
**General Synod
of the
Church of England**

**Conduct of an election
under the Single Transferable Vote
Regulations 1990 to 2015
Notes for the guidance of dioceses**



July 2015 edition

© The Archbishops' Council

This publication may not be reproduced either in whole or part whether for sale or otherwise by any method without written permission which should be sought from the Chief Legal Adviser to the General Synod, Church House, Great Smith Street, London SW1P 3AZ

**CONDUCT OF AN ELECTION UNDER
THE SINGLE TRANSFERABLE VOTE REGULATIONS 1990 TO 2015**

CONTENTS

A. INTRODUCTION

- 1 Single Transferable Vote Regulations 1990 to 2015
- 2 Suggested leaflet
- 3 Electoral Reform Society
- 4 Counting by computer

B. THE SINGLE TRANSFERABLE VOTE

- 5 Purpose of STV
- 6 Preferential voting
- 7 Quota for election
- 8 Outline of the count

C. GUIDE TO THE CONDUCT OF THE COUNT

- 9 Personnel
- 10 Election stationery
- 11 First stage of the count
- 12 Subsequent stages
- 13 Transfer of a surplus
- 14 Exclusion of a candidate
- 15 Last vacancies

D. GENERAL

- 16 Declaration of the result
- 17 Withdrawals
- 18 Casual vacancies
- 19 Secrecy of the ballot
- 20 Drawing lots
- 21 Constraints

APPENDICES

- I. FIRST MODEL ELECTION) with commentaries followed by
- II. SECOND MODEL ELECTION) completed elections forms
- III. EXERCISES with answers

A. INTRODUCTION

1. Single Transferable Vote Regulations 1990 to 2015

(1) The Single Transferable Vote Regulations 1990 to 2015 (“the Regulations”) are set out in full in the form they take following their amendment in July 2015 in *The Single Transferable Vote Regulations 1990 to 2015*, obtainable from the Legal Office. The Regulations lay down the **current law** governing elections conducted by the single transferable vote to the two Convocations; the House of Laity of the General Synod; and also, where appropriate steps have been taken, to a diocesan synod, a deanery synod or a parochial church council. The following Notes, on the other hand, are intended as a **working manual** for presiding officers and others involved in the conduct of an election under the Regulations. Clearly, nothing said in these Notes can override any of the provisions in the Regulations themselves.

(2) Reference should be made to the Church Representation Rules for details of the procedure to be followed when it is desired to apply these Regulations to elections to diocesan or deanery synods or to a parochial church council (see Rules 12 and 32(6)).

(3) The handbook entitled “General Synod Elections 2015: Notes for the Guidance of Dioceses” provides general guidance on these elections. The present handbook on voting procedure gives more detailed instructions and includes two model elections (with specimen forms to illustrate them) and a set of training exercises prepared, as were the models, by the Electoral Reform Society (“ERS”).

(4) The reader might find it helpful to start by referring to the legal definitions in Regulation 1 of the Regulations. There is no additional glossary of terms in these Notes.

2. Suggested leaflet

In Annex F to the Notes on the 2015 elections, there is a draft of a suggested leaflet for voters on the method of voting under the Single Transferable Vote system. It is recommended that the same or a similar leaflet be issued to voters with the voting papers at every election or by-election.

3. Electoral Reform Society

(1) The Clerk to the General Synod and the Joint Provincial Registrar responsible for General Synod elections continue to be grateful to ERS for its expert advice and generous expenditure of time in helping to produce not only this guide and especially the model elections (see Appendices I and II). They are particularly indebted to ERS for the computer program which has been devised to enable a count to be conducted by computer in accordance with the Regulations (see section 4).

4. Counting by computer

(1) Most dioceses are now taking advantage of Regulation 23, which enables a presiding officer to count votes by computer.

(2) The manual input of data into the computer **must take place on the date (or dates) previously notified to candidates** so that they can exercise their right to be present (in person or through a nominee) and to request verification of the accuracy of the input (Regulation 23(2)(c)).

(3) Those opting to conduct a count by computer will need to ensure that this is covered by their registration under the Data Protection Act 1998 and that their procedures comply with the Principles laid down by the 1998 Act for any user of “personal data” held on a computer. If in doubt, it is advisable to contact the Office of the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF (tel.: 0303 123 1113). It should also be noted that both paper-based and computer records need to comply with the requirements of the 1998 Act (for example, that data should be held securely and for no longer than necessary).

B. THE SINGLE TRANSFERABLE VOTE

5. Purpose of STV

The method of election is designed to ensure that as many voters as possible are represented, and equally represented, by members of their choice. To this end,

(i) three or more members are elected together in each diocesan electoral area (the only exceptions being the Diocese of Sodor and Man with one member, and in by-elections);

(ii) each elector has a single transferable vote as explained in section 6 below;

(iii) candidates are elected on attaining a quota of votes, this being the minimum required to guarantee election.

6. Preferential voting

(1) A vote is made by placing the figure “1” against the name of the elector’s first choice. A vote is valid as soon as a clear first choice is expressed.

(2) If there are also other candidates whom the elector wishes to support, the figure “2” is placed against the elector’s second preference, the figure “3” against the third preference, and so on, as far as the elector wishes, and is able to place successive candidates in order. These later preferences are alternative, contingency choices and cannot harm an earlier choice.

7. Quota for election

(1) If there are three to elect, the quota for election is one-quarter of the votes, since if three candidates each attain one-quarter or more of the votes, then together they have three-quarters or more of the votes and there is at most one-quarter of the votes left for other candidates. Three-quarters of the voters are thereby represented by members of their choice.

(2) If there are four to elect, the quota is one-fifth of the votes; if there are five to elect, the quota is one-sixth of the votes, and so on. The greater the number to elect, the greater the proportion of voters represented by members of their choice.

8. Outline of the count

(1) Voting papers are sorted to first preferences, any invalid papers being set aside. The quota is determined and any candidate who has already achieved the quota of votes is elected.

(2) The rest of the count is concerned with the transfer of surpluses of elected candidates and with the successive exclusion of candidates at the bottom of the poll with no chance of election.

(3) In general, any surplus is transferred before the next exclusion. But the transfer of a surplus is deferred if its transfer could not change the candidate next for exclusion.

(4) In transferring a surplus, the voting papers which gave rise to the surplus are transferred to next preferences, each at a value determined by sharing the surplus between the transferable papers.

(5) In excluding a candidate, all the papers are transferred to next preferences.

(6) A voting paper becomes non-transferable if it contains no further preferences for any of the continuing candidates.

(7) The transfer of surpluses and the exclusion of candidates continues until the desired number of candidates is elected.

(8) An elector's single vote may thus count wholly for the elector's first choice; **or**, in the case of a surplus, the portion of the vote not needed to elect the first choice is shared between one or more later preferences; **or**, in the case of an exclusion, the vote will go to later preferences. In this way, each vote is of equal effect. In practice, most voting papers help to elect the voter's first choice.

C. GUIDE TO THE CONDUCT OF THE COUNT

9. Personnel

It is recommended that the count be conducted by two persons who have familiarised themselves with the Regulations, assisted by one or two other persons in sorting and counting the voting papers.

10. Election stationery

- (1) A separate folder, boldly labelled, should be provided for each candidate. A separate vote record form is required for each candidate, together with election result sheets, surplus forms and exclusion forms.
- (2) A pocket calculator is useful during the count.

11. First stage of the count

- (1) Count the voting papers to determine the total number received.
- (2) Examine each voting paper for signature, setting aside any unsigned papers as invalid (Regulation 6(a)).
- (3) Sort the voting papers according to first preferences, setting aside any invalid papers (Regulations 6(b)-(e), 7(1)). A paper with X's for the figure "1" against two or more candidates is invalid. A paper with no figure "1", but with other numbers, is invalid. But a paper with a single X and no other numbers at all is valid. The test is whether the elector's intention regarding the first preference is clear.
- (4) Check the sorting and count the papers for each candidate (Regulation 7(1)).
- (5) Check the counting and enter the votes received on a separate vote record form for each candidate and on the election result sheet and reconcile (Regulation 7(2)).
- (6) Determine the total number of valid papers, enter this total in the election result sheet and reconcile with the total number of papers received and the number of invalid papers (Regulation 8).
- (7) Determine the quota for election (Regulation 8). Divide the total number of valid votes by **one more than** the number of places to be filled, if necessary to two decimal places, rounding up if not exact in the second decimal place, e.g. if the total number of valid votes is 462, then for 6 places the quota is $462/7=66$.

for 7 places, the quota is $462/8=57.75$

for 8 places, the quota is $462/9=51.333\dots$ rounded to 51.34

- (8) Enter the quota on the election result sheet and on the vote record forms for each candidate.

- (9) Place the voting papers in the folders of each candidate.
- (10) Deem to be elected any candidate who has attained the quota (Regulation 9) and set aside the folder of any such candidate.

12. Subsequent stages

- (1) If one or more candidates have surpluses, defer the transfer of such surpluses if their total value does not exceed the difference between the value credited to the candidate with the lowest value and the value credited to the candidate with the next lowest value (Regulation 10(2)).
- (2) Otherwise, if one or more candidates have surpluses, transfer the largest surplus (Regulation 10(1)).
- (3) If two or more candidates have equal surpluses, transfer the surplus of the candidate credited with the greatest value at the earliest stage at which they had unequal values (Regulation 10(1)). If they had equal values at all stages, draw lots to decide which surplus is transferred first.
- (4) If, after all surpluses have been deferred or transferred, one or more places remain to be filled, exclude the candidate credited with the lowest value (Regulation 11(1)).
- (5) If a candidate is to be excluded and two or more candidates have equal values, exclude the candidate credited with the lowest value at the earliest stage at which they had unequal values. Draw lots if there was equality at all stages (Regulation 11(2)).

13. Transfer of a surplus

- (1)
 - (i) In the case of a surplus arising at the first stage of the count, examine all the papers which the candidate has received (Regulation 10(3)).
 - (ii) In the case of a surplus arising at a later stage consequential on the transfer of another surplus or from the exclusion of a candidate, examine only the last sub-parcel of papers received, all of one value, which gave rise to the surplus (Regulation 10(4)). (Note that the terms "parcel" and "sub-parcel" refer in this context merely to sets and parts of sets of voting papers: they do not imply any specific methods of wrapping or packaging!)
- (2) Sort the papers to be examined to next available preferences for continuing candidates, returning any non-transferable papers (whose values do not have to be recorded) to the folder of the elected candidate (Regulations 10(3), (4)).

- (3) Check the sorting, count the papers and enter the numbers of papers received on the vote record forms of candidates who have received them and on a surplus form (Regulation 10(5)).
- (4) Determine the present total value of the transferable papers. If this exceeds the surplus, determine the transfer value of each paper by dividing the surplus by the number of transferable papers to two decimal places, ignoring any remainder (which then becomes non-transferable). Otherwise the transfer value of each paper is its present value (Regulations 10(6), (7)).
- (5) Enter the values to be credited to continuing candidates and the non-transferable difference on the surplus form and reconcile the total with the value of the surplus transferred. Enter the values to be credited and the new running totals on the vote record forms and the election result sheet and reconcile. Enter the non-transferable difference on the election result sheet and reconcile the grand total with the total of valid votes (Regulations 10(6), (7)).
- (6) Mark each transferred paper with any new transfer value and place the papers in the folders of the candidates who have received them.
- (7) Deem to be elected any candidate who has now attained the quota (Regulation 10(8)) and set aside the folder of any such candidate.

14. Exclusion of a candidate

- (1) Arrange the voting papers of the excluded candidate in parcels according to transfer values (Regulation 11(3)). (Note that papers not marked with any new transfer value retain their original value of 1.00.)
- (2) Transfer the parcel of papers of highest transfer value. Sort the papers to next available preferences for continuing candidates, returning any non-transferable papers to the folder of the excluded candidates (Regulation 11(3)).
- (3) Check the sorting, count the papers and enter the number of papers, the value received and the new running totals on the vote record forms of continuing candidates. If there are papers of lower transfer value to be transferred, enter the number of papers and the value received by each candidate on an exclusion form (Regulation 11(3)).
- (4) Place the transferred papers in the folders of the candidates who have received them.
- (5) Deem to be elected any candidate who has now attained the quota (Regulation 11(4)) and set aside the folder of any such candidate.
- (6) Similarly, transfer in turn in descending order of transfer value the parcels of papers of lowest transfer value. (Note that any candidate deemed elected under (5) above is no longer a continuing candidate, so that papers otherwise transferable to that candidate must now be transferred to the next preference.) Enter the numbers of papers, the value received and the new running totals on the vote record forms of each

candidate. Enter the numbers of papers and the value received by each candidate on the exclusion form. Place the transferred papers in the folders of the candidates who have received them. Deem to be elected any candidate who has now attained the quota (Regulations 11(3), (4)).

(7) Enter the total values to be credited and the value of the non-transferable papers on the exclusion form (of any) and reconcile the total. Enter the total values to be credited, the value of the non-transferable papers and the new running totals on the election result sheet and reconcile with the vote record forms. Reconcile the grand total with the total of valid votes.

15. Last vacancies

(1) If, at any stage of the count, as a result of a proposed exclusion of one or more candidates, the number of continuing candidates would equal the number of places remaining to be filled, deem such continuing candidates to be elected (Regulation 14).

(2) If, at any stage of the count, the number of candidates deemed to be elected is equal to the number of places to be filled, no further transfers of papers are made (Regulation 14).

D. GENERAL

16. Declaration of result

(1) In quinquennial elections to the Lower House of Convocation or the House of Laity, the presiding officer must display in the diocesan office and on the diocesan website the full return of the result and the result sheet in the form used for the two Model Elections in Appendices I and II (or, if this exact form is not available, in a substantially similar form). The display must continue until the end of the first group of sessions of the General Synod (Rule 20(1) Clergy Representation Rules and Rule 39(12) Church Representation Rules).

(2) The completed election result sheet prepared by the presiding officer constitutes the official "declaration of the result" of the poll. It must show the successive result at each stage of the count (Regulation 17). (Note that values credited to elected candidates on completion of the **final** stage are misleading as an indication of voters' support since by then the running totals have been equalised or nearly equalised by transfers.)

(3) The presiding officer should next ascertain that any candidates (or their representatives) present are content with the conduct of the count. This established, the candidates previously **deemed** to be elected should be **declared** elected.

(4) A copy of the result sheet must be deposited in the appropriate office named in Regulation 18 and be made available for inspection by any qualified elector (during

office hours) within the six months following the count (Regulation 18(1)). The list is as follows:

Election of	Deposit in:
Diocesan representatives to Convocations	Diocesan Office
Other representatives to Convocations	Office of the Provincial Registrar for elections (Mr Stephen Slack)
Diocesan representatives to the House of Laity of the General Synod	Diocesan Office
Lay Religious to the House of Laity of the General Synod	Office of the Provincial Registrar for elections (Mr Stephen Slack)
Diocesan Synod	Diocesan Office

(5) In addition to the result sheet, the presiding officer must also prepare and sign a number of copies of an election return listing the names and addresses of those elected. After a postal ballot, a copy of the election return and the result sheet should be handed or sent, within ten days of the declaration of the result, to every candidate, whether elected or not (Regulation 19(1)).

(6) In elections to the Lower Houses of the Convocations and the House of Laity, an election return should be in the form shown in Annex H to the Notes for the Guidance of Dioceses on the 2015 General Synod Elections. (This includes a column for the year of each elected candidate's birth.) In the same elections, one copy of each **result sheet** and **election return** should be sent to every candidate, the Clerk to the General Synod and the elections Scrutineer appointed by the Business Committee of the General Synod (Mr John Allen, gselections@churchofengland.org). A further copy should be placed with the **presiding officer's** other records of the election.

(7) In elections to or by a diocesan synod, a signed copy of the result sheet and election return must be sent by the presiding officer to the diocesan synod secretary (Regulation 19(c)).

(8) In elections to a deanery synod, a signed copy of the result sheet and election return must be sent by the presiding officer to the deanery synod secretary and the Diocesan Election Registration Officer (Regulation 19(d)).

17. Withdrawals

If, after the closing date for nominations, a candidate either dies or wishes to withdraw from the election or is found to be ineligible to stand, it is a requirement (Regulation 2(3)) that his or her first preference votes (if any) should be transferred to any second

preferences as if they were original votes. This means that where voting papers have been printed before one of these eventualities occurs there is no need to reprint the papers without the name of the deceased or the withdrawn or ineligible candidates.

18. Casual vacancies

(1) Under Rule 23(1) of the Clergy Representation Rules and under Rule 48(5) of the Church Representation Rules, elections to fill casual vacancies in the Lower Houses of the Convocations and House of Laity of the General Synod are normally to be held as soon as reasonably practicable after the vacancy occurs and under the same procedure as ordinary elections. Where a Convocation, the House of Laity of the General Synod or a diocesan synod is concerned, such an election must be completed within 6 months of the vacancy. In the case of an election to the House of Laity, if the vacancy is not filled within that period, the Chair of that House may give a direction extending the period. No election is, however, necessary in one case (see (2) below). In one other case, although an election is necessary, there is no necessity to issue a further set of nomination and voting papers (see (3) below).

(2) A vacancy need not be filled at all –

(i) in a **Convocation** if a general election is due to begin within *12 months* of the vacancy unless the clerical members of the bishop's council and standing committee (acting in accordance with any directions of the diocesan synod) direct otherwise (Clergy Representation Rules, proviso to Rule 23(1));

(ii) in the **House of Laity of the General Synod** if a general election is due to begin within *12 months* of the vacancy, unless the lay members of the bishop's council and standing committee (acting in accordance with any directions of the diocesan synod) direct otherwise (Church Representation Rules, Rule 48(5)(b));

(iii) in a **diocesan synod** if a general election (to that synod) is due to begin within *9 months* of the vacancy unless the members of the bishop's council and standing committee who are of the same House as the vacancy direct otherwise (Church Representation Rules, Rule 48(7)).

(3) In a by-election to a Convocation or the House of Laity of the General Synod fresh nomination and voting papers should not be issued if the vacancy occurs within the two years beginning on 1 August in the year of the last general election or on the date of the declaration of the result of a subsequent by-election in the electoral area by the STV system. In these cases, the by-election must proceed on the basis of the voting papers received at the earlier election provided that at least one candidate not elected at the earlier election is still eligible to stand and consents to serve if elected.

(4) If only one candidate consents to serve, he or she is declared elected. If two or more such candidates consent to serve, all the existing valid voting papers are

recounted as in the original election, but only after transferring the first preference vote of the vacating member and of the candidates who do not wish to serve or are no longer eligible to serve to the second preferences; and subject also to the proviso that no candidates elected during the original count can be excluded (Clergy Representation Rules, Rule 23(4), Church Representation Rules, Rule 48(6) and STV Regulation 22).

(5) In the situation where a casual vacancy falls outside the two-year period under (3) above, a fresh STV election is required to be held. Where there is only one vacancy, it is, of course, never necessary to transfer a surplus. (Similarly, a **general** election in the Diocese of Sodor and Man to fill its one seat in the Convocation or its one seat in the House of Laity of the General Synod must be conducted by STV.)

19. Secrecy of the ballot

The presiding officer should require voting papers to be counted with their face upward and take all other precautions for preventing the tellers and candidates from seeing how particular electors have cast their votes. First, however, he or she must ensure that each paper has been signed by a qualified voter (Regulation 6(a)).

20. Drawing lots

Under Regulation 10(1), the presiding officer is required to determine by lot which is the first surplus he or she should transfer in circumstances of total equality between two or more candidates. Similarly, a determination by lot is provided for in Regulation 11(2) to decide which of two or more candidates should be excluded because their votes have been of equal value at every stage. The method of drawing lots for these purposes is laid down in Regulation 1(12). The names written on slips of paper, folded in order to preserve secrecy, are mixed and drawn at random. The candidate whose name is drawn first has his or her surplus or total value transferred first. This means, for example, that if two equal candidates at the bottom of the poll are left competing for one last vacancy, the first name drawn in the ballot will be that of the candidate **not** elected.

21. Constraints

(1) As a result of increasing pressure for STV to be used in elections to central, diocesan and deanery committees, Regulation 13 deals with any situations where the choice of electors is limited by numerical constraints governing the composition of the committee (or other body) to which representatives are to be elected.

(2) Constraints can be of three kinds: maxima, minima or exactly specified numbers of places: e.g. not more than 3 from each archdeaconry; or at least 2 from

each archdeaconry; or 3 each from archdeaconries A and B and 2 from archdeaconry C.

(3) Those conducting any **by-election** should bear in mind that no continuing candidates elected in the principal election can be excluded in that by-election. Furthermore, such candidates must continue to receive any transferred votes due to them until they reach the quota.

Dr Jacqui Philips
Clerk to the General Synod

Mr Stephen Slack
Provincial Registrar for Elections

July 2015