AEA 2023 Post Polls Review

Under pressure: increased demand on the UK electoral system

June 2023

Chief Executive's introduction

The Association of Electoral Administrators is the membership body representing the most committed and dedicated professionals in local government.

Our members deliver democracy in spite of the multitude of challenges they face before every poll. 2023 brought the biggest challenge in a generation.

The introduction of voter identification risked being the straw to break the proverbial camel's back. Thankfully it wasn't. The 4 May 2023 polls were a success from an administrative point of view.

Our members managed to deliver even though many of them thought they had run out of time to prepare. They worked tirelessly to make sure the vast majority of electors understood the new requirements and were equipped when they came to the polling station.

While the polls showed what our profession can achieve, it also highlighted the fragility of the system. New legislation was once again bolted on to processes already at risk of failure.

It is vital we look at the challenges Returning Officers (ROs), Electoral Registration Officers (EROs), electoral administrators, suppliers and other key partners have faced. Collectively we need to learn from them and make positive changes for the future. This report and its recommendations have been informed by our members' surveyed experiences.

We continue to call for the UK and devolved governments to appreciate the fragility of our electoral system. Specifically, we recommend:

1. [Commissioning an independent review of core electoral delivery processes](#)

2. [Reconsidering the way elections are delivered](#)

3. [All GB governments to consider the impact legislative divergence has on the complexity of administrating democracy and electors' engagement with the electoral process](#)

4. [For the UK Government to critically assess the risk of electoral suppliers, including Royal Mail, printers and software companies, failing to deliver ahead of a national poll](#)

5. [For the Electoral Commission to consider how it advocates for and supports the capacity and resilience of electoral teams in local authorities, and the engagement of ROs and EROs](#)

6. [A single Electoral Administration Act to modernise core processes while reflecting the divergent approach of all four UK nations.](#)

7. [An extended 30-day electoral timetable, including for UK Parliamentary General Elections, to reduce risk and increase capacity](#)

8. [Earlier deadlines for absent voting applications to meet voters' needs, including those living overseas.](#)

9. [Absent voting arrangements fit for the 21st century, including the option to apply for an absent vote using official online platforms.](#)

10. [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.](#)

This report cannot and does not review the wider impact of the new Elections Act 2022 changes. While the system ran as legislated for, we do not yet know the full effect new regulations had on electors, potential electors and on overall attitudes to our electoral system.

We are pleased to see an interim report from the Electoral Commission shows voter confidence and satisfaction with elections remains high. Also, that the majority of voters think they were delivered safely and securely.

The Electoral Commission will publish its full report in the coming months, and Parliamentary Committees also plan to carry out reviews. The electoral community will listen and apply learning and recommendations from their findings. We are ready to do all we can to help.

Peter Stanyon

AEA Chief Executive

27 June 2023

1. Background

Elections held on 4 May 2023

1.1. Scheduled local government elections were held in England on 4 May 2023. Northern Ireland's polls took place on 18 May 2023. There were no scheduled polls in Scotland or Wales.

1.2. In England, 230 principal area local authorities held elections for 8,057 vacant seats. In addition, there were council by-elections, thousands of parish and town council seats and four local authority mayoral elections in Bedford, Leicester, Mansfield and Middlesbrough.

1.3. Scheduled local government elections can usually be planned well in advance. However, these May polls were a step into the unknown to deliver. The new voter identification requirements introduced unfamiliar voting processes and created new challenges for voters, polling station staff, candidates, election agents and electoral administrators.

2. Legislation

Elections Act 2022

2.1. The Elections Act 2022 (the Act) received Royal Assent on 28 April 2022. Changes introduced by the Act are being phased in over two years with the passing of secondary legislation.

2.2. For clarity, Elections Act provisions only apply to:

- English local government elections and referendums
- Police and Crime Commissioner elections in England and Wales
- UK Parliamentary by-elections
- UK Parliamentary general elections (from 5 October 2023)
- UK Parliamentary recall petitions.

Voter Identification

2.3.   [The Voter Identification Regulations 2022](#) and [The Voter Identification (Principal Area, Parish and Greater London Authority Elections) (Amendment) Rules 2022](#) came into force on 16 January 2023 – less than four months before polling day.

2.4.   The regulations implementing voter identification measures include:

- requiring voters to show photo ID at polling stations before a ballot paper is issued for relevant polls taking place on or after 4 May 2023

- requiring EROs to issue Voter Authority Certificates (VAC) free of charge to eligible electors who apply.

Accessibility

2.5.   Accessibility changes introduced by Section 9 of the Act were brought into force on 29 December 2022 by:

- [The Assistance with Voting for Persons with Disabilities (Amendments) Regulations 2022](#)

- [The Assistance with Voting for Persons with Disabilities (Principal Area, Parish and Greater London Authority Elections) (Amendments) Rules 2022](#)

- [The Act (Commencement No. 5 and Saving Provision) Regulations 2022](#)

2.6.   The regulations took effect for relevant elections on or after 4 May 2023 and include:

- removing the requirement for ROs to provide a Tactile Voting Device at polling stations

- requiring ROs to provide polling stations with reasonable levels of equipment to enable, or make it easier, for voters with disabilities to vote

- requiring ROs to refer to the Electoral Commission's (EC) 'Guidance for Returning Officers – [Assistance with voting for disabled voters](#)' to support them to meet these duties

- enabling anyone aged 18 or over to act as a companion to a voter with a disability, irrespective of their relationship to the voter or eligibility to vote in the poll.

Other new legislation introduced from 4 May 2023 polls

2.7. The following legislative changes were also introduced for elections on or after 4 May 2023:

- The Local Elections (Principal Areas) (England and Wales) (Amendment) (England) Rules 2022 – reduced the number of nomination subscribers for principal area elections in England from ten to two

- The Elections Act 2022 (Commencement No 3. and Saving Provision) Regulations 2022 – changed the voting system for Police and Crime Commissioner, combined authority mayoral, local authority mayoral and Mayor of London elections from Supplementary Vote to First Past the Post.

3. Elections on 4 May 2023

Elections Act Issues

3.1. It was inevitable the May 2023 polls would be challenging. The Act introduced significant changes to the voting process for both voters and electoral administrators. The challenges in delivering these changes were markedly intensified due to late legislation and guidance, plus additional issues as outlined below.

Late legislation

3.2. Across the electoral sector, it is generally agreed legislation should be in place at least six months before it comes into effect to reduce risks to the electoral process. This is based on support for the 'Gould principle' presented in the independent review of the 2007 Scottish Parliamentary and local government elections.

3.3. Parliamentary scrutiny of the Elections Bill delayed the passing of the Act, contributing to secondary legislation being made less than six months before polling day.

3.4. Accessibility legislation came into force on 29 December 2022. Voter identification regulations came into force on 16 January 2023, less than four months before polling day.

3.5. These short timescales created significant challenges for those delivering the elections and detrimentally impacted EROs' and ROs' ability to prepare.

3.6. While headline information for the new requirements was known, the electoral sector did not know the fine details and exactly what they were expected to deliver until the start of 2023.

3.7. The lateness of the legislation directly impacted the EC's ability to provide key guidance, with RO guidance not available until 8 February 2023. This included accessibility guidance, which ROs were under a statutory duty to take into account and implement.

3.8. The combination of late legislation and late guidance meant training for EROs, ROs and electoral administrators was also held later than we would like to have seen. As a result, they were inevitably focused on understanding and implementing new legislative requirements at a time when they would usually be concentrating solely on delivering the election.

Electoral Registration Officer portal

3.9. To support new voter identification requirements, the Department for Levelling Up, Housing and Communities (DLUHC) developed a portal for Electoral Registration Officers (ERO Portal).

Voter Authority Certificates

3.10. On 16 January 2023, the UK Government launched a website for electors to apply for a free VAC if they did not hold suitable photo ID to vote in a polling station.

3.11. EROs process VAC applications for their area using the UK Government ERO portal. VACs are then dispatched centrally within an agreed service standard from a UK Government procured printer.

3.12. While the portal allowed EROs to process applications from 16 January, much of the necessary processing functionality was not ready at launch. EROs had to employ manual processes and workarounds to meet legal requirements.

3.13. While updates and improvements were made to the portal between January and April 2023, many functions were still not available by the deadline to apply for a VAC for 4 May polls.

3.14. Updates were not without issue. Functionality did not always appear to have been adequately prioritised and various bugs impacted EROs' ability to process applications. The last update before the poll was 12 April, less than two weeks before the deadline to submit VAC applications.

3.15. That update was flawed, and effectively made the system inoperable at a crucial stage. The situation was not resolved until the following morning. EROs faced having to catch-up, as well needing to update internal instructions and work processes. An early cut-off point is needed for any non-urgent system updates ahead of future electoral events.

VAC application volumes

3.16. The VAC application deadline is 17:00 six working days before the poll. This fell at 17:00 on Tuesday 25 April for 4 May polls:

- 89,502 applications were received across Great Britain between go-live on 16 January and the 25 April deadline.

- 4,364 were made online on deadline day.

3.17. The EC voter ID publicity campaign – 'Note to self' – ran from 9 January until polling day, raising awareness of the need to bring photo ID to vote in a polling station. Independent research showed public awareness of the need for photo ID increased from 22% in December 2022 to 87% in the weeks before poll.[1]

3.18. Many local authorities used EC material as well as running their own area-specific publicity and communication campaigns.

3.19. Poll cards dispatched at the end of March were redesigned to inform electors about the types of photo ID that would now be required to vote in a polling station.

Anonymous Elector's Document

3.20. Anonymous electors are not able to use photo ID in a polling station because the electoral register does not show their names. EROs must therefore produce an anonymous elector's document (AED) using the ERO portal.

3.21. As part of the new provisions rollout, EROs were legally obliged to notify all existing anonymous electors of the new requirement in the period 16 January to 16 March 2023. However, EROs could not process applications within the ERO portal until functionality was finally made available at 15.00 on 30 March – 21 working days before the poll.

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[1] https://www.electoralcommission.org.uk/media-centre/post-poll-statement-may-2023

Temporary VACs

3.22. The conditions under which EROs can issue a Temporary VAC (TVAC) are restricted and based on variables beyond an ERO's control.

3.23. Unlike VACs, TVACs are printed and issued locally. A TVAC can only be given to an elector whose VAC has:

- not arrived by post, AND

- has been printed by the UK Government contracted printer **after** 5pm six working days before the poll **and before** 5pm on polling day.

3.24. An elector who applies for a VAC in good time, and which is printed before the deadline, is not eligible for a TVAC. The only option available in these circumstances is an emergency proxy.

3.25. While it is possible to centrally re-print VACs determined by the ERO in the past 28 working days, this does not provide a solution for applications determined before this, or in the days immediately before a poll when a re-printed VAC may not arrive in time.

3.26. Basing the dependency on whether a TVAC can be issued on the time a VAC is printed is problematic. The ERO has no control over printing. The service level agreement between the UK Government and its contracted printer stipulates VACs will be printed one to two working days after being submitted by the ERO. The ERO portal print status does not update in real-time, but shortly after the VAC has been dispatched.

3.27. Legislative amendments are needed to introduce consistency and provide firm deadlines, particularly as the existing situation is likely to be seen as illogical to an elector who has applied for their VAC in good time.

Postal vote application volumes

3.28. Some political parties at local levels encouraged electors to apply for a postal vote to avoid needing to show ID in the polling station.

3.29. This contributed to a measurable increase in postal vote applications received shortly before the deadline in some areas. Late applications take time to manually process, especially if additional verification is required. They are also more labour intensive to print and post out at the busiest point of the election timetable. This can reduce the time electors have to receive and return their vote, which can be further compounded by supplier issues.

Greeters and Voter Identification Evaluation Form data

3.30. ROs in some areas, and for some polling stations, appointed 'greeters' to meet electors as they arrived. Their job was to welcome electors and ask if they had an accepted form of photo ID with them. This was done to avoid them queuing for a ballot paper and then being turned away if they didn't. Other ROs used posters or pop-up banners to communicate the requirements.

3.31. In the lead-up to polling day, some media outlets ran stories suggesting that greeters were being used to suppress data on those turned away. This was untrue and unhelpful and led some ROs to adjust plans immediately before polls opened.

3.32. A high number of Freedom of Information requests for data and other information were reported. This can be complicated as ROs are exempt from the provisions of the Freedom of Information Act 2000, but local authorities and their expenditure and activities are not.

3.33. The additional strain on electoral administrators at their busiest time cannot be underestimated. The extra burden immediately after the close of poll must also be acknowledged. Collating Voter Identification Evaluation Form (VIDEF) data for the EC and answering media enquiries was a major undertaking immediately after 4 May. This was exacerbated by confusion over data and which elements could be made public.

3.34. *Clear guidance on what can and should be published publicly, and in what format, would be helpful for everyone involved in running and reporting on elections.*

Polling stations – accessibility and private areas

3.35. ROs are required to provide a private area in each polling station to check voter ID if an elector requests it. Funding was made available to provide privacy screens for polling stations without a suitable physical space.

3.36. In addition, ROs must have regard to EC guidance on assisting voters with disabilities in polling stations. This makes clear that ROs should not reduce or remove any equipment they have previously provided. The guidance also lists minimum standards of provision.

3.37. Many examples of good practice are emerging, and it is vital these are captured and shared to drive continuous improvement. However, many possible options to increase the accessibility of polls are hampered by the short election timetable. For example, some ROs reported struggling to produce requested braille notices in the limited time available.

Polling station paperwork

3.38. Additional polling station forms were introduced for 4 May: the Ballot Paper Refusal List (BPRL), VIDEF and VIDEF notes sheet.

3.39. Between them, these documents record the details of electors refused a ballot paper and the reason why. They also record if an elector subsequently returned and was given a ballot paper. Additional information captured includes the number of VACs used and the number of times electors requested an identity check to be carried out in private.

3.40. These new forms have been added to an already significant amount of documentation Presiding Officers (POs) are required to fill out and return.

3.41. Responding to member concerns about polling station staff potentially finding the forms too complicated, we produced annotated versions of all three for members to use and share with polling station staff.

3.42. Many of our members reported POs feeling overwhelmed by paperwork and the time it takes to complete throughout polling day and at the close of poll.

3.43. While understanding the desire for statistical information, we feel PO duties need to be reviewed to better appreciate the scale of the role.

3.44. Like the EC in their interim analysis of voter ID at the May 2023 elections, we also believe improved form design would help polling station staff better understand and complete them.

Acceptable forms of photo ID

3.45. The acceptable forms of photo ID for use in a polling station are prescribed by law.

3.46. On 4 May, electors presented a wide variety of identification, both with and without photos.

3.47. While documents without photos were easily refused, it was more complicated to turn down other types, such as a passport from Zimbabwe or a British format immigration document.

3.48. There are also examples of a London-centric view of travelcards. The Merseytravel Over 60s pass has similar application checks as an Oyster 60+ card, but was omitted from the list of valid ID.

3.49. Other local authority issued IDs such as taxi licences and gun licences were presented on 4 May but could not be accepted. There were also instances of police warrant cards, NHS and other emergency services photo ID being presented.

3.50. *A review of accepted identification is needed as a matter of urgency to confirm if the current list should be expanded or reduced.*

Other issues

3.51. The impact of the Elections Act was the overarching concern ahead of the May 2023 polls. In practice, most problems were caused by the many issues that have impacted our electoral system and our members for years.

Postal vote deliveries

3.52. In what is becoming a worrying trend, these polls saw too many ROs tackling postal vote delivery problems.

3.53. Several areas reported that significant numbers of electors did not receive their postal vote. This resulted in large numbers needing to be reissued, including one case where an RO had to reissue 2,300 undelivered postal votes.

3.54. The law does not allow lost or undelivered postal votes to be reissued until four working days before polling day. It also does not allow ROs to cancel a postal vote if the elector could instead attend the polling station.

3.55. This upset many electors and introduced a significant and avoidable burden for affected election teams.

3.56. Many ROs hand delivered replacement postal vote packs to electors, either waiting for it to be completed or suggesting the ballot pack be returned to a polling station.

3.57. Both organising delivery and receiving more postal votes in polling stations placed additional pressure on election teams. This situation is likely to be greatly exacerbated by Tranche 2 changes to handing in postal votes at polling stations.

3.58. It has been difficult for affected ROs to work out where the problem lies – with their printer or with Royal Mail.

3.59.   It is imperative all stakeholders work on a solution that allows better tracking of postal votes with more transparency from suppliers.

Polling station staffing

3.60.   Recruiting and retaining election staff has been challenging in recent years and we expect this to continue.

3.61.   A combination of the increasing complexity of delivering elections, a reduction in local authority resources, pay rates and COVID-19 have all contributed.

3.62.   May 2023 saw the additional factors of a bank holiday Monday on either side of the election, and HM The King's Coronation held two days after polling day.

3.63.   Elections Act requirements suggested additional staff resources were required. Some ROs recruited 'greeters', while others appointed additional Poll Clerks. Many areas needed more Polling Station Inspectors.

3.64.   The possibility electors might request a private voter ID check to only be carried out by a female member of staff also had to be considered when appointing and allocating polling station teams.

3.65.   While enough staff and sufficient reserves may have initially been recruited, high levels of dropouts meant ROs had vacancies they struggled to fill right up to, and on, polling day. This common challenge was made worse by the increasing complexity of this year's polls.

3.66.   One RO hoped to appoint 300 people to work in polling stations, but only managed to appoint 218.

3.67.   Another needed 301, and while managing to fully staff their stations, had over one third (114 people) withdraw before polling day.

Nomination Papers

3.68.   While the change to two subscribers for principal area nomination papers was well received by administrators and candidates, the nomination process remains problematic.

3.69.   Many administrators reported high numbers of nominations issues. Problems were largely focused on completion and cross referencing

of the qualifications to stand on the home address form and the consent to nomination.

3.70. There were also reports of confusion about candidates' descriptions. As a result of the nomination paper saying 'use no more than six words', some candidates tried to use descriptions that were not registered with the EC.

3.71. *A further review of nomination paper design and useability would be welcome, including looking at the experiences of online nominations in Wales.*

4. Challenges ahead

Elections Act Tranche 2

4.1. Tranche 2 of the Act will introduce further complexity and challenges. It:

- requires postal voters to reapply for a postal vote every three years, replacing current rules only requiring a signature refresh every five years

- restricts the handling of postal votes, including limiting the number of postal votes an individual can hand in at a polling station or council office, and requires returns to be recorded

- further limits the number of people someone may act as proxy for

- changes voting and candidacy arrangements for EU citizens

- allows all British citizens living overseas to register to vote and vote in UK Parliamentary elections, regardless of when they left the UK or whether they were ever registered to vote.

4.2. These changes are being introduced to a system already creaking under pressure, even before Voter ID and accessibility changes were introduced.

4.3. We have particular concerns about the volume of registration and postal vote applications likely to be received immediately before a poll, and the increasing burden and responsibilities being placed on POs.

New UK Parliamentary boundaries

4.4. The next UK Parliamentary General Election (UKPGE) is likely to be run on new constituency boundaries. This will require significant adjustments in a short period, especially for local authority areas with cross-boundaries or those taking on responsibility for additional constituencies.

UKPGE timing

4.5. The repeal of the Fixed Terms Parliament Act 2011 means the next UKPGE could be held at any time within the five-year Parliamentary term. The latest date the next UKPGE can be held is Tuesday 28 January 2025.

4.6. UKPGE planning and delivery is challenging with no date known and the possibility of a 'snap' poll. Limited notice to deliver an enormous and complex project will be complicated by new boundaries, new voting procedures, limited resources and the need to recruit and train an army of temporary staff.

4.7. It could be argued UKPGEs were administered at short notice in the past, but that was before the days of postal voting on demand, the introduction of rolling registration, and online registration capability up to 12 working days before the poll.

4.8. Pressures for the next UKPGE will be exacerbated by the introduction of Elections Act Tranche 2 measures. These include the extension of the overseas franchise and online absent vote applications alongside those introduced in May, such as VACs.

Combined UKPGE

4.9. If the next UKPGE election is held on 2 May 2024, it will be combined with scheduled Police and Crime Commissioner, local government and Greater London Authority elections. With sufficient notice, there are benefits to combined polls.

4.10. However, if a UKPGE is announced after poll cards and postal vote packs have been produced, we are concerned the industry would be overwhelmed. As an example, there would be an automatic doubling of the number of postal voting packs, leading to challenges in production, distribution and processing.

4.11. It should be noted that 2 May 2024 polls will already see some areas running up to four separate polls. This will require days of counting, and coordination across multiple local authority areas to complete all declarations.

Polling station capacity

4.12.   While no widespread major issues arose in May following the introduction of Voter ID, a UKPGE presents different challenges.

4.13.   The voting process now takes longer, with ID checked for each elector and additional paperwork to complete. In addition, postal vote handling provisions will be in place from May next year, further adding to the burden placed on POs.

4.14.   UKPGE turnout is generally significantly higher than at local elections. The EC reports local election turnout in May 2022 was 33.6%, compared to a 67% turnout for the December 2019 UKPGE.

4.15.   To avoid queues, it will be necessary for ROs to review the size of the electorate at each polling station, administrative processes, staffing numbers and roles. It is unlikely totally effective solutions will be available in every circumstance.

4.16.   While a limited number of reported issues and threats were made to polling station staff on 4 May because of voter ID requirements, we are concerned the situation could be very different at a contentious, high turnout and high profile UKPGE.

Polling place availability

4.17.   Electoral administrators continue to have difficulties finding suitable venues to use as polling stations. This is compounded by increasing resistance from schools even though they are legally obliged to make space in their premises available.

4.18.   Limited notice for the next UKPGE means polling places cannot be booked in advance. Availability cannot be guaranteed due to other bookings. Scheduled May polls allow venues to be booked six months or more in advance.

4.19.   In addition, a full review of polling districts and polling places is required in every local authority area before 31 January 2025. When the timetable for the review was introduced, there were fixed term parliaments. However, the timing now overlaps with the window a UKPGE could be called in.

Staffing

4.20. Recruitment and retention of sufficient and competent temporary elections staff is increasingly challenging. We have growing concerns for future elections.

4.21. It is becoming increasingly apparent fewer people are willing to take on evermore complex polling station roles. Tranche 2 Elections Act changes will further increase the burden on POs. Whenever someone hands in a postal vote at a polling station, they will have to complete a form, which the PO will need to monitor. This will increase polling station staff work and need to be considered when allocating staff. At the local elections in 2022, 102 councils reported an average of 617 postal votes handed in at polling stations. More can be expected at a UKPGE.

4.22. For 4 May polls, many ROs recruited volunteers from neighbouring local authorities without elections to help fill vacancies. These volunteers will not be available for 2 May 2024 polls or for a UKPGE as they will be required at their substantive authority. For example, of the 160 POs used by one RO, 37.5% were 'borrowed' from a neighbour.

Core team resources

4.23. We have previously reported on the significant turnover of electoral services staff and related loss of valuable knowledge and experience.

4.24. Vacancies continue to rise and, in some cases, Electoral Services Managers are being appointed with no previous experience or expertise.

4.25. There are also reports of reductions in local authority staff numbers due to financial pressures. The lack of sufficient capable staff, particularly in core election teams, is a huge risk and jeopardises the delivery of future polls.

4.26. While DLUHC has acknowledged resourcing challenges, we question whether their offer of contingency resourcing to help process VAC applications is appropriate. EROs and ROs need robust plans to manage a variety of workload peaks, not least a snap UKPGE. We are firmly of the opinion that rather than rely on external resource, local authorities should support EROs and ROs by building and maintaining a well-resourced team and providing wider help for short-term challenges.

Suppliers

4.27. We continue to be concerned the pressures being placed on and experienced by suppliers could put elections at risk.

4.28. The election timetable means print suppliers have to manage a huge peak in workload. We worry the industry is already close to or at capacity and are concerned new requirements, such as the likely increase in postal vote applications once electors can apply online, could jeopardise the safe delivery of elections.

4.29. Postal vote delivery issues, which may be attributable to printers or to Royal Mail, are becoming more prevalent and risk disenfranchising electors. The continued threat of Royal Mail industrial action also threatens to impact ROs' ability to deliver the service electors rightly expect.

4.30. Electoral Management Software (EMS) systems must also be constantly updated to meet new legislative requirements. Changes and updates take up capacity and have, on occasion, been released far later than is ideal and/or not worked as required.

4.31. Elections Act changes have seen many ROs move to poll card letters. These take longer to produce, and the impact could be keenly felt at a snap UKPGE.

Registration burden

4.32. Ahead of a UKPGE, many EROs already struggle to cope with the volumes of applications to register to vote and requests for absent votes. Further challenges now threaten their ability to deliver the service electors expect.

4.32.1. **Tranche 2** of the Elections Act will introduce online absent vote applications. In addition, both online and paper applications will now require identity verification against Department for Work and Pensions databases. Due to the ease of accessibility, we expect there to be an increase in applications, especially at a UKPGE. Experience from the register to vote website also suggests there will be significant numbers of applications made by electors who already have an absent vote. We are concerned about the capacity of EROs, printers and postal services to deal with increased volumes on an unchanged election timetable.

4.32.2. EROs also have to administer VAC applications. The number of **VAC applications** ahead of the May 2023 polls was lower than anticipated. Demand is likely to increase at a UKPGE as turnout is generally higher and many areas had no elections in May

2023. Processing VAC applications is an additional requirement for EROs, at a time when staff are already stretched administering other aspects of registration and the election. The greatest burden arguably comes from the amount of follow up activity required when the application is not verified, or the photograph does not meet the necessary requirements.

4.32.3. *Additional thought is needed to make sure electors are only uploading acceptable photographs. Using passport office technology in the portal would help both electors and EROs.*

4.32.4. The **ERO portal** will be used to process applications for absent votes and VACs. It is imperative functionality helps EROs rather than hinders them. There is vital development work still required for VAC applications, and the system for online absent vote requests is still being developed. The need for the front end to successfully work with back office systems is vital and must not be underestimated. We would like to see EMS suppliers and electoral administrators involved as early as possible to make sure more than just the DLUHC-determined minimum viable product is achieved. What constitutes the minimal viable product must be determined by the needs of all users.

4.32.5. Extending the **overseas elector** franchise will create an unpredictable workload. A new 'residency' test for overseas applicants who have never previously registered to vote in the UK is an unknown quantity. Checking records held by the ERO and local authority during the application process will be time consuming, even more so if additional declarations or attestations are required.

4.32.6. We expect a significant number of applications during the run up to the next UKPGE but cannot forecast volumes. Without changes made to how overseas electors cast their vote, there is a risk those voting by post will have insufficient time to cast their vote. This is a particular concern for applications received late in the timetable. Drawing from experience we are worried about the negative perception this will have on ROs and how they have conducted the poll.

4.32.7. **Registration activity ahead of a UKPGE** is not funded, except for new burdens. Given the activity is all driven because of the UKPGE, it is difficult for local authorities to find funds to pay for additional electoral registration staffing resource, especially at short notice.

Devolved nations

4.33. Tranche 2 of the Elections Act will introduce particular complexity and challenge in the devolved nations.

4.34. In Scotland and Wales, Election Act measures only apply to reserved polls. They do not extend to Scottish Parliamentary, Senedd or local government elections. This has the potential to confuse electors and administrators and bring significant challenges, including:

- requiring electors to complete two absent vote applications and EROs subsequently processing two forms per elector
- communicating that online absent vote applications do not extend to devolved polls
- running parallel postal vote refresh and postal vote reapplication processes to enable electors to maintain their postal votes for all polls
- removing the ability to send out combined postal vote packs for combined reserved and devolved polls due to postal vote handling requirements and separate verification systems
- introducing different restrictions on how many people an elector can act as a proxy for depending on whether the poll is reserved or devolved
- different communication requirements about which polls voter ID is needed for, adding complexity if reserved/devolved polls are combined
- different EMS system requirements to England for Tranche 2 measures
- different communication requirements in Wales around voting arrangements for EU citizens at PCC elections.

4.35. In addition, both Scottish and Welsh governments are considering their own electoral reform programmes for devolved polls. This potentially introduces new challenges to understand and implement.

4.36. For example, the Welsh Government is considering:

- gender quotas and new constituency boundaries for Senedd elections
- automatic registration pilots
- postal ballot paper tracking for Senedd and local government elections
- candidate/election information platforms for Senedd and local government elections.

4.37. We have particular concerns about the volume, complexity and diverging policy and practice being introduced for different polls in devolved nations over the next four years.

5. What needs to change

5.1. We are concerned EROs' and ROs' ability to successfully deliver polls is being compromised by continual and unsystematic changes to the democratic process.

5.2. Progress in addressing issues from previous polls is painfully slow. We believe the impact of aggregated risk is insufficiently recognised, and inadequately mitigated. We are concerned that only a major electoral failure will focus attention on the vulnerabilities of the system.

5.3. We call again for an urgent review of the electoral landscape. We recommend:

1. Commissioning an independent review of core electoral delivery processes

We have long argued electoral law should be simplified in line with the [Law Commission's recommendations](#) made in 2020. Since its report, significant changes have been made to electoral legislation, which have further complicated the landscape. The risk of delivery failure is growing.

There are many issues with the existing legislation and delivery framework. They have been reported on by us and the EC in previous post-election reports. There is however no apparent desire to address those issues, partly because of the pressures on Parliamentary time and the five-year cycles in which governments work. We cannot see the situation improving.

The only changes being made to the system are because of manifesto commitments, introducing 'new' measures. It is clearly for the government of the day to determine measures such as the introduction of rolling registration, postal voting on demand, individual electoral registration, canvass reform and voter ID. That should continue.

However, we believe an independent Speaker's or Royal Commission should be established. Over a period not constrained by Parliamentary timescales, it could review the mechanics of the electoral process, and make binding recommendations that benefit the safe and secure delivery of elections regardless of conflicting political perspectives.

2. Reconsidering the way elections are delivered

Current election delivery mechanisms are increasingly unsustainable.

Procuring and staffing over 40,000 polling stations that open for 15 hours has become a huge challenge.

The knowledge and ability of those working in polling stations is often lacking, unsurprising given the occasional nature of the work and increasing complexity of the task.

According to the EC, the numbers of people voting by post at UKPGEs has risen significantly since the introduction of postal voting on demand.

Year	Postal votes cast as a % of valid votes
2001	4.9%
2005	12.7%
2010	18.8%
2015	20.5%
2017	21.6%
2019	20.9%

Given the rise in postal voting and the problems finding venues and staff, a radical rethink is necessary. We would like to see consideration given to setting up larger voting hubs rather than requiring polling stations sited in every polling district.

Using technology for electoral registers and other current paper-heavy processes, as seen in the 2022 Welsh voting pilots, larger hubs could derisk the voting process and allow electors much greater flexibility around where they can vote.

3. All GB governments to consider the impact legislative divergence has on the complexity of administrating democracy and electors' engagement with the electoral process

Following the UK Government's decision to devolve electoral matters, we respect each government has the right to set the electoral agenda for their respective nation. However, before proceeding with policies, we would urge an evaluation of the risk diverging electoral processes has on electors, administrators, and electoral stakeholders. Where the risk to the electoral system and the electorate is too great, policy should be reconsidered by all governments and redesigned to limit confusion and complexity for everyone involved.

By way of example, online absent vote applications will cause a significant burden for EROs and potential confusion for electors. The UK Government should, as a matter of urgency, find parliamentary time to legislate for these provisions to extend to Scotland and Wales.

We would also urge caution should be exercised when processes are changed for only one type of poll. For example, the UK government's planned changes to commonly used names that will only apply to Parliamentary candidates. This brings confusion for electoral administrators and candidates and agents.

4. For the UK Government to critically assess the risk of electoral suppliers, including Royal Mail, printers and software companies, failing to deliver ahead of a national poll

Suppliers do a fantastic job supporting ROs and EROs. However, the unavoidable reliance on them delivering brings huge risk.

In recent years we have seen numerous issues of failure, or near failure. All of which takes a toll on ROs, EROs and electoral administrators who take the brunt of criticism, often after working hard behind the scenes to avoid or mitigate the impact of issues outside their control.

Commercial sensitivities make it very difficult to fully understand resilience and capacity, but further reassurance is needed.

Without an extension of the election timetable, many suppliers cannot increase capacity, something desperately needed to derisk the process.

While work has been done by the UK Government in the past, there has been very little positive change as a result.

Considering changes brought about by the Elections Act, the UK Government needs to assess the increased risk it has created within the system.

We also call on the UK Government to delay the introduction of online absent vote applications until after the next UKPGE. This will allow time to successfully introduce the supporting technology and assess the likely uptake, considering if it brings too great a risk ahead of a UKPGE.

As an example, 3.85 million people registered to vote once the 2019 general election was called, 660,000 on deadline day.[2] Figures provided to us by DLUHC say one third of those registering say they wish to vote by post.

At present, the paper-based nature of postal vote applications means the process is protracted and many do not return their application form.

While we support the move to make the application process easier, we do not believe print suppliers and Royal Mail could cope with a large uplift within the current system and timetable.

Using the 2019 registration application figures, it is reasonable to forecast an additional 1.3 million applications could be made online once a poll is called, with the potential for 220,000 on registration deadline day just 12 working days before the election. It is likely many of those would be made by electors who already have an absent vote. This would be confusing to electors and an unnecessary administrative burden for EROs.

ROs need to be able to deliver electors their postal vote in an acceptable timeframe. It is unfair to overpromise a level of service that we believe is currently unachievable.

5. For the Electoral Commission to consider how it advocates for and supports the capacity and resilience of electoral teams in local authorities and the engagement of ROs and EROs

Staff turnover, loss of expertise and budgetary restrictions mean many electoral services teams have reported they are struggling to cope.

The EC has a suite of performance standards used to assess ROs' and EROs' capabilities. However, we question if the EC has sufficient power to affect change where issues are identified.

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[2] https://www.electoralcommission.org.uk/sites/default/files/2020-04/UKPGE%20election%20report%202020.pdf

We feel a high level of engagement from ROs and EROs helps electoral administrators. ROs and EROs being aware of the challenges and risks is vital given the current landscape.

The EC needs sufficient resource across all nations to ensure local authorities are providing enough capacity and have robust plans in place to manage all electoral events.

Further to these points, we stand by recommendations made in our 2021 Blueprint for a Modern Electoral Landscape. We request:

6. A single Electoral Administration Act to modernise core processes while reflecting the divergent approach of all four UK nations.

Linked to our first recommendation, rather than bolting on even more legislation to the current system, we call for a single Electoral Administration Act to be drafted. 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.

7. An extended 30-day electoral timetable, including for UK Parliamentary general elections, to reduce risk and increase capacity *and*

8. Earlier deadlines for absent voting applications to meet voters' needs, including those living overseas.

Without an extension of the current 25-day UKPGE timetable, there is no opportunity to issue postal votes sooner or allow capacity to process registration applications in a well-timed way.

A longer timetable would give five much needed additional days for suppliers to produce materials and ROs to make necessary arrangements.

9. Absent voting arrangements fit for the 21st century, including the option to apply for an absent vote using official online platforms.

While it is positive work is underway to allow absent vote applications online, we believe caution is needed around the roll out.

There has been insufficient analysis of the potential impact on ROs' ability to issue postal votes. Changes to the originally proposed process will also see a greater administrative burden placed on EROs than initially expected.

Other changes we believe are needed include:

- a full review of ordinary proxy applications and the need for attestation

- the circumstances and criteria for emergency proxy applications to be expanded, with the option to replace appointed proxies

- clarification there is no legal requirement on EROs to check the registration status of individuals appointed as proxies

- changing the date a lost or undelivered postal ballot paper can be issued to 'when the RO is satisfied the postal ballot paper has been lost or undelivered' to give the maximum time possible for a replacement to be sent and returned

- formalising the process to cancel an issued postal ballot paper where the elector is subsequently deleted from the electoral register during an election period.

10. 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.

While work has taken place to review the fees and charges regime, including introducing e-forms, we believe further necessary changes include:

- introducing a mechanism for funding electoral registration where it can be demonstrated those costs were incurred directly because of a national electoral event

- ensuring fees and charges allocations and guidance is issued as early as possible, preferably before unavoidable costs are incurred

- putting legislation and funding in place for poll cards to be sent to properties with no electors registered to encourage registration before an election or referendum

- ensuring the Fees and Charges Order covers the costs of appointing reserve polling station and count staff

- processing and signing off all election claims in an improved and more efficient manner.