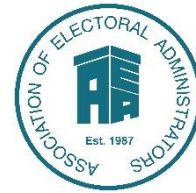


The Association of Electoral Administrators



Consultation response to the draft Electoral Commission Strategy and Policy Statement

Organisation: The Association of Electoral Administrators (AEA).

Summary of Organisation: Founded in 1987, the AEA is the professional body representing the interests of UK electoral administrators. We are a non-governmental and non-partisan body with over 2,000 members, the majority employed by local authorities to provide electoral registration and election services. Eleven branches of the Association cover the United Kingdom.

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Introduction

We wish to comment on the draft 'Strategy and Policy Statement for the Electoral Commission' written and published by the Government on 22 August 2022.

Peter Stanyon, our Chief Executive, gave evidence to the Levelling Up, Housing and Communities Select Committee on 12 October 2022. This response should be considered alongside our oral evidence from that session.

The [Political Parties, Elections and Referendums Act 2000](#) (PPERA) established the Electoral Commission. It is independent of Governments and political parties. We have significant concerns the draft strategy and policy statement, being written by Government and not Parliament, impinges on the Electoral Commission's independence.

We consider this independence crucial in building public confidence in the democratic process and overseeing its integrity. It is essential the strategy and policy statement provided for in the Elections Act 2022 does not affect this independence.

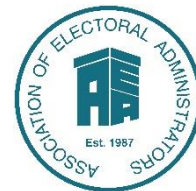
The draft strategy and policy statement

We consider the draft strategy and policy statement as written confusing and contradictory. It has all the elements of having been 'written by committee'.

We accept it is required by law. However, we question what the overall purpose of the statement is. PERA sets out the statutory duties and requirements of the Electoral Commission. The draft statement sets out certain areas as priorities. This has the potential to add confusion and, of greater concern, unnecessary external influence.

It also raises the question why some priorities are included when they are already a Commission statutory requirement. We believe some of the priorities are because of legislative deficiencies, not failings per se of the Electoral Commission. In these cases,

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the legislation needs to be improved. The onus should not be placed on the Commission.

It is our view the document, if it is to be issued, needs to be simplified. It should restate the Electoral Commission's statutory responsibilities as outlined in PPERA and other legislation. This would then make it clear what the Commission is required to do.

The document should then highlight the Government's priorities from amongst those responsibilities - those priorities should link to statutory responsibilities and the Commission's delivery plans. Transparency and deliverability are key.

We are concerned some of the priority areas identified in the draft could leave the Commission open to challenge and create loopholes. For example, paragraph 14 on digital imprints states: *...the need to avoid disproportionate sanctions against genuine mistakes where reasonable steps have been taken to comply with the new digital imprint regime.* The wording 'disproportionate sanctions' is extremely subjective.

The statement refers to fraud as a priority area. The Elections Act 2022 introduces Voter ID. There is no need for this to be given as an area of priority as Voter ID will be introduced for the May 2023 polls. The Electoral Commission can only provide guidance and advice for the volunteers on the day that work at polling stations. It cannot be held responsible if fraud takes place inside a polling station. That is a matter for the relevant Returning Officer and the police, both of which act independently of the Commission.

It is not clear from the statement how the key priorities will be measured. There is no measure of success or adherence included in the statement. It is also unclear from the statement who oversees and monitors performance. It is our opinion it should be for all stakeholders to hold the Electoral Commission to account, and not just the Government.

The Electoral Commission has limited resources. The prioritisation of areas needs to be carefully considered. The very fact prioritisation will occur will take resources away from other equally crucial areas the Commission as an independent body may consider of greater importance.

Angela Holden

Policy Manager on behalf of the AEA

2 December 2022