



# ***A guide for candidates and agents in the 2026 local council elections***

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This document is a summary guide to the official regulations for candidates and their election agents contesting seats in the local authorities in England with scheduled elections in 2026, taking place on Thursday May 7th.

The information in this briefing is based on the official guidance produced by the Electoral Commission, along with some tips and pointers drawn from the previous experience of TUSC election campaigners.

The guide explains the formal procedures that have to be followed to appear on the ballot paper in a local council election.

It also includes information on TUSC's relationship with Your Party, launched last year by Jeremy Corbyn and Zarah Sultana, and the procedures agreed by the Trade Unionist and Socialist Coalition all-Britain steering committee on how to become a candidate using the TUSC name and emblem on the ballot paper, or one of its legally registered variants. This includes the recently registered description, **Independent Trade Union and Socialist Candidate**.

But concerning the official election regulations the briefing is only a summary guide. For a full explanation of election law you should go to the Electoral Commission's website at: <https://www.electoralcommission.org.uk/guidance-candidates-and-agents-local-government-elections-england>

TUSC's National Election Agent, the National Nominating Officer registered with the Electoral Commission, is Clive Heemskerk. He can be contacted for advice at [cliveheemskerk@socialistparty.org.uk](mailto:cliveheemskerk@socialistparty.org.uk) or, during the day, on 020-8988-8773.

28th January 2026

# 1. The local elections in May

**1.1** The local elections will take place this year on Thursday 7th May 2026, in over 100 local authorities including every London borough. There will also be directly-elected mayoral contests in six councils: Croydon, Hackney, Lewisham, Newham, Tower Hamlets and Watford.

**1.2** The list of the councils up for election was only finalised at the end of January, with the Starmer government cancelling scheduled elections in 29 authorities pending the reorganisation of local government in their areas. A final list can be found in the *TUSC 2026 Elections Directory*, available on the TUSC website Resources Page (at <https://www.tusc.org.uk/resources/>). In total there will be around 4,300 councillors up for election. An anti-cuts, anti-austerity election stand is vital and TUSC is committed to work with others to ensure that the widest-possible challenge is mounted.

# 2. TUSC will not stand against Your Party

**2.1** That includes working with Your Party, launched by Jeremy Corbyn and Zarah Sultana in 2025. The TUSC all-Britain steering committee is clear: it will not authorise TUSC candidates to stand against candidates who appear on the ballot paper under the Your Party name and we have included a new question in this year's *Application Form To Use A TUSC Description* to ensure that there will not be any such clashes.

**2.2** The founding documents of Your Party, discussed at its conference in November 2025 and agreed in an online ballot, recognise that the 2026 local elections will be unique for the party given the “time constraints” of the official nomination process for the elections (see page six) and “the absence of agreed branch structures” as the party foundation process unfolds. The party's first Central Executive Committee (CEC), for example, will not take office until the end of February, and the establishment of official branches – at inaugural meetings attended by at least 20% of the members in a given constituency under the agreed constitution – will not begin until the CEC is in place.

**2.3** This is not to say that there will definitely be no candidates standing under the Your Party name in May. Your Party has been registered with the Electoral Commission and the description is available to be used on the ballot paper. But, as is also the case for all candidates using any description other than ‘Independent’ on the ballot paper, it is a matter of election law that a prospective candidate has to be issued with a formal *Certificate of Authorisation* from the party's ‘Registered Nominating Officer’ before a registered description can be used.

**2.4** The properly-issued *Certificate of Authorisation* has to be handed in to the council's Returning Officer along with the official nomination papers before the close of nominations (see pages 8-10). For May's English council elections this is 19 working days before polling day – 9th April – a very tight timetable. There will almost certainly be Your Party supporters who want to stand as a clear anti-austerity, anti-war socialist candidate but will not be able to be agreed as an official Your Party candidate in time. They will be more than welcome to use one of the TUSC descriptions to distinguish themselves from right-wing or non-political ‘Independents’ on this occasion if they wish.

# 3. If you need to use a TUSC description...

**3.1** TUSC was set-up in 2010 as an inclusive umbrella alliance, to enable fighting trade unionists, working class community organisers, anti-war campaigners, social movement activists, and socialists in different parties or none, to appear on the ballot paper in elections other than as an ‘Independent’ while preserving their own identities. It is not a conventional party in that sense but precisely a coalition. The only common expectation of candidates is that they endorse the TUSC

core policy platform for the relevant election, a list of minimum commitments that voters should expect from someone elected under the TUSC banner.

**3.2** The six policy guarantees for the 2026 local elections are that a TUSC councillor will:

1. Oppose all cuts and closures to council services, jobs, pay and conditions. Resist the privatisation of services or their transfer to social enterprises or 'arms-length' management organisations which are the first steps to their privatisation.
2. Reject council tax, rent and service charge increases for working-class people to make up for cuts in central funding.
3. Vote for councils to use their reserves and prudential borrowing powers to avoid making cuts in their 2026-2027 budgets and demand from the Labour government the additional funding needed to make up any future shortfall.
4. Refuse to co-operate with any commissioners or 'envoys' appointed by the government to attempt to impose cuts on local services.
5. Support only democratically debated local Climate Emergency plans that create new employment, build flood defences, reduce emissions and improve air quality and the local environment, while protecting the jobs, pay and living standards of all workers.
6. Fight for united working-class struggle against racism, sexism and all forms of oppression, including against refugees, asylum seekers and migrants. Back all workers' struggles against government policies making ordinary people pay for the crisis.

**3.3** As explained above, election candidates who wish to appear on the ballot paper using one of the names and emblems of a registered party have to submit to the council's returning officer, along with their nomination forms, a *Certificate of Authorisation to use a Party Description*, signed by the registered Nominating Officer of the party. TUSC has produced a form to process applications for a *Certificate of Authorisation* for local council elections, available on the TUSC website on the Candidates page at <https://www.tusc.org.uk/wp-content/uploads/2026/02/2026-Application-form-Cllr.docx>. Submitting an application form will be taken as indicating a prospective candidate's agreement with the TUSC election platform.

**3.4** TUSC has nine registered descriptions that can be used on the ballot paper, including the recently registered 'Independent Trade Union and Socialist Candidate' and 'Socialist and Trade Union Candidate' descriptions. Many trade unionists, community campaigners, and individual socialists have appreciated the opportunity to stand using one of these descriptions, with the autonomy candidates have to run their own campaigns while being part of a national challenge to establishment politicians. Since 2010 over 2,000 candidates have appeared on the ballot paper under the TUSC umbrella and the steering committee encourages anyone who agrees with the core policy platform and who wants to stand, to do so in the 2026 contests too.

## **What happens to candidate applications?**

**3.5** Applications are placed before the TUSC All-Britain steering committee, which reflects TUSC's character as a coalition. It includes official representatives of the trade unions and different socialist organisations currently participating in the coalition and elected representatives of TUSC individual members. Other leading trade unionists, with their own constituency within their union but not officially representing it on the committee, sit in a personal capacity. The steering committee operates by consensus not majority voting – nothing is agreed if a committee member or constituent organisation has strong objections.

**3.6** Many areas will have local TUSC steering committees or groups operating in a similar fashion and ideally candidates who wish to use one of the TUSC descriptions on the ballot paper should be part of their local group. Candidate applications will be checked with local groups where they exist,

if only to ensure that there are no competing applications likely for the same ward, that there is at least some co-ordination in a council area etc. But previous participation in a local TUSC group is certainly not a requirement to stand using a TUSC description and, as stated in the TUSC rules (see *How TUSC Functions*, at <http://www.tusc.org.uk/wp-content/uploads/2023/04/How-TUSC-Functions-September-2022.pdf>) it is the all-Britain steering committee that ultimately has the final say on coalition seats and candidates.

**3.7** Once applications are approved by the steering committee they will be posted on the candidates' page on the TUSC website and, before the official opening of nominations on Monday March 30th – or as soon as possible for applications received after that date – a TUSC *Certificate of Authorisation* will be sent to the candidate's election agent (whose details need to be included on the application form).

**3.8** All applications received will get an acknowledgement from the TUSC National Agent stating which meeting of the steering committee will discuss them, and a list of the candidates approved will be posted up on the TUSC website within two days of the meeting.

### Questions in the candidate application form

**3.9** After the information requests on the form concerning the candidate's details and the details of the council and ward or division where the prospective candidate is proposing to stand, there are three questions under the heading, Election Campaign Details, which everyone should try and fill in to the best of their ability. The first question covers how the austerity agenda has impacted on local public services in the council area, which assists both the steering committee – we can use the information in national publicity for example – but also might give local TUSC campaigners ideas for issues to fight on. It is also a chance to fill out information on the candidate's campaign record and that of local TUSC supporters.

**3.10** The next question concerns TUSC's relationship with Your Party supporters, stating the position of the steering committee that we will not agree anyone to stand against an official candidate of Your Party who has been authorised by the Your Party national nominating officer to appear on the ballot paper in the party's name. The position regarding candidates appearing on the ballot paper as 'Independent' is not the same, but if they have not been offered the opportunity to use the 'Independent Trade Union and Socialist Candidate' or any other TUSC description the steering committee would take that into consideration. The main point of this question is to ensure that there is the greatest possible dialogue between anti-austerity, anti-war candidates.

**3.11** This is also the reason for the last question under the Election Campaign Details – 'If the Green Party candidate in the ward has spoken publicly against austerity have they signed the trade union petition to Zack Polanski' (at <https://c.org/r55nStyRBm>)? This petition asks the Green Party leader "to ensure that that in this year's local council elections no candidate shall appear on the ballot paper on behalf of the Greens who has not made a public commitment to vote against all cuts and closures to council services, jobs, pay and conditions should they be elected as a councillor on May 7th". A paper version to approach the Green candidate with is available at <https://www.tusc.org.uk/wp-content/uploads/2026/01/ZP-petition-PDF.pdf>.

**3.12** If there are Green councillors or candidates who sign the trade union petition to Zack Polanski that would be an important commitment. We cannot know in advance what position he will take on the petition's call – it would be welcome if the Green Party was to throw its councillors into the battle against austerity but that will very probably not be his stance – but if a prospective Green candidate is prepared to sign the petition that's a better indication that they might resist the pressure for cuts from the council officers (and their less determined fellow councillors) than just talk about opposing austerity.

**3.13** And lastly on the Application Form, please complete the election agent details, including the full postal address. An e-copy of the *Certificate of Authorisation* from the TUSC National

Nominating Officer will not be accepted by the council election officers and the agent's address is where we will send the hard copy that you will need to get onto the ballot paper.

## 4. The election timetable – summary

**February-March** – The TUSC steering committee will process candidate applications at its meetings in February-March. So check out the Events page on the TUSC website for steering committee dates and remember – candidate applications must be received **at least two days** before in order to be processed at the meeting.

Approved applications will be posted up on the TUSC website within two days of the meeting and candidates can get on with their campaigns immediately. However, the signed *Certificates of Authorisation* needed to get on the ballot paper will only be sent out to agents from mid-March, before the first date it is possible to hand in nomination papers (see timetable below).

### The official nomination timetable

The dates below have been confirmed by the Electoral Commission.

**Monday March 2nd** – The first date on which candidates for the May 2026 local elections can sign their official Consent to Nomination form (see paragraph 6.14).

**Monday March 30th** – The official Notices of Election for the local authority elections must be published no later than this day. This is also the first day of the 'regulated period' for local election candidates' election spending (see paragraph 9.2). Local election candidate nomination papers can be handed in from this point.

**Thursday April 9th** – The deadline for the delivery of the official nomination papers (**4pm**) for the local elections. This is also the deadline for the official appointment of election agents.

**Friday April 10th** – The deadline (**4pm**) for the returning officer to publish a statement of persons nominated.

**Monday April 20th** – The last day to register to vote for the May elections

**Thursday May 7th** – Polling day (7am to 10pm)

**Friday June 12th** – Deadline for the delivery of election spending returns to the Returning Officer (see paragraph 9.9) for local election candidates.

## 5. Who can stand for election in May?

**5.1** To be able to stand as a candidate at a local government election you must:

- be at least 18 years old on the day of your nomination (16 in Scotland and Wales)
- be a British citizen, an eligible Commonwealth citizen or a citizen of any member state of the European Union
- meet at least **one** of the following four qualifications:
  - (a) You are registered as a local government elector for the local authority area in which you wish to stand from the day of your nomination onwards.

Note: “Local authority area” here means the council, not necessarily the local ward in which you are standing. This is a common source of confusion. So to be clear – if you are registered in New Town council you can stand for a seat in any ward on that council.
  - (b) You have occupied as owner or tenant any land or other premises in the local authority area during the whole of the 12 months before the day of the election.
  - (c) Your main or only place of work during the 12 months prior to the day of your nomination and the day of election has been in the local authority area.
  - (d) You have lived in the local authority area during the whole of the 12 months before the election. You are **not** required to have lived at the same address for the whole of the 12 months, but you must have lived in the same local authority and you must be living in the local authority area from March 25th to polling day.

**5.2** Apart from meeting the qualifications for standing for election, you must also not be disqualified from standing. You cannot be a local council candidate if at the time of your nomination and on the day of the election:

- (i) In **England**, you are employed by the local authority that you are proposing to stand for or hold a paid office where your appointment has been made, or could be made, by the local authority itself or by any joint committee where the local authority is represented. In **Wales**, however, the Senedd’s 2021 Local Government and Elections (Wales) Act has removed this restriction, allowing council employees (other than those holding politically restricted posts – see below) to stand for election.
- (ii) You hold a politically restricted post such as a local authority statutory chief officer (for example, chief education officer, chief officer at certain fire brigades, or the director of social services).
- (iii) You are the subject of a currently operative bankruptcy restrictions order or interim order.
- (iv) You have been sentenced to a term of imprisonment of three months or more (including a suspended sentence), without the option of a fine, during the five years before polling day.

Remember: the council’s Returning Officer (to whom your nomination papers are submitted) will not be able to confirm whether or not you are disqualified so if you are in any doubt, you should seek advice.

## 6. The official nomination papers

**6.1** To appear on the ballot paper as a candidate you will need to submit a completed set of nomination papers to the local council's Returning Officer by no later than **4pm on Thursday 9th April**. This deadline is set out in law and cannot be changed for any reason. The start date from which the candidate or the local election agent will be able to submit nomination papers, as well as the times and place for delivery, will be set out in the official notice of election published by the council's Returning Officer no later than Monday 30th March.

**6.2** Once you have completed your forms many councils will prefer if you book an appointment with the elections office to hand in the forms and have them checked and provisionally authorised. But allow ample time for this before the final deadline! If there is problem or mistake you will be able to go away and rectify it.

**6.3** Candidates or agents can obtain nomination papers from a council's local Electoral Services office. Alternatively, the national Electoral Commission has produced a set of nomination papers that can be used, available from its website at <https://www.electoralcommission.org.uk/guidance-returning-officers-administering-local-government-elections-england/nominations/forms-nomination>

**6.4** To appear on the ballot paper as a TUSC candidate in a local election the following papers must be submitted to make a nomination valid:

(i) *The Nomination Paper*.

(ii) *A Home Address form*.

(iii) *A Candidate's Consent to Nomination form*.

(iv) *A TUSC Certificate of Authorisation* giving the candidate permission to use the TUSC party name or a registered description on the ballot paper, signed by the TUSC National Nominating Officer (the National Election Agent).

(v) *A Request For A Party Emblem form* to use one of the three TUSC emblems registered with the Electoral Commission, signed by the candidate.

**6.5.** The Nomination Paper must include:

- The candidate's full name. This means their surname and other names in full. Using initials only could lead to the nomination paper being rejected.

Note: There is space on the form to include a commonly used name if the candidate is usually known by a name that is different from their actual name and they wish this to appear on the ballot paper – for example, Liz instead of Elizabeth. But for this to appear on the ballot paper it must be stated on the nomination form. If the commonly used name box on the nomination paper is left blank, then the candidate's actual name will be used.

- The signatures of two registered electors (known as subscribers) in the ward where the candidate is standing, who must appear on the register that is in force on March 25th.
- A description. The candidate can write in either the party's name as registered with the Commission (Trade Unionist and Socialist Coalition) or one of the registered descriptions to appear on the ballot paper underneath the candidate's name.

**6.6** Each candidate's nomination paper needs to be signed ('subscribed' in the jargon) by two electors registered in the ward. The first elector signs and prints their name as the proposer and the other as the seconder. There is nothing that prevents a candidate from subscribing their own nomination paper as a proposer or seconder provided, of course, that they are a registered elector in the ward.



**6.7** The elector number of each subscriber as it appears on the electoral register, including the numbers or letters of the polling district, must be entered on the nomination form. (Make sure to check that you haven't accidentally used their house number!)

**6.8** Each elector may not subscribe more nomination papers than there are vacancies. For example, if there are two vacancies in a ward, an elector may subscribe up to two candidates' nomination papers in that ward. If three candidates submit nomination papers signed by the same person, the two that were submitted first will be accepted, but the third will be invalid. It is advisable therefore to enquire, before asking a subscriber to sign the nomination paper, if they have already signed someone else's form. If there are three seats up in your ward and you are standing three candidates in the ward – the elector can sign up to three forms.

**6.9** When filling in the description field on the nomination paper be sure that it exactly matches the party name or description on the TUSC *Certificate of Authorisation* that candidates' agents will have received from the TUSC National Nominating Officer. There has been some confusion in this area in recent years after the Electoral Commission changed their procedures in 2021 and removed party names from the list of registered 'descriptions' on its website, leading some electoral services staff to disallow TUSC candidates using 'Trade Unionist and Socialist Coalition' in the description field – in other words, that they can't stand under the party name!

**6.10** But they are mistaken, with the official checklist issued by the Electoral Commission clearly stating, under the sub-heading, Certificate of Authorisation (Party Candidates Only): "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)". Don't be intimidated – and if there is a persisting problem, contact the TUSC National Nominating Officer to intercede.

**6.11** The home address form must be completed in full and must not contain abbreviations and it must include the candidate's home address – which, remember, does not need to be in the ward.

**6.12** Candidates can choose for their home address not to be included in the statement of persons nominated, which the council will publish at the close of nominations. In this case 'part two' of the form will need to be completed and signed, stating the name of the 'relevant area' – the council – in which your home address is situated, which will be published on the statement of persons nominated.

**6.13** The candidate's Consent to Nomination form must be completed in order for the nomination to be valid. The candidate must meet at least one of the qualifications to stand for election and it is advisable to state on the form as many of the qualifications as apply. For example fill both your address in the designated box and also if possible your elector number.

**6.14** Candidates are not allowed to sign the consent form earlier than one calendar month before the deadline for submitting nomination papers, ie **March 2nd**. The signature must be witnessed, and the witness must sign the form and give their full name and address. There are no restrictions on who can be a witness to the consent to nomination.

## 7. The certificate of authorisation & emblems

**7.1** The TUSC *Certificate of Authorisation* will be sent out by the TUSC National Nominating Officer to **the candidate's agent** as named in the candidate application form. It cannot be sent electronically – only a 'wet-signed' *Certificate* can be accepted by the council's electoral services.

**7.2** The *Certificate* states that the named candidate can stand on behalf of TUSC and allows them to use one of the following:

- The exact party name as registered with the Electoral Commission: Trade Unionist and Socialist Coalition. This is the name the TUSC national steering committee is **recommending** that candidates in England use for the 2026 elections; or
- One of the party's registered descriptions. These include Independent Trade Unionist and Socialist Candidate, Trade Unionists and Socialists Against Cuts and Trade Unionist and Socialist Candidate (and Scottish and Welsh descriptions).

**Note:** Candidates do **not** need to choose the description Trade Unionists and Socialists Against Cuts to use the TUSC AGAINST CUTS emblem No.3 (see below). This is a common source of confusion. You can use that **emblem** while appearing on the ballot paper as **Trade Unionist and Socialist Coalition** or Trade Unionist and Socialist Candidate etc.

**7.3** The TUSC *Certificate of Authorisation* will generally be signed by the TUSC National Nominating Officer not by someone authorised by the Nominating Officer to do so on their behalf. Again this has occasionally confused electoral services staff used to dealing with the big parties who do delegate this function to a regional or district official. But if the *Certificate* is signed by Clive Heemskerk, the National Nominating Officer, there is no need for you to supply the council with a statement from him saying that he is empowered to do so!

**7.4** The other form in the nomination pack to complete is the *Request to Use an Emblem on the Ballot Paper* form. TUSC has two registered emblems available to use in England and Wales, as below, and the TUSC national steering committee is **recommending** that candidates use Emblem No.3.



Emblem  
No.1



Emblem  
No.3

**7.5** But it's your choice. (Emblem No.2, in case you're wondering, is a Scottish version of Emblem No.1). The *Request to Use an Emblem on the Ballot Paper* form must be **signed by the candidate**, not the local agent or the TUSC National Nominating Officer – this is also a common source of confusion. But once a candidate has received a *Certificate of Authorisation* from TUSC, **they** are responsible for their campaign, including choosing which emblem they want to appear on the ballot paper.

**7.6** After nomination papers have been submitted candidates will be sent a notice by the council's Returning Officer to let them know whether or not their nomination is valid.

## 8. The election agent

**8.1** The election agent is an important position, the person responsible for the proper management of the candidate's election campaign and, in particular, for its financial management. There are no particular qualifications needed to be an election agent and candidates can be their own agent if they wish. But a candidate must have an election agent. If they do not appoint an agent, they will become their own agent by default.

**8.2** The nomination pack from the council's Returning Officer should include a declaration form to appoint an agent, which should be signed by the candidate and by the agent to show their acceptance of the appointment.

**8.3** The form asks for the name, address and office address of the election agent. The agent can actually live anywhere but the **office address** – which can be someone's home address (the agent, the candidate, or another TUSC member) – must be within the same council area where the

election is being held, or within a district (or a London borough) which adjoins the council. The official guidance also makes it clear that the office address has to be physical address – “to which any legal notices can be delivered” – and therefore that PO boxes should not be used.

**8.4** It makes administrative sense to have one election agent for each local council, not least as a point of contact with the TUSC National Election Agent. But TUSC is a coalition of different political forces and it is totally acceptable for candidates from one political party in a council area, for example, to have one agent, while individual candidates or candidates from another party have their own. But there must be co-ordination – which is another reason why the TUSC rules call for local steering committees or branches to “be established, where possible, for local government areas where it is planned to contest seats” (see *How TUSC Functions*).

## 9. Rules on election spending

**9.1** Candidates and their agents must follow certain rules about how much they can spend, who they can accept donations from, and what they must report after the election. The election agent has the main responsibility for complying with these rules. However after the election both the candidate and the agent must sign declarations to say that their spending and donation return is complete and correct to the best of their knowledge.

**9.2** Candidate spending is expenditure on activities to promote a candidacy, or to criticise other candidates, during a particular period in the run-up to the election, the ‘regulated period’. The regulated period begins on the date someone officially becomes a candidate, which is when the official notice of election is published (**March 30th**). Someone officially becomes a candidate on that date if on or before then they have already declared themselves a candidate at the election (or another person has declared that they are a candidate – for example, on the TUSC website).

**9.3** The spending limit for the local elections for the regulated period is £960, plus 8p per local government elector on the register for the ward. The local electoral registration officer will be able to provide the number of electors in the ward to make this calculation.

**9.4** There are lower spending limits for joint candidates, ie where there are two or three TUSC candidates in the same ward. These are calculated by using the spending limit per candidate as explained above, and then reducing it by 25% – a quarter – if there are two joint candidates, or 33% – a third – if there are three or more joint candidates.

**9.5** The costs of most campaigning activities count towards the spending limit, including leaflets, posters, newspaper adverts, websites or YouTube videos, social media memes, mail-outs, offices and meetings. But meetings that are held mainly for purposes other than the candidate’s election campaign, where the candidate’s attendance is incidental – for example, a regular TUSC group meeting – do not need to be included.

**9.6** Also excluded is general campaign material promoting TUSC – it is only if it identifies a specific candidate or the specific electoral area in which a candidate is standing that it must be included in the candidate’s election spending records. Newspaper articles about a candidate – in distinction to paid-for adverts – also do not count as election spending.

**9.7** Costs can include items only partly used for an individual candidate’s election campaign, such as leaflets used both before and during the regulated period or shared leaflets with a candidate in another election taking place at the same time. These can be legitimately split between activities that count as the individual candidate’s spending and those that don’t but, unless a candidate’s expenditure is going to be near the spending limit, it can be easier to include the total cost of most ‘split items’ in the spending returns.

**9.8** The election agent must record all election spending, and must keep invoices or receipts for any payments **over £20**. This means recording what the spending was for – for example, leaflets

or a public meeting – the name and address of the supplier, the amount, and the date that the agent or the person authorised by the agent spent the money.

**9.9** After the election, the agent must deliver a spending and donations return to the local returning officer by no later than **Friday 12th June**. Both the agent and the candidate must also submit declarations that the return is complete and accurate. A return and declarations must still be submitted even if the candidate hasn't spent any money. This is called a 'nil return' (See **15. Election Expenses** below for more information).

## 10. Rules on donations to your campaign

**10.1** Candidates can only accept contributions ('donations') of money, items or services towards their campaign spending from certain sources, known as 'permissible donors', and must report them to the local Returning Officer after the election. These include contributions towards a candidate's campaign spending from TUSC, a local trade union branch, or constituent organisations of TUSC. Anything with a value of **£50 or less** does not count as a donation.

**10.2** 'Permissible donors' include:

- An individual registered on a UK electoral register, including overseas electors;
- A party on the Electoral Commission's Register of Political Parties – such as TUSC;
- A UK-registered trade union or one of its branches;
- A UK-based unincorporated association that carries on activities in the UK – such as the TUSC constituent organisations or local TUSC groups.

**10.3** When an agent receives any donation of **more than £50**, the following information must be recorded:

- The donor's name and address.
- The amount of the donation.
- The date on which the donation was accepted.

**10.4** The donor's address must be recorded as it is shown on the relevant statutory register (this is the electoral register for an individual, the register of trade unions for a union branch etc). If the donor is an unincorporated association the main office address must be put, as there is no register of unincorporated associations (an unincorporated association is broadly a group of two or more individuals who have come together to carry out a shared purpose).

**10.5** If the donation isn't from a permissible donor, it must be returned within 30 days (with the dates of the receipt and return of the donation recorded). If the donation isn't returned, the agent will be deemed to have accepted it and the Electoral Commission may apply to the courts for it to be forfeited.

**10.6** Money can be raised from crowdfunding websites for a candidate's campaign but permissibility checks are still needed, with the information on any individual donation of more than £50 recorded as if it had been received directly.

**10.7** After the election the agent will need to report these details in the spending and donations return. A form for use for returns, and forms for the agent's and candidate's declarations, are usually included in the original nominations pack or, sometimes, sent out separately by the Returning Officer. They cover all the information that must be included.

# 11. Getting the register of electors

**11.1** A candidate can start campaigning at any time. They do not have to wait until they are validly nominated to declare that they will run for election, publish campaign material, or canvass people for support. Doing the latter however is more effective with a copy of the electoral register.

**11.2** Once someone has officially become a candidate, they are entitled to a copy of the register of electors and absent voters' lists for the ward they are standing in to complete their nomination form and for canvassing purposes. But the earliest someone officially becomes a candidate is when the official notice of election is published (**March 30th**).

**11.3** Many council electoral services departments will release a copy of the electoral register to someone declaring themselves as a candidate before the official notice of election, once they have signed a legal assent form – a *Request for An Elector Register* form, available on the Electoral Commission website at <https://www.electoralcommission.org.uk/media/4917> – stating that the register will only be used for electoral purposes. But some Returning Officers do not give the same leeway to local TUSC candidates and agents as they do the establishment parties.

**11.4** They cannot do the same nationally however. Registered political parties are entitled to receive a copy of the full electoral register at any time so a local election agent designated by the TUSC National Nominating Officer is able to collect registers on behalf of prospective candidates before March 30th (another reason for sorting out who the local agent or agents will be as soon as possible!). But if you do need to contact the TUSC National Nominating Officer to intervene please try and provide a contact name and e-mail address (and telephone number if possible) of the electoral services staff member you spoke to; the name of the wards you want the register for (or alternatively, for the whole council area); and your address.

**11.5** The register will be supplied in electronic format unless a specific request is made for a paper copy.

# 12. Using council buildings for public meetings

**12.1** Election candidates are allowed to use schools and council maintained rooms for public meetings. The Electoral Registration Officer should keep a list of all suitable meeting rooms in their area and their availability, and should make this available for candidates and agents to inspect from the day of the notice of election.

**12.2** To use this facility you will need to contact the owner of the premises to make a booking, giving reasonable notice to reduce the risk of the request being refused.

**12.3** There is no hire charge for using these rooms, but you must pay for any expenses incurred, such as heating, lighting and cleaning (and for any damage to the premises). Candidates' right to use rooms does not include hours during which a school is used for educational purposes. Equally, any prior letting of a meeting room takes precedence.

# 13. Imprints on campaign material

**13.1** All campaign material must, by law, include an imprint to show who is responsible for its production. This means leaflets, posters and also, since the passage of the 2022 Elections Act, websites and other social media.

**13.2** On printed material such as leaflets and posters you must include the name and address of:

- the printer

- the 'promoter' (the agent)
- the candidate – or the organisation (TUSC) if the leaflet is promoting a number of candidates – on behalf of whom the material is being published

**13.3** The address must be one where the printer, agent or candidate can be contacted. That can be a home address or the agent's office address and, where a candidate has completed Part Two of the *Home Address* form in their nomination paperwork (see paragraph 5.12), it can be a PO Box address.

**13.4** An example of an imprint for a leaflet promoting an individual candidate would be:

Printed by [printer's name and address]. Promoted by [agent's name] of [agent's address], on behalf of [candidate's name] of [candidate's address].

If the candidate is also the agent, in other words the promoter of the material, the 'on behalf of' part of the imprint is not required.

**13.5** An example of an imprint for a leaflet promoting a group of TUSC candidates would be:

Printed by [printer's name and address]. Promoted by [agent's name] of [agent's address], on behalf of the TUSC candidates in [ward or council name].

**13.6** There are rules on where the imprint must be put. If the material is single-sided – such as a window poster – it must be put on the face of the document. If it is multi-sided, the imprint must be put on the first or last page.

**13.7** Imprints must also be included on electronic material, such as websites and emails. The imprint should include the name and address of the promoter and the organisation on whose behalf it has been produced. This also applies for newspaper adverts.

**13.8** The bottom line is that material promoting a candidate (or disparaging another candidate) must have a contact address so that there is a line of accountability. An informal rule of thumb is: if someone wants to serve a writ for defamation against your campaign material – aside from taking the sensible advice not to defame people! – ask yourself, where would it be delivered to? If that's not on the material, you've broken the imprint law.

## 14. Joint campaigning with other groups

**14.1** As a coalition the different organisations participating in TUSC locally will probably incur expenditure in support of the TUSC election candidates. Additionally, sympathetic organisations not formally participating in TUSC or standing candidates themselves may also come forward with offers to help promote candidates as part of their own, independent campaigning activity. Under electoral law this is known and permitted as 'Third Party' activity although there are certain rules that the third parties, and TUSC election agents, have to follow.

**14.2** Any expenditure of more than £50 by a third party that "advertises (or otherwise promotes) to the public" an election candidate, including material that merely attacks other candidates or parties, must be authorised by that candidate's agent. This rule has often been used in the past, for example to hamstring CND, anti-racist campaigners, or environmental activists, at election times when no candidate has given authorisation to a third party's campaigning.

**14.3** But this problem can be overcome, however, if a TUSC candidate's agent issues what is known as a 'Section 75' authorisation to a named officer of a third party to "incur and pay" the costs of producing leaflets, holding a public meeting etc. The third party pays these costs, not the TUSC candidate, but they are authorised to do so by the local TUSC agent. A model 'Section 75' authorisation notice that can be adapted for local use is available from the TUSC National Agent.

**14.4** Third party material published under these provisions needs an election imprint, following the same rules as at paragraph **13.2**, but this is not the TUSC imprint – ie the third party is legally liable for the content. The named individual must also keep an account of expenditure incurred and submit them to the local TUSC agent no later than seven days after the election to be included in the TUSC candidate's spending returns.

**14.5** This all may seem a bit daunting to (electorally) inexperienced campaigners, but it shouldn't be. The advantage of such arrangements is that supportive but independent organisations not contesting the election can run their own campaign in an election period, which they wouldn't otherwise be able to do, but then 'strike together' with TUSC at the ballot box – in other words, supporting the TUSC candidate while promoting as they see fit their own profile and organisation. TUSC agents should offer them every encouragement to do so.

## 15. After the poll: Election Expenses

**15.1** After the election, the agent must deliver a spending and donations return to the local returning officer by no later than **Friday 12th June**. Both the agent and the candidate must also submit declarations that the return is complete and accurate. A return and declarations must still be submitted even if the candidate hasn't spent any money. This is called a 'nil return'.

**15.2** To avoid any possible confusion, this isn't for anyone to claim expenses from the council but to collate exactly what has been spent and donated for each candidate and on what exactly.

**15.3** While council Returning Officers may include the relevant forms in the nomination pack you will get at the start of the campaign, or send them separately to the agent, once again the Electoral Commission has standard forms that you can use, if you click on your relevant type of election (Local Elections in England etc) and then scroll to the bottom of the guidance to the *After The Declaration of Results* tab at <https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent>

**15.4** Here you can download the returns form that you will need to input the spending and donations data into, and two declaration forms to be signed alongside the returns – one for the agent and one for the candidate. There is also a guide alongside these forms on the Electoral Commission website; and TUSC nationally sends out a guide each year to all agents a week or so after polling day.