

**Consultation response form**

**Consultation on Electoral Reform**

Please return this form to reach the Welsh Government no later than 10 October 2017

If you have any questions, please email:

RLGProgramme@wales.gsi.gov.uk

<b>Consultation on Electoral Reform</b>	
<b>Date</b>	29 September 2017
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**Consultation questions**

**Q1 – Do you agree that the qualifying age for voting in Welsh local government elections should be lowered to 16?**

Comments:

Yes. This Council fully supports the proposal to lower the voting age to 16. It is our contention that such a change could help to spark greater engagement in the democratic process and give younger voters their chance to have their views heard and acknowledged.

In terms of the implementation of the franchise change we would simply urge Welsh Government to ensure that any transition arrangements are properly managed and adequately publicised while ensuring Electoral Registration

Officers are also given appropriate notice to enable a smooth implementation to update and collate elector details for inclusion in the Electoral Register.

**Q2 – Should EU citizens who move to Wales once the UK has left the EU continue to acquire the right to vote?**

Comments:

Yes. It is this Council's view that European Union citizens who have moved and settled in Wales should have the right to vote once the UK leaves the EU. Furthermore, this Council believes that both the UK and Welsh Government's should work together to ensure this franchise transition occurs swiftly and smoothly.

**Q3 – Should voting rights be extended to all legal residents in Wales, irrespective of their nationality or citizenry?**

Comments:

Yes. Following on from our previous response (Question 2) it is this Council's contention that all citizens who reside in Wales (for a statutory minimum period of time) whatever their nationality or citizenry should be entitled to participate and engage with the electoral process as of right.

**Q4 – EU and Commonwealth citizens can stand for election to local government in Wales, Should this continue and be extended to all nationalities made eligible to vote?**

Comments:

Yes. Once again this Council feels that all citizens who reside in Wales (for a statutory minimum period of time) should be able to stand for election as a candidate and have the opportunity to participate in the electoral process.

**Q5 – Should Electoral Registration Officers have a greater range of sources available to them to assist citizens to be added to the register?**

Comments:

Yes. This Council believes that Electoral Registration Officers (EROs) should have full access to any records that will assist them in their duty to maintain a complete and accurate electoral register. This Council therefore supports any measures that, after full and proper evaluation, enhance public confidence in electoral systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process.

It is this Council's firm belief that EROs should have access to much wider data sets including public utility services data or records such as electricity, gas and water, DVLA, UCAS or NHS Cymru records, and not just local authority data as at present.

**Q6 – Which data sources do you think should be used by Electoral Registration Officers?**

Comments:  
See Question 5.

**Q7 – Should a wider range of local authority staff be empowered to assist citizens to obtain registration through access to the local government register and have the ability to amend it?**

Comments:  
No. The Electoral Registration Officer is responsible for the maintenance of the register of electors and has a duty to maintain a complete and accurate electoral register. However, information and data should be shared by local authority staff with the ERO when they are informed of a change so that the ERO and their staff can act on the new information to ensure the register of electors is as accurate and up to date as possible at all times.

The Electoral Registration Officer is independent of the local authority. Although the appointed individual will also be employed as an officer of the council, they are required to undertake their electoral registration duties and responsibilities in accordance with the law, even where this may conflict with other local authority responsibilities.

**Q8 – What controls should be put in place to ensure the Electoral Registration Officer maintains overall control of the register?**

Comments:  
See Question 7. The maintenance of the electoral register is the sole responsibility of the Electoral Registration Officer who is independent of the local authority. Local authority staff should not be empowered to have the ability to amend the electoral register unless they are a member of the electoral services team.

**Q9 – Should the individual registration rules be relaxed to allow for block registrations in certain circumstances, protecting the right to vote for populations otherwise at risk of exclusion?**

Comments:  
Yes. Relaxing the rules to allow for block registration of electors would significantly help to reduce the levels of under-registered groups such as students and elderly electors living in residential homes. This should be implemented as soon as practicable.

**Q10 – Should we place a duty on Electoral Registration Officers to consider whether any individual groups within their electoral area should be specifically targeted in registration campaigns?**

Comments:

Currently Electoral Registration Officers already have a statutory responsibility to maintain a complete and accurate electoral register and also work towards the Electoral Commission performance standards.

**Q11 – Should we introduce arrangements so that agencies who are aware of people moving have a duty to inform the Electoral Registration Officers?**

Comments:

Yes, including those agencies outlined in Question 5.

**Q12 – What are your views on the development of a single electronic register for Wales?**

Comments:

It is a matter for the UK Government to determine whether a national electronic electoral register would be appropriate. However, introducing such a system (subject to rigorous user testing and an appropriate gate-keeper agency) would offer significant benefits to the current electoral service.

**Q13 – Do you agree that individual principal councils should be able to choose their voting system?**

Comments:

It is a matter for the UK and Welsh Governments to determine the franchise, Nevertheless, this Council believes that such a change could lead to significant confusion if neighbouring local authorities choose to utilise different voting systems for elections held on the same day.

This would also inevitably lead to mixed messages across the whole of Wales with different media campaign messaging and would not seem to give due consideration to the needs of the voter which should be paramount.

**Q14 – Do you agree that a constitutional change such as this should be subject to a two-thirds majority?**

Comments:

It is a matter for the UK and Welsh Governments to make this determination. This Council maintains a neutral stance on the issue.

**Q15 – Do you agree that the term of local government in Wales should be set at five years?**

Comments:

Yes. Fixing the Local Government term of office at five years would be consistent with other democratic bodies and would reduce the potential for combined elections where one electoral event is overshadowed by another.

**Q16 – Do you agree in principle with the desirability of reforming the voting system to encourage greater participation?**

Comments:

Yes. This Council supports measures that, after full and proper evaluation, enhance public confidence in electoral systems, are deliverable and do not add unnecessary bureaucracy, cost and risk into the process.

**Q17 – Are there other initiatives not covered below which might be taken to enable greater participation in elections in Wales?**

Comments:

No.

**Q18 – Should councils be able to choose to use all-postal voting at council elections?**

Comments:

Yes. In relation local government by-elections providing Returning Officers with the ability to run an 'all-postal' poll would offer administrative efficiencies although it is unlikely that cost savings would be incurred due to increased postage. In addition, to implement such a proposal it would be inevitable that the current requirement for checking personal identifies would need to be scrapped. This in turn could lead to an increase in electoral fraud.

**Q19 – Should it be subject to pilot exercises first?**

Comments:

Yes.

**Q20 – Should councils be able to operate all-postal voting in an individual ward or a number of wards within a council area?**

Comments:

No. allowing all-postal voting to operate in some wards and not others would lead to confusion and inconsistency of approach for voters which should be avoided.

**Q21 – Should electronic voting be enabled at local elections?**

Comments:

No. This Council supports the view that the use of IT for electronic voting purposes should only ever be considered when the systems can be shown to unequivocally deliver safe and secure results cost effectively as well as offering clear improvements on current paper based systems that demonstrate full public confidence.

**Q22 – Should remote voting be enabled at local elections?**

Comments:

See Question 21.

**Q23 – Should electronic counting be introduced for local elections in Wales?**

Comments:

See Question 21.

**Q24 – Should mobile polling stations be enabled at local elections?**

Comments:

It is a matter for the UK and Welsh Governments to determine how people vote. However, this Council would wish to see the proposal piloted, and a full and independent evaluation be undertaken before any permanent legislative change is made.

**Q25 – Should we enable returning officers to make use of polling places in addition to fixed polling stations?**

Comments:

See Question 24. In addition, the location to be used as a polling place should be accessible, suitable for all eligible electors and be appropriate for them to cast their votes in secret.

**Q26 – Should we enable local elections to be held on more than one day and on days other than a Thursday?**

Comments:

It is this Council's view that polling day should remain a weekday due to the significant challenges and difficulties in holding polls during the weekend.

Such challenges include:-

Resources – increase costs for staff and venue hire

Venues – Availability of Polling Stations (particularly community and sports facilities)

Staff – Availability of sufficient polling station, count and ICT staff.

As an alternative to weekend voting, in some democracies, polling on a working day has been converted to a public holiday. Furthermore, if polling was held over several days this would also increase costs.

**Q27 – Should consideration be given to simplifying postal voting procedures and literature?**

Comments:

This Council supports a review of the current postal voting process and particular the design and bilingual wording of the postal voting pack itself. However, any changes should not jeopardise the integrity of postal voting and would need to be piloted and fully evaluated before any permanent change was made.

**Q28 - How do you think the process could be simplified?**

Comments:

By simplifying the prescribed design, wording and graphics utilised on the Postal Voting product itself.

**Q29 – Should electors attending a polling station be required to produce ID before they are allowed to vote? If so, what types of identification should be accepted?**

Comments:

No. The current UK democratic system has a long established tradition of being based on good faith and trust with the electorate and there is currently no evidence to suggest that public confidence in the current arrangements has reduced. However, this Council supports any measure that enhance the integrity of the electoral process.

**Q30 – Do the advantages of requiring ID outweigh the risk of deterring voters?**

Comments:

UK Government are currently carrying out pilot projects in this area which should provide an evidence based answer to this question, once they are concluded in May 2018.

**Q31 – Do you agree that it should no longer be necessary to publish a candidate's home address in election literature, including anything published electronically?**

Comments:

Yes. Candidates and agents should continue to provide their full home address details to the Returning Officer, but for reasons of personal security they should not have to have these details published if they so wish.

**Q32 – Do you agree that each candidate should be required to provide a personal statement for inclusion on a website provided by the authority to whom they are seeking election?**

Comments:

There are benefits to allowing local candidates to publish a personal statement. However, it is this Council's firm belief that similar to the arrangements currently in place for the Police and Crime Commissioner elections that any such website should be managed by Welsh Government directly.

Requiring Returning Officers to take responsibility for reviewing and publishing what could be several hundred personal statements (In both English and Welsh) would place a significant extra burden on electoral service staff during the candidate nomination processing period where huge pressures are already evident.

**Q33 – Do you agree that it should not be permissible to serve both as an Assembly Member and councillor?**

Comments:

Yes. It is this Council's view that individuals should not be entitled to serve as both an Assembly Member and councillor at the same time.

**Q34 – Do you agree that candidates should be required to disclose a party affiliation if they have one?**

Comments:

Yes. It is this Council's view that candidates should be required to disclose a party affiliation if they have one.

**Q35 – What sort of evidence should be required to suggest there is an undisclosed party affiliation?**

Comments:

This Council has no specific suggestions but would simply request that the current process of candidate nomination should not be made any more complex than it already is.

**Q36 – Should any council staff below senior level be able to stand for election to their own authority?**

Comments:

No. It is this Council's view that council staff below senior level should not be able to stand for election to their own authority. One of the recurring governance issues for local government is the division of responsibility/accountability between officers and Members and we strongly oppose any proposal which further complicates this issue.



**Q37– Is there still justification for councils to keep a list of those other than senior officers who should be politically restricted?**

Comments:

It is a matter for the UK and Welsh Governments to make this determination. This Council maintains a neutral stance on the issue.

**Q38 – Do you agree that the statutory chief executive role should include that of returning officer?**

Comments:

This Council maintains the view that any model introduced needs to consider and respect the independence of EROs and ROs from local authority structures. In both instances, the responsibilities, duties and liabilities are personal to the officers appointed, not to the local authorities.

**Q39 – Do you agree that any addition to salary in recognition of returning officer duties should be a matter for the local authority to determine?**

Comments:

It is a matter for the UK and Welsh Governments to make this determination. This Council maintains a neutral stance on the issue.

**Q40 – Should Welsh Government move to a system of calculating Assembly election costs on an agreed formula, based on the size of electorate?**

Comments:

Whatever system is used to cover the costs of conducting the National Assembly for Wales elections must ensure that they are sufficient and adequate to provide funding for the full and true costs of administering the election, including the costs relating to electoral registration on the run up to and during the election period.,

This Council supports the view of the Association of Electoral Administrators on this issue. In its 2017 post-election report the Association made the following recommendation:

‘A full and thorough review of the funding of the delivery of electoral services should be undertaken as a matter of urgency, with the purpose of ensuring that:

All costs properly incurred in the administration of elections, including electoral registration costs directly attributable to the election, are reimbursed to Returning Officers and their employing local authorities; and

All costs properly incurred in delivering electoral registration are automatically provided to local authorities without the need to revert to the justification led bidding process.'

The detail of any proposed changes to a new funding system need to be worked through with electoral administrators and Returning Officers to ensure that the true costs of conducting the poll are properly provided for.

**Q41 – Should Welsh prisoners be allowed to register to vote and participate in Welsh local government elections? If so, should it be limited to those sentenced to less than twelve months, four years, or any sentence length?**

Comments:

No. It is this Council's view that prisoners who have been convicted and sentenced should not be entitled to vote.

**Q42 – By what method should prisoners cast a vote?**

Comments:

See Question 41 response.

**Q43 – At what address should prisoners be registered to vote?**

Comments:

See Question 41 response.

**Q44 - We would like to know your views on the effects that electoral reform would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.**

**What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?**

Comments:

With regard to the electoral reform proposals outlined it is this Council's belief that the effects on the Welsh language would be neutral. Currently all aspects of the electoral process have to be conducted in both English and Welsh and the outlined proposals would simply maintain the existing arrangements.

**Q45 - Please also explain how you believe the proposed options could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.**

Comments:

This Council supports the equal use of both English and Welsh languages as part of the electoral process and would encourage Welsh Government to liaise with the Welsh Language Commissioner to provide expertise in relation to this specific area.

**Q46 - We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:**

Comments:

Following on from the above comments in relation to any such reforms that are taken forward as part of evaluating the proposals the following need to be considered:

- Would the proposed reform(s) pose significant short or long term administrative difficulties to implement?
- Has the Welsh Government considered the voters' interests above all other considerations?

We would also be looking to seek clarification in relation to any transition arrangements and a commitment to ensure any new legislation is delivered in a timely and well-planned manner. Our questions here would be:-

- Will Welsh Government provide a guarantee to fully fund any 'new burden/initiative' resulting from legislative reforms?]
- Would Welsh Government fully commit to ensuring that all relevant legislation in should not be applied to any election held within 6 months, and in relation to Electoral Registration proposals 12 months prior to the new provision(s) coming into force?
- Finally, Will Welsh Government provide a commitment to engage with the election community in relation to developing any new electoral mechanisms and processes?

Responses to consultations may be made public. To keep your response anonymous (including email addresses) tick the box.

Keep my response anonymous