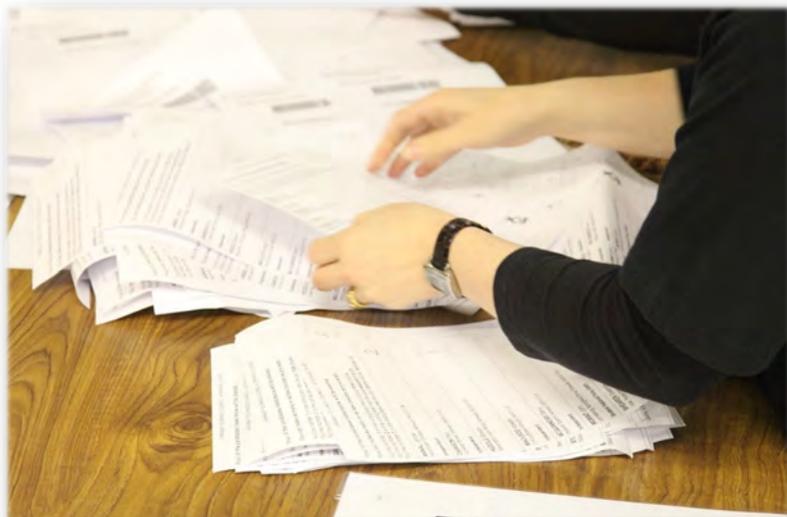
The counting of votes will take place following the close of poll at 10 pm on Thursday 28 March 2024 in the Council Chamber, Council Offices, School Place Kirkwall.

Admission to the count will be restricted to:

- Members of the Returning Officer's staff engaged in the count
- Candidates, a guest and their election and counting agents or persons nominated to attend instead of a guest or election agent
- A number of guests invited by the Returning Officer
- Observers accredited by the Electoral Commission and the Returning Officer

Confirmation of who will be attending will be required in advance so that identification badges can be prepared ready for the count

The count will be a manual STV (single transferable vote) count and more detailed information with regards to the Count process and STV method which is used will be issued at a later date.



Display of election materials on verges and street furniture

Orkney Islands Council has a policy on the display of election materials on verges and lighting columns in its ownership. Please refer to Annex 2 for guidance.

Use of schools and rooms for local election meetings

If you wish to hire a room in a school for election meetings, please refer to Annex 3 for guidance.

What support is there to help me after the Count?

You will also get invaluable administration support from our Democratic Services Team based in the Council Offices. They will help you with your day-to-day councillor duties by providing clerical support (including looking after your diary), arranging relevant travel and processing any expenses claims.

Links to more information

Further guidance for candidates and election agents may be found through the following websites:

www.localcouncillor.scot

Includes resources on what is expected of councillors, how to decide if standing as a candidate is right for you and preparing for elected office.

www.improvementservice.org.uk

Includes resources on the roles and responsibilities of councillors at ward and council level, and examples of 'a day in the life of a councillor'.

www.orkney.gov.uk

Orkney Islands Council's own website, where you can find the current Council Plan, dates of Council meetings, links to audio recordings of meetings, financial information amongst a host of other information.

www.standardscommissionscotland.org.uk/codes-of-conduct

Outlines the codes of conduct that must be adhered to by those in public office.

www.electoralcommission.org.uk

The independent body that oversees elections and regulates political finance in the UK.

www.audit-scotland.gov.uk

The independent body providing assurance to the people of Scotland that public money is spent properly, efficiently and effectively.

<https://inclusionScotland.org/disabled-people-become-a-leader/civic-participation/aeo-fund>

Administrators of the Access to Elected Office Fund, that pays for practical support to allow disabled people to fully participate in the political process. This covers reasonable adjustments that level the playing field between disabled and non-disabled candidates, but not general campaign costs. Applicants do not need to have been selected yet nor do they need to be members of a party to apply for the Fund.

Annex 1: Election Timetable

Orkney Islands Council Local Government By-Election

Stromness & South Isles Ward

Election Timetable

Date of Poll – Thursday 28 March 2024

First day to publish the notice of election	-35	Not earlier than Thursday 08 February 2024
Delivery of nomination papers	-34	Each working day (between 10.00am and 4.00pm) from Friday 09 February 2024
Last day to publish notice of election	-28	Not later than Monday 19 February 2024
Deadline for the delivery of nomination papers	-23	Not later than 4.00pm on Monday 26 February 2024
Deadline for withdrawal of nomination	-23	
Deadline for notification of appointment of election agents	-23	
Publication of notice of poll	-23	As soon as practicable after 4.00pm on Monday 26 February 2024
Issue of Voter's Pollcards	n/s	
Registration deadline	-12	Midnight on Tuesday 12 March 2024
Deadline for new postal vote applications and for changes to existing postal or proxy votes	-11	Not later than 5.00pm on Wednesday 13 March 2024
Issue of Postal Votes	n/s	
Deadline for new applications to vote by proxy (not postal proxy), except for medical emergencies	-6	Not later than 5.00pm on Wednesday 20 March 2024
Deadline for notification of appointment of polling and counting agents	-5	Thursday 21 March 2024
First date that electors can apply for replacements for lost postal votes	-4	Friday 22 March 2024
POLLING DAY	0	7.00am – 10.00pm on Thursday 28 March 2024
Deadline for emergency proxy applications	0	Not later than 5.00pm on Thursday 28 March 2024
Last time for re-issue of spoilt and lost postal votes	0	Not later than 10.00pm on Thursday 28 March 2024
Last time to alter the register due to clerical error or court appeal	0	Not later than 9.00pm on Thursday 28 March 2024
COUNT	-	From 10pm on Thursday 28 March 2024
Last day to submit election spending returns	+35d	Friday 03 May 2024

Annex 2: Display of election material

Orkney Islands Council

Display Of Election Material On Verges And Street Furniture

Orkney Islands Council has adopted the following policy on the display of election materials on verges and lighting columns in its ownership.

The Council permits the display of election material on roadside verges and lighting columns within the Council area in connection with any election or referendum, subject to the following conditions:

- 1 Before material is displayed, the chairman or secretary of the relevant party association or, where there is no such association, the candidate, must undertake in writing to the Corporate Director of Neighbourhood Services that the association or candidate, agrees to indemnify the Council against any damages awarded as a result of the negligent display of election material. Associations and candidates should ensure that they are in a position to meet any successful actions for damages in these circumstances;
- 2 Material must not be displayed prior to the publication of notice of election;
- 3 Material must not, in any circumstances, be located on refuge islands in the centre of roads, traffic signal posts, road signs, control boxes, or on roundabouts;
- 4 Material must be located at the rear of any verge;
- 5 Material must not be located so as to interfere with the visibility of drivers emerging from side roads or private accesses;
- 6 Material must be so mounted that the material and its mount will not afford any resistance or damage to a vehicle coming into contact with it;
- 7 Material attached to lighting columns must be fixed first to a card of adequate stiffness, which in turn must be attached with string to the lighting column. The use of paste or glue is not permitted. The height of the mounting card must not be less than 2.1 metres (7 feet) above the height of the footway;
- 8 The area of any election material must not exceed 0.2 square metres, and the maximum overall vertical or horizontal dimension must not exceed 0.5 metres;
- 9 All election material must be removed within 48 hours of the date of poll.

For statutory reasons the Returning Officer cannot give advice or approval regarding the display of election material. Enquiries regarding the operation of this policy must be made to Neighbourhood Services, Council Offices, Kirkwall.

Except as stated above, the Council does not give permission for the display of election material on any of its property.

Annex 3: Use of schools and rooms

Representation Of The People Act 1983

Schools and rooms for local election meetings

Section 96.— Schools and rooms for local election meetings

(1) Subject to the provisions of this section, a candidate at a local government election is entitled for the purpose of holding public meetings in furtherance of his candidature to promote or procure the giving of votes at that election—

(i) for himself

(ii)

the use free of charge at reasonable times between the last day on which notice of the election may be published in accordance with rules made under [\[section 36 or section 36A\]](#) or, in Scotland, [section 42](#) above (i.e. of the 1983 Act) and the day preceding the day of election of—

(a) a suitable room in the premises of a school to which this section applies; or

(b) a meeting room to which this section applies.

(2) This section applies—

(a)

(b) in Scotland, to any school (not being an independent school within the meaning of the [Education \(Scotland\) Act 1980](#)) situated in the electoral area for which the candidate is standing (or, if there is no such school in the area, in any such school in an adjacent electoral area).

['electoral area' means electoral ward].

(3) This section applies—

(a)

(b) in Scotland, to any meeting room the expense of maintaining which is payable by [a local authority].

(4) [Subsections \(4\), \(5\) and \(7\) of section 95](#) above (i.e. of the 1983 Act) and [paragraph 1\(1\) of Schedule 5](#) to this Act (i.e. the 1983 Act) shall apply for the purposes of this section as they apply for the purposes of that section, and any person stating himself to be, or to be authorised by, a candidate at a local government election in respect of an electoral area which falls (or partly falls) within a constituency, or his election agent, shall be entitled to inspect the lists prepared under [Schedule 5](#) to this Act in relation to the constituency or a copy of them at all reasonable hours during the period beginning with the day on which notice of the election is published and ending with the day preceding the day of election.

If you wish to hire a room in a school for election meetings please contact Ingrid Scott, Education, Leisure and Housing in the first instance on 01856 873535.