



The AEA's Blueprint for a Modern Electoral Landscape

**Bringing resilience and capacity to UK
democracy**

July 2021

The AEA's Blueprint for a Modern Electoral Landscape – Executive Summary

The complex polls of recent years have made it clear that UK electoral legislation is no longer fit for purpose.

Rather than supporting the electoral process, an ever-increasing collection of Acts and secondary legislation too often works against its effective delivery. Elections are often delivered in spite of rather than because of the fragmented and outdated legislative framework.

The pressure on those running the process is too great. They cannot continue to successfully deliver without serious and sweeping reform. We are genuinely concerned that the confidence on which our democracy rests is at serious risk unless the vulnerabilities identified in this report are properly addressed.

This report calls on each UK government to take decisive action to bring capacity and resilience to this fundamental, no fail, public service.

In a comprehensive review of each stage of the current electoral process, our blueprint for electoral reform includes calls for:

- A single Electoral Administration Act to modernise core processes while reflecting the divergent approach of all four UK nations.
- An extended 30-day electoral timetable, including for UK Parliamentary General Elections, to reduce risk and increase capacity.
- Earlier deadlines for absent voting applications to meet voters' needs, including those living overseas.
- Absent voting arrangements fit for the 21st century, including the option to apply for an absent vote using official online platforms.
- A full review of electoral funding to reduce the burden on local authorities, including earlier fees and charges allocations for national electoral events and reimbursement of related registration costs.
- A re-evaluation of the electoral registration process to reduce bureaucracy, including reviewing the effectiveness of the annual canvass and exploring automatic and compulsory registration.

Additional change is already coming, further complicating the current electoral landscape. Voter ID, new UK parliamentary boundaries and votes for all overseas UK electors are already promised ahead of the next general election. Electoral reform is high on the Senedd agenda in Wales.

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The time for piecemeal alterations is over. A comprehensive approach is the only way to successfully evolve the electoral process to ensure it effectively meets the needs and expectations of electors, and can be delivered safely, securely and accurately.

Our blueprint outlines where change is needed. We will now seek to work with all stakeholders to bring vital resilience and capacity to an electoral system that is in danger of failing.

The AEA's Blueprint for a Modern Electoral Landscape

1. Electoral Registration

- 1.1 An end-to-end review of electoral registration is urgently needed which considers:
- ER-01 – The purpose of the electoral register given the numerous uses it now has¹
 - ER-02 – Access and supply arrangements of the electoral register and, where relevant, lists of absent voters to:
 - ER-02a – candidates, including independent candidates, and political parties²
 - ER-02b – credit reference agencies, including their use of the electoral register³
 - ER-03 – The fees charged for the sale of the electoral register⁴
 - ER-04 – The effectiveness of the registration process, including the value of the annual canvass, and the two-stage application process⁵
 - ER-05 – How electors registering at a new address prior to an election may be disenfranchised, as they are removed from their old address before appearing at their new address⁶
 - ER-06 – Applications made by those already registered in the weeks before an election⁷
 - ER-07 – The publication date of the electoral register:
 - ER-07a – why 1 December each year? Plus, consideration of a true rolling register without monthly and interim alteration notices⁸
 - ER-07b – legislative amendment to allow for the publication of the revised register of electors to be delayed if a Notice of Election is published during the annual canvass⁹
 - ER-08 – Look to define the electoral register as one document in law rather than the current three versions

(parliamentary electors, local government electors and overseas peers)¹⁰

- ER-09 – Whether UK Parliamentary boundary reviews should be based on the register for the last UK Parliamentary general election (UKPGE)¹¹
- ER-10 – Legislative amendments to clearly identify what constitutes a valid second registration and for ‘residency’ to be defined in electoral law¹²

2. Nominations

2.1 The nominations process can be improved for all concerned, by:

- NO-01 – Reviewing nomination arrangements for all elections, to include:
 - NO-01a – reviewing the requirement for subscribers¹³
 - NO-01b – considering the need for deposits where they are currently required¹⁴
 - NO-01c – reassessing all forms used as part of a candidate’s nomination, and associated access and inspection arrangements¹⁵
 - NO-01d – allowing online submission of nomination papers¹⁶
 - NO-01e – the use of any part of a candidate’s forename and/or middle name(s) should, as we believe Parliament intended, be permitted as a commonly used name
- NO-02 – Appointing election agents to all types of election¹⁷
- NO-03 – Reviewing the effectiveness of the following statutory notices:
 - NO-03a – statement of persons nominated
 - NO-03b – notice of poll
 - NO-03c – situation of polling stations¹⁸
- NO-04 – Introducing the following legislative changes:
 - NO-04a – take steps to ensure candidates acting as their own election agent are still able to withhold their home address from electoral communications¹⁹

- NO-04b – make provision for councils’ proper officers to be supplied with a candidate’s home address²⁰
- NO-04c – review death of candidate provisions for all election types to ensure consistency of approach²¹
- NO-04d – review the deadline for appointing sub-agents to ensure consistency of approach²²
- NO-04e – introduce an electronic system for the delivery, receipt and return of the Writ at UK Parliamentary General Elections²³
- NO-05 – Fully reviewing the processes for the registration of political parties to provide certainty to Returning Officers (ROs) about deadlines for new and amended party descriptions and emblems²⁴

3. Absent Voting

- AV-01 – Absent voting arrangements fit for 21st century elections should include as a minimum:
 - AV-01a – the option to apply online for an absent vote via Government Digital Service platforms²⁵
 - AV-01b – a full review of ordinary proxy applications and the need for attestation, the circumstances and criteria for emergency proxy applications to be expanded, and the option to replace appointed proxies²⁶
 - AV-01c – clarification that there is no legal requirement on Electoral Registration Officers (EROs) to check the registration status of individuals appointed as proxies²⁷
 - AV-01d – changing the date a lost postal ballot paper can be issued to ‘when the RO is satisfied the postal ballot paper has been lost’ to give the maximum time possible for a replacement to be sent and returned²⁸
 - AV-01e – formalising the process to cancel an issued postal ballot paper where the elector is subsequently deleted from the electoral register during an election period²⁹

- AV-02 – As part of the proposals to remove the 15-year rule for overseas electors³⁰:
 - AV-02a – reviewing voting arrangements for overseas electors when making an application to register or renew their registration, requiring overseas electors to either:
 - AV-02b – specify suitable absent voting arrangements, or
 - AV-02c – confirm they wish to vote at their allocated polling station in the UK

4. Timetables

- TT-01 – Fixed Term Parliament Act – we strongly disagree with any proposals which will reduce the general election timetable³¹
- TT-02 – Reviewing all election and electoral registration deadlines to include the following as a minimum (see Appendix 1):
 - TT-02a – All election/referendum timetables with a view to extending some aspects
 - TT-02b – Standardising the legislative timetable across all UK elections, including the deadlines for nominations, registration, and absent voting³²
 - TT-02c – Changing the deadline for applications to register to vote at an election from midnight to 5pm to allow EROs to help electors with any issues and introduce consistency with other deadlines
 - TT-02d – Consider registration and absent vote deadlines for overseas electors. The election timetable must enable applicants applying immediately before the deadline to be able to cast their vote
- TT-03 – Legislation should be amended so that all UK bank holidays, including those only observed in devolved nations, apply to all elements of the election and electoral registration processes. This should include timetables for all types of poll. We have covered this in

more detail in our policy position paper on [UK bank holidays and electoral administration](#)

5. Polling

- PO-01 – A full and thorough review of all forms used in the electoral process is needed, with input from relevant stakeholders, such as the RNIB and Mencap
 - PO-01a - The design of ballot papers should include numbers against each candidate and show the name of the electoral area on the front
 - PO-01b – Declaration to be made easier for completion by the companion of a voter with disabilities
- PO-02 – The prescribed format of the Guidance for Voters notice at standalone UKPGEs should be updated to the same layout as used at principal area elections
- PO-03 – All UK Government departments to consider which premises should legally be made available for use as a polling station and agree a consistent position³³
- PO-04 – Review voting arrangements to include:
 - PO-04a – considering the benefits technology could bring³⁴
 - PO-04b – hours of poll³⁵
 - PO-04c – consider the merits of weekend and early voting³⁶
- PO-05 – The role of polling station tellers should be recognised in law³⁷

6. Verification and Count

- VC-01 – The following should be reviewed:
 - VC-01a – the requirement to count unused ballot papers as part of the verification process should be removed and only undertaken where the RO considers it necessary
 - VC-01b – the list of those entitled to attend the count and the ability for the RO to restrict attendance where necessary³⁸

VC-01c – the requirement for ROs to take reasonable steps to begin counting the votes as soon as practicable and within four hours of the close of poll at UK Parliamentary elections³⁹⁴⁰

7. Management and Oversight

- MO-01 – A new Electoral Administration Act is needed that modernises processes and reflects the divergent wishes of all four UK nations⁴¹
- MO-02 – A full review of all electoral funding and funding mechanisms is urgently needed, including:
 - MO-02a – the mechanism for funding electoral registration where it can be demonstrated those costs were incurred directly because of a national electoral event
 - MO-02b – the timescale for fees and charges allocations and guidance⁴³
 - MO-02c – making legislative provision and funding available for poll cards to be sent to properties with no electors registered to encourage registration prior to an election or referendum
 - MO-02d – ensuring the Fees and Charges Order covers the costs of appointing reserve polling station and count staff
 - MO-02e – processing and signing off all election claims in a more efficient manner than at present
- MO-03 – An urgent review of various legislative anomalies and omissions identified by us and other stakeholders is needed. The following are in addition to other matters identified elsewhere in this report:
 - MO-03a – variances in the appointment of ROs need to be addressed, including introducing a clearly defined hierarchy for combined polls⁴⁴
 - MO-03b – notices required by the Local Authorities (Referendums) (Petitions) (England) Regulations 2011 should be amended to use the electorate figure at the time a petition is considered

- MO-03c – other inconsistencies across election types that require addressing are shown at Appendix 2 with legislative references
- MO-03d – the Electoral Commission remit should be updated to provide support and guidance on business improvement districts (BIDs), neighbourhood planning referendums (NPRs), parish polls and parish and community council elections due to increasing ambiguities
- MO-04 – EROs should be given responsibility for the sub-division of UK parliamentary constituencies into polling districts, and ROs for the designation of polling places within those districts⁴⁵
- MO-05 – Changes to legislation should be introduced so that in exceptional circumstances, the statutory polling district and polling places review may be extended, with EROs given powers to make changes to agreed schemes⁴⁶
- MO-06 – All electoral matters should come under one Government department and we encourage the UK Government, as well as those in the devolved nations, to assess its own capabilities to support electoral events. This must include contingency and succession plans to ensure the best support for everyone involved in the electoral process⁴⁷
- MO-07 – We urge all Governments and local authorities to take a more joined-up approach to assist EROs and ROs to deliver democratic processes with collective ownership and a clear understanding of the pressures faced both by electoral administrators and the wider electoral community

8. Challenge

- CH-01 – A formal complaints system as outlined by the Law Commissions that provides for a clear and local system of accountability and challenge should be designed and introduced
- CH-02 – Within clear parameters, ROs to be able to amend obvious administrative process errors affecting the declaration of a result⁴⁸

9. Regulation and Expenditure

- RE-01 – A full review of the processes that deal with the recording of candidates' expenses is needed, including:
 - RE-01a – consideration of the return, and subsequent reporting of, expenses to ROs⁴⁹
 - RE-01b – the introduction of online reporting and inspection mechanisms⁵⁰
 - RE-01c – enforcement for failure to return expenses⁵¹
- RE-02 – Clarification is needed around the inspection arrangements, where a request for inspection of election documentation is made within the final ten days of the inspection period⁵²

10. Devolved Nations

- 10.1 – While there has always been some deviation in electoral process between the Scottish and UK Governments, there is now increasing divergence between the Welsh and UK Governments due to the extension of law-making powers in Wales following the 2011 referendum. This is proving increasingly problematic, particularly in Wales where legislation and electoral processes have been intrinsically tied to England for centuries.
- 10.2 – The extension of the franchise in Wales and Scotland to 16- and 17-year-olds and qualifying foreign citizens, and some categories of prisoners in Scotland, has introduced confusion and complexity for ROs, electoral administrators, suppliers and the electorate. This was most evident in Wales on 6 May 2021 where Police and Crime Commissioner (PCC) and Senedd elections were combined.
- 10.3 – Different franchises, different governments legislating for each election and minor but vital variations in process are challenging for all key electoral stakeholders.
- 10.4 – We believe the time is right to make the following recommendations:
 - DN-01 – Introduce legislation to prevent the combination of polls that are legislated for by different governments, for example: PCC and Senedd, UKPGE and Local Government, and PCC and Local Government⁵³
 - DN-02 – Bring electoral matters under one Welsh Government division. We also encourage Welsh Government to

- undertake a risk assessment and skills audit of its own capabilities to support devolved electoral events and the electoral reform agenda of the Senedd⁵⁴
- DN-03 – Recruit and/or continually develop staff to provide expertise in elections and electoral registration within Welsh Government⁵⁵
 - DN-04 – Develop contingency and succession plans to ensure the Welsh Government can constructively support the wider electoral community to administer electoral events and deliver the Senedd’s electoral reform agenda⁵⁶
 - DN-05 – Ensure timely and accurate legislation and guidance in both Welsh and English⁵⁷
 - DN-06 – Establish a clear communication protocol for relaying changes related to legislation, processes and guidance in Wales⁵⁸
 - DN-07 – Consider establishing an Electoral Management Board for Wales – utilising the Electoral Management Board in Scotland as a proven model – to provide support and development for the high number of recently appointed ROs in Wales. The Board should look to utilise the expertise of electoral administrators more extensively to inform the decision-making process⁵⁹
 - DN-08 – A commitment between the UK and devolved Governments to work collaboratively and, wherever possible, ensure changes to the electoral process and legislation introduced by one government are adopted and incorporated by the others. This will prevent a growing divergence in practices for different electoral events
 - DN-09 – UK Government to provide clarification on its position on extending the franchise to 16- and 17-year-olds and qualifying foreign citizens⁶⁰

11. The next UK Parliamentary general election

11.1 – The next UKPGE must be held no later than January 2025 but could be triggered at any point once the Fixed Term Parliaments

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Act is repealed. That uncertainty adds to the challenges of delivering the election.

- 11.2 – We have significant concerns over delivery of the next UKPGE due to the expected volume of new and complex legislative changes.
- 11.3 – Each legislative change is a major piece of work and will have a significant impact on electoral processes. Before the next UKPGE, proposals are in place to introduce voter ID in polling stations, remove the 15-year rule for overseas electors and make changes to how postal vote ballot papers are returned.
- 11.4 – In addition, the election is planned to run on new parliamentary boundaries following the UK Parliamentary Boundary Review due to be completed in July 2023.
- 11.5 – As emphasised in our previous post-election statements and reports, electoral administrators and suppliers do not have limitless resources. They are already stretched to their limits. We question whether there are sufficient resources and capacity in the current system to deliver these proposed electoral changes successfully, particularly in combination with a high turnout and potentially snap UKPGE.

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Appendix 1 - Recommended timetable – red text denotes change

Event	Elections 2021	Working days before poll - 2021 date	GLA working days - 2021 date	Scottish Parl. working days - 2021 date	Senedd working days - 2021 date	UKPGE	Proposed timetable
Notice of election	All	Not later than -25 days: (Mon 29 Mar)	Not later than -30 days:(Mon 22 Mar)	Not later than -28 days and not earlier than -35 days: (Between Mon 15 Mar and Wed 24 Mar)	Not later than -25 days: (Not later than Mon 29 Mar 2021)	-22 days	-30 days
Deadline for delivery of nomination papers, consent to nominations and home address forms	All	-19 days (4pm): (4pm Thur 8 Apr)	-24 days: (4pm) (4pm Tue 30 Mar)	-23 days (4pm): (4pm Wed 31 Mar)	-19 days (4pm): (4pm Thur 8 Apr)	-19 days (4pm)	-24 days
Making objections to nomination papers	PCC and CAM	On -19 days (10am to 5pm), subject to the following: Between 10am – 12 noon (Thurs 8 Apr) objections can be made to all delivered nominations Between 12 noon - 5pm Thurs 8 objections can only be made to nominations delivered after 4pm, 20 days before the poll (4pm Wed 7 Apr)	Objections cannot be made	During the hours allowed for delivery of nomination papers on the last day for their delivery and the hour following - (Wed 31 Mar (until 5pm) (Objections can only be made on Wed 31 Mar (until 5pm). Until 12 noon Wed 31 Mar objections can be made to all delivered nominations) No objection may be made in the afternoon of the last day except to a nomination paper	On -19 days (10am to 5pm), subject to the following: Between 10 am – 12 noon objections can be made to all delivered nominations Between 10am and 12 noon Thurs 8 Apr objections can be made to all delivered nominations Between 12 noon and 5pm objections can only be made to nominations	-14 days (All: 10am – 12noon) -14 days (if delivered after 16:00 on -14: 12noon – 5pm)	Remove ability for objections to be made

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				delivered within 24 hours of the last time for its delivery (Between 12 noon and 5pm Wed 31 Mar objections can only be made to nominations delivered after 4pm Tues 30 Mar)	delivered after 4pm, 20 days before the poll Between 12 noon and 5pm Thurs 8 Apr objections can only be made to nominations delivered after 4pm Wed 7 Apr		
Deadline for withdrawals of nomination	All	-19 days (4pm): (4pm Thurs 8 Apr)	-24 days (4pm): (4pm Tue 30 Mar)	-23 days (4pm): (4pm Wed 31 Mar)	-19 days (4pm): (4pm Thur 8 Apr)	-19 days (4pm)	-24 days (4pm)
Deadline for notification of appointment of election agent	All except Parish	-19 days (4pm): (4pm Thurs 8 Apr)	-24 days (4pm): (4pm Tue 30 Mar)	-23 days (4pm): (4pm Wed 31 Mar)	-19 days (4pm): (4pm Thur 8 Apr)	-19 days (4pm)	-24 days (4pm)
Publication of first interim notice of alteration of the electoral register	All	-19 days: (Thurs 8 Apr)	-24 days: (Tue 30 Mar)	-23 days: (Wed 31 Mar)	-19 days: (Thurs 8 Apr)	- 19 days	-24 days
Publication of statement of persons nominated	All	Not later than -18 days (4pm): (4pm Fri 9 Apr)	Not later than -22 days (4pm): (4pm Thurs 1 Apr)	If no objections: on -23 days (at 5pm) – (5pm Wed 31 Mar) If objection(s) are made: Not before objection(s) are disposed of but not later than 24 hours after the last time for delivery of nomination papers -(4pm Thurs 1 Apr)	Not later than -18 days (4pm): (4pm Fri 9 Apr)	-19 days 5pm (where no objections made) -18 days 4pm (where objections have been made)	-22 days

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Publication of second interim notice of alteration of the electoral register	All	Between -18 days and -6 days: (between Fri 9 Apr and Tue 27 Apr (incl))	Between -23 days and -6 days: (between Wed 31 Mar and Tue 27 Apr (incl))	Between -22 days and -6 days: (between Thur 1 Apr and Tue 27 Apr (incl))	Between 18 days and 6 days: (between Fri 9 Apr and Tue 27 Apr (incl))	Between -18 days and -6 days	Between -23 days and -6 days
Deadline for receiving applications for registration	All	-12 days: (Mon 19 Apr)	-12 days: (Mon 19 Apr)	-12 days: (Mon 19 Apr)	-12 days: (Mon 19 Apr)	-12 days	-17 days at 5pm overseas electors -12 days at 5pm ordinary electors
Deadline for receiving new postal vote and proxy postal applications, and for changes to existing postal or proxy votes	All	-11 days (5pm): (5pm Tue 20 Apr)	-11 days (5pm): (5pm Tue 20 Apr)	-21 days (5pm): (5pm Tue 6 Apr)	-11 days (5pm): (5pm Tue 20 Apr)	-11 days (5pm)	-16 days at 5pm
Deadline for cancelling existing postal or proxy votes		-11 days: (Tue 20 Apr)	-11 days: (Tue 20 Apr)	-11 days: (Tue 20 Apr)	-11 days: (Tue 20 Apr)	-11 days: (Tue 20 Apr)	-16 days at 5pm
Deadline for receiving new applications to vote by proxy (not proxy postal or emergency proxy)	All	-6 days (5pm): (5pm Tue 27 Apr)	-6 days (5pm): (5pm Tue 27 Apr)	-6 days (5pm): (5pm Tue 27 Apr)	-6 days (5pm): (5pm Tue 27 Apr)	-6 days (5pm)	-6 days at 5pm
First time that electors can apply for an emergency proxy	All	-6 days (5pm): (After 5pm Tue 27 Apr)	-6 days (5pm): (After 5pm Tue 27 Apr)	-6 days (5pm): (After 5pm Tue 27 Apr)	-6 days (5pm): (After 5pm Tue 27 Apr)	-6 days (5pm): (After 5pm Tue 27 Apr)	-6 days at 5pm

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Publication of notice of poll	All	Not later than -6 days: (Not later than Tue 27 Apr)	Not later than -6 days: (Not later than Tue 27 Apr)	If no objections: on -23 days (at 5pm) – (5pm Wed 31 Mar) If objection(s) are made: Not before objection(s) are disposed of but not later than 24 hours after the last time for delivery of nomination papers -(4pm Thurs 1 Apr)	Not later than -18 days (4pm): (4pm Fri 9 Apr)	-19 days (5pm)	-6 days
Publication of final notice of alteration of the electoral register	All	-5 days: (Wed 28 Apr)	-5 days: (Wed 28 Apr)	-5 days: (Wed 28 Apr)	-5 days: (Wed 28 Apr)	-5 days	-5 days
Deadline for notification of appointment of polling and counting agents	All	-5 days: (Wed 28 Apr)	-5 days: (Wed 28 Apr)	-5 days: (Wed 28 Apr)	-5 days: (Wed 28 Apr)	-5 days	-5 days
Notification of appointment of sub-agents	PCC and CAM	-5 days: (Wed 28 Apr)	-2 days: (Tues 4 May)	-2 days: (Tue 4 May)	-5 days: (Wed 28 Apr)	-2 days (county const. only)	-5 days to allow for consistency
First date that electors can apply for a replacement for lost postal votes	All	-4 days: (Thurs 29 Apr)	-4 days: (Thurs 29 Apr)		-4 days: (Thurs 29 Apr)	-4 days	When RO satisfied
Polling day	All	0 (7am – 10pm) – (7am to 10pm Thurs 6 May)	0 (7am – 10pm) – (7am to 10pm Thurs 6 May)	0 (7am – 10pm) – (7am to 10pm Thurs 6 May)	0 (7am – 10pm) – (7am to 10pm Thurs 6 May)	0 (7am – 10pm)	0 (7am – 10pm)
Last time that electors can apply for a replacement for spoilt or lost postal votes	All	0 (5pm) – (5pm Thurs 6 May)	0 (5pm) – (5pm Thurs 6 May)	0 (10pm) – (10pm Thurs 6 May)	0 (5pm) – (5pm Thurs 6 May)	0 (5pm)	0 (5pm)

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Deadline for emergency proxy applications	All	0 (5pm) – (5pm Thurs 6 May)	0 (5pm)	0 (5pm)			
Last time to the receipt of applications to alter the register due to clerical error or by notice of the court following registration appeal	All	0 (9pm) – (9pm Thurs 6 May)	0 (9pm)	0 (9pm)			

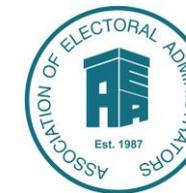
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Appendix 2 – Legislative anomalies

Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
Candidates Address or Address in on ballot paper	Address Included	Address Included https://www.legislation.gov.uk/ukxi/2018/1308/schedule/1/made	Address Included https://www.legislation.gov.uk/ukxi/2018/1308/schedule/1/made	Address Included https://www.legislation.gov.uk/ssi/2020/239/schedule/made	Address Included https://www.legislation.gov.uk/ukxi/2018/1309/schedule/1/made	Address Included https://www.legislation.gov.uk/ukxi/2015/104/schedule/1/made	Address Not Included Form 8A, Sch. 3, The Police and Crime Commissioner Elections Order 2012 https://www.legislation.gov.uk/ukxi/2012/1917/schedule/3/paragraph/70	Address Included Form 3 and 4, Sch. 1, The Combined Authorities (Mayoral Elections) (Amendment) Order 2017 https://www.legislation.gov.uk/ukxi/2019/350/schedule/1/part/4/made	Address Included Form 3 and 4, Sch. 1, The Local Authorities (Mayoral Elections) (England and Wales) Regulations 2007 https://www.legislation.gov.uk/ukxi/2019/351/schedule/1/part/3/made	Address Included (Constituency) Form CK, Rule 24 (3), Sch. 5, The National Assembly for Wales (Representation of the People) Order 2007 https://www.legislation.gov.uk/ukxi/2016/272/schedule/2/part/1/made	Address Not Included (Constituency) Form I, Rule 27, Schedule 2, The Scottish Parliament (Elections etc.) Order 2015 https://www.legislation.gov.uk/ssi/2015/425/schedule/9/cross-heading/appendix-of-forms/made	Address Included (Constituency and London Mayor) Form 5 and Form 7, Sch.10, The Greater London Authority Elections Rules 2007 https://www.legislation.gov.uk/ukxi/2019/425/schedule/9/cross-heading/appendix-of-forms/made The Greater London Authority Elections (Amendment) Rules 2019 (legislation.gov.uk)
Agent Office Address	within the parliamentary constituency where the candidate is standing, or • within a constituency which	The location of the office must be: • within the local government area, or • in a UK Parliamentary	The location of the office must be: • within the local government area, or • in a UK Parliamentary	The location of the office must be: • within the same local government area, or • within a UK Parliamentary	N/A	N/A	The location of the office must be within the police area.	The location of the office must be within the combined authority area	The location of the office must be: • within the local government area, or • in a UK Parliamentary	Constituency - The location of the office for the constituency election must be: • in the Senedd	There are no restrictions on where the office should be located.	Constituency - The location of the office must be: • within Greater London, or • within a UK

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Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
	adjoins the constituency where the candidate is standing, or <ul style="list-style-type: none"> • within Wales, within a Welsh county or county borough which is part of, or adjoins, the constituency where the candidate is standing, or • within London, within a London borough which is part of, or adjoins, the constituency where the candidate is standing 	constituency or one of the constituencies that are partially or wholly included in the local government area, or <ul style="list-style-type: none"> • in an adjoining Welsh county or county borough, or • in an adjoining London borough, or • in an adjoining district 	constituency or one of the constituencies that are partially or wholly included in the local government area, or <ul style="list-style-type: none"> • in an adjoining Welsh county or county borough, or • in an adjoining London borough, or • in an adjoining district 	y constituency or constituencies that are partially or wholly included in the local government area <ul style="list-style-type: none"> • within a district in England which adjoins the local government area 					constituency or one of the constituencies that are partially or wholly included in the local government area, or <ul style="list-style-type: none"> • in an adjoining Welsh county or county borough, or • in an adjoining London borough, or • in an adjoining district 	constituency for which the election is held or an adjoining Senedd constituency, or <ul style="list-style-type: none"> • in a county or county borough which is partly comprised in or adjoins the Senedd constituency for which the election is held <p>Regional - The location of the office for the regional election must be in Wales</p>		parliamentary constituency within or partly within Greater London
Emergency Proxy based on Covid-19 – ability to replace an	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	YES	YES

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Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
existing proxy												
Emergency Proxy based on Covid-19 – when you became aware of need to self isolate	n/a	n/a	n/a	From 5pm day -6	n/a	n/a	n/a	n/a	n/a	From 5pm day -6	From 5pm day -6	n/a
Subscriber numbers (Temp changes)	10	2	10	0	2	2	Number of LA in Police area x 2	X2 from each LA within Combined Authority Area	2	1	0	
Postal Vote Deadline	-11 (5pm)	-11 (5pm)	-11 (5pm)	-11 (5pm)	-21 (5pm) (Temp change for 2021) Section 3, Scottish General Election (Coronavirus) Act 2021	-11 (5pm)						
Replacing Lost and Spoilt Postal Votes	5pm on polling day	5pm on polling day	5pm on polling day	5pm on polling day	Replace lost and spoilt up to 10pm on polling day Article 17, The Scottish Parliament (Elections	5pm on polling day						

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Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
											etc.) (Miscellaneous) Order 2020	
Timetable Length	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	25 days (excluding dies non)	35 - 28 days (excluding dies non)	30 days (excluding dies non)
Home Address Form	YES	YES	NO	YES	YES	NO	YES	YES	YES	YES	NO	YES
Home Address for Election Agent Notice (where candidate own agent)	If a candidate has requested on the home address form that their home address details are not made public, but becomes their own election agent as a result of not having appointed anybody else, you must publish their home address on	Where a candidate acts as their own election agent, unless they provide an office address, their home address as provided on the home address form will be published on the notice of election agents	No home address form - no ability to suppress home address	Where a candidate acts as their own election agent, the office address is deemed to be their address as given on the notice of poll, i.e. the address provided on the nomination form. This applies even where they have chosen not to publish their home	N/A	N/A	If a candidate has requested on the home address form that their home address details are not made public, but becomes their own election agent as a result of not having appointed anybody else, you must publish their home address on	Where a candidate acts as their own election agent, the home address as provided on the home address form will be published on the notice of election agents unless they provide an office address	Where a candidate acts as their own election agent, unless they provide an office address, their home address as provided on the home address form will be published on the notice of election agents	Where an election agent is appointed who is also a candidate and has requested on a home address form that their address is not to be made public, only the constituency or country must be included on the notice. Article 37 (10)(a), The National	No home address form - no ability to suppress home address	Where a constituency candidate acts as their own election agent as a result of not having appointed anybody else, their home address as provided on the home address form is deemed to be the office address

The Association of Electoral Administrators



Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
	the notice of election agents, even though, as a candidate, they have requested to keep it private.			address on the notice of poll and ballot papers.			the notice of election agents, even though, as a candidate, they have requested to keep it private.			Assembly for Wales (Representation of the People) Order 2007		
Who can deliver nomination paper	Candidate, proposer or seconds, election agent (where notice of appointment received)	No restrictions	No restrictions	No restrictions	No restrictions	No restrictions	Candidate, proposer or seconder, election agent (where notice of their appointment received)	No restrictions	No restrictions	Constituency – candidate, some authorised on candidates behalf (where name and address given), election agent (where notice of appointment received) or party nominating officer or someone appointed on their behalf (provided delivering certificate of	Constituency and ind. Regional – no restrictions Regional – party nominating officer or person authorised by them in writing	No restrictions except for London-wide assembly party nomination form must be nominating officer or someone authorised on their behalf

The Association of Electoral Administrators



Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
										<p>authorisation at same time)</p> <p>Ind. Regional candidate, someone authorised on candidates behalf where name and address given) or election agent (where notice of appointment received)</p> <p>Regional – nominating officer or someone appointed on their behalf</p>		
Method of delivery	<p>NF, HAF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF, HAF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF and HAF by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF, HAF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF, HAF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF, HAF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>NF, HAF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>	<p>Nomination and home address – by hand</p>	<p>NF and CTN by hand (unless candidate overseas then CTN</p>	<p>NF, HAF and CTN by hand</p> <p>Cert of Auth and emblem – by hand or</p>

The Association of Electoral Administrators



Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
	post must be original version	post must be original version	post must be original version	post must be original version	post must be original version	post must be original version	post must be original version	post must be original version	post must be original version	Consent to nom – also by email Cert of Auth and emblem – by hand or post must be original version	can be electronic) Cert of Auth and emblem – by hand or post must be original version	post must be original version
Time delivery of nominations	10am – 4pm from the day after the publication of NOE	For RO to determine – times must be published on NOE **CAN ACCEPT ON DAY NOE Published**	For RO to determine – times must be published on NOE **CAN ACCEPT ON DAY NOE Published**	Up to 4pm on any working day – time for delivery must be stated on NOE	For RO to determine – times must be published on NOE **CAN ACCEPT ON DAY NOE Published**	For RO to determine – times must be published on NOE **CAN ACCEPT ON DAY NOE Published**	10am – 4pm on any working day after publication of NOE	10 – 4pm on any working day after publication of NOE	For RO to determine – times must be published on NOE **CAN ACCEPT ON DAY NOE Published**	9am – 5pm (but 4pm deadline on -19) on any working day after publication of NOE	For RO to determine – times must be published on NOE	Any working day from date and hours shown on NOE
Deadline for Nominations	4pm day -19	4pm day -19	4pm day -19	4pm day -23	4pm day -19	4pm day -19	4pm day -19	4pm day -19	4pm day -19	4pm day -19	4pm day -23	4pm day -24
Notice of Poll deadline	Day -19 (if no objections) or day -18 (4pm) if objections made	Day -6	Day -6	Asap after 4pm day -23	Day -6	Day -6	Day -6	Day -6	Day -6	4pm Day -18	5pm Day -23	Day -6
Sub-agent deadlines	Day -2	n/a	n/a	n/a	n/a	n/a	Day -5	Day -5	n/a	Day -5	Day -2	Day -2
Deadline to withdraw nominations	4pm day -23	4pm day -19	4pm day -19	4pm day -23	4pm day -19	4pm day -19	4pm day -19	4pm day -19	4pm day -19	4pm day -19	4pm day -23	4pm day -24

The Association of Electoral Administrators



Anomaly	UKPGE	P.A (E)	P.A (W)	P.A (S)	Parish (E)	Comm. (W)	PCC	CAM	LAM	Senedd	Scottish Parl.	GLA
Delivery of return as to election expenses	No later than 35 calendar days after date result declared	No later 35 calendar days after date result declared	No later 35 calendar days after date result declared	No later 35 calendar days after date result declared	No later than 28 calendar days after the date of election	No later than 28 calendar days after the date of election	No later 70 calendar days after date result declared	No later 35 calendar days after date result declared	No later 35 calendar days after date result declared	No later 35 calendar days after date result declared	No later 35 calendar days after date result declared	No later 70 calendar days after date result declared

Electoral Registration

¹ ER-01 – The purpose of the electoral register given the numerous uses it now has

What the heading means

The electoral register is used for numerous reasons. What should the electoral register be used for? Should legislation change so that it can only be used for electoral purposes?

Why we are saying it

Regulations allow for the electoral register to be made available and used for non-election related purposes, for example:

- to credit reference agencies for credit checks
- to local authorities to run a statutory function, or activities relating to security, law enforcement or crime prevention
- to the police for the prevention and detection of crime, enforcement of criminal law and for safeguarding national security
- to the jury service

Details provided on the electoral register are limited. While considering if certain uses should be restricted, it is also valid to consider if other data held by EROs should be available. For example, should the police be entitled to contact information? This issue came to the fore in 2020 when additional information held by EROs could not be supplied to assist with Covid, for example local authority response teams.

Would the electoral register degrade in accuracy if it were only to be used for electoral purposes? Some of the electorate may not see the need to register if they are not interested in voting at elections. The Electoral Commission already uses credit rating scores as a reason to encourage citizens to register.

What we believe the next steps are

We would welcome a discussion with the UK and devolved Governments on the purpose of the electoral register.

² ER-02 – Access and supply arrangements of the electoral register and, where relevant, lists of absent voters to: candidates, including independent candidates, and political parties

The Association of Electoral Administrators



What the heading means

The Representation of the People Regulations 2001 prescribes who is entitled to copies of the electoral register and absent voters lists for electoral purposes and what they can be used for.

Why we are saying it

The following regulations set out provision for candidates, local constituency parties and registered political parties to receive copies of the electoral register following a request to the ERO.

- Regulation 104 - supply of full register to holders of relevant elective offices and candidates
- Regulation 105 - supply of full register etc to local constituency parties and restrictions on use
- Regulation 106 - supply of full register etc to registered political parties etc and restrictions on use

The following questions on access are often raised:

- Are independent candidates at a disadvantage to political party candidates who can access the register earlier under regulations 105 and 106?
- Was it the intention of legislation that those wishing to stand for election cannot access the electoral register until the last day for notices of election to be published, even where a RO chooses to publish notices earlier?
- Should candidates and political parties be able to make daily requests for absent vote lists in the run up to an election, impeding ROs' and electoral administrators' ability to focus on key tasks.
- What safeguards are in place to ensure unsuccessful candidates do not use the register and absent vote lists provided for electoral purposes for any other activity? As good practice many ROs include a note in their nomination packs asking for the register to be returned, but this is not enforceable.

What we believe the next steps are

Consideration of the access and supply arrangements of the electoral register and the lists of absent voters considering the above points.

³ ER-02b –Credit reference agencies, including their use of the electoral register

The Association of Electoral Administrators



What the heading means

Under the Representation of the People Regulations 2001 the full electoral register is available for sale to credit reference agencies and other statutory bodies. These regulations need to be reviewed.

Why we are saying it

EROs are required to publish two versions of the register of electors; the electoral register (full) and the open register (edited). The electoral register may be sold to credit reference agencies providing credit reference services for money laundering and credit assessment checks. Regulations 113 and 114 of the RPR 2001 state that the letter 'Z' must be shown against all opted-out electors on sale copies.

We are not opposed to licensed organisations accessing data for credit and security checks, but we do not agree with those organisations then being permitted to use that information, compiled at public cost, for commercial purposes.

With recent changes in Data Protection legislation, the sale of the open register appears incompatible from a citizen's perspective - selling people's personal data to anyone who is interested in buying it.

We firmly maintain that the edited register should be abolished, and no elector details should be available for sale to undefined third parties.

EROs produce monthly updates to the register and credit reference agencies should purchase these monthly updates under the 4th principle of the Data Protection Act to ensure the data they hold is up to date – this is not always the case, with some only purchasing the newly published register once a year.

We have produced a policy position paper on the [sale of the register of electors](#).

What we believe the next steps are

Consideration of the right to and use of the electoral register by credit reference agencies, with the edited register being abolished. No elector details should be available for sale to undefined third parties.

4 ER-03 – The fees charged for the sale of the electoral register

What the heading means

The fees for purchasing the register are low in comparison to the costs of producing the electoral register.

Why we are saying it

The current statutory fees for the full or open versions of the electoral register have not been reviewed or changed since they were introduced almost 20 years ago. Regulations 110 and 111 of the Representation of the People (England and Wales) Regulations 2001: Data: £20.00 plus £1.50 per thousand entries (or part); Paper: £10.00 plus £5.00 per thousand entries (or part).

EROs raise a small amount for local authorities from selling the full register, usually exclusively to credit referencing agencies, but rarely make any budgetary gain from selling the open register.

Credit reference agencies can make a significant profit from full electoral registers sold to them for a low statutory fee, using the data in their credit checking reports for the financial industry and others, and selling on data from the edited register. In effect, the public purse is subsidising credit reference agencies. We believe a more appropriate fee structure should be charged, representing the true costs of producing the electoral register. This does not have to be profit-making, but it should be cost neutral.

We have produced a policy position paper on the [sale of the electoral register](#).

What we believe the next steps are

The fees charged for the sale of the electoral register should reflect the costs incurred by the public purse compiling the register and not just the cost of supply.

⁵ ER-04 – The effectiveness of the registration process, including the value of the annual canvass, and the two-stage application process

What the heading means

An annual electoral registration canvass is held across Great Britain. Households with a change of residents complete a return on behalf of the household, each resident is then invited to register. Rolling registration also runs throughout the year. Is the current registration process effective, and does the annual canvass add value?

Why we are saying it

Following the introduction of canvass reform, further work is needed to reduce the bureaucracy of the registration process.

What we believe the next steps are

A full and thorough review looking at whether the annual canvass adds value and if the current two stage registration process is effective.

Consideration should be given to automatic and compulsory registration, registration being linked to receiving public services and benefits, and access being given to other national data sets held by agencies like the DVLA.

We also believe there should be reconsideration of a previously considered centralised storage of electoral registers, or the development of a mechanism to link each ERO's register, to assist with many fraud measures as well as other elements of the electoral process.

⁶ ER-05 – How electors registering at a new address prior to an election may be disenfranchised, as they are removed from their old address before appearing at their new address

What the heading means

Electors registering at a new address prior to an election could be disenfranchised because current registration timetables can see electors removed from their old address before being added at their new address.

Why we are saying it

An elector should not run the risk of being disenfranchised due to registering at a new address prior to an election.

If an elector applies to register after the registration deadline for an election giving their old address, their previous ERO is notified by the Government Digital Service that they can be removed from the old address. However, their new application will have been received too late to take effect for the forthcoming elections, but due to there being no five-day objection period for removals they can end up being disenfranchised.

What we believe the next steps are

Legislative changes made to ensure an elector is not removed from the register at their previous address before being added to their new address so as to ensure they are not disenfranchised.

⁷ ER-06 – Applications made by those already registered in the weeks before an election

What the heading means

The Association of Electoral Administrators



Since the introduction of Individual Electoral Registration (IER) in 2014 and the ability to register online, significant numbers of people register to vote close to polling day. Some people also register to vote again despite already being registered.

Why we are saying it

Duplicate applications in the weeks before an election have been an ongoing problem in recent years, and the amount of additional work caused by unnecessary applications is unsustainable.

We have highlighted this issue in previous reports and are aware the Cabinet Office have made some changes to the registration webpage to deter duplicate applications. These include a duplicate checker introduced in February 2021 which identifies 100% identical matches, although some people still proceed with their registration. A secondary email that reassures users of the progress of their registration application was also introduced in March 2021.

What we believe the next steps are

While improvements have been made, duplicate applications in the weeks before an election are still being received. Duplicate check improvements only work on 100% matches and at a national poll, the number of duplicate applications is likely to be significant. We believe the Cabinet Office needs to work further with Electoral Management Software (EMS) suppliers and take further steps to increase ERO capacity by making other changes, for example, the option to apply online for an absent vote via Government Digital Service platforms.

8 ER-07a – The publication date of the electoral register: Why 1 December each year? Plus, consideration of a true rolling register without monthly and interim alteration notices

What the heading means

The register of electors is published each year by 1 December with monthly alteration notices. Three interim notices of alteration are also published during election timetables. Consideration should be given to a true rolling register, with individuals added as soon as their application is determined by the ERO.

Why we are saying it

While canvass reform has improved some aspects of the registration process, the dates when amendments can be made to the electoral register have remained the same. With modern expectations raised by

online applications and a culture where everything is easily accessible and instant, the current process is outdated.

Once an application to register is received, a Department of Work and Pensions (DWP) verification process is required, with further evidence requested as needed, as well as a five-day objection period before an ERO can decide whether the applicant is added to the register or not.

Depending on when an application is received it can be several weeks before the person is finally added to the register. Instead, the register should be a live document which is accurate all year round. Once an ERO has determined an application, the individual should be added to the register immediately without waiting for the publication of the next alteration notice. A monthly list of alterations should be published if and when required.

What we believe the next steps are

Consideration of whether the current procedures are fit for purpose with a view to introducing a true rolling registration, without fixed date alteration notices. This could be supported by developing a centralised system for storing electoral registers.

9 ER-07b – Legislative amendment to allow for the publication of the revised register of electors to be delayed if a Notice of Election is published during the annual canvass

What the heading means

The current legislative process allows EROs to defer publication of the annual revision of the electoral register until February, but only where the entire election has taken place during the canvass period. This does not account for polls scheduled immediately after the register is due to be published, as was the case for the December 2019 UKPGE.

Why we are saying it

Amending legislation to allow for the publication of the revised register of electors to be delayed provides EROs with flexibility when there are polls immediately after 1 December.

What we believe the next steps are

Legislation to be amended to allow for the publication of the revised register of electors to be delayed if the Notice of Election for any polls is published during the annual canvass period.

¹⁰ ER-08 – Look to define the electoral register as one document in law rather than the current three versions (parliamentary electors, local government electors and overseas peers)

What the heading means

In law there are currently three versions of the electoral register: parliamentary, local government and peers registered outside the UK. We believe the electoral register should be defined in law as one document.

Why we are saying it

Three versions of the register can cause issues during an election when adding electors to the electoral register. For example, at the 2019 UKPGE European citizens who applied to be added to the register were not eligible to vote at the UKPGE, so could also not be added to the local government register. If the register was defined in law as one document electors could be added at the relevant point and flagged accordingly. Similar issues will arise in Wales following the franchise changes relating to 16- and 17-year-olds and qualifying foreign citizens.

What we believe the next steps are

The electoral register to be defined in law as one document with the franchise defining which election an elector can vote in.

¹¹ ER-09 – Whether UK Parliamentary boundary reviews should be based on the register for the last UK Parliamentary general election (UKPGE)

What the heading means

The electorate data used for a UK parliamentary boundary review is the register as published on 1 December that year which, because of the introduction of IER, is not the most accurate point in the year. Instead, we believe it should be based on the register for the last UKPGE.

Why we are saying it

Prior to the introduction of IER the publication of the revised register on 1 December each year used to be the most complete. Since the introduction of IER, the canvass no longer directly registers electors as the Invitation To Register (ITR) application process is continuing. There clearly needs to be one date, but we are not convinced 1 December is the most appropriate.

What we believe the next steps are

Careful consideration needs to be given to the 'data-cut' date for boundary reviews. Our view is that the electorate at the last UKPGE should be the one used for the review.

¹² ER-10 – Legislative amendments to clearly identify what constitutes a valid second registration and for 'residency' to be defined in electoral law.

What the heading means

Legislation allows for some people to be registered in more than one place, but it is not clear in law what constitutes a valid second registration. EROs are also required to make individual judgements on whether residency requirements are met as there is no definition within electoral law.

Why we are saying it

In previous reports we have expressed concern about current provision within the law for some people to register in more than one place. The law regarding 'residency' is open to interpretation and leaves EROs to exercise their judgement in individual cases.

What we believe the next steps are

Current legislation should be reviewed to consider whether registration in more than one location should continue. If so, the law should be amended to clearly define registration and what constitutes a valid second registration.

Nominations

¹³ NO-01a – Reviewing the requirement for subscribers

What the heading means

As part of a candidate's nomination to stand at an election there is a requirement for the nomination paper to be subscribed by supporters. The number of subscribers required varies depending on the type of election. For example, a parish and community council requires two, principal area and UKPGE requires 10, with 330 subscribers for the Greater London Authority Mayor.

Why we are saying it

Covid-19 legislation reduced the number of subscribers required for the May 2021 polls.

In previous post-election reports we have challenged the need for candidates to have nominations subscribed. Reviewing the requirement would make the nomination process simpler and more efficient both for candidates, agents, ROs and electoral administrators. It would improve access to democracy, with a likely increase in the number of candidates standing at an election. It is already the case that all elections in Scotland do not have any subscriber requirements. For Senedd polls, one subscriber is required, which can be the candidate themselves.

What we believe the next steps are

The UK Government should review the requirement for subscribers on nominations, especially for Police and Crime Commissioner and Combined Authority Mayors.

14 NO-01b – Considering the need for deposits where they are currently required

What the heading means

Certain types of elections require a deposit as part of the candidate's nomination. The amount of deposit varies depending on the election and is returned if the candidate polls more than 5% of the valid votes cast.

Why we are saying it

The deposits required to stand as a candidate for the different types of elections vary significantly. None are required for parish and community council and principal area elections. The deposit to stand as a candidate at a UK Parliamentary, Senedd and Scottish Parliamentary elections is only £500 – this figure was set in 1983 and hasn't been reviewed since. Is £500 the right figure for a UK Parliamentary election in 2023/24? The deposit to stand as a candidate at a Police and Crime Commissioner or Combined Authority Mayoral election is £5,000, and as a candidate for London Mayor it is £10,000.

We query whether deposits assist democracy although understand the bar for candidates in polls where a booklet is produced and sent to every elector in the area. In these cases, the level may need to be reviewed to dissuade candidates looking only for publicity/advertising opportunities.

What we believe the next steps are

The UK Governments/Electoral Commission to consider whether there is a need for deposits where they are currently required. If the outcome is to continue with deposits, to review the amounts set, and methods for payment, forfeiture or refund.

15 NO-01c – Reassessing all forms used as part of a candidate’s nomination and associated access and inspection arrangements

What the heading means

Standing as an election candidate requires the completion of several forms. Following changes in legislation additional forms have been added to the nomination process. All forms need to be reviewed, along with the right to access and inspect them.

Why we are saying it

Generally, to stand as a candidate the following forms need to be completed:

- nomination form
- candidate’s home address form
- candidate’s consent to nomination
- certificate of authorisation (party candidates only)
- request for party emblem (party candidates only) and
- notification of election agent (optional).

A review of all forms is needed to make the process simpler, less repetitive and more streamlined. Since the introduction of the home address form, we have received reports of huge numbers of errors being made, despite the Electoral Commission reviewing form design.

By law nomination papers, excluding the home address form, are available both for public inspection and for copies to be taken during a specific period.

At UKPGE, Senedd, Scottish Parliamentary, PCC and Combined Authority Mayoral (CAM) elections there is an objection period. We question the reason for this and what a RO could do where a nomination is objected to.

In addition, the law does not prescribe what happens to nomination papers outside the inspection period. We consider they should be retained in the same way as ballot papers, Corresponding Number Lists (CNLs) and certificates of employment.

What we believe the next steps are

A review of:

- all forms used as part of a candidate’s nomination

- the access, inspection and objection arrangements
- the retention period and storage arrangements.

16 NO-01d – Allowing online submission of nomination papers

What the heading means

Legislation generally requires nomination forms to be delivered by hand. The process needs to be modernised to allow for nomination papers to be submitted online.

Why we are saying it

The requirement for hand delivery of nomination papers can create barriers and prevent potential candidates from standing for election. In large geographical and/or rural areas there may be a significant distance to travel. This can introduce significant challenges for potential candidates and could be considered discriminatory against candidates with disabilities.

Online submission would also remove significant administrative burdens if integrated into electoral management systems, alleviating the need for the inputting of nomination papers and reducing the proofreading burden as well as reducing the risks of transcription errors that might be carried-forward to ballot papers.

What we believe the next steps are

- Process modernisation to allow nomination papers to be submitted online.
- The hand delivery provision needs to allow any person authorised by a candidate to hand deliver nomination papers across all elections.

17 NO-02 – Appointing election agents to all types of election

What the heading means

Election agents can only be appointed for certain election types at present.

Why we are saying it

Legislation does not allow for election agents to be appointed for parish and community council elections. Consideration should be given to bringing this into line with all election types.

What we believe the next steps are

Appointment of election agents should be extended to all elections.

18 NO-03 – Reviewing the effectiveness of the following statutory notices: statement of persons nominated, notice of poll and situation of polling stations

What the heading means

At each election, the RO is required by law to publish the following:

- statement of persons nominated
- notice of poll
- situation of polling stations.

A review of the effectiveness of these statutory notices is required.

Why we are saying it

A review of notices is required, and consideration given to merging them all into a combined document with a standardised and accessible format.

Consideration should also be given to the RO being required to publish a statement of rejected nominations, ensuring full transparency across the nomination process.

What we believe the next steps are

A review of the effectiveness of each statutory notice and consideration of the requirement to publish a statement of rejected nominations.

19 NO-04a – Take steps to ensure candidates acting as their own election agent are still able to withhold their home address from all electoral communications

What the heading means

Where a candidate withholds their home address but acts as their own election agent and does not provide an office address, their home address must still be published on the notice of election agents and in the imprint on election literature. The requirement to publish a home address on notices and imprints should be removed.

Why we are saying it

Legislation introduced in 2018 removed the requirement for candidates to have their home address published on the statement of persons nominated, notice of poll and ballot paper at principal area elections and parish and community council elections in England. There is still an occasion whereby a candidate's home address is disclosed when a

candidate withholding their home address acts as their own election agent and does not provide an office address. In this case their home address must be published on the notice of election agents and in the imprint on election literature.

Changes should be made so that a candidate acting as their own election agent is still able to withhold their home address from all electoral communications. This change has already been made in Wales for Senedd elections.

What we believe the next steps are

Legislative changes should be made to ensure candidates acting as their own election agent are still able to withhold their home address from all electoral communications and in such circumstances, there should be a requirement for a correspondence address to be provided instead.

20 NO-04b – Make provision for councils’ proper officers to be supplied with a candidate’s home address

What the heading means

Legislative changes are required so that the local authority’s proper officer can be supplied with a candidate’s home address.

Why we are saying it

Access to home address forms is strictly controlled to maintain confidentiality. Legislation requires the RO to “... give notice of the name of each [elected] candidate to the proper officer of the council ...” following the declaration of the result. This includes parish and community councils. There is no provision to provide the proper officer with the candidate’s home address or to permit the proper officer to inspect the home address forms.

What we believe the next steps are

To rectify the administrative oversight introduced by the home address form and to make provision for the proper officer to be supplied with the elected candidate’s home address to enable them to undertake their statutory duties.

21 NO-04c – Review death of candidate provisions for all election types to ensure consistency of approach

What the heading means

All election types should have provision in legislation outlining the procedure for the death of a candidate.

Why we are saying it

A review of death of candidate legislative provision is needed for all election types to create a consistent approach. While there is legislative provision, there is inconsistency across election types. For example, at the Greater London Authority elections (GLA):

- Constituency candidate - the procedure to be followed depends on the time when you receive the proof of death of a candidate.
- London Wide Assembly member - there is no provision for the poll to be countermanded or abandoned if a London-wide Assembly Member candidate dies.
- Mayoral candidate – the procedure will depend on whether or not the deceased candidate was standing on behalf of a registered political party and whether there were two or more candidates contesting the election.

What we believe the next steps are

A review of death of candidate provisions for all election types to ensure consistency of approach with resulting clear guidelines for ROs, electoral administrators, candidates and agents.

22 NO-04d – Review the deadline for appointing sub-agents to ensure consistency of approach

What the heading means

All election types should have the same legislative provisions for appointing sub-agents to ensure consistency of approach.

Why we are saying it

A review of the legislative deadline for sub-agent appointments is needed for all election types to ensure consistency of approach. At present the legislative deadline for the Greater London Authority, Scottish Parliament, and a county constituency at UKPGEs is two days before polling day. It is five days for all other polls. Five days is also the deadline for the appointment of polling and counting agents.

What we believe the next steps are

For all UK governments to amend the deadline for appointing sub-agents to five days for all polls to ensure consistency of approach. Provision

should also be made for sub-agents at all UK Parliamentary constituencies.

23 NO-04e – Introduce an electronic system for the delivery, receipt and return of the Writ at UK Parliamentary General Elections

What the heading means

The receipt and return of the Writ at UKPGEs is paper based and should be modernised to use an electronic system.

Why we are saying it

Current arrangements for the receipt and return of the Writ are paper-based and involve personal delivery by Royal Mail. The RO is required to make arrangements to receive the Writ for their constituency as soon as practicably possible after it has been issued, to complete it following the announcement of the result and to then hand it back to Royal Mail for delivery to the Clerk of the Crown in Chancery. The system is cumbersome and receipt and return of the Writ should be digitised.

What we believe the next steps are

The introduction of an electronic system for the delivery, receipt and return of the Writ at UKPGEs.

24 NO-05 – fully reviewing the processes for the registration of political parties to provide certainty to Returning Officers (ROs) about deadlines for new and amended party descriptions and emblems

What the heading means

Political parties register their party, party descriptions and party emblems with the Electoral Commission. Changes can be made at any time, although there are deadlines prior to a poll.

Why we are saying it

The law should outline the deadline for applications for changes to the political party register, including changes to descriptions and emblems. It should also require the Electoral Commission to affect those changes by the last day for the publication of the notice of election.

Electoral administrators and printers would benefit from being able to download emblems in advance of the notice of election. This would also provide certainty during the nomination process about permitted

descriptions and emblems and eliminate potentially disruptive alterations to ballot paper designs.

What we believe the next steps are

The processes for the registration of political parties should be reviewed to ensure the register is not amended after the publication of the notice of election to provide certainty to ROs and candidates as to new and amended party descriptions and emblems.

Absent Voting

²⁵ AV-01a – The option to apply online for an absent vote via Government Digital Service platforms

What the heading means

The introduction of IER modernised the electoral registration process but did not provide the facility to apply for an absent vote online.

Why we are saying it

There is no facility to apply for an absent vote online as part of the registration transaction process. Instead, the applicant can request an application form be sent to them in the post or by email. This takes longer, needs additional processing resources, is inefficient and should be modernised.

What we believe the next steps are

The next stage of modernising the IER service is enabling electors to apply online for an absent vote as part of the registration process. This would need an end-to-end facility created via Government Digital Service platforms to each EROs electoral management system (EMS). This would ensure the process was secure, quicker and more efficient, creating increased capacity and resources within electoral services. It would also support the UK Government proposal to renew absent vote applications every three years.

The online facility should be in addition to the paper application process being available for those who still wish to use it.

It should be recognised that a consequence of this change could be higher volumes of absent vote applications immediately before a poll as well as the risk of duplicate applications being received. To mitigate some of this risk, and for numerous reasons outlined elsewhere in this report, we believe the deadline for postal vote applications should be at least five working days earlier in the election timetable.

26 AV-01b – A full review of ordinary proxy applications and the need for attestation, the circumstances and criteria for emergency proxy applications to be expanded, and the option to replace appointed proxies

What the heading means

There is a need for a full review of ordinary proxy applications and the requirement for attestation.

There is no facility for an appointed proxy to be changed or for an emergency proxy to be appointed in the case of an elector having to attend a funeral on polling day or to go away to care for a relative who has suddenly been taken ill.

Emergency proxy applications are only available for medical, employment or Covid-19 reasons arising after the deadline for ordinary proxy applications. Covid-19 reasons are only in place for polls where the notice of election was published on or before 28 February 2022.

Why we are saying it

Permitting long-term proxies for certain reasons only makes sense when there are no restrictions for postal votes.

Covid-19 saw a change in legislation to allow for emergency proxy applications without the requirement of medical attestation and for an already appointed proxy to be changed.

While these legislative changes have been made specifically for Covid-19 there are other areas which would benefit from similar arrangements.

What we believe the next steps are

A full review of ordinary proxy applications and the need for attestation. The ability for an appointed proxy to be changed. For the circumstances and criteria for emergency proxy applications to be expanded to include other unforeseen circumstances such as an elector having to attend a funeral on polling day or having to go away to care for a relative who has suddenly been taken ill. It should also be considered as to whether emergency proxy provision could apply to electors who have not received their postal vote due to a failure by the ERO or RO.

27 AV-01c - Clarification that there is no legal requirement on Electoral Registration Officers (EROs) to check the registration status of individuals appointed as proxies

What the heading means

At present the ERO has to be satisfied that a person appointed as proxy is an elector who is, or will be, registered and entitled to vote in the type of poll they are appointed for. It should be clarified that the ERO accepts proxy appointments at face value and that there is no legal requirement to check the registration status of individuals appointed as proxies.

Why we are saying it

The law says proxies must be registered and eligible to vote in the poll for which they are acting as proxy, a point that in itself is worth consideration. Electoral Commission guidance says that EROs should check the registration status. However, we question why these checks need to be made, rather than the application being taken at face-value as elsewhere in electoral practice.

The checking of the registration status for a proxy appointed in the same local authority area is easy. Issues arise when an appointed proxy lives in a different local authority area and the ERO is required to verify their registration status with another ERO. The majority of proxy applications are received during the election timetable and as the deadline approaches, it can become more difficult to verify registration status due to capacity issues within local authorities.

What we believe the next steps are

Clarification to be given that there is no legal requirement on EROs to check the registration status of individuals appointed as proxies.

28 AV-01d – Changing the date a lost postal ballot paper can be issued to ‘when the RO is satisfied the postal ballot paper has been lost’ to give the maximum time possible for a replacement to be sent and returned

What the heading means

Electors may only apply for a replacement lost postal vote four working days before the poll under current legislation. This often gives insufficient time to send and return a postal vote pack. Changing legislation to ‘when the RO is satisfied’ would allow more time and a better service to electors.

Why we are saying it

Delaying reissue until four working days before the poll is often too late to issue a replacement ballot paper, particularly if the postal vote is being sent abroad.

What we believe the next steps are

Instead of four working days before the poll, legislation needs to change to allow for the RO being satisfied the postal ballot paper has been lost so that the replacement can be sent out sooner, giving the maximum time possible for it to arrive and be returned.

29 AV-01e - Formalising the process to cancel an issued postal ballot paper where the elector is subsequently deleted from the electoral register during an election period

What the heading means

There are no prescribed processes to allow a RO to cancel a postal vote that has been issued to an elector who is subsequently deleted from the register during an election period. This is despite section 1 of the Representation of the People Act 1983 making it clear these votes cannot be counted.

Why we are saying it

Electors are added and removed from the register during the election period. As a result, electors can legitimately be removed after their postal vote has been despatched. There are no prescribed processes to allow a RO to cancel a postal vote once issued.

What we believe the next steps are

A clearly defined procedure should be set out in legislation which deals with how to cancel an issued postal ballot paper when an elector is subsequently deleted from the electoral register during an election period.

30 AV-02 – As part of the proposals to remove the 15-year rule for overseas electors:

- **reviewing voting arrangements for overseas electors when making an application to register or renew their registration, requiring overseas electors to either:**
 - **specify suitable absent voting arrangements, or**
 - **confirm they wish to vote at their allocated polling station in the UK**

What the heading means

The UK Government proposes to remove the 15-year rule and extend the franchise for UK Parliamentary General Elections to all British citizens living overseas who have been previously registered or previously resident in the UK *The previous sentence was amended on 4 August 2021 from "The UK

The Association of Electoral Administrators



Government proposes to remove the 15-year rule for British citizens living, working, or visiting overseas” on Cabinet Office request.

This may create a significant increase in the number of overseas voter applications to register and vote in UKPGEs.

Why we are saying it

The current registration deadline for overseas electors is the same as UK residents– 12 working days before polling day. Overseas applications are more complex to process.

Those applying on the last day to register, and who request a postal vote, are sometimes left disappointed that there is insufficient time for their postal ballot paper to be sent and returned in time.

In some cases, overseas electors do not make absent voting arrangements when registering. The ERO will try to confirm if they plan to vote at their UK polling station, or whether they need to arrange an alternative option such as a UK-based proxy or proxy postal vote. Late applications mean it can be too late to put arrangements in place.

As part of proposals to remove the 15-year rule there should be a review into other forms of voting and realistic deadlines applicable to overseas electors.

What we believe the next steps are

The UK Government needs to introduce voting arrangements for overseas electors which ensures they are able to cast their vote. As part of the registration and renewal process, overseas electors should be required to specify suitable absent voting arrangements or confirm they wish to vote at their allocated polling station in the UK.

Timetables

³¹ TT-01 – Fixed Term Parliament Act - we strongly disagree with any proposals which will reduce the general election timetable

What the heading means

We strongly disagree with any proposals to reduce the UKPGE timetable. It is simply not possible to organise and deliver an election from a standing start with no lead in time in a shorter timeframe than currently allowed.

Why we are saying it

The [Joint Committee](#) has reviewed the Fixed Term Parliaments Act and, as stated in our [evidence from March 2021](#), the current 25 day timetable is only just achievable, particularly in the case of a snap election.

A minimum statutory timetable with no lead-in time does not put the citizen first. A shorter timetable would risk disenfranchising electors.

Less time would also significantly jeopardise ROs' and electoral administrators' ability to manage poll logistics, including booking of polling stations, printing ballot papers, issuing and opening postal votes, recruiting polling station, postal vote opening and verification and count staff.

Voter ID, new parliamentary boundaries and votes for all overseas UK electors are already promised ahead of the next UKPGE. These are major changes with time and cost variables that can only be estimated. There is only so much that can be done at once.

What we believe the next steps are

Rather than bolting on even more legislation to the current system, we call for a single Electoral Administration Act to be drafted taking on board all changes. A new Act should consider the practicalities of administering elections in the twenty-first century and design a timetable around the needs of electors, candidates, ROs and electoral administrators.

³² TT-02b – Standardising the legislative timetable across all UK elections, including the deadlines for nominations, registration, and absent voting

What the heading means

Election/referendum timetables should be extended, with a standardised legislative timetable applied to all UK elections/referendum.

Why we are saying it

There is an inconsistency of timetables depending on election/referendum type. This creates significant challenges with combined polls, with different dates for key statutory processes. Standardising the legislative timetable across all UK elections and referendums would make delivery less complex for candidates, agents, ROs and electoral administrators.

What we believe the next steps are

A review of all election/referendum timetables and a standardisation across all election types.

Polling

³³ PO-03 – All UK Government departments to consider which premises should legally be made available for use as a polling station and agree a consistent position

What the heading means

Part 3, Schedule 1 of the Representation of the People Act 1983 makes provision to use a room in schools and public buildings for use as a polling station.

Why we are saying it

The availability of publicly-funded premises available to ROs has greatly reduced over recent years. Legislation provides for the use of schools and public buildings as polling stations. However, there are often issues in accessing such premises.

We have produced a policy position paper on the [use of schools as polling places](#).

What we believe the next steps are

All UK Government departments need to consider which premises should be made available for use as polling stations and agree a consistent position.

If schools and public buildings are not to be used, additional funding will be needed to run elections.

The UK Government must take a joined-up-approach.

³⁴ PO-04a – Review voting arrangements to include: considering the benefits technology could bring

What the heading means

Consider whether the use of technology would bring efficiencies and/or safeguards to the electoral process.

Why we are saying it

Modern technology such as tablets in polling stations could be used to mark the electoral register as each elector votes. This would create less reliance on paper records as demonstrated at previous voter ID pilots.

What we believe the next steps are

Consideration to be given to the advantages and disadvantages of technology in the electoral process.

35 PO-04b – Hours of poll

What the heading means

The hours of poll need to be reviewed.

Why we are saying it

The hours of poll at all elections are currently 7am – 10pm allowing electors 15 hours to vote. Polling station staff are expected to work the whole 15 hours, plus time to set up and close the polling station. The length of the day and minimum wage hourly rate for poll clerks can create difficulty in recruiting sufficient and competent staff. With postal voting available on demand and significant numbers of electors choosing to vote by post, we question whether a 15-hour polling day is still required. Consideration should be given to shorter polling hours which would undoubtedly assist in the recruitment of staff.

What we believe the next steps are

A review of the hours of poll.

36 PO-04c – Consider the merits of weekend and early voting

What the heading means

Consideration should be given to weekend and early voting.

Why we are saying it

Voting arrangements at present cover polling stations being open for 15-hours on one polling day. Early voting and weekend voting could help encourage elector participation and increase voter turnout.

What we believe the next steps are

Consider the merits and practicalities of weekend and early voting.

37 PO-05 – The role of polling station tellers should be recognised in law

What the heading means

Polling station tellers need to be recognised in law.

Why we are saying it

Political parties and candidates recruit volunteers to stand outside polling stations taking and recording elector numbers from voters. Unlike agents,

tellers are not recognised in law and it is more difficult to manage their presence and activity at a polling place. ROs rely on tellers following good practice guidance. On occasion the police are called to help control telling activity.

There is also an issue with tellers not understanding the remit and restrictions of their role due to information cascaded from election agents being inadequate. Recognising the role of tellers in law should help to ensure they are more clearly aware of the parameters they should work within.

What we believe the next steps are

The roles and responsibilities of polling station tellers to be recognised and codified in law.

Verification and Count

³⁸ VC-01b – The list of those entitled to attend the count and the ability for the RO to restrict attendance where necessary

What the heading means

Consideration needs to be given to who is entitled to attend election verification and count processes.

Why we are saying it

Covid-19 created new challenges for ROs delivering elections in 2020 and into 2021. One of those challenges was around those entitled to attend verification and counts, balancing legal prescription with public health legislation and duty of care.

Those entitled to attend verification and count process include:

- the RO and staff
- candidates and one guest
- election agents
- counting agents (number based on a formula considering the number of count assistants)
- Electoral Commission representatives
- accredited observers
- any other person permitted to attend by the RO.

Consideration needs to be given to extending the ROs ability to invoke 'exceptional circumstance' provision to all those usually entitled to attend.

What we believe the next steps are

Legislation to allow an RO to restrict attendance when necessary for public health and any other specific reasons.

³⁹ **VC-01c The requirement for ROs to take reasonable steps to begin counting the votes as soon as practicable and within four hours of the close of poll at UK Parliamentary elections**

What the heading means

For UK Parliamentary election counts, there is a requirement to begin the count within four hours of the close of poll. For all other polls, the decision is at the discretion of the RO although it should be as soon as practicable.

Why we are saying it

Given the complexities of election counts and the Fixed Term Parliament Act being rescinded, we believe an arbitrary timeframe that brings with it additional risk is short-sighted.

We believe ROs should have the ability to decide when to run their counts, for all types of election, without restrictions from legislation or interference from third parties.

What we believe the next steps are

To ensure ROs are empowered to make decisions about when to run counts based on individual circumstances.

Management and Oversight

⁴¹ **MO-01 – A new Electoral Administration Act is needed that modernises processes and reflects the divergent wishes of all four UK nations**

What the heading means

It is no longer possible to navigate the myriad of legislation governing elections. Urgent action is needed to support those administering elections and electoral registration.

Why we are saying it

The time has come for a new Electoral Administration Act that reviews existing legislation and allows for future electoral changes to be incorporated easily. Any new Act requires collaboration across all four nations.

What we believe the next steps are

A new Electoral Administration Act in collaboration with all four UK nations, with necessary and effective secondary legislation for each devolved nation.

42 MO-02 A full review of all electoral funding and funding mechanisms is urgently needed

What the heading means

A full review of all electoral funding and funding mechanisms should be undertaken as a matter of urgency. This should include considering funding for the delivery of all elections and the electoral registration element of central government funding.

Why we are saying it

For years we have been asking for a funding review. Funding needs to be clear and transparent, showing funding amounts given to local authorities and ROs to administer electoral services.

We have produced a policy position paper on [electoral registration funding](#).

What we believe the next steps are

For electoral services to be fully and transparently funded.

43 MO-02b – The timescale for fees and charges allocations and guidance

What the heading means

A review of the timescale for fees and charges allocations, advances and guidance is needed.

Why we are saying it

As with any major project, budgeting is key. This can be difficult if maximum recoverable amount (MRA) allocations and guidance is not available until late into the process.

For the PCC elections in May 2021, RO Fees and Charges guidance was from 2016, with supplementary guidance and MRAs published on 9 March 2021.

At the 2019 UKPGE there was no specific RO Fees and Charges guidance. The 2017 General Election guidance was used in conjunction with supplementary guidance that was only made available the week after the poll, after costs had been incurred or committed.

What we believe the next steps are

Fees and charges allocations, advances, and guidance must be agreed ahead of each electoral event wherever possible and received as early as possible in the process - especially for scheduled polls.

44 MO-03a – Variances in the appointment of ROs need to be addressed, including introducing a clearly defined hierarchy for combined polls

What the heading means

We believe the RO for UKPGE should be the current Acting Returning Officer (ARO). We also believe there is merit in district ROs being appointed as Local Returning Officers (LROs) to administer County Council elections with a power of direction being given to County ROs.

Legislation does not recognise the role of Borough Returning Officers (BROs) at elections of the London Mayor and Assembly.

Finally, we believe there should be a legislative hierarchy for ROs at combined polls to remove existing conflicts.

Why we are saying it

At a UKPGE, depending on the constituency type, the RO can be either the Sheriff of the County or Chairman/Mayor of the District. They have the right to reserve two duties: delivery of the writ and declaration of the result.

The ARO is responsible for the administration and delivery of the election. We believe this system is outdated and the ARO should be the RO, removing the ceremonial role.

County ROs rely on appointing district ROs as Deputy Returning Officers (DROs) with no formal power of direction, which places them in a vulnerable position.

At London Mayoral and Greater London Assembly elections the legislation only makes reference to the Greater London Returning Officer (GLRO) and Constituency Returning Officers (CRO). In practical terms, the 33 BROs administer the polls in their local authority areas, but are not recognised in law, unlike LROs in PCC areas.

At combined polls, there is often confusion about who is the primary RO. When directions are issued about the conduct of a poll, it is not clear which RO's direction trumps the other if there is a conflict.

What we believe the next steps are

Variances in RO appointments must be addressed, introducing a clearly defined hierarchy for combined polls.

45 MO-04 – EROs should be given responsibility for the sub-division of UK parliamentary constituencies into polling districts, and ROs for the designation of polling places within those districts

What the heading means

The sub-division of UK parliamentary constituencies into polling districts should be the responsibility of EROs and the designation of polling places within those districts the responsibility of ROs.

Why we are saying it

Local authorities, politically elected bodies in their own rights, are responsible for the sub-division of UK parliamentary constituencies into polling districts and designating polling places for each of those districts.

We are concerned the current system allows for political motivations to influence democratic processes. As such, administrative tasks should be left to independent EROs/ROs. The current system also introduces delays for urgent changes, as was the case at the 2019 UKPGE.

We have produced a policy position paper on the [provision of polling districts and polling places](#).

What we believe the next steps are

EROs should be given responsibility for the sub-division of UK parliamentary constituencies into polling districts, and ROs for the designation of polling places within those districts.

46 MO-05 – Changes to legislation should be introduced so that in exceptional circumstances, the statutory polling district and polling places review may be extended, with EROs given powers to make changes to agreed schemes

What the heading means

Provision should be made in legislation so that a polling district and polling places review may be extended and EROs given powers to make changes to agreed schemes in exceptional circumstances.

Why we are saying it

The last UK Parliamentary polling district and polling places review had to be started and completed between 1 October 2018 and 31 January 2020,

with an unscheduled UKPGE held at the end of this timetable. There is no provision in legislation to extend the review timetable. Electoral administrators had to balance conflicting priorities of administering both the UKPGE and the polling district and polling place review, introducing unnecessary risk to both processes.

We have produced a policy position paper on the [provision of polling districts and polling places](#).

What we believe the next steps are

Introduce changes to legislation so that in exceptional circumstances the statutory polling district and polling places review may be extended, and EROs given powers to make changes to agreed schemes.

⁴⁷ MO-06 All electoral matters should come under one Government department and we encourage the UK Government, as well as those in the devolved nations, to assess its own capabilities to support electoral events. This must include contingency and succession plans to ensure the best support for everyone involved in the electoral process

What the heading means

One UK Government department should deal with all electoral matters with all governments undertaking a risk assessment of their own capabilities to support electoral events.

Why we are saying it

Electoral matters fall under three main UK government departments, the Cabinet Office, Home Office and the Ministry of Housing, Communities and Local Government. All electoral matters should come under one Government department. This would pool specialist knowledge in one department, and support the development of contingency and succession planning, and ensure consistency of approach where necessary.

What we believe the next steps are

For England and UK-wide electoral matters, all administrative processes to come under one UK Government department.

Challenge

⁴⁸ CH-02 – Within clear parameters, ROs to be able to amend obvious administrative process errors affecting the declaration of a result

The Association of Electoral Administrators



What the heading means

ROs should be able to amend an administrative error they have made within clear parameters.

Why we are saying it

While there is provision in legislation to alter the register due to clerical error up to 9pm on polling date, there are no procedures to correct a procedural or administrative error made by the RO or their staff. Where it is clear that a calculation mistake has taken place and no recounting of results is required, ROs should be able to amend the error without the need for a petition.

What we believe the next steps are

For ROs to be able to amend an administrative error.

Regulation and Expenditure

49 RE-01a – Consideration of the return, and subsequent reporting of, expenses to ROs

What the heading means

A review is needed on the return and subsequent reporting of how expenses are dealt with.

Why we are saying it

Candidates and their agents are required to submit an election expenses return and declaration to the RO after an election, even if it is uncontested. This seems unnecessary and bureaucratic, especially for parish and community council elections.

Copies of the returns are provided to the Electoral Commission. The returns are also held by the RO and made available for public inspection.

ROs are required to publish the availability for inspection of candidates' election expenses returns in local newspapers at some polls. This process needs to be modernised, with the requirement to publish in a newspaper being revoked and replaced with a new obligation to publicise their availability online.

What we believe the next steps are

Consideration of the return, and subsequent reporting of, expenses to ROs.

50 RE-01b – The introduction of online reporting and inspection mechanisms

What the heading means

The return and inspection of election expenses should be online and not in paper format.

Why we are saying it

The election expenses returns are made in paper format.

The process needs to be modernised and an online facility for the submission of candidates' election expenses returns directly to the Electoral Commission should be developed. It should include provision for both a candidate and agent to signify secure approval of the return. Such a system should also provide a means for inspecting returns, declarations and associated papers.

What we believe the next steps are

The provision of online reporting and inspection mechanisms.

51 RE-01c – Enforcement for failure to return expenses

What the heading means

Enforcement if a candidate or agent fail to return their election expenses and declaration.

Why we are saying it

It is an offence if a candidate or agent does not comply with the requirement to submit an election expenses return and declaration to the RO after an election. The Crown Prosecution Service have continually failed to prosecute cases where candidates and agents fail to comply. If the requirement to make such returns is maintained in its current or an adapted format, it should be properly enforced.

What we believe the next steps are

Enforcement for failure to return the election expenses return and declaration.

52 RE-02 – Clarification is needed around the inspection arrangements, where a request for inspection of election documentation is made within the final ten days of the inspection period

What the heading means

Clarification is needed around the inspection of documentation when the request has been received within the final ten days of the inspection period.

Why we are saying it

Following the election, the ERO will receive various election documentation which must be made available for public inspection for one year, for example the marked register of electors. The request must be made in writing and meet set conditions. The documentation must be made available for inspection within ten days of receipt of the request.

It is unclear what the correct process is when a request for inspection is made within the final ten days of the one-year retention period. Should the ERO permit access within the ten-day approval period even if that falls outside the retention period?

What we believe the next steps are

Clarification of the inspection arrangements where a request for inspection of election documentation is made within the final ten days of the inspection period.

Devolved Nations

⁵³ DN-01 - Introduce legislation to prevent the combination of polls that are legislated for by different governments, for example: PCC and Senedd, UKPGE and Local Government, and PCC and Local Government

What the heading means

Introduction of legislation by UK Government to stop the combination of polls that are legislated for by different UK Governments.

Why we are saying it

The combination of Senedd and Police and Crime Commissioner elections in Wales highlighted the complexity of running polls that are the responsibility of two separate governments. The Senedd elections are the responsibility of Welsh Government and PCC elections the responsibility of UK Government.

ROs and electoral administrators in Wales were faced with delivering polls that had different franchises, processes, and rules. The inconsistency of approach made it more difficult for ROs, electoral administrators and suppliers, as well as confusing for the electorate.

What we believe the next steps are

For polls such as PCC and Senedd elections, PCC and Local Government elections and UKPGE and Local Government elections to no longer be combined.

⁵⁴ DN-02 – Bring electoral matters under one Welsh Government division. We also encourage Welsh Government to undertake a risk assessment and skills audit of its own capabilities to support devolved electoral events and the electoral reform agenda of the Senedd

What the heading means

One Government division should deal with all devolved electoral matters with the Government undertaking a risk assessment and skills audit of its own capabilities to support electoral events and the electoral reform agenda of the Senedd.

Why we are saying it

Electoral matters in Welsh Government are currently split between different divisions. Senedd elections are primarily the responsibility of the Constitution and Justice division, while Local Government elections are the responsibility of the Local Government Democracy division. The Local Government Democracy division also have responsibility for the funding of Senedd elections.

All electoral matters should come under one Government division to enable specialist election knowledge to develop within one department. This will ensure it can best support the wider electoral community in their delivery of electoral events as well as being equipped with the expert knowledge needed to implement the electoral reform agenda of the Senedd.

What we believe the next steps are

All electoral matters to come under one Government division and for Welsh Government to undertake a risk assessment and skills audit of its own capabilities to support electoral events and future Senedd electoral reform policies.

⁵⁵ DN-03 – Recruit and/or continually develop staff to provide expertise in elections and electoral registration within Welsh Government

What the heading means

The Association of Electoral Administrators



Electoral administration is an extremely complex and difficult area to navigate. In the relatively short period Welsh Government has had devolved responsibility, officers have worked hard to increase and develop their knowledge. However, there is still work to be done.

Why we are saying it

Following the result of the Welsh devolution referendum in 2011, Welsh Government gained powers to pass laws on all Senedd and Local Government electoral matters. Given that electoral process law making powers are a recent addition, staff do not have the previous experience or expert electoral process knowledge their counterparts in the Cabinet Office have developed over decades.

Welsh Government has made concerted efforts to develop electoral knowledge through bespoke training and actively engaging with key stakeholders on the election process and planned legislation changes. We strongly encourage a continuation of this commitment to development and active engagement.

To further strengthen that support, we believe it would be beneficial to have people in post with expert election knowledge to advise ministers on such matters. For example, the late discussions in 2021 on changes to postal voting statements and the prospect of early voting for Senedd elections became a source of distraction and anxiety for ROs and electoral administrators. It then took several weeks before a decision was made to not legislate for any late change. While we fully welcomed being consulted at every stage of this process, having someone within Government with expert knowledge to foresee issues with practicality and legislative viability of Ministerial suggestions would have resolved matters sooner. This would help remove potential risks and issues for ROs and electoral administrators when planning elections.

What we believe the next steps are

The recruitment and/or a continued commitment to develop staff to enable a level of expertism in electoral matters within Welsh Government.

⁵⁶DN-04 – Develop contingency and succession plans to ensure the Welsh Government can constructively support the wider electoral community to administer electoral events and deliver the Senedd’s electoral reform agenda

What the heading means

Welsh Government should have appropriate contingency and succession plans in place to ensure it can best support the wider electoral community in their delivery of electoral events and its own electoral reform agenda.

Why we are saying it

Recent years have demonstrated that the Senedd has a clear commitment to electoral reform, extending the franchise to 16- and 17-year-olds and qualifying foreign citizens for Senedd and Local Government elections (in effect from 5 May 2022 for Local Government elections). The continued debate around prisoner voting, and discussions around early voting ahead of the 2021 Senedd elections imply there is likely to be an ongoing commitment to electoral reform in Wales.

What we believe the next steps are

Welsh Government to develop contingency and succession plans to ensure it can best support the wider electoral community in their delivery of electoral events and its own electoral reform agenda.

57 DN-04e – Ensure timely and accurate legislation and guidance in both Welsh and English

What the heading means

Legislation for all electoral events should be in place at least six months prior to polling day. Where legislation is introduced, it should be accurate, and the impact and intention of the legislation fully understood to prevent the need for further modifying legislation. All guidance and template documents provided to support electoral events should be timely and accurate in English and, where appropriate, in Welsh.

Why we are saying it

The lead up to the 2021 Senedd elections saw several pieces of legislation passed in the six months preceding polling day. While it is understandable late legislation was needed to contend with aspects of the Coronavirus pandemic, the Gould principle should be applied for future electoral events.

The Gould principle recommends that legislation should be in place at least six months before polling day as a minimum to reduce risks to the electoral process.

Legislation introduced to support the running of the 2021 Senedd elections including The Senedd Cymru (Representation of the People) (Amendment) Order 2020. The Wales Elections (Coronavirus) Act 2021 required further legislation to be passed in the form of The Senedd Cymru

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(Representation of the People) (Amendment) Order 2021 to correct inaccuracies and unintended changes the original legislation introduced.

For example, The Senedd Cymru (Representation of the People) (Amendment) Order 2020 introduced a home address form for Senedd elections. However, the prescribed form only allowed for the name of a Senedd Cymru constituency to be inserted despite there being no requirement for a candidate to be resident in Wales. This was corrected by Part 3 of The Senedd Cymru (Representation of the People) (Amendment) Order 2021 which provided for the form to be amended to include a UK Parliamentary constituency. The legislation to amend the error was not in force until 18 March 2021, just days prior to the Notice of Election being published on 22 March 2021. Such a late correction leaves the Electoral Commission with minimal time to correct their form templates, and delayed administrators making nomination packs available to prospective candidates.

Another example relates to changes made by the Wales Elections (Coronavirus) Act 2021 to the time nominations can be delivered for Senedd Elections. While it successfully extended the time that nominations could be delivered to 9am to 5pm, it also unintentionally extended the deadline for nominations to 5pm on day -19. It was never the intention or understanding of those consulted that the deadline for nominations would change from 4pm to 5pm, particularly when no corresponding changes were made to the withdrawal deadline and election agent appointment deadline. This was corrected by Part 2 of The Senedd Cymru (Representation of the People) (Amendment) Order 2021 which reverted the deadline for nominations back to 4pm on day -19. As with the other example this was not in force until 18 March 2021. Many ROs had already held candidate and agent briefings prior to this on the understanding that the deadline was 5pm and the subsequent change led to confusion and additional work on the part of ROs and electoral administrators to ensure all candidates were aware that the deadline had reverted to 4pm.

The lateness of legislation has a direct impact on the ability of the Electoral Commission to provide updates to their guidance. While updates to guidance and supporting materials was as timely as legislation allowed, a few inaccuracies were reported that seemed to specifically relate to Wales. For example:

- combined Senedd and Police and Crime Commissioner timetable published on 23 February 2021 showing the deadline for PCC nominations as 5pm not 4pm.
- combined Senedd and Police and Crime Commissioner timetable currently available on the Electoral Commissions website is still inaccurate with one column showing the deadline for Senedd nominations as 5pm
- polling station handbook for combined Senedd and Police and Crime Commissioner elections stating that qualifying foreign citizens ('M' marker) could vote at both Senedd and Local Government elections
- Welsh version of polling station handbook showing out of date versions of observer badges
- regional template notice for listing party list candidates and individual candidates contesting the regional election had an error in the Welsh version. Where 'Name of Candidate' should be it actually stated, 'Withdrawal of Nomination of Individual Regional Candidate'.

What we believe the next steps are

Legislation for all electoral events to be in place at least six months prior to polling day with no amendments required to correct inaccuracies or unintended consequences. Guidance and supporting documents from the Electoral Commission to be timely and accurate in English and, where appropriate, in Welsh.

58 DN-06 – Establish a clear communication protocol for relaying changes related to legislation, processes and guidance in Wales

What the heading means

The creation of a communication protocol to be adopted by both Welsh Government and the Electoral Commission to ensure all key stakeholders are directly informed of changes to legislation, process and where corrections or alterations have been made to existing guidance and document templates.

Why we are saying it

In the months preceding the Senedd and PCC elections there were numerous established and newly established groups to support the delivery of electoral events in Wales. Membership commonly consisted of the five Regional Returning Officers (RROs), Welsh Government and the Electoral Commission. There appeared to be an expectation within Welsh Government that RROs were to cascade information to their regions.

While information was cascaded to varying degrees, we believe it is the responsibility of Welsh Government to ensure information is directly provided by them to all ROs, as well as key stakeholders in the electoral process. This should include at least one electoral administrator in each local authority. There were numerous occasions where electoral administrators were not aware or in receipt of timely communications on decisions or changes, as no direct communication was sent from Welsh Government.

We also received correspondence from AEA members in Wales over concerns related to errors or omissions they had informed the Wales Office or the Electoral Commission which were subsequently corrected, but no communication sent to other electoral administrators to alert them to the changes. For example, the error previously referenced on the regional template notice was flagged by an electoral administrator and corrected by the Electoral Commission. We were subsequently advised that notification of the correction was sent to only one RRO, who we do not believe was asked to cascade it. As a result, the wrong template notice may have been used.

What we believe the next steps are

As it is not always made clear who information has been sent to, a communications protocol should be developed and adopted by both Welsh Government and the Electoral Commission that includes an agreed list of key stakeholders and responsibilities. This should include ROs and at least one electoral administrator from each local authority who are directly informed of any changes to legislation, process and/or guidance for elections or electoral registration in Wales.

59 DN-07 – Consider establishing an Electoral Management Board for Wales - utilising the Electoral Management Board in Scotland as a proven model - to provide support and development for the high number of recently appointed ROs in Wales. The Board should look to utilise the expertise of electoral administrators more extensively to inform the decision-making process

What the heading means

The EMB in Scotland is seen as a huge support to our Scottish members. We believe Wales would benefit from an EMB to coordinate the planning of electoral events, activity, electoral modernisation and reform.

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An EMB would also provide appropriate support, training and development for the large number of newly appointed ROs in Wales who have limited electoral knowledge and experience.

Further consideration should also be given to the inclusion of electoral administrators within the decision-making process in Wales to benefit from their expertise and practical knowledge.

Why we are saying it

The Wales Electoral Co-ordination Board (WECB) was created in 2017 to fulfil a key role in coordinating the planning of all Wales electoral events, activity and electoral modernisation and reform.

Its membership consists of five senior returning officers, the chair of the Welsh Language Advisory Group and the chair and vice chair (or nominated representative) of the AEA Wales Branch. The group is advised by the Electoral Commission, Welsh Government, Assembly Commission, UK Government, Wales Office and Cabinet Office. The group meets at least twice a year with the Electoral Commission acting as secretariat.

The group has been moderately effective in providing co-ordination of some aspects of the electoral process in Wales. However, without adequate support and funding it is somewhat limited in how far reaching and effective a role it can play.

The EMB in Scotland in contrast has been extremely effective with regularly monthly meetings and a clear forward work programme.

The EMB's success in planning and co-ordinating electoral events has also removed the need for the continual creation of groups to support various aspects of the electoral process. The use of a sole group which meets monthly would provide clarity, structure, accountability and potentially lead to more timely decision making.

In addition, it should be acknowledged that over the past five years in Wales there have been several new ROs. This has resulted in most councils having a RO with limited experience and knowledge of the electoral process. This will be further compounded with the imminent retirement of two more ROs including the current chair of the WECB.

While there is a mentoring scheme which was established by the WECB, it is hindered in its effectiveness with 19 out of 22 ROs only having been in post for a short period of time.

Consideration should be given to ensure there is appropriate support, training, and development for ROs in Wales. This will ensure those

appointed to roles on the existing electoral co-ordination board, and any future board, have the appropriate knowledge to make decisions, as well as assist them in their local authority role.

In addition, the WECB currently only has two electoral administrators as members. Given what has been highlighted regarding the inexperience of ROs in Wales, it would be beneficial to include, as a minimum, the five regional AEA chairs to allow for their expertise and practical knowledge of elections to be at the forefront of decision making in Wales.

What we believe the next steps are

Welsh Government to consider the creation of an effective electoral management board for Wales (based on the model utilised by the EMB in Scotland) to co-ordinate the planning of all Wales electoral events, activity, electoral modernisation and reform.

For appropriate support, training and development to be provided for the large number of newly appointed ROs in Wales and the inclusion of additional electoral administrators in the decision-making process.

⁶⁰ DN-08 – A commitment between the UK and devolved Governments to work collaboratively and, wherever possible, ensure changes to the electoral process and legislation introduced by one government are adopted and incorporated by the others. This will prevent a growing divergence in practices for different electoral events

DN-09 - UK Government to provide clarification on its position on extending the franchise to 16- and 17-year-olds and qualifying foreign citizens

What the heading means

A commitment between both UK and devolved governments to work in collaboration to limit the growing divergence in practices for different electoral events. For the UK Government to provide clarification on their position on extending the franchise to 16- and 17-year-olds and qualifying foreign citizens.

Why we are saying it

The combination of Senedd and PCC elections in Wales highlighted the complexity of running polls that are the responsibility of two separate governments. The Senedd elections are the responsibility of Welsh

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Government and the PCC elections are the responsibility of UK Government.

ROs and electoral administrators in Wales were faced with delivering polls with different franchises, processes, and rules. The inconsistency of approach makes it more difficult for ROs, electoral administrators and suppliers, as well as confusing for the electorate.

A good example is the provision to appoint an emergency proxy on the grounds of Covid-19. For Senedd elections, the legislation introduced by Welsh Government only allowed an elector to apply for an emergency proxy where they became aware of the need to self-isolate after 5pm on the sixth working day prior to the election. For PCC elections, the legislation introduced by UK Government allowed an elector to apply for an emergency proxy regardless of when they became aware of their need to self-isolate. This created administrative difficulties within electoral management systems, and confused electors where the rules vary according to the poll.

Discussions about early voting and changes to the postal vote statement by Welsh Government in the lead up to the 2021 Senedd elections further highlighted the divergence in policy intention between UK and Welsh Government.

While neither measure was introduced for May 2021 elections, if discussions continue in Wales as part of a wider electoral reform agenda and are not considered by UK Government, ROs and electoral administrators in Wales face running elections for Senedd and local government that look and feel totally different to those for UKPGE and PCC polls.

The consequences of such divergence could result in a greater administrative burden to those running elections and present confusion to electors, as the election process changes from one poll to the next.

What we believe the next steps are

For UK and devolved governments to work collaboratively on electoral matters to limit, wherever possible, the growing divergence in practices for different electoral events.

For all governments to ensure changes to the electoral process and legislation being introduced by one are subsequently adopted and incorporated by the others.

For the UK Government to clarify its position on extending the franchise to 16- and 17-year-olds and qualifying foreign citizens for all elections it legislates for.