

**AGENDA ITEM**

**REPORT TO CABINET**

**13 JULY 2023**

**REPORT OF RETURNING OFFICER**

## **CABINET INFORMATION ITEM**

**Leader – Councillor Bob Cook**

### **ELECTORAL UPDATE**

#### **SUMMARY**

To provide feedback from the Local and Parish Elections in May 2023 and an update on the further implementation of the Elections Act 2022. The lessons learned will be taken into account as part of planning for future elections.

#### **REASONS FOR PRODUCING THIS REPORT**

To provide feedback on the May 2023 polls and outline next steps in the implementation of the Elections Act 2022.

#### **DETAIL**

##### **ELECTIONS 2023**

1. This report considers performance against the Electoral Commission (EC) performance standards for Returning Officers. It highlights what went well and any lessons learned to enable the Returning Officer to plan for future polls.
2. The Electoral Commission Returning Officer performance standards are as follows:
  - Outcome 1 – Electoral Services are robust and support the delivery of well-run elections
  - Outcome 2 – Everybody who is eligible and wants to vote is able to do so and has confidence in the voting process
  - Outcome 3 – Everybody who is eligible and wants to stand for election is able to do so and has confidence in the process
  - Outcome 4 – Everyone can have confidence that the election process is well managed and in the accuracy of the results

##### **HOW DID WE PERFORM**

3. In order to deliver a well-run election, it is imperative that there is a robust understanding of the legislative framework, and the various roles and responsibilities. In addition, the scale of the task should not be under-estimated; for the May elections:
  - 97 polling stations were booked
  - Borough Elections – 157 Nomination forms were processed (with 314 assenters)
  - Parish Elections - 120 nominations were processed (with 240 assenters)
  - 60 agents were appointed,
  - 433 staff were appointed to 965 jobs
  - Borough Elections - 48,367 postal ballot packs were issued and 30,617 were receipted, opened and processed

- Parish Elections – 10,403 postal ballot packs were issued and 5,847 were receipted, opened and processed.
  - 1,177 postal votes were returned on polling day. All had to be opened and processed for verification as soon as possible after 10pm
  - Turnout was 32.73%
4. The Elections Act 2022 came into force on 28 April 2022 and brought with it various new requirements for the May 2023 elections, including wider accessibility requirements and the need for those electors voting in the station to produce specified photographic voter ID. In addition to composing the suite of development plans required to run an election, changes to the voting process for those electors voting in a station required back-office changes to software, changes to polling station staff duties and changes to the customer interface, including new portals to process customer applications for voter ID. In addition, significant data collection requirements were introduced to support and evidence the impact of the changes.

#### *Accessibility*

5. The changes to accessibility necessitated a review of all polling stations to ensure the new requirements could be accommodated and the necessary equipment purchased.

#### *Boundary Changes*

6. In addition, the Local Government Boundary review which came into effect from May 2023 required a full polling district and places review to be undertaken to take account of the boundary changes and new polling stations were required in some instances. Polling districts had to be re-drawn to reflect the needs of both existing and future ward boundaries. This was achieved by establishing temporary polling districts for the period 1 December 2022 to 1 December 2023 which will then be merged into appropriate adjoining polling districts on publication of the Revised Register on 1 December 2023.

#### *Elections Printing*

7. As a result of concerns during the 2021 elections, a new specialist print supplier was procured for the May 2023 elections. Although, this required additional work to establish an effective working relationship, new procedures for data transfer and proofing have been seamless and communication constant and clear. The change secured successful delivery of print services. In addition, following previous candidate complaints of the poor acoustics at the count venue we contracted a new audio service which resulted in improved acoustic performance during the verification and count.

#### *Nominations*

8. Again, to support effective relations with candidates and agents, we extended the period for nominations, held multiple briefings and provided a comprehensive candidates and agents pack alongside the Electoral Commission's guidance. Regular communication was maintained throughout the statutory period.

#### *Voter ID*

9. Conscious of the potential for problems associated with voter ID in polling stations, our Cleveland Police SPOC was briefed on our approach to raising understanding of Voter ID with the electorate and how we planned to manage any complaints / public unrest during polling day. We also maintained regular contact with DLUHC regarding the on-going and evolving requirements of the voter ID system and how this would impact our service and the electorate in Stockton. All electoral staff completed the DLUHC / AEA training to support their knowledge and application of these changes.

10. Raising understanding of Voter ID during the planning period was vital to ensuring no voter was disenfranchised on polling day. A comprehensive communications plan was developed, household notification letters were sent and information was also enclosed with Council Tax bills. We also were able to develop a larger poll card with our printer, enabling the Voter ID messaging to be delivered on the card itself. Voters were aware of the Voter ID requirements as evidenced by feedback on the doorstep and from stations on polling day. This was further evidenced by the extremely low number of voters who failed to bring ID with them on polling day. 99.9% of Stockton-on-Tees electors who attended a polling station were issued with a ballot paper; 25 electors were not issued with a ballot paper which amounted to 0.1% of Stockton-on-Tees electors who applied for but were refused a ballot paper by the close of poll.

#### *Absent Voters*

11. The numbers of absent voters increased from the previous local elections in 2019 from 38,000 to 48,000. This increase is partially due to electors switching to a postal vote during COVID and the rise we experienced this year which we assume was linked to voter ID. Given the contested Parish elections, this resulted in excess of 58,000 postal vote packs being issued. Local elections saw 63% return and Parishes a 56.2% return. We also updated the postal vote opening procedure to build in further digital checks prior to packing the ballots for the verification and count. The new print supplier worked with us on improving the postal voting product. The rejection rate for absent voters failing to provide correct date of birth and signature was 2.5%, compared to 3% in 2019. All those electors who votes were rejected due their personal identifiers being incorrect will be notified and invited to update their personal identifiers.

#### *Staffing*

12. The recruitment of staff continues to prove very difficult. Corporate commitment to releasing staff for election duties is essential for the delivery of future elections. Given the widespread changes to the work in the polling stations, we used the Association of Electoral Administrators on-line training for all station staff and supplemented and reinforced this locally. Feedback from staff on the training was good and this enabled staff to feel comfortable with the new requirements they were implementing on the day.

#### *Support Services*

13. Support from other council services remains a critical element of delivering a successful election and early planning with communications, ICT, Care for Your Area and enforcement ensures successful delivery and helps services to plan their workload. These services continue to provide essential support and contribute to the smooth running of arrangements leading up to, during and after polling day.
14. Maintaining close links with all stakeholders during the election is imperative and this includes liaison with Parish clerks, suppliers, other agencies e.g. Police, candidates and agents and the electorate. Networking effectively across the sub-region, region and nationally also ensures we are proactive in our delivery of these services. This activity is built into our planning and early progression of these relationships supports the effective delivery of the election.
15. Liaison with the Police through our Single Point of Contact (SPOC) allows us to discuss security and integrity issues in a timely manner and facilitates the development of a risk assessment to identify and address potential concerns about electoral malpractice, thereby complying with EC advice. Prior to every electoral event, our Integrity Plan is reviewed and shared with our SPOC.

16. There were various allegations of electoral offences raised by candidates/ agents about the conduct of other candidates during the local election campaigns and these were referred to the SPOC for investigation. Complaints were mainly concerned with imprints, false statements in leaflets and inappropriate use of the Council address. Referrals resulted in advice being shared with candidates and agents and no matters remain outstanding.

#### *Quality Checks*

17. The overall nature of the elections process is manual with numerous elements in the process subject to human error. Therefore, all processes are actively reviewed and software and delivery methods developed to eradicate opportunity for such errors. Where this is not possible, dual control checking is in place alongside checking data from different sources.
18. Finally, successful delivery of the elections was testament to the knowledge, skills and dedication of the electoral team whose proactive engagement with the legislative changes was essential to the smooth running of the elections.

### **FORTHCOMING ELECTIONS**

19. The next scheduled elections are the Police and Crime Commissioner Elections and Tees Valley Mayoral Elections in May 2024. Stockton will again be the lead for these elections and preliminary planning work will commence shortly. In addition, the next Parliamentary Elections will need to be held by 28 January 2025. It is likely that the Parliamentary elections will be on new boundaries and in Stockton's case, constituency boundaries will be shared with Middlesbrough and Darlington.

### **ELECTIONS ACT 2022**

20. Further changes to be implemented from the Elections Act 2022 ahead of the 2024 polls and beyond are set out below.
21. Firstly, changes to the postal voting application rules are expected to be implemented by October 2023. These changes will require voters to re-apply every three years. It is estimated that 25,000 postal voters will need to renew their postal vote in January 2024 as a result of the changes. The introduction of online applications for postal votes and the requirement for a voter's identity to be checked as part of the process will also be introduced for all application methods.
22. Secondly, there will changes to the postal voting handling rules expected to be implemented by December 2023. This change will limit who can hand in a postal vote to, only the voter, family member or designated carer. Voters will not be allowed to hand in more than five postal ballot packs (in addition to their own), and there will be requirement for the postal votes to be rejected if they are not handed in in accordance with the new requirements.
23. There are also planned changes to the proxy vote rules which are expected in October 2023. This will reduce the number of people an individual can be proxy for to two people, no matter the relationship. The exception to this is anyone who is voting of behalf of UK voters who live overseas, as they can act as a proxy for up to four people. Proxy voters will also be able to apply online and will also be subject to the new requirement for an identity check to be completed (except for emergency proxies).
24. From January 2024, British citizens living overseas, will no longer have a 15-year limit on their voting rights and the registration period will change from a one-year renewal to a three-year renewal period. So, any British citizen living abroad who has previously lived in or been registered to vote in the UK, will have the right to vote at UK Parliamentary elections.

25. Finally, from June 2024 the act removes the right for some EU citizens to vote and stand as a candidate in certain elections in England and Northern Ireland. The changes apply to local elections in England and Northern Ireland, Elections to the Northern Ireland Assembly, and elections for Police and Crime Commissioner in England and Wales.

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