

The Association of Electoral Administrators



Response to the UK Parliament Committees call for evidence on The Fixed-term Parliaments Act 2011 inquiry

Organisation:

Association of Electoral Administrators (AEA).

Summary of Organisation:

The Association of Electoral Administrators (AEA) was founded in 1987 and is the professional body representing the interests of electoral administrators in the United Kingdom. It is a non-governmental and non-partisan body and has just under 2,000 members, the majority of whom are employed by local authorities to provide electoral registration and election services. There are eleven regional branches of the Association covering the United Kingdom.

Contact Details:

National AEA:

Angela Holden, Policy Manager on behalf of the AEA

Email: angela.holden@aea-elections.co.uk

Tel: 01344 625169

Mobile: 07752 630497

Call for Evidence Questions:

Question 1: What were the purposes of the Fixed-term Parliaments Act 2011 and to what extent have these purposes been met?

The Fixed Term Parliaments Act 2011 was welcomed by electoral administrators as it provided some certainty that the next election date was known. This enabled planning and avoided the need to contingency plan on the basis of various predicted dates as has previously been the case.

The Act also made provision to extend the UK Parliamentary election timetable from 17 to 25 days. This allowed Returning Officers vital additional time to administer increasingly complex polls and gave citizens time to register and make any necessary absent voting arrangements. As a minimum, the 25-day timetable must be maintained. However, following the subsequent introduction of Individual Electoral Registration and the proposed changes in relation to overseas electors, we urge the UK Government to fully review the timetable and extend it further for the reasons outlined in this response. We consider this will reduce risk for both electors and Returning Officers without detrimentally affecting the process.

Question 2: If the Fixed-term Parliaments Act 2011 is amended or repealed, what arrangements should be put in place?

The Fixed-term Parliaments Act 2011 included provision to extend the UK Parliamentary election timetable from 17 to 25 days. This extension is vital to ensuring Acting Returning Officers have sufficient time to administer increasingly complex polls. It also allows citizens additional time to ensure they are registered and make arrangements for an absent vote should they need one.

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It is imperative that the additional days, which harmonised the UK Parliamentary election timetable with most local government elections, are carried forward in any new legislation. Reverting back to a 17 day timetable would significantly jeopardise an Acting Returning Officer's ability to manage a poll and constrain citizen's opportunities to engage in the democratic process.

While the matter of election timetables is considered in relation to the UK Parliamentary election, we would also urge the UK government to consider the recommendation we made in our [2017 post-election report](#) election report:

'A full and thorough review of all election and electoral registration deadlines should be undertaken as a matter of urgency, specifically considering those that apply to the registration of electors, overseas electors and absent voting.'

There are thousands of UK citizens living overseas who are disenfranchised as a result of the current election timetable and absent voting arrangements. Many argue there is insufficient time from the close of nominations to print and post ballot papers for them to be returned in time, especially for short notice polls that see many registering less than two weeks before polling day.

Consideration must be given to how UK citizens living overseas register and cast their vote, especially given future proposals to remove the 15-year rule for overseas electors.

- **What provisions should there be for early general elections?**

The Association of Electoral Administrators does not hold a view on the mechanism for calling an early general election, but urges caution around expectations that short-notice polls are achievable.

An early general election brings significant challenges for electoral administrators, as well as other key stakeholders, to deliver the election with little time to plan and prepare. It undermines the ability of Electoral Registration Officers to serve and assist the electorate in the democratic process. A minimum statutory timetable with no lead-in time does not put the citizen first. An extremely short timetable often leaves electoral administrators having to explain to the electorate why they are too late to register or were unable to vote.

As demonstrated within the last year, the late notification of the 2019 European Parliamentary elections and the unexpected December 2019 UK Parliamentary General Election imposed significant pressures on already stretched electoral administrators. Millions of people registered to vote after the elections were announced, putting intense stress on those responsible for running electoral registration and polls.

The last scheduled UK Parliamentary general election was held on 7 May 2015. The two UK Parliamentary general elections since have been unscheduled and early. In 2017 the poll was announced on 18 April and ran on 8 June – 51 days for electors, potential electors, administrators, printers, software suppliers, postal providers and key government officials to run a project of the highest profile, interest and scrutiny. In 2019, the *Early Parliamentary General Election Act 2019* gave just 42 days notice.

While the polls were successfully delivered, 2017 was notably far less frantic. The additional week gave a vital opportunity for key tasks to be performed well.

There remains an unrealistic expectation that elections will always be delivered regardless of the landscape, timing, funding or capacity of the professionals administering them. We would ask that any announcement of a poll gives a clear two-

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week period prior to the commencement of the election timetable. This would provide the opportunity for all stakeholders to make necessary arrangements before statutory processes begin.

- **How should the date for such elections be set?**

We consider this to be a matter for the UK Government to determine. Our members will endeavour to administer the process in line with legislation. However, consideration needs to be given to both the capacity of the professionals administering elections and the electorate as highlighted earlier. The election timetable should be extended to allow time and therefore meet electorate expectations and provide more capacity for the administration of the election. There should also be a minimum of two-weeks' notice prior to the timetable starting for necessary processes.

- **How should the current mix of statute and conventions surrounding the confidence of the House of Commons be dealt with in future?**

It is the opinion of the Association that this question does not apply to our members and would be best answered by those who are directly affected by this issue. As such, we do not hold a view on this.

Question 3: Should parliamentary terms be fixed?

Yes. When the Fixed Term Parliaments Act 2011 was first introduced, we welcomed the fact that the next election date was known. Fixed terms mean that suitable planning arrangements can be made by electoral administrators to deliver polls on scheduled dates rather than, as was the case prior to the Act, having to contingency plan on the basis of various predicted dates.

Even if the mechanism for calling early polls is simplified, the UK government stating their intention that Parliament will sit for, say, five years and the poll will be on the ordinary day of election in the fifth year would be helpful. This would at least allow electoral administrators to begin to make arrangements with some certainty, unlike the system prior to 2011.

- **How can fixed terms be assured?**

While the Association does not hold a view on this, as we consider it outside the field of electoral administration, we would urge that sufficient notice of an early election is given. This is vital to make sure all eligible citizens have the opportunity to take part.

- **What should be the length of parliamentary terms?**

The five-year term of office is consistent with other national poll terms of office, for example, Senedd Cymru / Welsh Parliament and Scottish Parliament elections. Local government terms of office, including District, Borough, City and Parish Council as well as Mayoral and Police and Crime Commissioner elections are all four-year terms of office. This introduces complexity in administering polls as the combination of polls changes due to terms of office not being consistent across all election types. This complexity is more keenly felt when there is uncertainty about potential combinations until close to polling day, as was the case prior to 2011.

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- **Should scheduled elections be fixed to a certain point in the year?**

Yes. By having a fixed date in the year electoral administrators would be able to prepare and administer knowing exactly when the election would take place. This would also avoid clashes with other key annual events including the annual register of electors canvass and publication of the revised register. It would also help to avoid issues such as winter weather and the impact on voter turnout, Christmas and other key public holidays. Scheduled local government and Senedd Cymru / Welsh Parliament elections have traditionally taken place on the first Thursday in May. This has worked well both for voters with the weather generally being milder and evenings being lighter, and for administrators as it also fits well in the electoral calendar of events. While poll combinations cause complexity, multiple elections run on an expected date also allows for significant financial savings to the public purse.

Question 4: Can the prerogative powers be restored or created anew?

It is the opinion of the Association that this question does not apply to our members and would be best answered by those who are directly affected by this issue.

- **Would there be any potential consequences of such actions?**

It is the opinion of the Association that this question does not apply to our members and would be best answered by those who are directly affected by this issue.

Question 5: Should the prerogative powers to prorogue parliament also be abolished by setting out arrangements in statute?

It is the opinion of the Association that this question does not apply to our members and would be best answered by those who are directly affected by this issue.

- **What provisions should be established for the ending and the beginning of parliamentary session?**

This would be set by legislators and those who are held responsible for establishing the ending and the beginning of parliamentary session. It is not an area where administrators would have any opinion apart from administering what is set out in legislation. As outlined in question 2, we would ask that any announcement of a poll gives a clear two-week period prior to the commencement of the election timetable. This would provide the opportunity for all stakeholders to make necessary arrangements before statutory processes begin.

Question 6: If a committee is appointed to review the Act, how should this committee be constituted?

It is the opinion of the Association that this question does not apply to our members and would be best answered by those who are directly affected by this issue.

Angela Holden

Policy Manager on behalf of the AEA

14 April 2020