



Doncaster Council

Report

Date: 22 November 2022

To: The Chair and Members of the

ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE

Report Title: Elections Act

Relevant Cabinet Member(s)	Wards Affected	Key Decision?
Portfolio Holder for Corporate Resources	All	No

EXECUTIVE SUMMARY

1. This report is designed to provide an update on the Elections Act 2022, with a particular focus on the measures which come into force ahead of the 4 May 2023 polls.
2. One of the first changes to be implemented is from May 2023; voters across England will be required to bring photo ID to vote in person in a polling station. A new form of identification, the Voter Authority Certificate, will be introduced as a form of ID for those who do not have another form of eligible ID. However, the requirement for voter ID to be provided at UK Parliamentary General elections will only take effect for polls after 5 October 2023.

EXEMPT REPORT

3. This is not an exempt report.

RECOMMENDATIONS

4. This report is for information, the Committee is asked to note the report and make any additional comments in relation to the contents.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

5. Whilst Doncaster does not have any scheduled elections in 2023, photo ID measures would apply to any by-elections from 4 May 2023 onwards. Added to this, all Electoral Registration Officers (ERO) will need to be able to provide those electors with free voter identification documents from January 2023, whether they have polls or not.

BACKGROUND

6. The Elections Act 2022 received Royal Assent on 28 April 2022, with the following measures applying to UK Parliamentary elections in Great Britain, PCC elections in England and Wales and English local government polls:
 - require voters to show **photo ID** at polling stations before a ballot paper is issued. (*for Elections from May 2023*)
 - require local authority Electoral Registration Officers to **issue free voter identification documents** to eligible residents without valid photo ID. (*expected to commence from January 2023*)
 - enable electors to **apply online for an absent vote**, with both online and paper applications requiring the applicant's identity to be verified. (*expected to be in place from July 2023*).
 - **restrict the handling of postal votes**, including limiting the number of postal votes an individual can hand in. (*likely to be in place from autumn 2023*).
 - require **postal voters to reapply every three years**, replacing current rules of refreshing their signature every five years. (*transitional arrangements in place from January 2024*)
 - further **limit the number of people someone may act as proxy** for. (*expected to be in place for elections from May 2024*).
 - **extend election accessibility**, including requiring Returning Officers to take all reasonable steps to provide support for voters with a disability in polling stations. (*expected to be in place for elections from May 2023*)
 - **change voting and candidacy arrangements for EU voters**. (*expected to be in from June 2023*)
 - **First Past the post** for Mayoral and PCC elections. (*for elections from May 2023*)
 - scrap the 'fifteen year rule' to **allow all British citizens living overseas to vote in UK Parliamentary elections**, regardless of when they left the UK. (*expected to be in place from July 2023*).
7. Other measures being introduced, that will have implications for political parties, candidates and campaigners are:
 - new spending rules for non-party campaigners
 - clarification of undue influence

- Introducing a new sanction for intimidation
- Requirement for digital imprints on online campaign materials

VOTER IDENTIFICATION

8. Electors will be required to identify themselves by showing an approved form of photographic identification before being issued with a ballot paper in a polling station at:

- UK Parliamentary general elections
- local elections in England
- UK-wide national referendums
- local referendums in England
- Police and Crime Commissioner elections in England and Wales.

Legislation makes it clear that polling station staff will not have latitude to accept other documents in lieu of those specified by the Act. The Presiding Officer (PO) has the final say on accepting an electors photographic Identification and there is no right of appeal and the RO is not able to overrule the PO. Proxy voters will need to show their own photographic identification, not that of the elector they are voting on behalf of. There will need to be a facility for checking documents in private for any electors who wear a religious face covering, therefore, polling stations will need to have a private area or privacy screens.

EROs must:

- ensure voters are aware of the new requirements and can successfully cast their vote, and
- deliver a service to assess applications and issue electoral identity documents to electors who apply for one.

The Elections Act 2022 defines the list of acceptable documentation which is included at **Appendix A** of this report.

Expired photo identification will be accepted so long as the photo remains a good enough likeness from which to identify the elector. For electors in Great Britain who do not have an accepted form of photographic identification, EROs will be required to provide an electoral identity document - called a **Voter Authority Certificate** ('Voter Cert') or Anonymous Electors Document to eligible electors who apply for one.

There will be three 'versions' of these documents:

- the **Voter Authority Certificate** - referred to as the Voter Card throughout Parliamentary passage of the Elections Act;
- the **temporary Voter Authority Certificate** - which EROs will have discretion to provide in contingency situations; and
- the **Anonymous Electors Document** - for use by those registered anonymous electors only.

Voter Authority Certificate

An A4 paper-based document, with inherent security features, displaying:

- The elector's name
- Photograph
- Date of issue
- Issuing local authority
- An 'identifier' (i.e. a reference number)
- Recommended renewal date (10 years)

The government have contracted a Print Supplier who will produce and dispatch the Voter Authority Certificates direct to electors, once the application has been processed by EROs via the ERO Portal.

Application process

The Elector:

- GOV.UK 'Get ready to vote in person' digital service – an online application service on the GOV.UK website
- Paper application - content prescribed
- Name / Address / DoB / Photograph
- National Insurance Number to be checked through the ERO Portal
- Electors can apply at the same time as they apply to register to vote
- The deadline for applications for electoral identity documents will be 5pm on day -6 (6 working days ahead of a poll).

Temporary Voter Authority Certificate

For valid applications made before the deadline (5pm, -6), which have been processed, determined and sent to the print suppliers by the ERO, but where the elector has not received their substantive Voter Authority Certificate before polling day, EROs will have the option to locally print a temporary Voter Authority Certificate up until 5pm on polling day.

This temporary document will be valid only for the relevant polling day and the elector will need to collect it in person from the ERO's office (or other delivery or collection arrangement as agreed with the ERO).

Anonymous Electors

Anonymous electors must apply for an **Anonymous Elector's Document** to vote in person and must do so each year if and when they renew their anonymous registration. They will need to provide a photo as part of their application and the application is subject to a national insurance number check as with Voter Certificate applications. If an anonymous elector is registered in more than one authority and wants to vote in person at each of them, they will need to apply for an AED for each. Anonymous electors voting in person will also need to bring their poll card when voting, as they currently do.

Public Awareness

The Electoral Commission will be launching a new public awareness campaign in January 2023. Through integrated advertising, partnership work, press activity, organic digital engagement and information on their website to raise awareness of the new requirement of Photo ID.

To balance the fact that not everyone across England will have elections in May 2023 but many are likely to see news coverage about the change, the advertising campaign will follow two phases; Phase one: raising awareness of the new requirement to bring ID across England. Phase two: reminding voters in areas where elections are taking place to bring their ID with them when they vote.

EXTEND ELECTION ACCESSIBILITY

9. The Elections Act 2022:

- creates a requirement for ROs to provide each polling station with such equipment as it is reasonable to provide for the purposes of enabling, or making it easier for, relevant persons to vote independently and in secret. (Relevant persons are defined in the legislation as those who find it difficult or impossible to vote due to blindness, partial sight or another disability).
- requires ROs to have regard to the Commission's guidance on the equipment to provide at polling stations.
- extends the rules on who can act as a companion to include anyone who is over the age of 18.

It also introduces a duty on the Electoral Commission to provide guidance to ROs on the requirement to provide reasonable equipment to assist voters with disabilities in polling stations. ROs must have regard to this guidance, which will support them to make accessibility arrangements for May 2023 elections and beyond. The Electoral Commission has launched its consultation on draft guidance for [Returning Officers: Assistance with voting for persons with disabilities](#). The updated guidance should help ROs and their teams understand the barriers to voting faced by those with disabilities and make informed decisions on what they can do to help make voting accessible for all.

The draft guidance covers:

- Understanding barriers to voting for voters with disabilities
- Providing equipment at the polling station that enables or makes voting easier for voters with disabilities
- Making decisions about providing additional support and equipment for voters
- Ensuring those working to support the poll are aware of accessibility needs
- Raising awareness about the voting process and support available
- Communicating the voting process and support available
- Working with local networks and civil society organisations in your area
- Reviewing the election

FIRST PAST THE POST FOR MAYORAL ELECTIONS

10. The voting system for all Combined Authority Mayors, the Mayor of London, and Local Authority Mayors in England, and for all Police and Crime Commissioner (PCC) elections in England and Wales will be changed from the Supplementary Vote System to the Simple Majority Voting System, also known as First Past the Post.

It is expected this will be in place for 4 May 2023 elections onwards, including any by-elections. The next PCC election in South Yorkshire will be on 2 May 2024, the next Doncaster Mayoral Election on 1 May 2025 and the next South Yorkshire Mayoral Election will be in May 2026.

OPTIONS CONSIDERED

11. Elections and Electoral Registration is a statutory function and must be carried out in accordance with statutory requirements. A review of polling station staff training will be required to cover the changes. The Department of Levelling Up, Housing and Communities (DLUHC) recommends an extra Poll Clerk per polling station to help with voter identification - we have up to 173 polling stations in Doncaster.


Based on the Electoral Commission draft guidance, Doncaster is in a strong position in terms of accessibility. However there will be a need for consultation with local disability groups/forums within Doncaster to help identify any best practice examples and what additional support could be put in place. Some of our polling stations are not as accessible as we would like, mostly due to limited space within the building/room - but very limited options of alternative buildings. These will be reviewed as part of the statutory Polling District review (late 2023).

REASONS FOR RECOMMENDED OPTION

12. This report is primary for information only.

IMPACT ON THE COUNCIL'S KEY OUTCOMES


- 13.

Great 8 Priority	Positive Overall	Mix of Positive & Negative	Trade-offs to consider – Negative overall	Neutral or No implications
 Tackling Climate Change				✓


Comments:

 Developing the skills to thrive in life and in work				✓
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Comments:

 Making Doncaster the best place to do business and create good jobs				✓
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Comments:

 Building opportunities for healthier, happier and longer lives for all				✓
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Comments:

 Creating safer, stronger, greener and cleaner communities where everyone belongs				✓
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Comments:

 Nurturing a child and family-friendly borough				✓
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Comments:

 Building Transport and digital connections fit for the future				✓
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Comments:

 Promoting the borough and its cultural, sporting, and heritage opportunities				✓
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Comments:

Fair & Inclusive	✓			
<p>The Council has a duty to ensure Elections and Referendums are well managed to allow all eligible electors to freely vote by secret ballot ensuring freedom of expression and political debate by exercising their vote. The Council has worked hard to ensure that voting is accessible to all. A full Polling Places review was carried out in 2019 and full risk assessment reviews in 2021 to ensure all Polling Stations are compliant with the requirements of the Disability Discrimination Act 1995 and will continue to be reviewed to ensure they meet any new legislative requirements.</p>				

Legal Implications [Officer Initials: SRF | Date: 11/11/2022]

- 14. The Elections Act 2022 received Royal Assent on 28 April 2022 and the secondary legislation which provides for how new voter ID measures from the Election Act will work in practice was laid in parliament on 3 November 2022 and are due to become law in mid-January 2023.

Financial Implications [Officer Initials: PH | Date: 10/11/2022]

- 15. The government have committed to providing New Burdens Funding to local authorities to cover the increased costs resulting from implementing measures in the Elections Act.
- 16. The first ‘round’ of funding will be for the implementation of the accessibility policy changes and the introduction of voter identification. Initial grants will be received in November 2022, with further grant payments in April 2023 and April 2024.

Human Resources Implications

- 17. Human Resources Implications have not been requested for this report.

Technology Implications

- 18. Technology Implications have not been requested for this report

RISKS AND ASSUMPTIONS

- 19. Ensuring the necessary arrangements are in place to ensure the Council, RO and ERO meets the Electoral Commission’s Performance Standards and complies with their legal statutory duties. Delivering well-run elections improve our reputation and meeting the Electoral Commission’s Performance Standards.
- 20. There is national concern about finding additional staff to work on polling stations and that experienced staff may no longer wish to do the role due to the added responsibility and potential for abuse from electors. There is no legislative requirement for a female member of staff on each polling station but need to consider electors who may not wish to reveal their face to a male staff member for

religious/ cultural reason. There will be a need for an in depth training session for all polling staff, particularly POs regarding the photo ID acceptable and new forms to be completed. There will be a need to purchase additional polling station equipment such as privacy booths and mirrors.

CONSULTATION

21. Not applicable

BACKGROUND PAPERS

22. Association of Electoral Administrators newsletters www.aea-elections.co.uk
The Electoral Commission newsletters <https://www.electoralcommission.org.uk/>

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

23.

ERO – Electoral Registration Officer

RO – Returning Officer

PO – Presiding Officer

PCC – Police and Crime Commissioner

DLUHC - The Department of Levelling Up, Housing and Communities

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Appendix A

List of photographic identification that will be accepted in relevant GB elections:

Identity Document	Notes
A United Kingdom passport	
A passport issued by an EEA state or a Commonwealth country	
A licence to drive a motor vehicle granted under - 15(i) Part 3 of the Road Traffic Act 1988, or (ii) the Road Traffic (Northern Ireland) Order 1981 (SI 1981/154 (N.I. 1))	This includes provisional driving licences
A driving licence issued by any of the Channel Islands, the Isle of Man or an EEA State	
A biometric immigration document issued in accordance with regulations under section 5 of the UK Borders Act 2007	
An identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)	<p>A wide range of identify documents are PASS accredited including:</p> <ul style="list-style-type: none"> • CitizenCard • Bracknell Forest Council e-card • My ID Card • Milton Keynes all in 1 MK Card • NUS Totum ID card • Validate UK Card • Young Scot Card • Southwark roof of Age London Card • One ID 4 U Card
A Ministry of Defence Form 90 (Defence Identification Card)	Commonly known as a MOD90
<p>Any of the following concessionary travel passes:</p> <p>Funded by the UK Government:</p> <ul style="list-style-type: none"> • Older Person's Bus Pass • Disabled Person's Bus Pass • Oyster 60+ Card • Freedom Pass <p>Funded by the Scottish Government:</p> <ul style="list-style-type: none"> • National Entitlement Card <p>Funded by the Welsh Government</p> <ul style="list-style-type: none"> • 60 and over Welsh Concessionary Travel Card • Disabled Person's Welsh Concessionary Travel Card 	

<p>Issued under the Northern Ireland Concessionary Fares Scheme:</p> <ul style="list-style-type: none"> • A Senior SmartPass; • A Registered Blind SmartPass or Blind Person's SmartPass; • A War Disablement SmartPass or War Disabled SmartPass; • A 60+ SmartPass; • A Half Fare SmartPass 	
<p>A badge of a form prescribed under section 21 of the Chronically Sick and Disabled Persons Act 1970 or section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (blue badge scheme);</p>	
<p>An electoral identity document issued under section 13BD (electoral identity document: Great Britain);</p>	
<p>An anonymous elector's document issued under section 513BE (anonymous elector's document: Great Britain) the holder of which has an anonymous entry at the time of the application for a ballot paper;</p>	
<p>An electoral identity card issued under section 13C (electoral identity card: Northern Ireland);</p>	<p>Voter Authority Certificate (VIC) - referred to as the Voter Card throughout Parliamentary passage of the Elections Act</p>
<p>A national identity card issued by an EEA state.</p>	