

Policy Committee

10 July 2023



Reading
Borough Council
Working better with you

Title	Elections 2023 – voter identification and other issues
Purpose of the report	To note the report for information
Report status	Public report
Report author	Mike Graham, Returning Officer
Lead councillor	Cllr Liz Terry, Deputy Leader, Lead Councillor for Corporate Services and Resources
Corporate priority	Thriving Communities
Recommendations	Policy Committee is requested: (1) To note the report

1. Executive summary

- 1.1. The Borough Elections in 2023 returned to their normal cycle of elections by thirds. In 2022, the all-out elections following ward boundary changes meant that the three councillors in each ward were elected for periods of between one and four years to allow for the re-introduction of elections by thirds.
- 1.2. On 4 May 2023, fifteen of our sixteen wards elected one councillor and there was a by-election in Park ward which elected two councillors. This was also the first time that electors had to produce photographic identification in order to vote at the Polling Station. This is the first in a number of changes introduced by the Elections Act 2022 which will affect forthcoming local elections, Police and Crime Commissioner elections, and UK Parliamentary elections, including by-elections. This report details some of those changes.

2. Policy context

- 2.1. The Elections Act 2022 introduced photographic identification for voters at polling stations for this election. The Electoral Commission and the Association of Electoral Administrators issued lots of guidance in the run up to the election and staff involved with elections undertook a great deal of training; receiving training for themselves and then passing this training on to the polling station staff.

3. Elections outcome

- 3.1. With retirements and other changes, we have five new councillors. These details were reported to Annual Council on 24 May 2023.
- 3.2. Generally speaking, the election proceeded smoothly and Voter ID was manageable at the Polling Stations with the training provided and the additional staff allocated to support the process. All the Polling Stations had enough staff to deploy a “meeter and greeter” who was available to remind voters of the need for identification and to help with queries about the allowable types of ID. There is some anecdotal evidence that a minority of electors confused our staff for tellers or did not wish to engage with them for another reason. I have only received one complaint since the election from an elector

who considered the approach of the “meeter and greeter” to be, in his opinion, “authoritarian”.

- 3.3. I have received some comments from polling station staff about electors who behaved rudely when asked for identification at the stations. This is only a small number of instances. We had anticipated the possibility for discontent about the new procedures and we provided Polling Station staff with resources to be able to give to electors if they wished to complain to the Secretary of State, details of the department concerned, email addresses etc. These resources were well received.
- 3.4. Some of the new systems will take time to embed themselves, I am thinking here of the processes introduced by the Electoral Commission to record the use of the new Voter Authority Certificates and the privacy facilities in the Polling Stations.
- 3.5. Turnout was slightly lower than previous years:

Year	Polling Station Turnout	Overall Turnout
2019	27.70%	33.59%
2020	No elections due to pandemic	
2021	29.37%	35.96%
2022	28.10%	34.57%
2023	25.78%	32.60%

- 3.6. In terms of outcomes, the data we have indicates that 99.7% of voters in the Polling Station were issued with a ballot paper and had one of the relevant forms of Voter ID. 270 people initially attended the polling station without the right ID, but then 197 of these returned during the day and were able to vote. This leaves 73 people (0.3%) who had not come back to the polling station by the close of poll.
- 3.7. The other area of data which is missing is the number of people who were reminded by “meeters and greeters” that photo ID was required and then returned home. The Regulations and the Electoral Commission did not mandate a return of data about the voters who went home after talking to staff outside the Polling Station. We have some anecdotal evidence that some voters did go home. The data in 3.5 above then needs to be understood in the context that some other electors may have already gone home before they reached the desk where the statistics were collated, and they did not come back. The number is unknown.
- 3.8. In addition, we also cannot determine the number of people who wished to vote, but recognised they did not have a valid form of ID and so did not go to the Polling Station.
- 3.9. The Regulations mandated that Returning Officers collect data at the Polling Stations, however this is not to be released locally as it is collated nationally by the Electoral Commission for the purposes of research. The extent of this data includes:
 - Total no. of people using a Voter Authority Certificate (including Temporary Voter Authority Certificates)
 - Total no. of people having ID checked in private
 - Total no. of people who produced ID that was not acceptable
 - Total no. of people who produced no ID (unable to produce an accepted document)
 - Total no. of people who were refused a ballot paper because their photographic ID raised reasonable doubt as to whether the elector was who they claimed to be

- Total no. of people who were refused a ballot paper because the PO reasonably suspected the document was a forgery
 - Total no. of people who were refused a ballot paper because they failed to answer the prescribed questions satisfactorily
- 3.10. For insights into these issues, we will have to await publication of the Electoral Commission research. [Interim analysis](#) was published in June 2023, and the full report will be made available in September 2023.
- 3.11. There are a number of other changes planned in elections in the next few years. Some of the draft secondary legislation is now becoming available and some further information is also available about the timescales for the implementation of changes.

Police and Crime Commissioner Elections

- 3.12. From 2024 the Police and Crime Commissioners will be elected on a “first past the post” system.

Overseas voters

- 3.13. The Elections Act 2022 also removes the 15 year limit on overseas voters. This is expected to increase the administration in Electoral Services in the run up to the next parliamentary general election. The legislation will come into effect from January 2024.
- 3.14. Overseas voters had to register in the constituency in which they were registered before leaving the UK. Registration was renewed annually for up to 15 years after leaving. The previous rule was that people who left more than 15 years ago become ineligible to register.
- 3.15. The new rules will also allow all British citizens who had previously been resident in the UK to register, not just those who were registered before they left. Other changes are designed to make the renewal process easier for overseas voters.
- 3.16. According to the House of Commons Library, until 2015 the number of overseas voters registered to vote had never risen above 35,000. An overseas voter registration campaign in the run up to the 2015 General Election and interest in the 2016 referendum on the UK’s membership of the EU saw numbers increase.
- 3.17. At the December 2019 parliamentary general election, 233,000 overseas voters were registered. This has since declined to 105,000 in December 2021 as overseas numbers tend to decline between elections.
- 3.18. The Government estimates the changes, ending the 15-year limit and allowing all British citizens previously resident to be eligible, will mean around 3.5 million British nationals living overseas would be eligible to register to vote. It is not known how many people will be affected as ex-residents of Reading, nor what demands this will place on the Electoral Services team. We can expect a rise in postal and proxy votes if overseas citizens take up their entitlements.

New parliamentary boundaries

- 3.19. The Boundary Commission for England Review public consultation has now closed and the Commission expects to send its final recommendations to Parliament by 1 July 2023. In Reading this will mean the end of the Reading East and Reading West constituencies. Three new constituencies will represent Reading residents at the next parliamentary general election:

Reading Constituency - all wards except those noted below

Earley and Woodley – Church ward and Whitley ward plus 10 others in Wokingham Borough

Mid Berks – Kentwood, Norcot, Tilehurst plus 12 others in West Berkshire District.

- 3.20. Note that this review is based on the boundaries which existed when the review was first proposed, so in effect, our old ward boundaries.

Postal Vote Applications

- 3.21. Postal voters will need to make a fresh application every three years. Currently, electors are required to refresh their signature every 5 years. The application process for absent voters will include a process for verifying identity, in a similar way to individual registration with an online portal and checks made via Dept for Work and Pensions data.

Online Postal Vote Applications

- 3.22. Electors will be able to apply for an absent vote online (as well as by paper). Both online and paper applications will include a process for verifying the applicant's identity, which will be similar to the current process for individual electoral registration applications. Absent vote applicants using the online service will continue to be required to supply their personal identifiers (date of birth and a handwritten signature) as part of a postal vote application. Users will be asked to take a picture of their signature and upload it to the online service. EROs will retain the signature (and date of birth) so that it can be used to verify completed postal voting statements that are returned with postal vote ballots. These changes will come into effect from October 2023.

Postal vote handling

- 3.23. Political parties and campaigners will be banned from handling postal votes. There will also be a limit on the number of postal votes a person can hand in at polling stations (limit will be set out in secondary legislation). When a person hands in postal votes at the polling station, they will be required to fill in a form with their details and the details of the elector on whose behalf they are handing in the postal vote. If they do not fill in the form, the votes will be rejected. If a person attempts to hand in more than the limit, they will be advised of the new rules and only allowed to hand in the limited number. If a person seeks to hand in more than the permitted number in one attempt, they will all be rejected.
- 3.24. The person handing in postal vote packs at a polling station will be required to fill in the same form whether handing in their own postal vote pack only, handing in the postal votes of other voters, or handing in both their own and others' postal vote packs. The person will indicate on the form whether they are handing in their own postal vote only or also on behalf of other voters. These changes are expected to come into effect for the May 2024 polls with regulations being made by December 2023.

EU Voting and candidacy rights changes

- 3.25. These changes are expected to come into effect into force in November 2023 but will only take effect after the scheduled elections in May 2024.
- 3.26. In England the general right of European Union citizens to register, vote, and stand in UK elections which use the local election franchise will be removed.
- 3.27. Two groups of EU citizens will retain their voting and candidacy rights:
- 'Qualifying EU citizens' – i.e. citizens of EU countries which have a reciprocal agreement with the UK Government, currently Luxembourg, Poland, Portugal and Spain (sometimes known as EU4 countries).
 - 'EU citizens with retained rights' – i.e. EU citizens from any other EU country who were already legally resident in the UK before 31/12/2020
 - These changes will not affect the rights of citizens from Ireland, Malta or Cyprus as there are already long-standing regulations in place for these countries.
- 3.28. The Council will need to identify EU citizens who should have their eligibility reviewed as part of an Eligibility Confirmation and Review (ECR) process. We will need to write

to electors that we identify as being 'Qualifying EU citizens' and 'EU citizens with retained rights', to inform them that they are eligible to remain registered and that they do not need to take any action. This process must be completed between May 2024 and 31 January 2025.

- 3.29. Changes to candidacy rights. The changes to candidacy rights for EU citizens are due to come into force from 7 May 2024. Transitional arrangements will enable EU citizens elected to office before this date to remain in office for their full term. After this date EU citizens standing as candidates will need to have been legally resident in the UK prior to 31 December 2020 (i.e., have leave to enter or remain in the UK, or do not require such leave) or be a citizen from an EU4 country (Luxembourg, Poland, Portugal and Spain) in order to be eligible to stand as a candidate.

4. Contribution to strategic aims

- 4.1. The Elections Act 2022 outlines new responsibilities on the Council to register overseas voters, introduce changes to absent voting and to introduce voter ID. These new responsibilities are being implemented at different times.
- 4.2. These changes are not strategic priorities for the Council but must be implemented nevertheless. It is in the best interests of the Council and Reading residents that they are implemented as efficiently and effectively as possible. Where additional resources are required over and above new burdens funding, then I will apply for the justification led bids funding as appropriate.

5. Environmental and climate implications

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. There are no climate impacts arising from this report.

6. Community engagement

- 6.1. A great deal of publicity was necessary to alert residents to the changes in Voter ID. I am grateful to colleagues in the Communications Team for the work they did in support of this election. In addition, we relied upon the national advertising promoted by the Electoral Commission (radio, television, billboards etc).
- 6.2. I am grateful to the project undertaken by No5 counselling which engaged young people in Reading making resources for social media to highlight the need to register to vote and get photo ID in time for the Election.
- 6.3. We will review how effective our engagement was to learn what can be improved for the next election. I am mindful that the impact of Voter ID at a UK Parliamentary General Election will be more significant. We are working with voluntary organisations to gather their feedback about the impact of Voter ID. Whilst I recognise that this will only produce anecdotal data, it may provide valuable clues in order for us to consider what extra work we need to do to engage with particular communities in Reading who were affected by the changes.

7. Equality impact assessment

- 7.1. In advance of the election, we worked with the voluntary sector to promote the changes on photo ID. The Council has submitted data to the Electoral Commission about the effects of photo ID in the polling stations on 4 May. We will review the outcomes of Electoral Commission research to identify whether further work is needed to ensure everyone who is eligible to vote and wants to vote in a polling station can do so. We will also consider what further steps we can take with our partners to assist communities who are finding the changes difficult to navigate.

8. Other relevant considerations

8.1. There will be a review of Polling Stations in the Autumn in readiness for the next UK Parliamentary General Election.

9. Legal implications

9.1. Covered in the main body of the report.

10. Financial implications

10.1. The Government provided additional resources (£44,624) to the Council to introduce Voter ID. This was new burdens funding. This funding was spent on:

- Promotional materials and publicity
- Training for staff
- Additional staffing for Polling Stations.

10.2. Over the summer I will be reviewing our allocations of Polling Station staff in light of the experiences at this election, and in light of the additional funding to ensure the right level of cover for next year's combined election (Borough and Police and Crime Commissioner) and the forthcoming parliamentary general election.

10.3. The further changes are likely to impact:

- Core/temporary electoral services staff
- Canvass staff
- Front line call centre staff
- Reception staff at key council buildings
- Communications colleagues
- Polling station staff

I will keep the implications under review to report back to Committee where appropriate.

11. Timetable for implementation

11.1. Further changes from the Elections Act and the Boundary Review will be introduced by secondary legislation. Some of the timings have been indicated in this report, further details will be released during the course of this year.

12. Background papers

12.1. There are none.