

ASSOCIATION OF ELECTORAL ADMINISTRATORS



The administration of the referendums and elections across the UK in 2011:

Executive Summary

14 July 2011

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5 May 2011 will be remembered for the dramatic political outcomes from the polls that took place on that day, and not for any issues connected with the administration of those polls. And that is as it should be.

The UK-wide referendum on the voting system for UK Parliamentary elections was held on the same day as national elections in Scotland, Wales and Northern Ireland as well as local government elections in England and Northern Ireland. In some areas, electoral administrators were delivering four or five different types of poll on the same day.

This resulted in an unprecedented level of combination which brought with it considerable legislative and practical complexity.

In Wales, administrators delivered the referendum on the law making powers of the National Assembly for Wales on 3 March while preparing to deliver the polls on 5 May.

The Association of Electoral Administrators (AEA) is a non-governmental and non-partisan body founded in 1987 to represent the interests of electoral administrators in the United Kingdom.

In this report we provide an account of the significant challenges faced by electoral administrators in delivering the referendums and elections across the UK in 2011 and offer a model for future referendums. We also make a number of wider recommendations for improvements to electoral administration in the UK.

A summary of our main recommendations

Turn to pages 123-125 of the report to see the full list of our recommendations.

Clear and timely legislation

The UK Government should:

- bring forward legislation to require that electoral law cannot be applied to any referendum or election held within six months of the new provisions coming into force;
- support the proposed Law Commission review and simplification of electoral law;

- undertake a thorough review of combination issues incorporating learning points from 2011, in particular focusing on which polls can safely be held on the same day, and the rules for combination and absent voting;
- create a generic conduct order for referendums.

You can read our analysis of the legal framework for the referendums and elections in 2011 in *Chapter 2 - Framework* on page 12.

The power of direction

- The UK Government should review the management structure and the use of the power of direction at future referendums to achieve a consensus on how they should operate.
- The AEA would not support the extension of the power of direction to other elections.

We consider the management structure for the referendum on 5 May 2011 in *Chapter 3 - A different management structure* on page 29.

Our analysis of the power of direction and its use by the Chief Counting Officer is set out in *Chapter 4 - Directions, advice and performance* on page 40.

We include constructive proposals for the future management and delivery of referendums in *Chapter 10 - A model for future referendums*, on page 114.

Absent voting

- The Electoral Commission should review the *Code of Conduct for political parties, candidates, canvassers and campaigners* with input from political parties and electoral administrators.
- The UK Government should prescribe the postal voting application form.

In *Chapter 6 - Absent voting* on page 74, we present evidence that campaigns including the direct mailing of postal voting application forms can lead to voter confusion and potentially to disenfranchisement, and can incur unnecessary costs for the Electoral Registration Officer.

Communicating the voting process

- The UK Government should review and improve the prescribed voting materials and notices for all elections in the light of learning from the modification of forms by the Chief Counting Officer and with input from electoral administrators and printers.

We set out the issues and learning points in *Chapter 5 - Voting materials and notices on page 62*.

In *Chapter 7 - Public awareness activity on page 85*, we provide feedback on the referendum booklet and campaigns delivered by the Electoral Commission and the participation work undertaken by electoral administrators.

Polling stations

- The Electoral Commission should review what types of buildings should be made available to Returning Officers to use *by right*.
- The selection of polling places should be the responsibility of independent Returning Officers.
- Polling station ratios should be advisory for future national electoral events.
- The UK Government should review its funding policy for election equipment for national electoral events given the increased number likely by 2015.

In *Chapter 8 - Managing the polls on page 92*, we provide feedback on the administration of the polls, including the impact of the Chief Counting Officer's direction on polling station ratios.

Ensuring an accurate result

In *Chapter 9 - Verification, counts and results collation on page 103*, we call for a review of the impact of combination on verification and count timings and processes, and we identify measures that could assist in alleviating the pressure on small elections teams which are providing oversight of the various counts.