

# Electoral Commission response to request from the Special Purpose Committee on Senedd Reform, 17 February 2022

2 March 2022

The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity.

We are pleased to respond to the Committee's questions and look forward to working with the Committee further as the process progresses.

## 1. Electoral System – possible voting systems

### **Ballot paper testing**

In order to identify any issues around usability by voters we would recommend user- testing of ballot papers and ballot paper guidance. We would be happy to discuss how the Electoral Commission could assist with this process.

### **Counting**

In order to identify any issues around the process of counting (either manually or electronically) we would recommend that testing takes place with electoral administrators. Again we would be happy to discuss how we could assist with this.

### **Count processes - Northern Ireland**

A manual STV count will take a long time and it is not unusual for counts to last two days. While the March 2017 Northern Ireland Assembly election did not run into a full second day, the final constituency (Belfast South) was not completed until almost 3am (Saturday morning).

As such, effective planning and resourcing is essential to ensure the successful delivery of the count. Count venues will need to be accessible for at least two days from when ballot boxes are open, with mitigations in place for longer (in the south of Ireland counts have lasted for several days).

Appropriate staffing levels will also be key. A large number of staff are needed for verification and the first stage of the count. However as the count progresses and votes are transferred this requirement decreases. We also need to be mindful that staff who have worked on polling day who will be working excessively long hours for consecutive days.

STV counts require regular movement of large volumes of ballot papers and appropriate mitigations should be in place at count venues to ensure this is done in a safe and transparent manner. Large spaces may be needed for the storage of first preference and transferred votes for each candidate.

Adjudication of doubtful ballots – we have guidance available on this to assist Returning Officers in decision making. It is often used in Northern Ireland when challenges are made by candidates and agents.

## **Transparency**

When implementing any changes to the voting system, thought should be given to ensure that candidates have confidence in the electoral process.

## **2. Boundaries – possible boundary models**

### **Changes to boundaries**

Different boundaries already exist for different elections in Wales and our guidance is written to reflect the legislation.

A change to either of the proposed boundary models would have no significant impact on the Commission's resources or planning processes.

## **3. Timetable**

We would like to emphasise that all legislation relating to electoral events is clear (either by Royal Assent to primary legislation, or by laying secondary legislation for approval by the Senedd) at least six months before it is required to be implemented or complied with—this would include accurate and timely prescribed forms in both English and Welsh.

If significant changes to printing or count process were envisaged, then legislation should be in place more than six months before it is required in order to allow for adequate testing, administrator training and public awareness work.

#### 4. Impact of electoral reforms on the Electoral Commission's work

We do not envisage that the changes set out in the letter of 17 February from the Committee would impact significantly on the Commission's resources (financial or workforce). This view is based on the fact that the Commission already carries out a public awareness campaign, including an information booklet for voters for the current voting system, which could be amended.

It is of course possible that the Senedd could ask the Commission to carry out a specific piece of work – for example, public opinion research or work on testing new election materials e.g. ballot papers - which would mean an additional cost. These costs would be submitted to the Llywydd's Committee in the usual way.

In terms of planning processes, our work on the public awareness campaign for the Senedd election starts the summer before the election.

**End.**