

Part E – Verifying and counting the votes

**Scottish Independence
Referendum:
Guidance for Counting Officers**

Translations and other formats

This document can be made available in certain alternative formats. For further information, contact Ros Wilson at ros.wilson@edinburgh.gov.uk, telephone 0131 469 3820

Contents

- 1 [Principles for an effective verification and count](#)
- 2 [Preparing for the verification and count](#)
 - [Staffing and training](#)
 - [Layout of verification and count venue](#)
 - [Equipment and set-up](#)
 - [Ensuring the security of ballot boxes](#)
- 3 [Managing attendance at the verification and count](#)
 - [Controlling admission](#)
 - [Counting agents](#)
 - [Accredited observers](#)
 - [Commission representatives](#)
 - [The media](#)
- 4 [Communicating during the verification and count](#)
- 5 [Receipt of polling station materials and sealed boxes of postal ballot papers](#)
 - [Receipt of sealed boxes of postal ballot papers](#)
- 6 [Verification](#)
 - [Purpose of verification](#)
 - [The verification process](#)
- 7 [The count](#)
 - [Overview](#)
 - [Mixing](#)
 - [Sorting and counting](#)
 - [Doubtful ballot papers](#)
 - [Reconciliation](#)
 - [Provisional totals](#)
 - [Recounts](#)
 - [Declaring the local totals](#)

1 Principles for an effective verification and count

- 1.1 At the referendum, there is only one result – the national result. As Counting Officer, you are responsible for calculating and reporting the total number of votes for each answer to the referendum question and the number of rejected votes in your local authority area as a whole.¹
- 1.2 The overall referendum result, as certified by the Chief Counting Officer, will be one Scotland-wide result aggregated from all of the totals produced locally by Counting Officers.
- 1.3 The verification and count at the referendum are to be conducted manually. Counting Officers will calculate the total number of votes for each answer to the referendum question and of rejected votes for their respective local authority areas and will report these to the Chief Counting Officer who will aggregate them to achieve the national result.²
- 1.4 The advice in this part of the guidance is predicated on the assumption that Counting Officers will operate a [mini-count model](#). The key feature of the mini-count is that votes do not move once allocated to a count table, thereby facilitating the identification and resolution of any discrepancy which may arise during the count process. It should be used for this purpose and not to produce results for small identifiable areas.
- 1.5 This guidance aims to focus on supporting Counting Officers to deliver the verification and count effectively in accordance with the procedures required by the Chief Counting Officer. In addition to the guidance, the Chief Counting Officer will provide detailed advice on the conduct of the verification and count together with a protocol for communications. These documents will be provided directly to Counting Officers.
- 1.6 You will be required to participate in a national test of count communications on a date to be advised.
- 1.7 You should ensure that your verification and count arrangements can deliver the key principles for an effective verification and count, which are as follows:
 - **All processes are transparent, with a clear and unambiguous audit trail.** As a requirement to meet the outcome contained in performance standards 1 and 2, you must ensure that this is the case, with everything at

¹ SIRA 2013, Section 7(2)(b) and Schedule 3, rule 35

² SIRA 2013, Section 7(4) and Schedule 3, rule 35

the verification and count carried out in clear view of all those entitled to attend and information provided to attendees on the processes to be followed

- **The verification produces an accurate result.** This means
 - firstly, that the number of ballot papers issued as shown on the ballot paper account has been arithmetically checked and compared against the unused and spoilt votes and the tendered votes list; and
 - secondly, that the number of ballot papers in each box either matches the number of ballot papers issued as stated on the ballot paper account or, if it does not, where possible, the source of the variance has been identified and can be explained. If no explanation can be found, the ballot papers should be recounted until the same figure is achieved on two consecutive occasions
- **The count produces an accurate result**, where the total number of votes for each of the answers to the referendum question plus the number of ballot papers rejected matches the total number of ballot papers counted for the local authority area. Demonstrable accuracy of the count in each local authority area is essential for achieving confidence in the national result to be collated and declared by the Chief Counting Officer.

As a requirement to meet performance standards 1 and 2, you must ensure that your count processes are capable of producing an accurate result, with a clear audit trail

- **The verification and count are timely**
- **The security of ballot papers and other stationery is maintained at all times**
- **The secrecy of the vote is maintained at all times.** You have a legal duty to take all proper precautions to prevent any person from identifying the voter who cast the vote³. One way of doing this is by preventing anyone from seeing the unique identifying number printed on the back of the ballot papers during the verification and count process. It is for this reason that the ballot papers should be verified and counted face up

You should be aware of the threat posed by the use of mobile phones and tablets in the counting area and, to protect the secrecy of the ballot, you

³ SIRA 2013 Schedule 3 Rule 30(8)

should brief all attendees on your policy in respect of the acceptable use of mobile phones and tablets within the venue.

2 Preparing for the verification and count

- 2.1 You are required by law to make arrangements for the counting of the votes as soon as reasonably practicable after the close of poll.⁴ The Chief Counting Officer has directed that the count is to be commenced at the close of poll.
- 2.2 You must give written notice of the time and place that you will count the votes to the Chief Counting Officer, each of the referendum agents appointed for the area and any counting agents appointed to attend.⁵
- 2.3 You need to ensure that the verification and count processes are fully addressed in your project plan and risk register and that these documents are kept under review.



To be able to achieve the outcome set out in performance standard 1, you must be able to provide the Chief Counting Officer with confirmation that your project plan includes the management of the verification and count arrangements.

For further information on planning for the referendum see [Part B – Planning and organisation](#).

Staffing and training

- 2.4 To be satisfied that voters have confidence that their vote will be counted in the way they intended, you will need to put in place appropriate resources to ensure that the verification and count are timely.



To be able to achieve the outcome set out in performance standard 1, you must be able to provide the Chief Counting Officer with the total number of verification and count staff, including your staffing arrangements for opening postal votes at the count.

- 2.5 Further guidance on staffing the verification and count and the training of verification and count staff can be found in [Part B – Planning and organisation](#).

⁴ SIRA 2013 Schedule 3 Rule 29(1)

⁵ SIRA 2013 Schedule 3 Rule 29(2)

Layout of verification and count venue



Guidance on the identification of a suitable venue for the verification and count can be found in [Part B – Planning and organisation](#).

- 2.6 Layout plans of your verification and count venue should be prepared at an early stage. A good layout will be informed by the verification and count workflows you intend to follow and the space you will have available.



To be able to achieve the outcome set out in performance standard 2, you must be able to provide the Chief Counting Officer with confirmation that you have in place count layout and workflow plans that you intend to follow.

For further information on planning for the referendum see [Part B – Planning and organisation](#).

- 2.7 In considering how to organise the verification and count, you should follow any guidance and you have a legal duty to implement any directions issued by the Chief Counting Officer. The following factors should also be taken into account:
- The layout of the count venue – this should allow easy viewing by all of those entitled to be present. You must, as a requirement to meet performance standard 2, ensure that the verification and count processes are carried out in clear view of all those entitled to attend.
 - Circulation areas and the amount of space available around the count area – this space should be maximised, and any obstructions, such as stored furniture, should be removed.
 - The number of tables required – there should be sufficient tables to accommodate the number of counting assistants you have appointed and for the processes that the referendum count will require. Check well in advance that the venue has enough tables for your requirements. If not, you may have to borrow or hire some.
 - Seating – sufficient seating should be provided for those entitled to attend the proceedings. Again you should check that the venue has enough seating for your needs. If not, you may have to borrow or hire some.
 - Access – the room should be laid out in a way that ensures that all of the proceedings are accessible to anyone entitled to attend, including those with disabilities.

- Public address systems – these should be tested in advance of referendum day to ensure that they are in working order and to establish their effective range so that observers and agents can be informed of the reach of the system.
- Arrangements for communication with the Chief Counting Officer – you should ensure that you will be able to communicate with the Chief Counting Officer throughout the verification and count processes. Accordingly, you should ensure that internal and external communication systems are conveniently located, working, tested and suitable for purpose.
- Media requirements – consider providing a separate area for the media as they are likely to require space for their specialist equipment, which may be bulky. You may find it helpful to meet with media representatives well in advance of referendum day to discuss their requirements. This should prevent any requests for alterations to the count layout nearer the time.
- Health and safety – you have a responsibility for the health and safety of all persons present and this responsibility should be kept in mind when deciding on the layout of the venue. For example, any cabling from equipment or media cameras should not present a trip hazard to anyone at the proceedings and free access to emergency exits should not be obstructed in any way. Maximum venue capacity should not be exceeded, and there should be appropriate security to ensure that only those eligible to attend actually do so. You should make yourself aware of emergency evacuation procedures in the venue and brief attendees on these in your remarks before the verification commences.

2.8 Areas should be designated for different functions and then appropriately furnished and equipped. The areas you will need will vary depending on how you are organising your count but the following are some general areas that will be appropriate in most cases and which you should consider designating.

Outside the venue

- 2.9 Car parking and vehicle access – The organisation of vehicle access around the verification and count venue should be considered carefully. It is advisable to designate different parking areas for agents and observers than for staff. It can also be helpful to have a designated entrance and exit to the car park and to implement traffic management arrangements which may help to avoid congestion, such as when ballot boxes are arriving from the polling stations.
- 2.10 It may be useful to have staff supervising the car park at this time. Any staff undertaking this work should be equipped with appropriate safety wear such as high-visibility jackets. They should be trained to deal with a large volume of traffic including, for example, counting agents arriving at the proceedings and

polling station staff or council transport arriving with ballot boxes depending on your local arrangements.

Inside the venue

- 2.11 Receiving area – this area is where ballot boxes, ballot paper accounts and other polling station stationery and equipment will arrive for checking in and sorting. Ideally, this area should have an entrance separate from that used by other staff, counting agents and observers, with direct access from the car park or loading area. Staff should be positioned here to receive the materials and should be equipped with a checklist to mark off the ballot boxes as they arrive. It is also useful to mark the time each ballot box delivery arrives for future use in your lessons learned exercise after the referendum.
- 2.12 Verification and reconciliation area – this is for the verification of ballot paper accounts against unused and spoilt ballot papers and the lists of tendered votes. If laptops are used, cabling arrangements should be taken into account.
- 2.13 Postal voting – Where postal votes are to be opened and verified at the verification and count venue, a separate area should be allocated for processing unopened postal votes received from polling stations. The opening of postal votes must by law be carried out in full view of the agents and observers present. Adequate space should be allocated to receive and verify these postal votes, and to allow observation of this process. Where the personal identifier verification is to be undertaken via an automated system, network and cabling arrangements should be considered. Your preparations should take into account the likelihood that the number of postal votes at the referendum may be greater than at previous electoral events and that, notwithstanding efforts made to process as many postal votes as possible during referendum day, the number which will have to be opened and processed at the count may still be greater than usual.
- 2.14 Count tables – these should provide proper separation for the staff and counting agents. Where space permits, chairs could be provided close to these tables for counting agents and observers.
- 2.15 Supervisory staff tables – these provide working areas for supervisors to do their paperwork and carry out their duties. Their location will depend on the way in which you organise your count.
- 2.16 Count Control table – sometimes referred to as the “accountants table”. This will also depend on how you organise your count.
- 2.17 Counting Officer’s table – this is where law textbooks, Chief Counting Officer’s directions, procedure notes, spare staff instructions, staff lists, stationery and other guidance materials should be available for reference.

- 2.18 Area for communication with the Chief Counting Officer – you will need to be able to communicate with the Chief Counting Officer throughout the count. The Chief Counting Officer will issue guidance and further information on contact arrangements.
- 2.19 Area for agents, observers and guests – It may be beneficial to have a separate area set aside for agents, observers and guests. If space permits, a television set could be provided in an adjacent room.
- 2.20 Area for refreshments – Consider providing an area where counting assistants and other staff can get drinks and snacks. It is important to have adequate refreshments available to help to maintain staff energy and concentration levels throughout the process. You should not allow counting assistants to eat or drink in the area where the ballot papers are being verified and counted in order to avoid the possibility of any spillages. You should consider whether to provide refreshments for agents, observers and other attendees, and whether to charge for them.
- 2.21 Media area – The requirements for the media area will depend upon the types of media represented and their respective needs. For example, if television cameras are present, any lighting should not cause undue heat or glare which might impair the efficiency of the count and cameras must not be allowed to film close-ups of the ballot papers. In addition, it is important that there are no trailing cables presenting a trip hazard and that any equipment installed is safely positioned.

Equipment and set-up

- 2.22 You should ensure that all equipment is tested in advance of the verification and count, including:
- IT (hardware and software)
 - public announcement systems
 - telephone/fax lines
 - if the final opening of postal votes is to take place at the verification and count venue, equipment for verifying personal identifiers including particular IT requirements
- 2.23 Contingency plans should be in place in case of an equipment or power malfunction. This could include the provision of a generator.

2.24 You should prepare [a checklist](#) of all materials, including stationery and equipment, that will be needed at the verification and count venue, which could include:

- signing-in sheets for staff
- list of all count staff
- spare copies of instructions for staff
- sample entrance passes, including samples of the identification badges held by Commission representatives and accredited observers
- verification and count paperwork
- postal ballot boxes and related envelopes
- electoral law reference books
- this guidance together with any directions or other information issued by the Chief Counting Officer in relation to the verification and count
- the written procedures for reporting the local verification and count totals to the national Count Centre
- doubtful ballot paper booklets and placemats
- letter openers and scissors
- receptacles and ties for counted ballot papers
- “100” cards for counted bundles and spare blank cards for smaller bundles of votes remaining at the end of the counting process
- assorted stationery items, including marker pens, pencils, rulers, adhesive tape, notepaper, string, rubber thimbles, paper clips and a sufficient quantity of rubber bands (remembering that turnout is likely to be higher than normal)
- calculators and batteries
- ‘rejected’ stamp and ink pad
- ‘provisionally rejected’ stamp for the final postal vote opening
- packets or envelopes for rejected ballot papers
- Sorting trays, if used
- IT, printing and photocopying equipment. If you are unfamiliar with the photocopier in the venue, ensure that training is given to the appropriate staff in advance. You should also ensure that there is sufficient paper, toner and ink provided in the venue and that your staff know how to access these
- Large box or other receptacle for the mixing and storage of verified ballot papers if empty ballot boxes are not to be used for that purpose
- Chargers for the mobile phones you are using to contact the Chief Counting Officer

Ensuring the security of the ballot boxes

2.25 You must, so far as reasonably practicable, proceed continuously with counting the votes, allowing only time for refreshment, but you may suspend counting

between 7pm on any day following the date of the referendum and 9am the following morning⁶.

2.26 You must take all necessary steps to ensure the security of ballot boxes and relevant stationery from close of poll through to the declaration of the result, particularly if there should be any break in proceedings for any reason. You have a legal duty to take proper precautions for the security of ballot papers during any period when counting is suspended.⁷



Further guidance on security arrangements can be found in [Part B – Planning and organisation](#).

⁶ SIRA 2013 Schedule 3 Rule 30 (9)

⁷ SIRA 2013 Schedule 3 Rule 30 (10)

3 Managing attendance at the verification and count

3.1 The following people are entitled by law to attend the verification and count:⁸

- you and your staff
- the Member of Parliament for any constituency which contains all or part of your council area
- the Member of the Scottish Parliament for any constituency which contains all or part of your council area
- Members of the Scottish Parliament for any region which contains all or part of your council area
- Members of your council
- Members of the European Parliament for the electoral region of Scotland
- the Chief Counting Officer and members of her staff
- constables on duty
- Electoral Commission representatives
- accredited observers
- referendum agents
- counting agents appointed to attend at the count; and
- any other person permitted by you to attend

3.2 The legislation provides that you can, at your discretion, permit other people to attend the proceedings if you are satisfied that it will not impede the efficient counting of votes.⁹

3.3 As Counting Officer, you are entitled to exclude persons from the counting of the votes if you consider that the efficient counting of the votes would be impeded. However, you are not permitted to exclude the Chief Counting Officer, her staff or representatives of the Electoral Commission.¹⁰ For further information on managing attendance by accredited observers, see paragraphs [3.13 and 3.14](#) below.

3.4 You have a legal duty to give counting agents reasonable facilities for overseeing the verification and counting of votes. In particular, the counting agents are entitled to satisfy themselves that ballot papers are correctly sorted.¹¹

⁸ SIRA 2013 Schedule 3 rule 29(5)

⁹ SIRA 2013 Schedule 3 Rule 29(5)(m)

¹⁰ SIRA 2013 Schedule 3 rule 29(6) and (7)

¹¹ SIRA 2013 Schedule 3 rule 29(9) and (10)

- 3.5 You should also ensure that anyone else who is entitled to attend has an unrestricted view of the proceedings, while also ensuring that they will not be able to interfere with the work of your staff.



Further guidance on the appointment of counting agents can be found in [Part B – Planning and organisation](#).

- 3.6 You should take all necessary steps to ensure that attendees cannot interfere with or compromise the secrecy of the vote. You are legally required to make such arrangements as are reasonably practicable to ensure that all persons attending are provided with a copy of the relevant [secrecy requirements](#).¹²
- 3.7 There is no requirement for those eligible to attend to arrive by a certain time, and so those entitled to attend should be admitted whenever they arrive. Also, a procedure should be in place so that any attendee who wishes to leave and return later should not be prevented from doing so.

Controlling admission

- 3.8 You should issue tickets or entrance passes to everyone entitled to attend the count with the exception of accredited observers and Electoral Commission representatives who will show identification issued by the Commission. You should give consideration to issuing different-coloured tickets or passes to identify the different categories of attendees.
- 3.9 You should employ door staff to control entry to the count venue. You should provide them with lists of those persons entitled to attend and instruct them to check the passes of anyone seeking admittance. However, security staff should be advised that Commission representatives and accredited observers do not need to provide advance notification of the counts they intend to observe. As a result, they may not appear on their list but are nevertheless entitled to access the count venue on production of their observer or Commission representative identification badge.



Further guidance on accredited observers and Commission representatives, including a quick guide to the observer badge types, can be found in [Part B – Planning and organisation](#).

- 3.10 You should, for health, safety and security reasons, record the names of everyone who actually attends the verification and count.

¹² SIRA 2013 Schedule 3 rule 16(1)(b)

Counting agents

- 3.11 As Counting Officer, you decide how many counting agents each referendum agent can appoint. This number should not be less than the number obtained by dividing the number of counting assistants employed by the number of referendum agents. It is important that the number that may be appointed by each referendum agent is the same.¹³ The Chief Counting Officer has developed a [template form for the appointment of polling and counting agents](#).
- 3.12 The law requires that referendum agents must notify you not later than the 5th day before the referendum – namely by Thursday 11 September 2014 – of the particulars of the counting agents to be appointed.¹⁴



Further guidance on the appointment of counting agents can be found in [Part B – Planning and organisation](#).

Accredited observers

- 3.13 Legislation allows you to limit the number of observers who may be present at any one time during the count¹⁵. However, you should use caution in doing so. Electoral observation is a legitimate and valuable part of the electoral process, and care should be taken not to hinder or obstruct the conduct of any observations. You are not entitled to bar all observers from a count, only to limit the number of observers present at any one time, and this discretion should be exercised reasonably. If it does prove necessary to exclude observers, you could choose to limit the duration of their exclusion to a specified period, such as 30 minutes or an hour.
- 3.14 You have a legal duty to have regard to the Commission's [Code of practice for observation at the referendum on independence for Scotland](#) when managing the attendance of observers¹⁶.



Further guidance on the accredited observers can be found in [Part B – Planning and organisation](#).

¹³ SIRA 2013 Schedule 3 Rule 14(2)

¹⁴ SIRA 2013 Schedule 3 Rule 14(4)

¹⁵ SIRA 2013 Section 21(1)

¹⁶ SIRA 2013 Section 22(7)

Commission representatives

3.15 Commission representatives are also entitled to attend the verification and count and to observe your working practices. They can ask questions of your staff and of agents, but will not do so if this would obstruct or disturb the conduct of proceedings. You are not allowed to limit the number of Commission representatives at the verification and count.

The media

3.16 You should include space and opportunity for the media to report on results. You have discretion to decide which representatives of the media you allow to attend. You must ensure that media representatives, like other attendees, do not interfere with the process or compromise the secrecy of the vote.

3.17 You should consider doing the following in preparation for representatives of the media attending your verification and count:

- Contacting principal broadcast organisations in advance
- Outlining the press facilities available
- Providing an opportunity for media representatives to inspect the verification and count venue to see what space and facilities are available, and give them the opportunity to raise any issues or requirements with you
- Making arrangements for the declaration procedures
- Arranging for sound systems to be used for the announcements and for live feeds
- Making accreditation arrangements for journalists, technicians and photographers attending
- Designating an area of the count venue for media use
- Providing media passes
- Making sure that the media are aware of any restricted areas and procedures – for example, ensure that camera operators are aware that they must not overview sensitive information (such as close-ups of ballot papers) or obstruct count staff
- Nominating a member of your council's public relations team as a media spokesperson for the count, ensuring that everyone is aware of who this is and that all media questions should be directed to that person. You should brief the spokesperson before the event and make sure that they know whom to approach if they are asked any technical electoral questions.

3.18 In addition to making practical arrangements for their attendance, any early contact with the media should include an explanation of the processes to be followed and the expected finish and declaration times insofar as you may be able to estimate these.

3.19 If media representatives are accredited by the Commission as observers and are attending in such a capacity, they have the same rights and obligations as any other accredited observer. Like any other observers, they are required by law to have regard to the [Code of practice for observation at the referendum on independence for Scotland](#) and must abide by any decision that you make on the use of cameras, mobile phones, tablets and other recording equipment.

4 Communicating during the verification and count

- 4.1 On the night of the referendum verification and count, you will be required to communicate with the Chief Counting Officer and her team and with attendees at the count, including referendum and counting agents, observers and the media.
- 4.2 The Chief Counting Officer has prepared a communications protocol which will assist you in planning and implementing the verification and count and the certification and declaration of local totals.
- 4.3 So that agents and observers can be satisfied that the process is well-managed and can have confidence in the result, you will need to ensure that your systems are transparent, with everything at the verification and count carried out in clear view of all those entitled to attend and with information provided to attendees on the procedures to be followed.



To be able to achieve the outcome set out in performance standard 2, you will need to have in place information to provide to attendees at the count.

- 4.4 You should consider the following when determining what information you will provide to anyone attending the verification and count on the processes to be followed, and how you will provide it:
 - Placing information posters and boards throughout the verification and count venue, which show the key members of staff and provide an overview of the procedures to be followed. This will help attendees identify what is happening, where and when. You may wish to provide pictures of yourself and your key staff to help attendees identify you at the count. This information could also be provided in advance of the count, for example as part of an information booklet
 - Providing a layout plan of the venue, indicating the key areas of interest for counting agents and observers
 - Appointing a member of staff to respond to queries and to act as liaison between agents, observers and key staff
 - Using a public address system to make announcements about what is happening where and when throughout the verification and count processes
 - Providing a hand-out listing all ballot box numbers and the names of the polling stations they relate to.

- 4.5 You should distribute an information pack to everyone attending the count. A [checklist of information to be provided in a pack for attendees](#) has been developed by the Chief Counting Officer. There may be advantages in offering referendum agents a visit to the count centre in advance of the count to familiarise them with the layout.
- 4.6 Before the verification and count begin, you should address agents and all others in attendance to explain the different processes that you are going to follow and how agents can observe and participate in the adjudication of doubtful ballot papers. Your prior testing of the public address system will identify where the announcements can be heard and you should inform those present of the range of the equipment. If some agents arrive after the verification or count has commenced you should offer to brief them or make a further public announcement.
- 4.7 Good communication, both at referendum agent briefings in advance of the count and at the event itself, allows those present to scrutinise all of the processes properly and will help to build confidence in the administration of the verification and count. Providing information on the process can also help to lower the number of queries raised by agents, thus reducing the pressure on staff.
- 4.8 You should also remind attendees that smoking is not allowed within the building and advise on any policy regarding drinking and using mobile phones, tablets etc., any health and safety issues such as evacuation procedures and fire drills, and any other relevant information.
- 4.9 Further announcements should be made throughout the verification and count, setting out what parts of the process are being carried out where and when: for example, to let everyone know when verification has been completed, what the turnout figure is and where and when the adjudication of doubtful ballot papers is to be carried out.
- 4.10 If agents or observers are dissatisfied in any way with the manner in which the proceedings are being carried out, the opportunity should always be available for them to make direct representations to you at the earliest opportunity so that any concerns may be considered, explanations and reassurances given and any corrective action taken if necessary.

5 Receipt of polling station materials and sealed boxes of postal ballot papers



To be able to achieve the outcome set out in performance standards 1 and 2, you must be able to provide the Chief Counting Officer with confirmation that arrangements are in place to maintain a clear audit trail of the verification and count processes.

Further guidance on maintaining a clear audit trail of the verification and count processes can be found throughout this section and in [Section 6 – Verification](#) and in [Section 7 – The count](#).

- 5.1 As a requirement of performance standards 1 and 2, you must ensure that your count processes are capable of producing an accurate result, with a clear audit trail. In preparation, you should produce templates of all documents which will be completed for this purpose at the verification and count.
- 5.2 The correct and orderly receipt of ballot boxes and materials from polling stations is a key component of an accurate verification process. Your team of staff receiving materials from polling stations should use a [checklist](#) to ensure that all ballot boxes, ballot paper accounts and other key documents are accurately accounted for, as well as any packets containing postal votes handed in at polling stations.
- 5.3 Where Presiding Officers are required to transport the ballot boxes to the count venue, it should be made clear to the staff receiving the ballot boxes that no Presiding Officer should be allowed to leave until their ballot box and all of the documents and packets have been received and checked off by the designated staff member and, if possible, a cursory check of the ballot paper account has been made. Staff receiving ballot boxes should be instructed to ensure that they have the ballot paper account and other key documents for each ballot box.
- 5.4 Following receipt, the ballot paper accounts can be taken to the staff dealing with the management of the ballot box opening process and all the materials received back from polling stations can be released by receiving staff to the relevant teams.
- 5.5 The receptacles containing the referendum documents that need to be stored, such as sealed corresponding number lists, sealed packets of tendered ballot papers, certificates of employment, the marked copies of the Polling List and the lists of proxies, should be separated from those containing items that will be

reused, such as general stationery items. The packets and parcels from polling stations should be organised in such a way as to enable you to locate any particular packet quickly and easily should this be required.

- 5.6 It is a legal requirement to verify the ballot paper accounts returned from polling stations by comparing them against the number of ballot papers recorded, the unused and spoiled papers and the tendered votes list¹⁷. All packets of spoiled and unused ballot papers must therefore be opened, counted and then resealed, with the numbers counted supplied to those staff members responsible for the verification process. You are prohibited from opening the sealed packets of tendered ballot papers¹⁸, but you must, by law, open the packet containing the tendered votes list and then reseal it¹⁹. The information gained from this exercise should be recorded on the verification statement. The template for this statement has been prepared by the Chief Counting Officer in consultation with the Forms Working Group. The template statement will be issued directly to Counting Officers.
- 5.7 By law, you are **not** permitted to open the sealed packets containing the tendered ballot papers, corresponding number lists and certificates of employment, the marked copies of the Polling List and the lists of proxies.²⁰ You should ensure that the materials that you are legally required to keep sealed are placed in a designated and secure area.

Receipt of sealed boxes of postal ballot papers

- 5.8 Postal ballot papers previously received and opened will have been processed and should be brought to the verification and count venue in sealed ballot boxes, with an accompanying ballot paper account for each postal ballot box. Staff receiving the postal ballot boxes should use a checklist to ensure that all postal ballot boxes and postal ballot paper accounts are accurately accounted for.
- 5.9 All packets and ballot boxes containing postal ballot papers must, by law, be subject to verification in the same way as any ballot box from a polling station.²¹ As these will often be some of the first boxes being verified, they present an opportunity to create confidence in the process and in the count as a whole.

¹⁷ SIRA 2013 Schedule 3 Rule 30(2)

¹⁸ SIRA 2013 Schedule 3 Rule 36(2)

¹⁹ SIRA 2013 Schedule 3 Rule 30(2)

²⁰ SIRA 2013 Schedule 3 Rule 36(2)

²¹ SIRA 2013 Schedule 3 Rule 30(1)(c)

6 Verification

Purpose of verification

- 6.1 Verification has three main purposes – to account for all ballot papers issued to polling stations including unused and spoiled votes and the tendered votes list; to ensure and demonstrate that all ballot papers issued at polling stations and all returned postal ballot papers have been brought to the count and lastly, to provide the figure with which the count outcome must reconcile. You should keep these purposes in mind when conducting the verification process.
- 6.2 The training of Presiding Officers in the completion of ballot paper accounts, coupled with ballot paper accounts that are produced in a clear, easy-to-complete format, should help to provide a firm foundation for the verification process. The Chief Counting Officer has developed [a template](#) ballot paper account and it is important that you use this style in your polling stations and training.



Guidance on the training of polling station staff, including [a sample ballot paper exercise](#) is provided in [Part B – Planning and organisation](#).

The verification process

- 6.3 As described in paragraph [5.6](#) above, you must verify the ballot paper account by comparing it with the number of ballot papers recorded as having been issued, the unused and spoiled ballot papers and the tendered votes list (unsealing and resealing the packets containing the unused and spoiled ballot papers and the tendered votes list.) This is a legal requirement.²² You should record the results of this exercise on the verification statement in the form provided by the Chief Counting Officer.²³ No other style should be used for this form.
- 6.4 The process is as follows:
- open the packets of unused ballot papers and ascertain the number that were not issued by noting the number of full books and the number of any ballot papers remaining in any part book inside the packet
 - open the packets of spoiled votes and count them

²² SIRA Schedule 3 Rule 30(2)

²³ SIRA 2013 Schedule 3 Rule 30(2)(b)

- open the packet containing the tendered votes list and note the number of tendered votes issued. You **must not** open the packet containing the used tendered ballot papers.²⁴
- compare these figures with the ballot paper account for the station; and
- when you are satisfied as to the accuracy of each ballot paper account, enter the details on the verification statement and reseal the packets of unused and spoilt votes and the tendered votes list

6.5 You must, in the presence of the counting agents, open each ballot box and count and record the number of ballot papers in it²⁵ and check that number against the ballot paper account.

6.6 The process is as follows:-

- open the ballot boxes. When a box has had a seal attached by an agent at the close of poll, particular care should be taken to show to any agents and observers present that the seal is still intact prior to it being broken
- the ballot papers should be removed from the ballot box, ensuring that none have fallen onto the floor and that the box is totally empty. Show the box to the agents and observers so that they can be satisfied that it is indeed empty
- note that you have a legal duty to keep the ballot papers **face up** at all times during the verification and count process. This is to ensure that no voter may be identified from the number on the back of the ballot paper
- any tendered (pink) ballot papers that have been placed mistakenly in the ballot box should be removed and handed to the supervisor. You must not count any tendered ballot paper²⁶
- the counting assistants should now count the ballot papers into bundles. Accuracy at this stage is vital, so bundles should be passed to another assistant for rechecking
- the number of ballot papers in each box should match the number on the respective ballot paper account.

6.7 If the total number of ballot papers counted does not reconcile with the ballot paper account, you should undertake the following procedure and document the outcome:

²⁴ SIRA 2013 Schedule 3 Rule 36(2)

²⁵ SIRA 2013 Schedule 3 Rule 30(1)

²⁶ SIRA 2013 Schedule 3 Rule 30(6)

- make a full check of the arithmetic on the ballot paper account. Check the other packets of returned materials and any polling station logbook to try to identify any reason for missing or additional ballot papers. Ensure that returned postal ballots have not been added to the number of votes cast in the polling station. In exceptional circumstances, you may consider contacting the Presiding Officer to ask them to try to explain any discrepancies
- check whether the ballot box has come from a multiple polling station location and, if it has, check against the totals for the ballot boxes for the other polling stations within that location to see if there is a compensating error
- if the ballot box is from a single polling station or if there is no compensating error in the figures from the other polling station(s) in that polling place, recount the ballot papers in the box until the same figure is achieved on two consecutive occasions
- if, after following the procedures outlined above, any discrepancy still remains, use the number of ballot papers counted and recounted as the final figure and make a note of the discrepancy on the form prescribed by the Chief Counting Officer
- record the verified total and the variance between that and the number on the ballot paper account to the verification statement with, if possible, an explanation of why that variance has occurred and discuss this with any agents and observers present.

6.8 Verification cannot be completed until all postal ballot papers, including those received at polling stations, have been opened, processed and put through the verification process.

6.9 While it is preferable to complete the verification in full before proceeding to the count, it is recognised that this may not be practicable in certain circumstances, for example in local authorities with large geographical areas, where the last ballot boxes may not be received until the early hours of the morning. In these circumstances, the Chief Counting Officer has directed that Counting Officers can proceed to the count before completing the verification for the local authority as a whole, but on the understanding that a mini-count model is adopted.

6.10 You need to prepare a verification statement for the whole of your local authority area.²⁷ Once the verification is complete and the statement has been prepared, you must advise the Chief Counting Officer of the result of the

²⁷ SIRA 2013 Schedule 3 Rule 30(2)(b)

process. Detailed reporting procedures will have been advised to Counting Officers in advance of referendum day.

- 6.11 By law, any agent may make a copy of your verification statement and you should make available copies of this for the agents present once the verification has been completed.²⁸ It is recommended that you offer it to agents as a matter of course and good practice rather than wait until asked.
- 6.12 The legislation provides that you must, so far as is reasonably practicable, proceed continuously with counting the votes, allowing only time for refreshment. However, you may suspend counting between 7pm on any day following the date of the referendum and 9am the following day.²⁹
- 6.13 If there is a likelihood that you may have to suspend counting, you should contact the Chief Counting Officer before making a final decision.
- 6.14 Should there be a break in proceedings for any reason, you must take proper precautions to ensure the security of the ballot papers and the relevant stationery.³⁰ This includes sealing the ballot papers and allowing the counting agents to attach their own seals if they wish.

²⁸ SIRA 2013 Schedule 3 Rule 30(3)

²⁹ SIRA 2013 Schedule 3 Rule 30(9)

³⁰ SIRA 2013 Schedule 3 Rule 30(10)

7 The count

Overview

- 7.1 You must carry out the count in accordance with the provisions of the Scottish Independence Referendum Act 2013 and with any directions or other advice issued by the Chief Counting Officer. You should also have regard to the provisions of this guidance.

Mixing

- 7.2 You must not start counting until you have mixed the verified ballot papers. Postal ballot papers must be mixed with ballot papers from at least one polling station ballot box. Polling station ballot papers must be mixed with ballot papers from at least one other polling station ballot box.³¹

Sorting and counting

- 7.3 During this process the ballot papers must be kept face up and in full view of counting agents and observers.
- 7.4 Counting assistants should separate the votes for each answer to the referendum question. Any doubtful ballot papers should be set aside for adjudication. Adjudication of doubtful ballot papers should be an ongoing process. Further advice on adjudication is contained below.
- 7.5 The number of votes given for each answer should then be counted and placed into bundles of 100. A “100” card or slip should be attached to the front. The bundles should then be recounted by another counting assistant in order to confirm their accuracy.
- 7.6 Where bundles contain less than 100 ballot papers, counting assistants should attach a blank card to the front and write the number of ballot papers on the card before initialling it and passing it to another counting assistant for checking. It may be helpful if these are a different colour to the “100” cards so part- bundles can be easily identified.

³¹ SIRA 2013 Schedule 3 Rule 30(5)

- 7.7 Supervisors should flick through the bundles to satisfy themselves and onlookers that all of the votes in each bundle are marked for the same answer to the referendum question.

Doubtful ballot papers

- 7.8 You should adjudicate doubtful ballot papers regularly as the count proceeds rather than leave it until the end of the count. You should have regard to the Chief Counting Officer's booklet "[Dealing with doubtful ballot papers](#)" throughout the adjudication process. Examples of allowed and rejected ballot papers are also set out on a [doubtful ballot paper placemat](#) and in the booklet itself, which you should have on display at the count for campaigners, agents and observers to refer to.

- 7.9 When adjudicating doubtful ballot papers, you should:

- Take time to ensure that a considered decision is given in every case, and
- Always be clear and consistent.

The main test is that the mark on the paper clearly indicates the voter's intention³².

- 7.10 The legislation provides that you must reject a ballot paper³³:

- which does not bear the official mark
- which indicates a vote in favour of both answers to the referendum question
- on which anything is written or marked by which the voter can be identified (other than the unique identifying number), or
- which is unmarked or void for uncertainty

- 7.11 However, the legislation states that unless the way the ballot paper is marked identifies the voter, or if it can be shown that the voter can be identified from it, a ballot paper on which the vote is marked in the following ways must not be rejected if the voter's intention is clear:³⁴

- elsewhere than in the proper place
- otherwise than by means of a cross, or
- by more than one mark

³² SIRA 2013 Schedule 3 Rule 31(3)

³³ SIRA 2013 Schedule 3 Rule 31(1) and (2)

³⁴ SIRA 2013 Schedule 3 Rule 31(3)

- 7.12 In addition, ballot papers displaying any of the following may require further consideration:
- any ballot paper with anything unusual about it (for example, any ballot paper that appears to have been altered, either with a clearly different writing instrument or with correction fluid)
 - any ballot paper torn or damaged in any way
- 7.13 Ballot papers that appear to be altered, either with a clearly different writing instrument or with correction fluid, should be treated as ‘doubtful’ and put forward for adjudication, where you must decide on their validity in the presence of agents and observers. Those that are subsequently declared as valid must, by law, be counted.
- 7.14 Your decision on any question arising in respect of a ballot paper is final and can only be challenged by way of a petition for judicial review.
- 7.15 You have a legal duty to draw up a statement showing the number of ballot papers rejected and for what reason.³⁵ You should therefore have a system in place throughout the adjudication process for sorting the rejected ballot papers into the headings listed in paragraph 7.10 above.
- 7.16 The legislation requires that each rejected ballot paper must have the word ‘rejected’ marked on it. The words ‘rejection objected to’ must be added if a counting agent objects to your decision³⁶. Observers should be able to observe this process, however, unlike agents, they do not have the legal right to object to the rejection of a ballot paper.

Reconciliation

- 7.17 Once all the ballot papers have been counted and any doubtful ballots adjudicated, the key task of reconciliation can begin.
- 7.18 All of the bundles and part bundles for each answer to the referendum question must be counted. The total must then be added to the total number of rejected ballot papers and this total figure should match exactly the total number of ballot papers obtained at the end of the verification process as entered in your verification statement. If the two figures agree, you should proceed to the process of consulting the Chief Counting Officer on the provisional local total.
- 7.19 You should be satisfied that the results reflect the votes on the ballots received, so if the figures do not reconcile, the following procedure should be undertaken in order to try to identify and rectify the discrepancy:

³⁵ SIRA 2013 Schedule 3 Rule 31(6)

³⁶ SIRA 2013 Schedule 3 Rule 31(5)

- Re-check the figures for calculation mistakes
- Check all floors and surfaces for ballot papers that may have been dropped in the count venue
- Ensure that all rejected ballot papers have been accounted for.

7.20 You should also carry out any other checks you deem necessary.

Provisional totals

- 7.21 Once you are satisfied that the local totals are accurate and reconcile with the verification total, you need to prepare a statement of the provisional totals in the form previously supplied by the Chief Counting Officer and send this to her for consultation. Her team will check this against the verification figures. You must not certify the result until authorised by the Chief Counting Officer.³⁷
- 7.22 If she is satisfied that the provisional count totals reconcile with the verification total, or that you have carried out all of the steps set out in her instructions to identify and rectify any discrepancy between the verification total and the provisional count totals, the Chief Counting Officer will authorise you to certify your local totals.
- 7.23 At this stage, although there is no express provision in legislation, it would be good practice for you to share the provisional count totals with referendum agents. You should share all of the information that you have submitted to the Chief Counting Officer, including the number of ballot papers rejected under each heading.
- 7.24 You must **not** share information about the provisional count totals with referendum agents before you have received the Chief Counting Officer's authorisation.
- 7.25 This process should be undertaken within the framework of maximum openness and transparency implemented throughout the various processes so that all agents can have confidence in the processes and the provisional local totals provided.
- 7.26 At this stage, referendum agents may request you to conduct a recount. You should give them sufficient time to digest the provisional result before proceeding further.
- 7.27 If there is no need for a recount, you must then prepare the formal certification for transmission to the Chief Counting Officer. The style for the certification will be supplied directly to you.

³⁷ SIRA 2013 Section 7(3)

Recounts

- 7.28 As Counting Officer, you may have the votes re-counted if you consider it appropriate to do so³⁸. You must consider any request for a recount but may refuse if, in your opinion, the request is unreasonable. You may, however, consider offering the agents a recalculation of the totals or a full re-count of all ballot papers for the local authority area if you consider it appropriate.
- 7.29 If you are minded to conduct a recount, you should advise the Chief Counting Officer immediately.
- 7.30 If you agree to re-count the votes, the agents present at the count should be informed before the recount commences and briefed on the processes you are going to follow. As with the original count, any recount should be carried out in full view of those present. You are entitled to reconsider which ballot papers should be rejected during the recount (or during any further recount).
- 7.31 The Chief Counting Officer may direct a recount in any local authority area if, in her opinion, the accuracy of the result as reported to her is in question, for example, by reason of a discrepancy between the verification and count figures which has not been satisfactorily explained³⁹.
- 7.32 Once the recount is complete, you should revise your provisional certification and send it to the Chief Counting Officer. When she is satisfied as to its accuracy, she will authorise you to share the revised totals with the referendum agents in the same way as before.
- 7.33 It is possible to have more than one recount. Again, it is for you to consider any request, and you may refuse if in your opinion the request is unreasonable.
- 7.34 Once you have the Chief Counting Officer's authorisation and you are satisfied that there is no need for a further recount you can proceed to the formal certification and declaration of the local totals as detailed below.

³⁸ SIRA 2013 Schedule 3 Rule 34(1)

³⁹ SIRA 2023 Schedule 3 Rule 34(2)

Declaring the local totals

7.35 You must **not** certify the local totals until you have been authorised to do so by the Chief Counting Officer and are satisfied that there is no further need for a recount.⁴⁰

7.36 The certification should be made using the form provided by the Chief Counting Officer. The certification will comprise

- Notice of the matters certified
- Details of the verification; and
- Notice of the rejected ballot papers under each head shown in the statement of rejected ballot papers.⁴¹

7.37 After making the certification you must, without delay, send it to the Chief Counting Officer using the prescribed form.

7.38 The Chief Counting Officer's staff will check the certification and, when satisfied, will authorise you to make the declaration of your local totals.

7.39 You must **not** make the declaration until authorised to do so by the Chief Counting Officer. You must make only one certification and declaration – for your local authority area as a whole and not subdivided into wards, constituencies or any other smaller administrative areas.

7.40 You must declare the following:

- the number of ballot papers counted in the local authority area
- The number of votes cast in the area in favour of each answer to the referendum question; and
- The number of rejected ballot papers

7.41 The following factors should be taken into account when preparing for the declaration of the local totals:

- In preparing your layout, you will have already chosen the exact location where the declaration will be made and who will be on the platform at this time. The platform should be accessible for all those who need to get up

⁴⁰ SIRA 2013 Section 7(3)(b)

⁴¹ SIRA 2013 Schedule 3 Rule 35(1)

on it. Some local authorities make use of display boards to provide a backdrop for the announcement of results

- Any announcement equipment should be in place and checked before the count begins
- Double-check that the totals are written in word form for the oral delivery in order to avoid any errors. The Chief Counting Officer has prepared a template form of declaration for your use
- Media representatives will be keen to ensure that their transmission of the local totals is accurate and so may ask for a written copy to be issued at the time the announcement is made.

7.42 Once the Chief Counting Officer has received and accepted all the local totals, she will calculate, certify and declare the national result.

7.43 As soon as practicable you must give public notice of the information in paragraph 7.40 above together with the number of rejected ballot papers under each head as shown in the statement of rejected ballot papers. The Chief Counting Officer has prepared a template notice for this purpose.



For more information on giving notification of the result and other post-referendum procedures see [Part F – After the declaration of results](#).