AEA 2021 Post-Polls Review

Combination, Complexity and Covid

The Association of Electoral Administrators

AEA 2021 Post-Polls Review – Executive Summary

Following the postponement of elections throughout 2020 due to the Coronavirus pandemic, 6 May 2021 saw the most complex combination of polls in a generation. There are lessons to learn, remember and reflect on for both future pandemics and business as usual.

Aside from the combination of polls, the most complicating factor was running the elections during an ongoing pandemic. Much of the planning was carried out in the second major UK lockdown, introducing difficulties and risk at each step of the electoral timetable.

It should be noted that not all issues faced by Returning Officers and electoral administrators can be attributed to the pandemic. Endemic problems within the current electoral system were at play, particularly around the length of the electoral timetable and the piecemeal nature of electoral legislation.

Returning Officers and electoral administrators also had to balance Coronavirus legislation and public health advice with the strictures of electoral law. These were at times in opposition to each other but public health, and the health of those delivering the elections, rightly remained the priority.

Our key recommendations include calls for:

- A single Electoral Administration Act, a benefit of which would be future pandemic emergency legislation being quicker and easier to draft and simpler to understand.
- Earlier absent voting registration deadlines for all election timetables to benefit electors and introduce more capacity into the system.
- The introduction of a locally triggered cap on the maximum number of polls being held on one day, with clear rules for which polls can be postponed and for how long.
- Early and clear funding allocations being made a priority at all elections and across all UK nations.
- Joined up thinking across UK Government departments to agree a consistent position about which premises should legally be made available for use as polling stations.
- Clear national public health guidelines and simple risk assessments for all aspects of the electoral process during a pandemic.
- Pandemic good practice from across the UK to be collated and used as a collective starting point for similar circumstances in the future.

- The UK Government and Electoral Commission to review election print, mailing and Electoral Management System specifications, to identify and mitigate issues and develop sector good practice.

This report aims to highlight key points, positive and negative, of these extraordinary polls from an electoral administrative perspective. Our aim is to highlight vulnerabilities in the system and enable all UK governments to consider necessary change for the future.

The Association of Electoral Administrators

AEA 2021 Post-Polls Review

1. Overview

1.1 Following the postponement of elections throughout 2020 due to the coronavirus pandemic, 6 May 2021 saw the most complex combination of polls in a generation. There are lessons to learn and remember.

1.2 Aside from the combination of polls, the most complicating factor was that they ran during the ongoing pandemic. Much of the planning was carried out in the second major UK lockdown, introducing difficulties and risk at each step of the electoral timetable.

1.3 It should be noted that not all issues faced by Returning Officers and electoral administrators can be attributed to the pandemic. Endemic problems within the current electoral system were at play, particularly around the length of the electoral timetable and the piecemeal nature of electoral legislation.

1.4 Returning Officers and electoral administrators also had to balance Coronavirus legislation and public health advice with the strictures of electoral law. These were at times in opposition to each other, but public health, and the health of those delivering the elections, had to remain the priority.

1.5 This post-election overview aims to highlight key points – both positive and negative – of these extraordinary polls from an electoral administrative perspective. This is not completely comprehensive, but we hope will be useful in highlighting cracks in the system and enable all governments across the UK to consider necessary change for the future.

2. Polls postponed

2.1 At the start of 2020, electoral administrators were working on arrangements for the following polls on 7 May:

- Police and Crime Commissioners (PCC) across England and Wales.
- Seats on 115 principal area councils across England.
- London Mayoral, London Assembly and Greater London Authority (GLA).
- Combined Authority Mayoral (CAM) polls in Greater Manchester, Liverpool City Region, Tees Valley and the West Midlands.

- Local Mayoral contests in Bristol, Liverpool and Salford.
- Numerous parish and community council elections and local referendums, including Neighbourhood Planning Referendums (NPR).

2.2 As the Coronavirus pandemic worsened, voices across the electoral community raised concerns about the viability of running the polls as planned.

2.3 The AEA Chief Executive wrote to the Minister of State on 10 March 2020, outlining issues being raised by electoral administrators, and asking for consideration to be given to the legal basis to postpone polls. Preparation work was already well underway, costs were already being incurred, and there were only a few weeks left until notices of election were due to be published.

2.4 The Electoral Commission wrote to the Minister on 12 March 2020 recommending the polls be postponed until the autumn.

2.5 The UK Government announced a 12-month postponement of the May polls on 13 March 2020, stating: "The decision was taken following advice from the Government's medical experts in relation to the response to the Covid-19 virus and the advice of those delivering elections."

2.6 Unfortunately, there was a delay in confirming the legal position for unscheduled polls due to be held in March 2020. Several casual vacancy elections planned for 19 March were postponed just hours before poll. However, other Returning Officers took the decision to run their election as the Government could not provide certainty that they would not be breaching their official duty if they postponed them.

2.7 It was also confirmed that the Scottish Parliament and Senedd Cymru would be given the necessary powers to do the same. No elections were scheduled or expected in Northern Ireland, but the ten-yearly electoral registration canvass would be postponed.

2.8 While the clarity of the UK Government's decision to postpone the polls was a positive, it could and should have been taken earlier as the speed and severity of the pandemic's spread became increasingly clear. Time and resources were unnecessarily wasted by the delay.

2.9 **Recommendation 1 – In future pandemics, poll postponement should be considered earlier and**

communicated quickly to Returning Officers and electoral administrators.

2.10 **Recommendation 2 – Where polls are postponed partway through their organisation due to official government guidance, there should be a swift mechanism to recover non-refundable costs.**

2.11 The postponement decision meant 2020 polls would be combined with scheduled 2021 polls:

- Scottish Parliamentary and Senedd Cymru.
- County councils across England.
- Combined Authority Mayoral in Cambridgeshire & Peterborough, the West of England and West Yorkshire.
- Local Mayorals in Doncaster and Tyneside.
- Additional parish and community council elections and local referendums.

2.12 Even without the unknown and ongoing effects of the pandemic, this combination created future problems for Returning Officers and electoral administrators, including:

- Multiple polls in many local authority areas across England: including four major polls running in the cities of Bristol, Cambridge and Liverpool.

- Two different franchises in Wales for Senedd Cymru and Police and Crime Commissioner elections.

- New franchises for qualifying foreign citizens and eligible prisoners in the Scottish Parliament elections, and qualifying foreign citizens and 16- and 17-year-olds in the Senedd Cymru polls.

- A variety of voting systems in use on the same day:

  o England: first past the post in council polls, with multiple seat wards and parishes in many areas; supplementary voting in Mayor of London, CAM, PCC and local mayoral polls; the additional member system in GLA polls, and yes/no choice in local referendums.

  o Scotland: first past the post and the additional member system in the polls for the Scottish Parliament elections.

- Wales: first past the post in council by-elections, additional member system in Senedd Cymru polls, and supplementary voting in PCC polls.

- Additional postponed by-elections and local referendums in England and Wales building up throughout the year.

2.13 **Recommendation 3 – A locally triggered cap on the maximum number of polls to be held on one day should be legislated for. A hierarchy of polls should be established, with clear rules for which polls may be postponed, and for how long, to allow all to run properly.**

2.14 It could be argued that the 12-month postponement of scheduled elections was too long and inflexible. With hindsight, it may have been possible to hold postponed polls in September or October 2020. However, this possibility was difficult to predict in March 2020, and the effect it could have had on community circulation of the virus cannot be estimated.

2.15 Running postponed scheduled elections any earlier would also have required the availability of Returning Officers and election teams. Council chief executives and senior officers were rightly focused on the immediate needs of their local communities throughout 2020.

2.16 Large numbers of electoral administrators were also redeployed from their substantive posts to support communities and help keep statutory services running. Their hard work and dedication should not go unrecognised. They lost out on the final months of preparation to deliver the newly revised annual electoral registration canvass, and were unable to start early preparations for the 2021 polls.

2.17 It should also not go unremarked that electoral administrators are often part of multi-service teams, most frequently combined with democratic or legal services. Each of these areas had their own challenges to face during the pandemic, particularly democratic services teams working to transfer meetings online and keep council governance running.

2.18 Electoral administrators were required to administer the revised canvass in England, Scotland and Wales from July to December 2020. Canvass reform had been in the pipeline for several years and a huge amount of time and effort already spent preparing for it. Implementing new processes and procedures was challenging under pandemic circumstances. Adding autumn polls to workloads would have increased risk to both processes.

2.19   With the canvass of particular importance in Scotland and Wales due to the enlargement of franchises for Senedd Cymru and Scottish Parliament elections in 2021, any postponement or lengthening of the project would have been problematic.

3. Legislating for postponement

3.1   Emergency primary and secondary legislation to postpone the 2020 polls and support the smoother running of the 2021 polls was introduced over a series of months.

3.2   The speed of the Coronavirus Act 2020 was welcome, gaining Royal Assent on 25 March. The clarity it gave over issues such as preserving the electoral cycle by extending terms of office for existing elected members, and shortening those for winning candidates in 2021, was positive. The transparency around delays to English by-elections and MP recall petitions was also useful. Of particular importance to Returning Officers was indemnity for those polls that were due to run between 13 March and 7 May 2020 and which were already in progress.

3.3   The need for a variety of legislation was encumbered by the numerous and complicated set of Acts and Regulations that govern how polls are run across the UK. This can be seen in the amendments required to correct unforeseen consequences and lesser-known aspects of electoral law. The piecemeal nature of legislation and statutory instruments was confusing.

3.4   If the UK Government had been working with consolidated and modern legislation covering all aspects of elections, as recommended by the Law Commissions, it would have made legislative change much easier to process and understand.

3.5   **Recommendation 4 – We renew our call for a single Electoral Administration Act to be drafted, one benefit of which would be to make emergency legislation in any future pandemics quicker and easier to draft and simpler to understand.**

4. Devolved nations legislation

4.1   While all polls in England were postponed until 6 May 2021 at the earliest, the devolved nations took a different approach.

4.2   In Wales, new regulations initially allowed for council by-elections to be held from 1 February to 16 April 2021. This was revised to 1 March to 6 May 2021 due to the second lockdown period.

4.3 Scotland took the approach of giving no dates for by-elections to resume. Instead Returning Officers were allowed to make a judgement of the earliest viable date in consultation with the national Electoral Management Board (EMB) and Scottish Ministers. In practice, this led to by-elections during October and November 2020. A temporary stay followed as the Covid-19 situation worsened, before by-elections resumed in March 2021.

4.4 Polls held ahead of 6 May 2021 were a useful testing ground for implementing Covid-safety measures and evaluating their impact on election preparation and execution. [Good practice was usefully shared by the Electoral Commission.](#)

4.5 Good practice and guidance was also shared amongst Returning Officers and electoral administrators across Scotland by the EMB and the Scottish Assessors Association.

4.6 A major effect of the legislation was reducing the number and type of elections administrators in Scotland and Wales had to deliver on 6 May 2021. However, it did create overlapping timetables and administrative work in early 2020.

4.7 With hindsight, the same approach in England over the autumn of 2020 could have reduced the number of by-elections and local referendums held over until 6 May 2021. The sheer number of by-elections in some areas of England added complexity which could have been avoided had the UK Government opted for a route similar to Scotland or Wales.

4.8 **Recommendation 5 – In future pandemic situations, we recommend flexibility around by-elections is built into legislation. By-elections should be allowed to go ahead if public health advice agrees it is possible, and the appropriate Returning Officer deems it safe and practicable to do so.**

4.9 Scotland also took a more pragmatic approach to postal votes. Assuming a potential increase of up to 40% of the electorate applying for an absentee ballot, legislation moved the postal vote application deadline forward to 6 April 2021, a full two weeks before England and Wales. This extra time built flexibility into the system. The 23% of the electorate who voted by post in Scotland on 6 May 2021 (compared to 19% at the previous comparable elections) had additional time to receive and return their ballot papers. The additional time also afforded Returning Officers and electoral administrators, plus printers and the postal system, much needed additional capacity.

4.10   Overall, the Scottish General Election (Coronavirus) Bill, which became law on 29 January 2021, was an extremely flexible and practical piece of legislation. If required it provided for an all-postal ballot, polling over multiple days, or even a further postponement of up to six months.

4.11   The Welsh Elections (Coronavirus) Bill became law on 16 March 2021. As in Scotland, it allowed for the parliamentary election to be delayed by up to six months, setting out public health and election preparedness criteria for any delay.

4.12   However, a general lack of understanding about the election timetable and processes was evident in Wales over the subject of allowing early voting for Senedd polls if they were delayed beyond 6 May 2021, and with proposed changes to absent voting. These changes would have been impossible to implement in the time available, compounded by pandemic complications.

4.13   **Recommendation 6 – Even during a pandemic, we recommend any major changes to the electoral process should abide by the Gould Principle, and not be introduced without time for proper evaluation and risk evaluation for electors and electoral administrators.**

4.14   **Recommendation 7 – We also recommend the additional flexibility built into the devolved nations' Acts be noted for similar future circumstances.**

5. Second wave and potential postponement

5.1   October 2020 saw the Electoral Commission publish general guidance on key considerations for planning delivery of the May 2021 polls, developed in close consultation with us and the Cabinet Office. This guidance was regularly updated and expanded in the following months.

5.2   While the iterative nature of this and other Electoral Commission guidance was welcome, the method of publication on the Commission website does not make it clear which section of which piece of guidance has most recently been updated. While updates are flagged in the EA Bulletin, there can be a delay between them being made and the Bulletin being published.

5.3   There were also reported issues with guidance for polls in Wales. Communication cascades did not happen as they should, with crucial information on changes or updates not being effectively disseminated to all Returning Officers and electoral administrators.

5.4 **Recommendation 8 – We would ask the Electoral Commission to consider how it alerts all Returning Officers and electoral administrators to guidance updates and their implications, particularly in a fast-changing pandemic situation.**

5.5 Members have also reported that guidance for PCC and CAM polls was not as comprehensive as it could have been. Only running every four years, these complicated polls are coordinated across multiple local authorities. Acknowledgement and recommendations within the guidance where multiple combinations were being run at the same time would have been helpful to all levels of Returning Officer.

5.6 The announcement of the second lockdown in December 2020 sparked concerns within the electoral community that polls could be postponed again. Some press reports suggested a delay until June was possible, and in January 2021, the Prime Minister commented to the press that the date was being kept under review. This uncertainty was concerning, as work to organise polls was well underway and funds committed.

5.7 We advised AEA members to continue to prepare for 6 May polls unless officially told otherwise and remained in close contact with the Cabinet Office and Electoral Commission. We also made clear to media outlets that all postal ballots were logistically impossible at this late stage of preparation.

5.8 Election teams also found themselves stretched again, with Returning Officers concentrating on keeping frontline services running and ensuring the most vulnerable were supported.

5.9 Many electoral administrators moved back to working from home, although regularly attending the office to deal with paper forms and post. There were frustrating struggles with the technological challenge of remote access to Electoral Management Software, requiring highly secure hardware and a reliance on home wi-fi.

5.10 While fast-tracking Covid vaccinations for election teams was ruled out as too complicated, it would have been helpful for the importance of electoral administrators' role to be recognised within key worker classification. It was reported that some headteachers refused to allow electoral administrators access to school places as they had not required frontline keyworker places earlier in the pandemic.

The Association of Electoral Administrators

5.11 **Recommendation 9 – In future pandemics, a distinct classification of electoral administrators should be made within the key worker umbrella. In the months before scheduled elections, the significance of the need for office working exemptions, school places and similar should be highlighted to ensure crucial preparation work can be carried out.**

5.12 On 13 January 2021, the Minister of State made a statement to the House of Commons that while the situation was being kept under review, the bar was high for any further postponement. Additional measures were also announced, from Covid-19 safety guidance from the Electoral Commission to new emergency proxy measures for those ill or self-isolating due to coronavirus. While welcome, these were light on detail.

6. May 2021 Polls Delivery Plan

6.1 Official confirmation that all polls would go ahead as planned for England and the PCC polls in Wales came from the UK Government on 5 February alongside a high-level delivery plan covering public health and social distancing, nominations and campaigning, voting and the delivery of elections.

6.2 A similar confirmation of polls being run as planned did not come in Wales until 26 February and in Scotland until 2 March. A joint statement was released from all three governments on 9 March. This was just weeks before Notices of Election were due to be published. This added to stress levels for Returning Officers and electoral administrators who were pressing ahead with preparations as planned, in the knowledge that further postponement was possible.

6.3 The UK announcement also included news of £31 million additional funding "to directly address costs associated with making the elections COVID-19 secure."

6.4 The Welsh Government also made an additional £1.5 million available for Covid-safety measures at the Senedd Cymru polls.

6.5 While the extra funding was a positive, confirmation of allocations and the maximum recoverable amounts for Police and Crime Commissioner elections did not arrive until 9 March – weeks after significant costs had already been incurred.

6.6 **Recommendation 10 – At all elections and across all nations, early and clear funding allocations must be made a priority.**

6.7   Other detail in the delivery plan included Covid-safety measures inside polling stations. While this included a helpful checklist of the items and protocols electoral administrators would need to supply, procurement of these items was not straightforward in all areas.

6.8   Further details of changes to nominations mentioned in the plan were updated and legislated for on 17 February 2021 to run for just over a year. The reduction in required signatories was helpful in the circumstances, although had unintended consequences in one London Borough, where 13 candidates stood in the same ward by-election for the same political party.

6.9   Due to them being told to shield at home, permission was given to contact Clinically Extremely Vulnerable people to make them aware of absent voting options. In theory this was helpful. In practice, accessing data proved difficult in some areas, with a mix of councils and NHS providers issuing information into March. There were reports that data was received in a poor state and contained details of electors who had died, unnecessarily increasing workloads and potentially causing great upset.

6.10   New proxy vote legislation to allow those isolating because of testing positive for, or being in close contact with, a Covid-19 case was laid on 23 February 2021 in England: The Representation of the People (Proxy Vote Applications) (Coronavirus) Regulations 2021 removed the need for attestation for a proxy vote due to coronavirus reasons up until 28 February 2022. This was the right decision in the circumstances, but the unknown take-up led to resourcing uncertainty on polling day and during the week before.

6.11   In Scotland legislation for Covid-related emergency proxy votes for Scottish Parliamentary elections are covered in The Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2020 and is set to expire on 11 December 2022, subject to a review due by 11 December 2021.

6.12   In Wales, the provision for Covid-related emergency proxies is included in The Local Government (Coronavirus) (Postponement of Elections) (Wales) (No. 2) Regulations 2020 and the Welsh Elections (Coronavirus) Act 2021. Measures for local government elections expire on 4 December 2022, subject to review by 1 October 2021.

6.13   While it was recognised not all usual venues would be available for polling stations, the plan unhelpfully discouraged the use of schools where it would result in closure. Hundreds of schools are regularly used as polling stations, across both urban and rural areas. With

voting by tradition held on a weekday, polling day tends to fall within the school term.

6.14 [A letter to headteachers and Returning Officers](#) from Department of Education (DofE) and Cabinet Office Ministers on 11 February, urged Returning Officers to find other premises where possible. This was further compounded by a DofE email to headteachers insisting that schools remain open on polling day for vulnerable and keyworkers' children.

6.15 These interventions caused widespread confusion and huge amounts of additional work. Many head teachers tried to cancel bookings, just as poll card data was being sent to printers.

6.16 The AEA Chief Executive [responded to the Ministers' letter](#) highlighting that polling station venues are regularly reviewed, schools are often the only suitable place for polling stations to be sited, and publicly funded premises are legally required to make themselves available free of hire charge to Returning Officers.

6.17 Many electoral administrators also try to encourage headteachers to designate the first Thursday in May as an INSET day, to avoid the safeguarding issues of having the public on school premises during the school day.

6.18 **Recommendation 11 – We would urge all UK Government departments to consider which premises should legally be made available for use as a polling station and agree a consistent position.**

6.19 The delivery plan correctly highlighted the recruitment of sufficient temporary staff to run polling stations and counts as a major issue. With many polling staff likely to be older and therefore more vulnerable to Covid-19, high percentages of regular staff understandably declined to work at the 6 May polls.

6.20 The UK Government's pledge to provide support manifested as a recruitment drive amongst the civil service, national volunteer networks, furloughed service industry employees and more. Over 5,000 were identified and Returning Officers needing additional staff encouraged to make themselves known.

6.21 It is not known how many of these volunteers were used on polling day. A complication of the system was that civil service staff could not be paid as normal poll workers, but only for time worked outside of their usual working hours.

6.22 **Recommendation 12 – Should such a scheme be necessary again, we recommend civil service staff be paid the same amount as other poll workers to reflect effort made and responsibility taken on.**

6.23 The final announcement in the plan was confirmation of an indemnity for Returning Officers in respect of Covid-19 risks. This one-off exception was well received. While risk minimisation measures were in force, there was no way to guarantee election events would not become super spreader events. Extending the indemnity was the right thing to do.

6.24 **Recommendation 13 – In future pandemics, a Returning Officer indemnity extension should be agreed and communicated quickly.**

7. Local government reorganisation

7.1 Election teams in Cumbria, North Yorkshire and Somerset found themselves organising fewer polls than originally planned after 22 February 2021. A Ministry of Housing, Communities and Local Government announcement on proposals for unitary local government postponed scheduled county and district polls for another year. The lateness of the decision was an issue for planning and booking printing and delivery slots for poll cards, postal vote packs and ballot papers.

7.2 **Recommendation 14 – For future local government reorganisations, we would urge announcements are officially made at least six months before any scheduled polls are due to be held in the affected area.**

7.3 Teams in newly reorganised areas must also be considered. For example, the election teams at the two new Northamptonshire unitary authorities had been created during the first lockdown period. They and their Returning Officers faced the challenges of working as new amalgamated teams with reduced head counts in comparison with the authorities they had replaced.

7.4 A knock-on effect of new authorities is a lower headcount of staff, and consequently fewer officers to call on to support election work in the run-up to polling day, and to recruit to staff polling stations and counts.

7.5 **Recommendation 15 – We recommend newly created authorities be given additional mentoring and resource**

support to run their first scheduled polls, particularly if they occur in a pandemic situation.

8. Myriad challenges

The lead-up to polling day

8.1   A key challenge was keeping Returning Officers and electoral administrators safe and well during the ongoing pandemic. While much of the 6 May polls was arranged during periods of homeworking, later stages had to be carried out in local authority offices due to the processes involved and equipment required. Social distancing and team bubbles were crucial to reduce the risk of a whole team having to self-isolate at vital stages of the process. The potential risk of losing electoral process and legislative knowledge was significant.

8.2   The burden of Covid risk assessments, safety protocols and calculating PPE-needs pulled focus from election work at various points during the electoral timetable. Public health specialists were understandably also overburdened, but there is scope to learn from the measures and practice put into place for this election.

8.3   AEA members have reported widely differing experiences of public health approaches in their areas. With only general government guidance given for Covid-safety requirements in polling stations and at postal vote opening sessions and counts, local public health experts made their own interpretations.

8.4   While differences were to be expected in some areas due to variances in local infection rates and experiences throughout the pandemic, the lack of consistency was a burden for some administrators. It was also an issue for some cross-authority polls, with variances in public health advice across one or more of the local authorities involved.

8.5   Many electoral administrators felt they spent more time on bureaucratic box ticking rather than organising the polls. There were also reports of changing advice across the months leading up to the poll, including in the final weeks, creating pressure on arrangements and everyone involved in organising the elections.

8.6   **Recommendation 16 – In future pandemics, clear national public health guidelines and simple risk assessments should be issued. While some interpretation may be allowed to take the local situation into account, they should give Returning Officers, electoral administrators, and public health officials**

a clear and comprehensive schedule of what is and is not required to minimise risk to all involved.

8.7 **Recommendation 17 – We would welcome a review of the different public health decisions made across areas to identify good practice, particularly for postal vote opening sessions, polling stations and counts.**

8.8 Good practice was in evidence where the one council approach was applied. This draws resource support from across a local authority to allow electoral administrators to concentrate solely on key tasks. Using input and guidance from the Returning Officer and electoral experts, additional tasks such as public health logistics and PPE procurement were dealt with by working groups of other council officers. This reduced risk, increased capacity, and had a positive impact on the mental health and wellbeing of the core elections team.

8.9 **Recommendation 18 – We support the collation of pandemic election good practice to be archived and used as a collective starting point for similar circumstances, with a particular emphasis on the one council approach.**

Polling station staffing

8.10 Universal issues ahead of polling day were venues and staffing. As previously stated, polling station staff were understandably much harder to recruit, and a suggestion of vaccinations for poll workers was ruled out by UK Government early in the year.

8.11 With the ongoing pandemic, and rates of pay for poll clerks barely above minimum wage level for long days and high responsibility, it is understandable many regular and potential staff declined to work. The Cabinet Office confirmed that a premium payment could be offered where necessary to encourage more people to come forward.

8.12 **Recommendation 19 – We support the ongoing option of premium payments in both areas and situations where it is hard to recruit polling staff. We encourage confirmation and full details of such a scheme early in the electoral timetable.**

8.13 Election teams also had to attempt to recruit additional staff where Covid marshalling was deemed necessary, and to ensure a pool of standby staff to cover last-minute illness and self-isolation. One-off approval from Cabinet Office for standby payments, and guidance around it, was helpful.

8.14   **Recommendation 20 – Standby polling station/count staff and payments should not be a one-off decision. We recommend similar arrangements be approved for all polls to increase capacity and reduce risk.**

8.15   In some areas, local public health advice was that polling staff should be asked to take lateral flow tests in the lead-up to 6 May. This was an added layer of logistics close to polling day, with test packs either posted to limit contact or arrangements made at local test centres.

8.16   **Recommendation 21 – Where applicable in future, consistent testing guidelines should be issued as early as possible to Returning Officers and electoral administrators, taking local infection rates into consideration.**

8.17   Training for polling staff mostly moved online or was delivered using video conferencing, as were briefings for candidates and agents. This introduced some flexibility into the system which may be welcomed by all parties going forward.

8.18   Timed slot pick-ups for Presiding Officers to collect polling booths, ballot boxes, paperwork, PPE and sundries worked well in many areas.

Polling stations

8.19   Numerous polling station venues were unavailable for 6 May, or became unavailable after already being confirmed, as they were booked for Covid testing or vaccination centres.

8.20   Mobile temporary cabin units were the solution for some areas. Numerous confirmed bookings were cancelled at the start of the year as NHS demand grew, but this at least left time to find an alternative. Cancellations in the final weeks before polling day due to construction projects overrunning were more problematic.

8.21   Electoral administrators worked hard to find alternative venues, but the availability of suitable buildings in many areas is already slim. While the UK Government encouraged the use of business premises, lockdown provisions meant many had been closed for long periods, and owners were hard to reach. Public health experts also raised the issue of Legionella in venues which had been unused for months. The fact that venues need to be within the areas they serve further limited choice. Social distancing and home working were additional barriers to visiting and assessing potential alternative venues.

8.22 Covid-safety measures for polling stations were laid out in Cabinet Office and Electoral Commission guidance, but were interpreted differently by local public health officers. Sourcing PPE and other material was not always straightforward. Various stakeholders looked to support Returning Officers with procurement but this lacked coordination, and decisions on PPE available centrally were made late.

8.23 **Recommendation 22 – For future polls in a pandemic, more appropriate and centralised ways to identify, fund and procure PPE for polls should be in place as early as possible. Clear guidance should be published, and the one council approach encouraged, to allow Returning Officers and electoral administrators to concentrate on the electoral process.**

Postal vote opening and count venues

8.24 Venue availability issues affected postal vote openings and verifications/counts, with sufficient space needed to allow social distancing between staff and observers. Larger and multiple venues were needed in many areas.

8.25 Candidates and their agents are entitled to attend postal vote openings and count proceedings. Finding venues which allowed enough space for staff to safely work and observers to both socially distance and observe the process required new ways of working and an understanding and trust in the processes and people running them.

8.26 Some counts were held over multiple venues and extended periods as large enough locations were not available.

Candidate nominations

8.27 While legislation reduced the number of signatures needed for most candidate nominations, the paperwork still had to be delivered in person, with online submission options ruled out.

8.28 Due to the number of elections and nominations generated, many English council teams published their Notices of Election earlier than usual to allow more time to attempt to schedule appointments and for checking and processing.

8.29 The process required many people to attend council offices during a lockdown period, and when citizens were still being encouraged to work from home.

8.30 While social distancing and timed delivery slots were used by many teams to keep candidates, agents and staff as safe as possible, the risk of losing weeks of Returning Officer and electoral administrators' time and health was high.

8.31 **Recommendation 23 – We believe there is a case for the online submission of nomination paperwork. A well-designed portal may also help to reduce the number of errors when forms are completed. It would also remove significant administrative burden if integrated into electoral management systems, alleviating the need for the inputting of nomination papers and reducing the proofreading burden.**

Voter registration

8.32 Approximately 90,000 citizens applied to register to vote on 19 April, the final day of registration. The IER process works well for applicants but puts pressure on EROs just days before a poll. We note that positive changes to the user journey have led to a significant increase in contact details being provided, making additional contact smoother. Other changes will, we hope, successfully reduce multiple applications.

8.33 There were issues once again with political parties encouraging postal vote applications. There were cases of a party receiving all applications and then passing them on to an ERO. There was also at least one local political party who used a council's business reply license without local authority permission, incurring high additional costs for each returned application.

8.34 **Recommendation 24 – Political parties should not be involved in gathering or administering absent vote applications in any way. Such actions do not comply with recommended good practice and must be eradicated.**

Absent voting

8.35 Postal vote numbers were hard to estimate in advance. Printers asked for production numbers in January 2021, amid warnings any major increase in quantities could not be guaranteed.

8.36 Although the predicted major uplift in applications across Great Britain did not materialise, even the small rise in numbers caused issues for some printers. It should also be noted that in some areas, where postal vote application forms were sent to all electors, there were significant rises.

8.37   However, with several ballot papers not uncommon, many postal voters were sent multiple postal ballot packs. The permutations involved created printing issues as well as later deliveries. These may have been avoided if the application deadline in England and Wales had been moved forward in the same way it was in Scotland.

8.38   **Recommendation 25 – We encourage consideration of earlier absent voting registration deadlines for all election timetables for the benefit of electors and everyone involved in administering the process. More time would introduce more capacity into the system.**

Supplier issues

8.39   The days of universal in-house printing are long gone in local government. Returning Officers and their teams rely heavily on external printers for ballot papers, poll cards and postal vote packs. There are a relatively small number of specialist printers in the UK who have the facilities and security to fulfil election teams' requirements.

8.40   All printers were stretched by the sheer number and variety of ballot papers required for 6 May polls, as well as the number of postal vote packs. Several large printers experienced serious issues. There were late deliveries of ballot papers and some back-up replacement postal vote packs were not received until the week of the polls.

8.41   In comparison to local combined polls, a general election is straightforward in print terms. Just 650 versions of ballot papers are required in standard sizes, at high print volumes and on white paper. The 6 May polls required over 4,000 types of ballot papers of different sizes and with different voting systems, on a variety of paper colours and in varied quantities – from a few hundred for parish polls and referendums, to millions for the London Mayoral election. There was not enough resilience in the system.

8.42   The UK Government's delivery plan announced steps to support an increase in postal vote processing capacity, and the prioritised delivery of elections mail, including delivery and return. In practice this was patchy.

8.43   Additional pressure was also felt by suppliers who took on the printing of candidate address booklets for the London Mayor and other Combined Authority Mayors. These are printed and delivered to every elector within a Mayoral authority. Turnaround is tight between the close of nominations and printing hundreds of

thousands, or even millions, of copies. These also added pressure to the Royal Mail system.

8.44   A major issue was bulk mailing using Down Stream Access (DSA) suppliers. Post distributed via this method is subject to delay due to multiple handling stages. These delays may have been further affected by postal service delivery times already impacted by the pandemic.

8.45   It is also apparent that Returning Officers are not always expressly told how their postal votes are being despatched. They are not always aware a DSA second party is being used, and that this makes it impossible to track them through the Royal Mail delivery system.

8.46   Whether postal vote packs were delayed due to issues with printers, DSA providers or Royal Mail, many electors did not receive the service their Returning Officer strives for and they expect.

8.47   There were also issues with Electoral Management Systems as software struggled to cope with the complex combination of polls in many areas. AEA members reported having to create manual workarounds, and feeling that having had a year without elections, there was a lack of proactive work from suppliers to anticipate and solve foreseeable problems.

8.48   **Recommendation 26 – While this combination of polls was unprecedented, we believe an urgent review of print supply, postal vote mailing process and Electoral Management System specifications should be undertaken by the UK governments and the Electoral Commission, to identify and mitigate issues and develop sector good practice.**

9. Polling day

9.1   Due to months of preparation and risk management, there were thankfully few problems on polling day that would not be seen in any non-pandemic year.

9.2   Social distancing and combinations of ballot papers and voting systems saw queues forming in some areas, both throughout the day and towards the close of polls. The legislation introduced after the 2010 General Election successfully ensured anyone in a queue by 10pm was able to cast their vote, however long it took for them to be issued with a ballot paper/s.

9.3   Where there was significant build-up during the day, Returning Officers and electoral administrators were quick to implement measures such as extra polling booths to increase capacity. Queues in some areas can be attributed to the number of ballot papers issued to each elector, and of multiple voting systems in use.

9.4   We are not aware of any on-the-day availability issues for venues.

9.5   Staffing levels appear to have been sufficient in all areas. Some polling station staff were inevitably unavailable on the day, but not to the point where stations were unable to open.

9.6   We are not aware of any issues with Returning Officer or electoral administrator availability, although would note that demand for AEA electoral consultants outstripped supply before the electoral timetable had even commenced.

9.7   There appear to have been some issues with ballot paper design and voting system confusion. The supplementary vote system in particular led to high numbers of rejected ballot papers.

9.8   This was most obvious in the London Mayoral election, where around 5% of first preference votes were rejected. This is despite a booklet including clear information about how to vote being sent to every registered elector, and the Electoral Commission promoting media coverage of how to cast a vote on the ballot paper.

9.9   The record number of candidates – 20 – meant the ballot paper had, for the first time, to be split into two side-by-side sections. We await the Electoral Commission review into the polls and any recommendations made, although note UK Government plans to abolish supplementary voting for future CAM, PCC and London Mayoral polls.

9.10   Emergency proxy voting and the new Covid-related application process do not appear to have majorly increased application rates. Covid infections were at their lowest point since the beginning of the pandemic in the final weeks before polling day, although an upturn in cases could have been likely following the first easing of lockdown restrictions in April. Anecdotally, emergency proxy queries were higher than usual, but the number issued remained minimal.

9.11   **Recommendation 27 – One circumstance not covered by the Covid-related emergency proxy legislation was electors caught out by travel restrictions and unable to return to the UK. We would recommend similar future emergency legislation encompass this.**

The Association of Electoral Administrators

10. Verifications and counts

10.1   The combination of polls meant that in many areas, counts were run over multiple days. The final declaration of 6 May polls was made at around 23:00 on Monday 10 May.

10.2   Guidance from the Electoral Commission stated: "Whilst public health considerations will likely mean that the verification and count will be managed differently than at previous elections, the law relating to the timing and management of the count has not changed and Returning Officers will need also to consider how they can deliver the count locally whilst providing a safe environment for all those involved."

10.3   The start of counts varied from overnight on 6 May in the case of the UK Parliamentary by-election, to Saturday morning in the case of a county where local public health advice was to quarantine ballot papers following the close of polls.

10.4   The differing combinations of ballot papers and voting systems lengthened every process, and simultaneous counts had to be held for area-wide polls for Senedd Cymru and Scottish Parliament seats, the London polls, Combined Authority Mayors and Police and Crime Commissioners.

10.5   A large increase in postal vote packs being handed into polling stations also created long hours of processing after the close of poll, with personal signifiers needing to be checked for every vote.

10.6   Pandemic measures meant counts were necessarily socially distanced, reducing viable numbers of count staff and/or requiring much larger or multiple count venues.

10.7   A major issue with running verifications and counts from the Thursday night into Friday and over the weekend, was that Returning Officers and core election teams were often awake and working for 24 hours or more from 6 May. They were then working across the following days on limited sleep. While this is usual for general elections, counts are usually over by early hours of the following day.

10.8   For 6 May, the combination of polls meant many teams were running counts for days, and for long shifts across those days. The lack of sleep and effect on mental health and wellbeing should not be underestimated.

10.9 An added issue was the need to always wear a face covering on count floors. This meant no food or drink could be consumed unless a person left the count floor – which is almost impossible for the Returning Officer and core election team for any length of time.

10.10 **Recommendation 28 – With the exception of general elections, we would support a UK-wide move to verifications and counts starting on the day after a poll, to allow Returning Officers and election teams a break before a full day of counting begins.**

10.11 Moving to the positive. A benefit of spreading counts for different polls across days was a reduction in the number of candidates, agents and appointed observers legally entitled to attend at any one time. With social distancing creating a premium on space, the need to limit numbers was a difficult juggling act.

10.12 Covid-safety measures in place would have been familiar to all count attendees at this point of the pandemic. Attendee numbers were necessarily limited but fairly distributed. This was generally accepted in good faith by candidates and agents.

10.13 **Recommendation 29 – In future pandemics, we would support centrally issued clear and consistent guidance for count attendee numbers. These should be based on venue size and local infection rates, giving Returning Officers official policy to point to when attendee restrictions are necessary.**

10.14 While the attendance of candidates, agents and nominated observers are legislated for and must be prioritised, Returning Officers are not legally obliged to permit accredited media representatives to attend verifications and counts. However, they are an important intermediary in disseminating results and acting as an independent witness that proper process is being followed.

10.15 Some members have reported that accredited media repeatedly change who is attending a count several times in the weeks ahead of polling day. While Returning Officers appreciate the often self-employed nature of journalists, camera operators and photographers attending counts, it becomes a security and administrative issue when last-minute changes continue to be made.

10.16 **Recommendation 30 – Good practice guidelines for official media being admitted to a count floor during a pandemic should be considered by the Electoral Commission. This may**

include pooling or a ballot system should there be space once candidates, agents and observers are accommodated.

10.17 Social distancing, and the use of screens at some counts, greatly reduced the ability of observers to gather closely and take estimated voting tallies during verification and counting. Candidates and observers were generally mindful of the need to socially distance and we are not aware of anyone being asked to leave a count for refusing to abide by the Returning Officer's regulations.

10.18 With council seats often won by a handful of votes, doubtful ballot adjudication was particularly crucial. It could not be carried out in close quarters. Some Returning Officers used projectors to keep the process as transparent as possible, others adjudicated to each agent in turn.

10.19 Adjudication became a time-consuming issue at counts using the supplementary vote system due to the high percentage of spoilt ballots, and in the second round, if electors did not use their second vote.

11. Summary

11.1 On 11 May, the Minister of State wrote to the AEA Chief Executive, stating: "The set of council, mayoral and Police and Crime Commissioner elections held on 6 May were an already complex set of polls, complicated further by the COVID-19 pandemic, and I would like to take this opportunity to thank you and all those involved in successfully delivering an effective set of elections under the most challenging of circumstances."

11.2 "I fully understand the significant additional pressures placed on the elections sector by the COVID-19 pandemic, affecting access to supplies, venues, and staff and requiring additional precautions to be taken in all aspects of the organisation and administration of the polls."

11.3 On the same day, the Electoral Commission issued [a public statement on the running of 6 May polls](), stating: "This was one of the most complex sets of polls held in recent times, with the additional and far-ranging challenges presented by the Covid pandemic. The apparent smooth-running of the democratic process is a testament to the dedication and hard work of the electoral community, most notably the network of Returning Officers and electoral administrators across Great Britain, who have worked

tirelessly to prepare for and run these elections in these testing and uncertain circumstances."

11.4   We both welcome and agree with the Minister and the Commission, but would add that the overwhelmingly safe, secure, and accurate delivery of these polls was only possible due to professional expertise and long hours of hard work from December 2020 onwards.

11.5   The complexity of the 6 May polls should not have come as a surprise to anybody. From 13 March 2020, it was clear the following year would contain the most complex combination of elections in a generation. Legislation and guidance could have been developed and in place much earlier than it eventually was.

11.6   The professionalism and dedication of Returning Officers and electoral administrators must not be taken for granted. Balancing public health policy against electoral law during an ongoing pandemic – mostly while under lockdown measures – was incredibly difficult. Some have said it felt as though they spent ten hours on public health issues to each one focused on elections. That cannot happen again.

11.7   The delivery of these elections was jeopardised in a variety of areas by additional pressure from both poll combinations and issues created by the pandemic. Both sides of these issues must be reviewed, and mitigation put in place for the future.

11.8   That there were no significant failures on 6 May is due to the electoral community rallying where necessary. Once again, these polls succeeded despite the current electoral system, not because of it. This needs to change, and we are ready to help make that happen.

12 Report recommendations

Recommendation 1 – In future pandemics, poll postponement should be considered earlier and communicated quickly to Returning Officers and electoral administrators.

Recommendation 2 – Where polls are postponed partway through their organisation due to official government guidance, there should be a swift mechanism to recover non-refundable costs.

Recommendation 3 – A locally triggered cap on the maximum number of polls to be held on one day should be legislated for. A hierarchy of polls should be established, with clear rules for which

polls may be postponed, and for how long, to allow all to run properly.

Recommendation 4 – We renew our call for a single Electoral Administration Act to be drafted, one benefit of which would be to make emergency legislation in any future pandemics quicker and easier to draft and simpler to understand.

Recommendation 5 – In future pandemic situations, we recommend flexibility around by-elections is built into legislation. By-elections should be allowed to go ahead if public health advice agrees it is possible, and the appropriate Returning Officer deems it safe and practicable to do so.

Recommendation 6 – Even during a pandemic, we recommend any major changes to the electoral process should abide by the Gould Principle, and not be introduced without time for proper evaluation and risk evaluation for electors and electoral administrators.

Recommendation 7 – We also recommend the additional flexibility built into the devolved nations' Acts be noted for similar future circumstances.

Recommendation 8 – We would ask the Electoral Commission to consider how it alerts Returning Officers and electoral administrators to guidance updates and their implications, particularly in a fast-changing pandemic situation.

Recommendation 9 – In future pandemics, a distinct classification of electoral administrators should be made within the key worker umbrella. In the months before scheduled elections, the significance of the need for office working exemptions, school places and similar should be highlighted to ensure crucial preparation work can be carried out.

Recommendation 10 – At all elections and across all nations, early and clear funding allocations must be made a priority.

Recommendation 11 – We would urge all UK Government departments to consider which premises should legally be made available for use as a polling station and agree a consistent position.

Recommendation 12 – Should such a scheme be necessary again, we recommend civil service staff be paid the same amount as other poll workers to reflect effort made and responsibility taken on.

The Association of Electoral Administrators

Recommendation 13 – In future pandemics, a Returning Officer indemnity extension should be agreed and communicated quickly.

Recommendation 14 – For future local government reorganisations, we would urge announcements are officially made at least six months before scheduled polls are due to be held in the affected area.

Recommendation 15 – We recommend that newly created authorities be given additional mentoring and resource support to run their first scheduled polls, particularly if they occur in a pandemic situation.

Recommendation 16 – In future pandemics, clear national public health guidelines and simple risk assessments should be issued. While some interpretation may be allowed to take the local situation into account, they should give Returning Officers, electoral administrators, and public health officials a clear and comprehensive schedule of what is and is not required to minimise risk to all involved.

Recommendation 17 – We would welcome a review of the different public health decisions made across areas to identify good practice, particularly for postal vote opening sessions, polling stations and counts.

Recommendation 18 – We support the collation of pandemic election good practice to be archived and used as a collective starting point for similar circumstances, with a particular emphasis on the one council approach.

Recommendation 19 – We support the ongoing option of premium payments in both areas and situations where it is hard to recruit polling staff. We encourage confirmation and full details of such a scheme early in the electoral timetable.

Recommendation 20 – Standby polling station/count staff and payments should not be a one-off decision. We recommend similar arrangements be approved for all polls to increase capacity and reduce risk.

Recommendation 21 – Where applicable in future, consistent testing guidelines should be issued as early as possible to Returning Officers and electoral administrators, taking local infection rates into consideration.

Recommendation 22 – For future polls in a pandemic, more appropriate and centralised ways to identify, fund and procure PPE

for polls should be in place as early as possible. Clear guidance should be published, and the one council approach encouraged, to allow Returning Officers and electoral administrators to concentrate on the electoral process.

Recommendation 23 – We believe there is a case for the online submission of nomination paperwork. A well-designed portal may also help to reduce the number of errors when forms are completed. It would also remove significant administrative burden if integrated into electoral management systems, alleviating the need for the inputting of nomination papers and reducing the proofreading burden.

Recommendation 24 – Political parties should not be involved in gathering or administering absent vote applications in any way. Such actions do not comply with recommended good practice and must be eradicated.

Recommendation 25 – We encourage consideration of earlier absent voting registration deadlines for all election timetables for the benefit of electors and everyone involved in administering the process. More time would introduce more capacity into the system.

Recommendation 26 – While this combination of polls was unprecedented, we believe an urgent review of print supply, postal vote mailing process and Electoral Management System specifications should be undertaken by the UK Government and Electoral Commission, to identify and mitigate issues and develop sector good practice.

Recommendation 27 – One circumstance not covered by the Covid-related emergency proxy legislation was electors caught out by travel restrictions and unable to return to the UK. We would recommend similar future emergency legislation encompass this.

Recommendation 28 – With the exception of general elections, we would support a UK-wide move to verifications and counts starting on the day after a poll, to allow Returning Officers and election teams a break before a full day of counting begins.

Recommendation 29 – In future pandemics, we would support centrally issued clear and consistent guidance for count attendee numbers. These should be based on venue size and local infection rates, giving Returning Officers official policy to point to when attendee restrictions are necessary.

The Association of Electoral Administrators

Recommendation 30 – Good practice guidelines for official media being admitted to a count floor during a pandemic should be considered by the Electoral Commission. This may include pooling or a ballot system should there be space once candidates, agents and observers are accommodated.