

From Clive Joynes

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Election of Councillors for the Isle Of Wight Council Nomination Paper Pack

Please find enclosed a Nomination Paper pack as requested. The pack contains the following items:

- Nomination Paper
- Home Address Form
- Consent to Nomination
- Section 80 Local Government Act 1972, etc
- Political Party Certificate of Authority and Emblem Request form
- Appointment of an Election Agent form
- Election Timetable
- Declaration of Secrecy
- Candidate Guide – includes details of Candidates meetings
- Notice of Appointment of Polling Agents
- Notice of Appointment of Counting Agents
- Notice of Appointment of Agents to attend the Opening of Postal Voters' Ballot Box
- Notice of Withdrawal
- Code of Conduct – this is the code that you will have to follow if you are elected and is attached for your information at this stage.

To be a candidate at this election, the nomination paper, consent to nomination and home address form must be delivered by hand to the Returning Officer, 30 High Street, Newport, Isle of Wight, PO30 1SS by **4:00 PM on Thursday, 8th April 2021**.

Please ensure that all sections of submitted forms are fully completed, including the name of the Electoral Division for which you are nominated, and the Electoral Numbers of your Proposer and Secunder.

If you require any further information or assistance, please do not hesitate to contact Clive Joynes, Electoral Services Manager, using the details shown above.

Yours sincerely

Claire Shand
Returning Officer

The 39 Isle of Wight Council Electoral Divisions

Electoral Division	Number of Councillors to be elected
Bembridge	One
Binstead and Fishbourne	One
Brading and St Helens	One
Brighstone, Calbourne and Shalfleet	One
Carisbrooke and Gunville	One
Central Rural	One
Chale, Niton and Shorwell	One
Cowes Medina	One
Cowes North	One
Cowes South and Northwood	One
Cowes West and Gurnard	One
East Cowes	One
Fairlee and Whippingham	One
Freshwater North and Yarmouth	One
Freshwater South	One
Haylands and Swanmore	One
Lake North	One
Lake South	One
Mountjoy and Shide	One
Nettlestone and Seaview	One
Newchurch, Havenstreet and Ashey	One
Newport Central	One
Newport West	One
Osborne	One
Pan and Barton	One
Parkhurst and Hunnyhill	One
Ryde Appley and Elmfield	One
Ryde Monktonmead	One
Ryde North West	One
Ryde South East	One
Ryde West	One
Sandown North	One
Sandown South	One
Shanklin Central	One
Shanklin South	One
Totland and Colwell	One
Ventnor and St Lawrence	One
Wootton Bridge	One
Wroxall, Lowtherville and Bonchurch	One

Guidance for candidates and agents: Elections on 6th May 2021

The following link gives full guidance for potential candidates standing in the local elections this May. It includes both financial and non-financial guidance, including details of eligibility and how to complete and submit nomination papers. It can be found on the Electoral Commission's website at:

<http://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/local-elections-england>

Further information on these elections, including links to the statutory notices is available on the Isle of Wight Council website, iwight.com at:

<https://www.iwight.com/Council/Elections/Elections-Management>

Hard copies of the full guidance may also be obtained from:
Electoral Services, Isle of Wight Council Tel : 01983 823380
electoral.services@iow.gov.uk Please provide your postal address.

The Councillor's Role

The Local Government Association has produced a guide for new councillors, which gives information on the role and responsibilities of councillors. Candidates may wish to read the guide, which can be found at: <https://www.local.gov.uk/our-support/highlighting-political-leadership/councillors-guide>

A comprehensive programme of training on various aspects of the Council will be provided for elected members once the elections are complete.

Candidates and Agents Meetings:

The Returning Officer will be holding two meetings for Candidates and Agents in advance of the local elections in May.

The first introductory session will be aimed at those thinking of standing and will include: the election timetable; eligibility to stand; the nomination process; proper management of election campaigns; expenses and the roles and responsibilities of becoming a councillor and an overview of the council and its key priorities.

The second session will be for nominated candidates and their agents, and will include: How the council works and its decision making processes; the code of conduct and register of financial interest; Details of election day and the count process as well as what happens after the result is announced; political proportionality and the Annual Council Meeting.

The meetings will be held on Monday 15th March and Monday 12th April, in both instances the meetings will be held over Microsoft Teams.

In order to obtain the meeting invitation links, please RSVP to Electoral Services giving your details via electoral.services@iow.gov.uk

You must print off the forms in this pack before submitting them

The following papers must be delivered by hand:

- 1a: Nomination paper
- 1b: Home address form (part 1 and part 2)
- 1c: Candidate's consent to nomination (including the pages of legislation)

The following papers can be delivered by hand or by post:

- 2: Certificate of authorisation
- 3: Request for a party emblem
- 4: Notification of election agent

The notice of election published by the Returning Officer will specify the times and exact location to which nomination papers **must** be delivered.

Ensure that where signatures are required, you submit the **original signed version** of each completed paper. Documents without original signatures cannot be accepted.

General Data Protection Regulation (GDPR)

Data protection legislation applies to the processing of all personal data. Please contact the [Information Commissioner's Office](#) for further information about how the legislation affects you.

When collecting subscriber information, you should point out what the information will be used for, and how personal data will be processed and kept secure. The lawful basis to collect the information in these forms is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as set out in the Representation of the People Act 1983 and associated regulations.

You should also explain that the information will be shared with the Returning Officer. For further information on data protection and data processing, you should refer to the Returning Officer's privacy notice on their website.

CL	Local government election in England	Candidate checklist
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This checklist is designed to assist candidates standing in a principal area local government election¹ in England in preparing to submit their nomination, and should be read alongside the Electoral Commission's [Guidance for candidates and agents](#).

Task	Tick
Nomination form (all candidates)	
Add your full name – surname in the first box and all other names in the second.	
Optional - Use the commonly used name(s) box(es) if you are commonly known by a name other than your full name and want it to be used instead of your full name.	
Description – Party candidates can use a party name or description registered with the Electoral Commission and this must match the details shown on the required certificate of authorisation from that party; others can use 'Independent' or leave this blank. Whatever you enter in this box will appear as your description on the ballot paper.	
Subscribers – the two subscribers must sign and have their name printed. Use your copy of the electoral register to make sure their elector numbers are accurate. When collecting subscriber information ensure that you explain what the information will be used for and that the information will be shared with the Returning Officer.	
Method of submitting the form to the RO: in person (but not limited to you or your agent), by hand, to be accompanied by the home address form. It cannot be submitted by post, fax, e-mail or other electronic means.	
Candidate's home address form (all candidates)	
Add your full name.	
Add your home address in full.	
Add your qualifying address, or qualifying addresses, to each of the relevant qualifications.	
Add the full name and home address in full of the person who will witness your consent to nomination form.	
Please also complete part 2 of the form if you do not want to have your home address printed on the ballot papers, giving the name of the relevant area or, where outside the UK, the country, in which your home address is situated, and sign the form. Please submit part 2 of the home address form with your nomination papers, even if you do not want to withhold your home address from the ballot papers.	
Method of submitting the form to the RO: in person (but not limited to you or your agent), by hand, to be accompanied by the nomination form. It cannot be submitted by post, fax, e-mail or other electronic means.	
Candidate's consent (all candidates)	
You must be a British, Commonwealth or other European Union Citizen and not require leave to enter or remain in the United Kingdom or have indefinite leave to remain. You must also be 18 years old or older on the date you sign this form.	

¹ This is not to be used for parish, community or mayoral elections. Separate [forms and guidance are available](#).

You must declare that you meet at least one of the listed qualification(s) and should cross through any that do not apply. Those left should match the qualification(s) as given on your home address form.	
You must not sign the form if you are disqualified to stand. Make sure that you read the Electoral Commission guidance on standing for election as well as the legislation listed. If you are not sure if you are able to stand you should contact your employer (where relevant), consult the legislation or, if necessary, take your own independent legal advice.	
Add your full date of birth.	
Sign and date the document in the presence of another person. You must not sign the consent form earlier than one calendar month before the deadline for submitting your nomination papers.	
Get the other person to complete and sign the witness section. This should be the same person whose details you provided as your witness on the home address form.	
Method of submitting the form (which must include all pages of legislation) to the RO: in person (but not limited to you or your agent), by hand. It cannot be submitted by post, fax, e-mail or other electronic means.	
Certificate of authorisation (party candidates only)	
Ensure the certificate contains the candidate's full name.	
Check the certificate allows the registered party name or description given on the nomination paper to be used (or allows the candidate to choose to use the party name or any registered description).	
Ensure the certificate is issued by the party Nominating Officer (or someone that they have authorised to issue it on their behalf) and that it is the original copy signed by that person.	
Method of submitting the form to the RO: in person (but not limited to you or your agent) or by post.	
Request for party emblem (party candidates only)	
Write the name or description of an emblem registered by the party and published on the Electoral Commission's website.	
Ensure the request is made by the candidate.	
Method of submitting the form to the RO: in person (but not limited to you or your agent) or by post.	
Appoint an election agent (all candidates)	
Give the name and address of the appointed election agent. If you do not appoint an agent or choose to act as your own agent and do not provide an office address, your home address will be published on the notice of election agents if that address is within the relevant area (otherwise the office address will be that of your proposer). This will be the case even if you have requested to withhold this information on the home address form.	
Ensure the appointed agent signs the form showing their acceptance.	
Method of submitting the form to the RO: in person (but not limited to you or your agent) or by post.	

1a – Nomination paper		Office use only			
Local government election in England		Date received	Time received	Initials	No
*ELECTION OF COUNCILLORS / A COUNCILLOR for the					
		Electoral Division			
of the		Isle of Wight Council			
Date of election:		Thursday 6 th May 2021			

We, the undersigned, being local government electors for the said electoral division do hereby nominate the under-mentioned person as a candidate at the said election

Candidate's Details	
Candidate's surname	Mr/Mrs/Miss/ Ms/Dr/Other
Other forenames in full	
Commonly used surname (if any)	
Commonly used forenames (if any)	
Description (if any) Use no more than six words (see note 5)	

	Signature	Print name	Electoral number	
			Polling District	Elector Number
Proposer				
Secunder				

We, the undersigned, being local government electors for the said electoral division, do hereby assent to the foregoing nomination

1				
2				
3				
4				
5				
6				
7				
8				

Not required for elections in 2021

Notes

1. The attention of candidates and electors is drawn to the rules for completing nomination papers and other provisions relating to nomination papers contained in the election rules in the Local Elections (Principal Areas) (England and Wales) Rules 2006 (as amended).
2. Where a candidate is commonly known by some title they may be described by their title as if it were their surname.
3. Where a candidate commonly uses a name which is different from any other name they have, the commonly used name may also appear on the nomination paper, but if it does so, the commonly used name (instead of any other name) will appear on the ballot paper.
4. But the ballot paper will show the other name if the Returning Officer thinks that the use of the commonly used name may:
 - (a) be likely to mislead or confuse electors, or
 - (b) that the commonly used name is obscene or offensive.
5. The description, if any, can only be:
 - (a) one certified as an authorised or registered description as mentioned in Rule 5 of the election rules, or
 - (b) the word 'Independent'
6. An elector may not:
 - (a) subscribe more nomination papers than there are vacancies to be filled in the electoral area in which the election is held, or
 - (b) subscribe a nomination paper for more than one electoral area in the same *county/district/London borough.
7. In this form 'elector':
 - (a) means a person whose name is registered in the register of local government electors for the electoral area in question on the last day for the publication of notice of election, and
 - (b) includes a person then shown in the register as below voting age if (but only if) it appears from the register that he will be of voting age on the day fixed for the poll.
8. However, a person who has an anonymous entry in the register of local government electors cannot nominate a candidate for election.

1b – Home address form		Office use only			
Local government elections in England		Date received	Time received	Initials	No
*ELECTION OF COUNCILLORS / A COUNCILLOR for the					
		Electoral Division			
of the		Isle of Wight Council			
Date of election:		Thursday 6 th May 2021			

You must complete Part 1

Only complete Part 2 if you do not wish your home address to be made public

Part 1: To be completed by all candidates in England	
Full name of candidate	
Home address (in full)	
Qualifying address: Add your qualifying address, or qualifying addresses (in full) to each of the relevant qualifications below (you can complete more than one qualification).	
Qualifications that apply	Address
(a) I am registered as a local government elector for the area of the *county/district/London borough named above	
(b) I have during the whole of the preceding 12 months occupied as owner or tenant land or other premises in the area named above	
(c) my principal or only place of work during the preceding 12 months has been in the *county/district/London borough named above	
(d) I have during the whole of the preceding 12 months resided in the *county/district or London borough named above	
Full name of the person who will witness the candidate's consent to nomination form	
Full home address of the person who will witness the candidate's consent to nomination form	

Part 2: To be completed only if you do not wish your home address to be made public.

Note: Please submit this part (part 2) of the home address form with your nomination papers, even if your home address is to be made public.

If you request that your home address is not made public then your address will not appear on the statement of persons nominated, notice of poll or the ballot paper. Instead the name of the relevant area in which your home address is situated (or country, if outside the UK), as explained below, will appear on the statement of persons nominated, notice of poll and the ballot papers.

Statement: I require my home address not to be made public

The relevant area my home address is situated in:

(insert name of relevant area)²

OR

My home address is situated outside the UK. My home address is situated in:

(insert name of country)

Signature of candidate (only required where Part 2 above has been completed)

Candidate's signature:

Date:

Deliver both Parts 1 and 2 with the nomination paper to the Returning Officer by no later than **4pm** on the last day to deliver nominations

² the name of the "relevant area" in which your home address is situated (if your home address is in the UK)

- **For home addresses in England:**
 - if the address is within a district for which there is a district council, that district;
 - if the address is within a county in which there are no districts with councils, that county;
 - if the address is within a London borough, that London borough;
 - if the address is within the City of London (including the Inner and Middle Temples), the City of London; and
 - if the address is within the Isles of Scilly, the Isles of Scilly
- **For home addresses in Wales:**
 - if the address is within a county, that county;
 - if the address is within a county borough, that county borough
- **For home addresses in Scotland:**
 - the local government area in which the address is situated
- **For home addresses in Northern Ireland:**
 - the local government district in which the address is situated

Note: The relevant area should be given in the format described above and is not the ward or parish, nor should the local authority name be given in full

1c – Candidate’s consent to nomination	Office use only			
Local government elections in England	Date received	Time received	Initials	No

*You must declare that you meet at least one of the listed qualification(s) below. To do this, strike through any that do not apply. Any qualification(s) that apply must match the information given on your home address form.

Date of election:	Thursday 6 th May 2021
I (name in full):	
hereby consent to my nomination as a candidate for election as councillor for the:	Electoral Division
of the	Isle of Wight Council

I declare that on the day of my nomination, I am qualified and that, if there is a poll on the day of election, I will be qualified to be so elected by virtue of being on that day or those days a qualifying Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of a Member State of the European Union, who has attained the age of 18 years and that

- *a. I am registered as a local government elector for the area of the *county/district/London borough named above; or
- *b. I have during the whole of the 12 months preceding that day, or those days, occupied as owner or tenant land or other premises in the area named above; or
- *c. my principal or only place of work during those 12 months has been in the *county/district/London borough named above; or
- *d I have during the whole of those 12 months resided in the *county/district or London borough named above.

I declare that to the best of my knowledge and belief I am not disqualified for being elected by reason of any disqualification set out in, or decision made under, section 80 of the Local Government Act 1972 or section 34 of the Localism Act 2011 (copies of which are printed overleaf), and I do not hold a politically restricted post, within the meaning of Part 1 of the Local Government and Housing Act 1989, under a local authority, within the meaning of that Part.

Date of birth:	Signature:	Date of consent:

Witness: I confirm the above-mentioned candidate signed the declaration in my presence.

Witness (name in full):	
Witness’s signature:	

Local Government Act 1972**80. Disqualifications for election and holding office as member of local authority**

(1) Subject to the provisions of section 81 below, a person shall be disqualified for being elected or being a member of a local authority if he –

- (a) holds any paid office or employment (other than the office of chairman, vice-chairman, deputy chairman, presiding member or deputy presiding member or, in the case of a local authority which are operating executive arrangements which involve a leader and cabinet executive, the office of executive leader or member of the executive) appointments or elections to which are or may be made or confirmed by the local authority or any committee or sub-committee of the authority or by a joint committee or National Park authority on which the authority are represented or by any person holding any such office or employment; or
- (b) is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order, or a debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986; or
- (c) [This has been removed and no longer applies]
- (d) has within five years before the day of election or since his election been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine; or
- (e) is disqualified for being elected or for being a member of that authority under Part III of the Representation of the People Act 1983.

(2) Subject to the provisions of section 81 below, a paid officer of a local authority who is employed under the direction of –

- (a) a committee or sub-committee of the authority any member of which is appointed on the nomination of some other local authority; or
- (b) a joint board, joint authority, economic prosperity board, combined authority, joint waste authority or joint committee on which the authority are represented and any member of which is so appointed;

shall be disqualified for being elected or being a member of that other local authority.

(2AA) A paid member of staff of the Greater London Authority who is employed under the direction of a joint committee the membership of which includes –

- (a) one or more persons appointed on the nomination of the Authority acting by the Mayor, and
- (b) one or more members of one or more London borough councils appointed to the committee on the nomination of those councils,

shall be disqualified for being elected or being a member of any of those London borough councils.

(2A) Subsection (2) above shall have effect as if the reference to a joint board included a reference to a National Park authority.

(2B) For the purposes of this section a local authority shall be treated as represented on a National Park authority if it is entitled to make any appointment of a local authority member of the National Park authority.

(3) Subsection (1)(a) shall have effect in relation to a teacher in a school maintained by the local authority who does not hold an employment falling within that provision as it has effect in relation to a teacher in such a school who holds such an employment.

(5) For the purposes of subsection (1)(d) above, the ordinary date on which the period allowed for making an appeal or application with respect to the conviction expires or, if such an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of the non-prosecution thereof shall be deemed to be the date of the conviction.

81. Exception to provisions of section 80

- (4) Section 80(2) and (3) above shall not operate so to disqualify –
- (a) any person by reason of his being a teacher, or otherwise employed, in a school or other educational institution maintained or assisted by a county council for being a member of a district council by reason that the district council nominates members of the education committee of the county council

Localism Act 2011

Section 34(4) describes how a person may be disqualified from standing in local government elections under this section. The remaining provisions of section 34 do not directly affect a person's entitlement to stand for election.

34 Offences

- (1) A person commits an offence if, without reasonable excuse, the person—
- (a) fails to comply with an obligation imposed on the person by section 30(1) or 31(2), (3) or (7),
- (b) participates in any discussion or vote in contravention of section 31(4), or
- (c) takes any steps in contravention of section 31(8).
- (2) A person commits an offence if under section 30(1) or 31(2), (3) or (7) the person provides information that is false or misleading and the person—
- (a) knows that the information is false or misleading, or
- (b) is reckless as to whether the information is true and not misleading.
- (3) A person who is guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) A court dealing with a person for an offence under this section may (in addition to any other power exercisable in the person's case) by order disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.
- (5) A prosecution for an offence under this section is not to be instituted except by or on behalf of the Director of Public Prosecutions.
- (6) Proceedings for an offence under this section may be brought within a period of 12 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.
- (7) But no such proceedings may be brought more than three years—
- (a) after the commission of the offence, or
- (b) in the case of a continuous contravention, after the last date on which the offence was committed.
- (8) A certificate signed by the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.

(9) The Local Government Act 1972 is amended as follows.

(10) In section 86(1)(b) (authority to declare vacancy where member becomes disqualified otherwise than in certain cases) after “ 2000 ” insert “ or section 34 of the Localism Act 2011 ”.

(11) In section 87(1)(ee) (date of casual vacancies)—

(a) after “2000” insert “ or section 34 of the Localism Act 2011 or ”, and

(b) after “decision” insert “ or order ”.

(12) The Greater London Authority Act 1999 is amended as follows.

(13) In each of sections 7(b) and 14(b) (Authority to declare vacancy where Assembly member or Mayor becomes disqualified otherwise than in certain cases) after sub-paragraph (i) insert—

“(ia) under section 34 of the Localism Act 2011,”.

(14) In section 9(1)(f) (date of casual vacancies)—

(a) before “or by virtue of” insert “ or section 34 of the Localism Act 2011 ”, and

(b) after “that Act” insert “ of 1998 or that section ”.

2 – Certificate of authorisation	Office use only			
Local government elections in England	Date received	Time received	Initials	No

To accompany the nomination of a candidate standing on behalf of a registered political party. (Note: candidates standing on behalf of two or more parties require a certificate from each party and each must allow the same registered joint description to be used).

This certificate must be issued by the registered Nominating Officer of the party or by a person authorised to sign on their behalf.

This certificate authorises the candidate to use a specific registered description or the name of the party as registered with the Electoral Commission, or to use 'any registered description or the party name as registered with the Electoral Commission'.

This authorised party name or description can then be included by the candidate on the nomination form. It is this which will appear as their description on the ballot paper. Party names and registered descriptions are listed on the Electoral Commission's website (<http://search.electoralcommission.org.uk>).

Details of candidate to be authorised and the allowed description/party name			
Electoral division name:		Date of election:	Thursday 6 th May 2021
The candidate (name in full):			
Name of political party:	<i>Political party registered with the Electoral Commission</i>		
I hereby certify that the candidate may include the following registered description or party name in their nomination form:			
Note: it is an offence to sign this form if you are not the party's registered nominating officer or authorised to do so by the party's registered nominating officer			
Signature of party's registered Nominating Officer (or person authorised by the registered Nominating Officer):			
Name of person signing this form:			
Date:			

This form must be delivered to the Returning Officer by no later than **4pm** on the last day to deliver nominations.

3 – Request for a party emblem	Office use only			
Local government elections in England	Date received	Time received	Initials	No

This form is for a candidate of a political party who is subject to a certificate of authorisation and who wishes to have a party emblem printed on the ballot paper next to their name.

Party emblems are listed on the Electoral Commission's website (<http://search.electoralcommission.org.uk>).

This form must be signed by the candidate.

Candidate's request for use of an emblem			
Electoral division name:		Date of election:	Thursday 6 th May 2021
Candidate name in full:			
I request that the ballot paper shall contain, against my name, the following registered emblem (please identify which emblem if the party has registered more than one):			
Emblem to be used (Please use name or description as on the Electoral Commission's website):			
Candidate's signature:			
Date:			

This form is only effective if delivered for a candidate standing on behalf of a political party to the Returning Officer by no later than 4pm on the last day to deliver nominations.

Candidates standing on behalf of more than one political party and using a joint description may choose one emblem from one of the parties that you are standing for. Please indicate the name of the party and the emblem name in the 'Emblem to be used' box above.

4 – Notification of an election agent		Office use only			
Local government elections in England		Date received	Time received	Initials	No
Electoral division name					
Date of election:	Thursday 6 th May 2021				

Candidate's notification of their election agent	
I, (Candidate name in full):	
Hereby declare that the name and address of my election agent to which all claims, notices, legal process and other documents may be sent is:	
Agent's name:	
Agent's address in full (this may be an office or home address or could be a local party office or other office especially set up for the election):	
Candidate's signature (or of person authorised to act on behalf of candidate):	
Date:	
Confirmation of acceptance by election agent	
I [agent named above] confirm my acceptance as the election agent for the above named candidate. I understand that I must carry out my duties according to law. I understand that there are penalties if I fail to fulfil my duties according to law.	
Agent's signature:	
Date:	

Agent's other details in case of query (optional – will not be published)	
Home telephone:	
Work telephone:	
Mobile telephone:	
Email address:	

Return to the Returning Officer by no later than **4pm** on the last day to deliver nominations.

PCC and Local Government Elections

Timetable of Proceedings for

Thursday 6 May 2021

Publication of Notice of Election	Monday 22 March 2021
Receipt of Nominations	4:00 pm Thursday 8 April 2021
Withdrawal of Candidate	4:00 pm Thursday 8 April 2021
Appointment of Election Agents	4:00 pm Thursday 8 April 2021
Publication of Notice of Election Agents	4:00 pm Thursday 8 April 2021
Publication of Statements of Persons Nominated	4:00 pm Friday 9 April 2021
Last Date for Registration	Monday 19 April 2021
Receipt of Postal Vote Applications	5:00 pm Tuesday 20 April 2021
Publication of Notice of Poll	Tuesday 27 April 2021
Receipt of Proxy Vote Applications	5:00 pm Tuesday 27 April 2021
Appointment of Poll and Count Agents	Wednesday 28 April 2021
First Day to Issue Replacement Lost Postal Ballot Papers	Thursday 29 April 2021
Last Day to Issue Replacement Spoilt or Lost Postal Ballot Papers 2021	5:00 pm Thursday 6 May 2021
Receipt of Emergency Proxy Vote Applications	5:00 pm Thursday 6 May 2021
Day of Poll	7:00 am to 10:00 pm Thursday 6 May 2021
Return of Election Expenses (Parish)	Thursday 3 June 2021
Return of Election Expenses (IOWC)	Friday 11 June 2021

Notification of secrecy requirements.

Section 66 of the Representation of the People Act 1983 (as amended)

- (1) The following persons –
- (a) every returning officer and every presiding officer or clerk attending at a polling station,
 - (b) every candidate or election agent or polling agent so attending
 - (c) every person so attending by virtue of any of sections 6A to 6D of the Political Parties, Elections and Referendums Act 2000
- shall maintain and aid in maintaining the secrecy of voting and shall not, except for some purpose authorised by law, communicate to any person before the poll is closed any information as to –
- (i) the name of any elector or proxy for an elector who has or has not applied for a ballot paper or voted at a polling station;
 - (ii) the number on the register of electors of any elector who, or whose proxy, has or has not applied for a ballot paper or voted at a polling station; or
 - (iii) the official mark.
- (2) Every person attending at the counting of the votes shall maintain and aid in maintaining the secrecy of voting and shall not –
- (a) ascertain or attempt to ascertain at the counting of the votes the number or other unique identifying mark on the back of any ballot paper;
 - (b) communicate any information obtained at the counting of the votes as to the candidate for whom any vote is given on any particular ballot paper.
- (3) No person shall –
- (a) interfere with or attempt to interfere with a voter when recording his vote;
 - (b) otherwise obtain or attempt to obtain in a polling station information as to the candidate for whom a voter in that station is about to vote or has voted;
 - (c) communicate at any time to any person any information obtained in a polling station as to the candidate for whom a voter in that station is about to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given to a voter at that station;
 - (d) directly or indirectly induce a voter to display his ballot paper after he has marked it so as to make known to any person the name of the candidate for whom he has or has not voted.

- (4) Every person attending the proceedings in connection with the issue or the receipt of ballot papers for persons voting by post shall maintain and aid in maintaining the secrecy of the voting and shall not –
- (a) except for some purpose authorised by law, communicate, before the poll is closed, to any person any information obtained at those proceedings as to the official mark; or
 - (b) except for some purpose authorised by law, communicate to any person at any time any information obtained at those proceedings as to the number or other unique identifying mark on the back of the ballot paper sent to any person; or
 - (c) except for some purpose authorised by law, attempt to ascertain at the proceedings in connection with the receipt of ballot papers the number or other unique identifying mark on the back of any ballot paper; or
 - (d) attempt to ascertain at the proceedings in connection with the receipt of the ballot papers the candidate for whom any vote is given in any particular ballot paper or communicate any information with respect thereto obtain at those proceedings.
- (5) No person having undertaken to assist a blind voter to vote shall communicate at any time to any person any information as to the candidate for whom that voter intends to vote or has voted, or as to the number or other unique identifying mark on the back of the ballot paper given for the use of that voter.
- (6) If a person acts in contravention of this section he shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months.

Appointment of postal vote agents

Postal vote agents may be appointed by the candidate or their election agent using this form. Only one postal vote agent may attend at any one time.

Local Authority:	Isle of Wight Council – Thursday 6 th May 2021
Electoral Division:	
Name of candidate:	
Signature of candidate or election agent:	

I appoint the following people as agents to attend postal vote openings:

Name of postal vote agent	Address of postal vote agent

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Returning Officer as set out in Representation of the People Act 1983 and associated regulations.

The Returning Officer is the Data Controller. For further information relating to the processing of personal data you should refer to their privacy notice on their website.

Appointment of polling agents

Polling agents can be appointed using this form by the candidate or election agent.

This form must be returned by Wednesday 28th April 2021.

Local authority:	Isle of Wight Council – Thursday 6 th May 2021
Electoral Division:	
Name of candidate (Optional: include description, if any):	
Signature of candidate:	

I appoint the following people as polling agents:

Name and address of polling agent (include postcode)	List of polling stations to which they are appointed

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

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Appointment of counting agents

Counting agents may be appointed using this form by the candidate or election agent.

This form must be returned by Wednesday 28th April 2021.

Local authority:

Isle of Wight Council – Thursday 6th May 2021

Electoral Division:

Name of candidate:

Signature of candidate or
election agent:

I appoint the following people as counting agents:

Name of counting agent	Address of counting agent (including postcode)

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

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Appointment of counting agents

Counting agents may be appointed using this form by the candidate or election agent.

This form must be returned by Wednesday 28th April 2021.

Local authority:

Isle of Wight Council – Thursday 6th May 2021

Electoral Division:

Name of candidate:

Signature of candidate or
election agent:

I appoint the following people as counting agents:

Name of counting agent	Address of counting agent (including postcode)

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Returning Officer as set out in Representation of the People Act 1983 and associated regulations.

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Local government election

Notice of withdrawal

Election of a councillor for

Electoral Division:

Of Isle of Wight Council

Council

Date of election: Thursday 6th May 2021

To be completed by candidates seeking to **withdraw their nomination** and to be delivered to the Returning Officer at the place fixed for the delivery of nomination papers by 4pm on **Thursday 8th April 2021**. If the candidate is outside the United Kingdom please contact the Returning Officer for further advice.

I (candidate's name)

of (address of candidate)

having been nominated, **withdraw** my nomination as a candidate for the above election.

Section 1 – To be completed by the candidate in the presence of a witness

Signature of candidate

Date

Section 2 – to be completed by witness

Signature of witness

Date

Print name of witness
(in BLOCK CAPITALS)

The data controller will only use the information you have provided on this form for electoral purposes and will look after your personal information securely, following data protection legislation. The data controller will not give personal information about you and the personal information you may provide on other people to anyone else or another organisation unless required by law.

The lawful basis to collect the information in this form is that it is necessary for the performance of a task carried out in the public interest and exercise of official authority as vested in the Returning Officer as set out in Representation of the People Act 1983 and associated regulations.

The Returning Officer is the Data Controller. For further information relating to the processing of personal data you should refer to their privacy notice on their website.

For official use only

Lodged _____ (date) _____ (time) _____

Isle of Wight Council Member Code of Conduct

1. Introduction and interpretation

This Code applies to all elected and co-opted members of the Isle of Wight Council when they act in their role as a member and it is their responsibility to comply with the provisions of this Code.

You should behave in a manner that is consistent with the “Nolan Principles – the seven principles of public life”, which apply to anyone who is elected or appointed to public office:

SELFLESSNESS - Holders of public office should act solely in terms of the public interest.

INTEGRITY - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

OBJECTIVITY - Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

ACCOUNTABILITY - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

OPENNESS - Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

HONESTY - Holders of public office should be truthful. They must declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP - Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

2. Scope

You must comply with this Code whenever you:

- (a) conduct the business of the council (which includes the business of the office to which you are elected or appointed); or
- (b) act, claim to act, or give the impression you are acting in your official capacity as a representative of the council

This Code does not have effect in relation to your conduct other than where it is in your official capacity.

Where you act as a representative of the council:

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

3. General obligations

When acting in your role as a member of the council you must:

- (a) Treat others with respect.
- (b) Not do anything that may cause the council to breach any of the equality enactments (in particular the Equality Act 2010);
- (c) Not bully any person;
- (d) In relation to an allegation that a member (including yourself) has failed to comply with their council's code of conduct, not intimidate, or attempt to intimidate, any person who is, or is likely to be:
 - (i) complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings,
- (e) Not do anything that compromises, or is likely to compromise, the impartiality of those who work for, or on behalf of, the council.
- (f) Not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is:
 - reasonable and in the public interest; and
 - made in good faith and in compliance with the reasonable requirements of the authority; and
 - you have consulted the Monitoring Officer prior to its release
- (g) Not prevent another person from gaining access to information to which that person is entitled by law.
- (h) Not conduct yourself in a manner that could reasonably be regarded as bringing your office or the council into disrepute.
- (i) Not use or attempt to use your position as a member improperly to confer on, or secure for yourself or any other person, an advantage or disadvantage.
- (j) When using, or authorising the use by others of, the council resources:
 - (i) act in accordance with the council's reasonable requirements
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (k) Have regard to any applicable local authority code of publicity made under the Local Government Act 1986.
- (l) When reaching decisions on any matter, have regard to any relevant advice provided to you by the Chief Finance Officer or the Monitoring Officer.
- (m) Give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the council.

4. Register of Interests

You must complete your register of Disclosable Pecuniary Interests within 28 days of being elected and then update your register of interests within 28 days of any event that requires a change. A copy of the register will be available for public inspection and will be published on the authority's website.

A 'Disclosable Pecuniary Interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union & Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and the council: (a) under which goods or services are to be provided or works are to be executed; and, (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the council's area.
Licences	Any licence (alone or jointly with others) to occupy land in the council's area for a month or longer.
Corporate tenancies	Any tenancy where (to your knowledge): (a) the council is the landlord; and, (b) the tenant is a body in which you or your partner has a beneficial interest.
Securities	Any beneficial interest in securities of a body where: (a) that body (to your knowledge) has a place of business or land in the council's area; and (b) either: (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or, (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

In the above schedule:

- (a) "body in which you or your partner has a beneficial interest" means a firm in which you or your partner is a partner or a body corporate of which you or your partner is a director, or in the securities of which you or your partner has a beneficial interest;
- (b) "director" includes a member of the committee of management of an industrial and provident society;
- (c) "land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you or your partner (alone or jointly with another) to occupy the land or to receive income;

- (d) “relevant period” means the period of 12 months ending with the day on which you notify the Monitoring Officer of any Disclosable Pecuniary Interests; and,
- (e) “securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services & Markets Act 2000 and other securities of any description, other than money deposited with a building society.

5. Declaration and Non-participation in case of Disclosable Pecuniary Interest

A member with a Disclosable Pecuniary Interest in a matter to be considered at a meeting must, before the matter is discussed or when that interest becomes apparent:

- (a) disclose the interest
- (b) explain the nature of that interest at the commencement of that consideration or when the interest becomes apparent; and unless they have been granted a dispensation
- (c) not participate in any discussion of, or vote taken on, the matter at the meeting
- (d) withdraw from the meeting room whenever it becomes apparent that the business is being considered
- (e) not seek improperly to influence a decision about that business

Members can only stay to speak as a member of the public (where a member of the public is permitted to speak) if the Monitoring Officer has granted the member a dispensation to do so but must leave the room as soon as they have finished speaking as a member of the public (see Part 4B Section 12).

Where a Cabinet member discharges a function alone and becomes aware of a Disclosable Pecuniary Interest in a matter being dealt with or to be dealt with by them, the Cabinet member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

6. Sensitive interests

Where you consider that disclosure of the details of a Disclosable Pecuniary Interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a Disclosable Pecuniary Interest, the details of which are withheld under section 32(2) of the Localism Act 2011.

7. Dispensations

The council may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.

The Monitoring Officer has delegated authority in consultation with a duly appointed Independent Person, to deal with requests for dispensations without the need for a meeting of the Appeals Committee where that is deemed to be appropriate.

Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a Disclosable Pecuniary Interest that relates to the functions of the council in respect of:

- (a) housing, where you are a tenant of the council, provided those functions do not relate particularly to your tenancy or lease;

- (b) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (c) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (d) an allowance, payment or indemnity given to members;
- (e) any ceremonial honour given to members; and

A councillor seeking a dispensation should submit an application in writing to the Monitoring Officer (see Dispensations Protocol at Part 5 Section 6).

Offences

It is a criminal offence to:

- (a) fail to notify the Monitoring Officer of any Disclosable Pecuniary Interest within 28 days of election;
- (b) fail to disclose a Disclosable Pecuniary Interest at a meeting if it is not on the register;
- (c) fail to notify the Monitoring Officer within 28 days of a Disclosable Pecuniary Interest that is not on the register that you have disclosed to a meeting;
- (d) participate in any discussion or vote on a matter in which you have a Disclosable Pecuniary Interests;
- (e) as a Cabinet Member discharging a function acting alone, and having a Disclosable Pecuniary Interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest; and,
- (f) knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a Disclosable Pecuniary Interest or in disclosing such interest to a meeting.

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

8. Personal Interests

In addition to Disclosable Pecuniary Interests, you must, within 28 days of your election or appointment to office notify the Monitoring Officer in writing of the details of your other personal interests, where they fall within the following descriptions, for inclusion in the register of interests.

You must also, within 28 days of becoming aware of any new interest or change to any personal interest, notify the Monitoring Officer of the details of that new interest or change.

A member has a “personal interest” in an item of business where it relates to or is likely to affect any of the following bodies of which they are a member: a public or charitable body, any body to which the Member has been appointed by the authority, any political party, trade union or other body one of whose principal purposes is to influence public opinion or policy.

A Member also has a personal interest in an item of business where a decision in relation to it might reasonably be regarded as affecting the wellbeing or financial position, of themselves, a member of their family or person with whom they have a close association, more than other council tax payers, ratepayers or inhabitants of the authority’s area.

A member must disclose a personal interest at a meeting where they consider it is relevant to an item of business being considered at that meeting. The disclosure shall be made at the

commencement of the meeting, or when the interest becomes apparent, and shall be recorded in the minutes of the meeting.

Where you have a personal interest but sensitive information relating to it is not registered in your register of interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

Disclosure of a personal interest will only affect your ability to participate in discussion or vote on the relevant item if it is also a Disclosable Pecuniary Interest OR if it is so close that it could give rise to actual or apparent impartiality, bias or pre-determination (e.g. the matter directly affects themselves, a close associate, friend or a family member). In either case you should declare this interest and leave the room during its consideration.

Where an individual Cabinet member has a personal interest in any business and you have made an Executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

9. Interests arising in relation to overview and scrutiny committees

In any business before an overview and scrutiny committee of the council (or of a sub-committee of such a committee) where:

- (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the council's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the Executive, committee, sub-committee, joint committee or joint sub-committee and you were present when that decision was made or action was taken,

You may only attend a meeting of the overview and scrutiny committee for the purpose of answering questions or giving evidence relating to the business, and you must leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.

10. Register of Gifts and Hospitality

You must register with the Monitoring Officer any gift or hospitality exceeding a value of £50 that you have been offered (whether accepted or not) as part of your role as a member.

Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

11. Complaints procedure

Under Section 28(6) and (7) of the Localism Act 2011, the council must have in place arrangements under which allegations that a member or co-opted member has failed to comply with Code can be investigated and decisions made on such allegations.

Such arrangements must provide for the authority to appoint at least one Independent Person, whose views must be sought by the authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the authority at any other stage, or by a member against whom an allegation has been made.

Details of the complaints procedure can be found on the council's website.

12. **Sanctions for breaches of the Code of Conduct**

The Isle of Wight Council has delegated to the Monitoring Officer and the Appeals Committee such of its powers to take action in respect of individual members (including parish council members) as may be necessary to promote and maintain high standards of conduct. If, following an investigation, it is established that a member has failed to comply with their council's Code of Member Conduct, one or more of the following sanctions may be applied:

- (a) Publish findings in respect of the member's conduct;
- (b) Report findings to the relevant council for information;
- (c) Recommend to the relevant council that the member be issued with a formal censure or be reprimanded;
- (d) Recommend to the member's Group Leader (or in the case of un-grouped members, recommend to the relevant Council or committees) that they be removed from any or all committees or sub-committees of the council;
- (e) Where Executive arrangements exist, recommend to the Executive Leader that the member be removed from Cabinet, or removed from particular portfolio responsibilities;
- (f) Arrange or recommend training for the member;
- (g) Remove or recommend the removal of the member from all outside appointments to which they have been appointed or nominated by their council;
- (h) Withdraw or recommend withdrawal of facilities provided to the member by their council, such as a computer, website and/or email and internet access;
- (i) Exclude or recommend the exclusion of the member from their council's offices or other premises, with the exception of meeting rooms as necessary for attending Full Council, committee and sub-committee meetings.

The council has no power to suspend or disqualify a member or to withdraw a member's basic or special responsibility allowance.