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Friday, 1 September 2017

Notice of meeting / Hysbysiad o gyfarfod:

Democratic Services Committee

Monday, 11th September, 2017 at 2.00 pm, Council Chamber - Council Chamber

AGENDA

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6.	**Member Support Services** ○ Digital and technology ○ Member support role ○ Member expenses and feedback ○ Council action planner & meeting & work planner ○ Select committee priorities ○ Co-ordinating board and future plans	
7.	**Report of Head of Paid Service - Designation of Statutory Head of Democracy**	5 - 6
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12.	**Work Programme and Frequency of Meetings**	
13.	**To note the date and time of next meeting as 4th December 2017 at 2:00pm**	

Paul Matthews

Chief Executive / Prif Weithredwr

MONMOUTHSHIRE COUNTY COUNCIL
CYNGOR SIR FYNWY

THE CONSTITUTION OF THE COMMITTEE IS AS FOLLOWS:

County Councillors:

D. Evans
T.Thomas
D. Dovey
L.Dymock
M.Groucutt
G. Howard
L.Jones
J.Treharne
S. Woodhouse
P. Clarke
F. Taylor
J.Watkins

Public Information

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Welsh Language
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Aims and Values of Monmouthshire County Council

Sustainable and Resilient Communities

Outcomes we are working towards

Nobody Is Left Behind
- Older people are able to live their good life

- People have access to appropriate and affordable housing

- People have good access and mobility

People Are Confident, Capable and Involved
- People's lives are not affected by alcohol and drug misuse

- Families are supported

- People feel safe

Our County Thrives
- Business and enterprise

- People have access to practical and flexible learning

- People protect and enhance the environment

Our priorities

- Schools

- Protection of vulnerable people

- Supporting Business and Job Creation

- Maintaining locally accessible services

Our Values

- **Openness:** we aspire to be open and honest to develop trusting relationships.
- **Fairness:** we aspire to provide fair choice, opportunities and experiences and become an organisation built on mutual respect.
- **Flexibility:** we aspire to be flexible in our thinking and action to become an effective and efficient organisation.
- **Teamwork:** we aspire to work together to share our successes and failures by building on our strengths and supporting one another to achieve our goals.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Democratic Services Committee held
at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm**

PRESENT: County Councillor D. Evans (Chairman)
County Councillor T. Thomas (Vice Chairman)

County Councillors: L.Dymock, T.Thomas, J.Treharne, S. Woodhouse and J.Watkins

OFFICERS IN ATTENDANCE:

Nicola Perry	Senior Democracy Officer
Kellie Beirne	Chief Officer, Enterprise
Matthew Gatehouse	Policy and Performance Manager

APOLOGIES:

Councillors G. Howard, P. Clarke and F. Taylor

1. **To note the appointment of Chairman**

We noted the appointment of County Councillor D. Evans as Chair of Democratic Services Committee.

2. **To appoint a Vice-Chairman**

We appointed County Councillor T. Thomas as Vice-Chair

3. **Declarations of interest**

We agreed to take declarations of interest under the relevant item.

4. **Public open forum**

There were no items for the public open forum.

5. **To confirm the minutes of the previous meeting**

The minutes of the meeting of Democratic Services Committee held on 3rd April 2017 were confirmed as an accurate record and signed by the Chair

6. **Cabinet Member introduction and priorities**

As the Cabinet Member was unable to attend the meeting, the Chief Officer for Enterprise provided an update around the new portfolio.

We heard the following areas fall under the Governance portfolio:

Governance
Legal and capabilities

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Democratic Services Committee held
at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm**

Democracy
Scrutiny
Elections
Policy, improvement and performance

Members were invited to comment:

There was disappointment that the Cabinet Member had not been able to attend, particularly for the first meeting. It was agreed that he would be invited to the next meeting.

7. <u>Our Monmouthshire - what matters to our communities</u>

The Policy and Performance Manager presented a report to highlights issues raised by communities during the engagement work that informed the development of the Well-being Assessment.

We heard that staff from public services and the volunteer sector had attended more than 80 events and conversations had been held with over 1400 people of all ages.

Following a presentation Members were invited to comment, during which time the following points were noted:

A Member believed there to be a huge dichotomy within the County between families in terms of access and ease of use of service. It was disappointing that things had not seemed to change since the 1980s /1990s, and there is a huge responsibility on the Authority to not only have a plan, and to talk to people, but to act on the plan. The importance of affordable transport was noted.

A Member commented that it was pleasing to see that Caldicot Town Team is very active but with properties being owned outside the County there were concerns on how to incorporate that into regeneration for the town.

The Chief Officer highlighted the importance of identifying the right problems, for example, in terms of access to leisure centres, we should promote our countryside as our fifth leisure centre. One of the findings from the well-being assessment was that people would love to access their surroundings but these were not open or accessible.

A Member expressed that she had been pleased with the consultation events, and iterated the importance of engagement with Town and Community Councils. The Policy and Performance Manager agreed and added that in future more time would be spent with Town and Community Councils, as on a number of occasions there had been good involvement.

It was suggested that all Members would benefit from receiving the detail of the outcome of the survey.

8. <u>Discussion item and paper on New Directions in Democracy</u>

MONMOUTHSHIRE COUNTY COUNCIL

Minutes of the meeting of Democratic Services Committee held
at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm

The Chief Officer for Enterprise, presented a paper requested by the last Committee, on the New Directions in Democracy.

The Policy and Performance Manager explained the Monmouthshire MadeOpen digital engagement platform, describing it as a social platform, for social good. People can use it to raise issues in their community and invite other people to help shape solutions

Following presentation, Members were invited to share thoughts and opinions on how to get people involved and make a key difference.

A Member thought it interesting on the question of how comfortable are the public on visiting a meeting at the Council Chamber. A more relaxed environment would be more inviting and if we want more increased public attendance, we should give thought to this. The Chief Officer recognised the point but noted the need to live stream, to maintain openness and transparency.

Concerning the participation in the democratic process of those 30 and under, we should consider electronic voting.

Praise was given to One Stop Shops and Community Hubs, but thought should be given to satellites coming off that to benefit people less able to travel.

A member questioned the statistics surrounding those using the My Monmouthshire app, and the majority age category of users.

To summarise we concluded that the following be added to the agenda for the next meeting:

- An active demonstration of MadeOpen;
- Further information on the Community Development Office,
- My Mon App – key statistics, facts and figures.

9. Review of Member induction process and feedback/ input

The Chief Officer for Enterprise invited Members for comments regarding the recent induction process. The following points were noted:

Members had overall enjoyed the induction process.
There had been some issues surrounding the timings of sessions.
There had been some surprise regarding the amount of sessions, particular when arranging childcare arrangements.
Members would benefit from written information, or copies of slides.
Whole days dedicated to induction would have been preferable to a couple of hours here and there.
The possibility of skyping into training sessions was questioned.
Members would have appreciated a tour of the building.
It would be useful to ask all new members their opinion of the induction.
The IT training had been very useful.
Overall, the training had been well thought out, and it had helped that it was gradual.

MONMOUTHSHIRE COUNTY COUNCIL

**Minutes of the meeting of Democratic Services Committee held
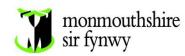at Council Chamber - Council Chamber on Monday, 5th June, 2017 at 2.00 pm**

10.   Future Work Programme

The Chair commented that complaints surrounding new equipment should be discussed as part of the future work programme.

11.   To note the date and time of next meeting as Monday 4th September 2017 at 2.00pm

We noted that date of the next meeting. In doing so, we agreed to discuss timing of meetings at next meeting.

The meeting ended at 3.45 pm

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SUBJECT:	**REPORT OF THE HEAD OF PAID SERVICE - Designation of statutory Head of Democracy**
MEETING:	**Democratic Services Committee**
DATE:	**11th September 2017**
DIVISION/WARDS AFFECTED: ALL	

1. PURPOSE:

To comply with the requirements of the Local Government (Wales) Measure 2011 with regard to the requirement to designate an officer to undertake the statutory role of Head of Democratic Services following the recent senior leadership realignment.

2. RECOMMENDATIONS:

That the Deputy Chief Executive be designated as statutory Head of Democracy for the purposes of the Local Government (Wales) Measure 2011.

3. KEY ISSUES:

A Measure is a piece of law made by the Welsh Assembly. It has similar effect to an Act of Parliament. The Assembly is able to pass Measures on any "matter" on which power to legislate has been devolved to it by the UK Government.

The purpose of the Measure is to make provision to strengthen the structures and working of local government in Wales at all levels and to ensure that local Councils reach out to, and engage with, all sectors of the community they serve. The Measure consists of 179 sections and is extremely wide-ranging.

4. REASONS:

One of the requirements of Measure 2011 required local authorities to establish a Democracy Committee and for that Committee to designate an Officer as statutory Head of Democracy. The composition and terms of reference of the Democratic Services Committee were agreed at the Annual Meeting of Council on 12th May 2016. The Head of Democracy designation will be a statutory role to undertake the functions set out on the Measure. In summary the functions will include:

- Providing support and advice (particularly in relation to the functions of Scrutiny Committees and the Democratic Services Committee)
  - to the Authority in relation to its meetings
  - to committees of the Authority and members of committees
  - to any joint committee which the Local Authority is responsible for Organising and the members of that committee
  - in relation to the functions of Scrutiny Committees, to all Members / Officers
  - to each member of the Authority carrying out the role of member

- Promoting the role of the Council's Scrutiny Committees
- Preparing reports and recommendations in respect of resources required to discharge Democratic Services functions.

The designation of the Head of Democracy is required under the Measure to be considered and approved by the Democratic Services Committee and on the basis of a recommendation from the Head of Paid Service.

Given the recent realignment of the senior leadership structure (August 2017), and the re-balancing of duties held formerly by the Head of Governance, Engagement and Policy and their re-distribution to the Deputy Chief Executive, it is recommended that the postholder carries the statutory Head of Democracy designation.

5. RESOURCE IMPLICATIONS:
This post will continue to be core funded.

6. WELLBEING OF FUTURE GENERATIONS IMPLICATIONS (INCORPORATING EQUALITIES, SUSTAINABILITY, SAFEGUARDING AND CORPORATE PARENTING)

The statutory Head of Democracy will play a key role in supporting and catalysing the foresight provisions of the WFG Act and in embedding the key principles of sustainability and resilience in all aspects of the Council's work.

7. CONSULTEES:

SLT, Cabinet, all staff and Trades Unions through the Cabinet consideration of the Senior Leadership restructure.

8. BACKGROUND PAPERS:
None

9. AUTHOR:
Paul Matthews
Chief Executive

10. CONTACT DETAILS:

Tel: 07939316181
E-mail: paulmatthews@monmouthshire.gov.uk

REPORT

SUBJECT: TIMING OF COUNCIL MEETINGS
MEETING: DEMOCRATIC SERVICES COMMITTEE
DATE: 11th September 2017
DIVISION/WARDS AFFECTED: N/A

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1.   PURPOSE:

To put forward recommendations to Council on suitable timings of future Council meetings.

2.   RECOMMENDATIONS:

That the Democratic Services Committee agree a set of options on the timing of future Council meetings.

That those options are put forward to the next Council meeting for debate and to agree the most suitable option for future meetings.

That the Democratic Services Committee recommend to Council that it remains the discretion of each committee as to the time of the meetings that best suits the members of that committee. However, where possible, it is recommended that select committees commence at 10:00am as that is the time that members of those committees have indicated as most suitable to them.

3.   REASONS:

Each local authority is required to review the times at which council meetings are held at least once in every term of the Council.

Guidance from the Welsh Government state that as a rule of thumb meetings will be held at times, intervals and locations that are convenient to the majority of members and that the Council should be willing to make changes to their pattern of working in order to retain new councillors with outside responsibility. Councils should also consider rotating meeting times due to the impossibility of pleasing all of their members all of the time.

4.   KEY ISSUES:

The requirement to review the timing of council meetings was introduced as part of the Local Government Wales Measure in 2012 and a review of these arrangements was carried out under the previous Council. All councillors were surveyed as to their preferences at that

time and details of the responses to that survey can be found at appendix A.

Much of the issues that members raised in that survey are still relevant today and have been included in this report to help give members of the committee and understanding of the issues members face. The responses also show that no matter the outcome, the decision will never appease all members.

Under the previous survey members were given the options of a start time of 10:00, 14:00, 16:00 and 19:00 with any other recommendations/comments welcome.

Whilst no time preference stood out from the responses, the main themes in the responses were meeting times clashing with full time employment, the difficulty in obtaining childcare outside normal working hours and the need for members to attend other meetings of external bodies including community/town councils in the evening as well as meet with residents who would otherwise be in work. Additionally, group meetings are held prior to Council which if held at 10:00 may require members to convene twice on separate days rather than hold these meetings prior to Council.

There are three main considerations that should be given to the timing of the meetings; the ability for members to attend the meeting in person, the ability for members of the public to attend the meeting and engage in local democracy and the desirability of meeting times to potential new councillors.

At the time of the previous survey, live streaming of committees and the ability to watch a council meeting on youtube was not available. Responses to the survey at that time may have taken this in to account with the only way a member of the public being able to get involved in local democracy being attending the meeting in person. Interacting fully with the meeting in terms of addressing the public open forum items would still require a resident to attend in person.

Whilst remote attendance at meetings for members is encouraged by the Welsh Government, the functionality to facilitate this is not yet available as a cost effective solution that can be embedded into the existing arrangements within the chamber. Whilst there are solutions such as skype which could be used they don't address issues such as chairing the meeting and maintaining order, voting, multiple instances of remote attendees and the requirement to provide translation to those remote attendees who need it.

At the request of Council in 2016, it was trialled that three Council meetings in the summer months (May AGM, June and July) would be held at 5pm. Following those meetings it would revert back to 2pm for the winter period. There was little impact at those meetings in terms of attendance with levels similar at the meetings prior to and following the summer months. Additionally, during those meetings only 1 question was put to Council from a member of the public.

It should also be noted that meetings of the Council are not held in August nor arranged during school holidays unless there is exceptional circumstances in which they need to be held.

5. **PROPOSALS**

Given the reasoning above, it is proposed that Council should be presented with the below options, including negative and positive impacts of those times in order for Council to vote on the most suitable option;

10:00am

Positives	Early start for members meaning meetings will not go on in to evenings and potentially clash with personal life and other commitments.
	Potential for members who have children in school to attend meetings without impacting on childcare.
	Members potentially more alert at meetings during the day than longer meetings which may drag on into the evening.
	Easier to allow for breaks during long meetings as time is available to finish the agenda.
Negatives	Members in full time employment required to take full day annual leave to attend meetings.
	Difficult for members of the public in full time employment to attend meetings and contribute to the proceedings.
	Group meetings may need to be arranged at another time as there will not be time to hold these prior to the meeting meaning members need to make themselves available twice.

14:00

Positives	Familiarity for members and the public that Council meetings always have started at 14:00
	Meetings that start at 14:00 can allow for members to travel directly to another meeting of an external body.
	Group meetings can be accommodated on the same day as Council.
Negatives	Longer meetings of Council can go on in to the evening.
	Still requires members working full time to take annual leave to attend meetings.

16:00
Positives   Meetings can go on late in to the evening with members potentially reluctant to have a break to finish the meeting as soon as possible.

Members of the public could attend, particularly where public forum items could be moved to later on the agenda.

Negatives   Members still required to take leave if group meetings are held prior to the Council meeting.

Childcare can be difficult to arrange for members outside normal working hours.

Traffic issues at that time of day getting to County Hall particularly around schools.

19:00
Positives   Meetings at this time would not impact on those members in full time work.

Potentially more engagement with members of the public with meetings held outside normal working hours.

Negatives   Members who sit on outside bodies and community/town councils may have clashes in their diaries that other times would less likely impact upon.

Longer meetings of the Council could go on late into the night impacting on members and officers abilities to fully concentrate on the proceedings.

Meetings held in the winter months mean members travelling in the dark and sometimes dangerous weather conditions.

Difficulty for members with childcare needs to arrange this into the evening where they are unable to rely on family.

6. RESOURCE IMPLICATIONS:

No resource implications

7. EQUALITY IMPLICATIONS:
There are no sustainability implications of the timing of meetings. However working members may be adversely affected by a council meeting start time between the normal office working hours of 9 am to 5 pm.

8. SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS

Where members have governor responsibilities meetings which start at 5pm or later may interfere with their ability to attend meetings of their governing body.

9.   BACKGROUND PAPERS:

Local Government Wales Measure 2011 and supplementary Welsh Government statutory guidance.

10.   CONSULTEES:

All members surveyed during the last term of the Council.
All current members will be surveyed on the recommendations that the committee put forward and incorporated into the final report for Council.

11.   AUTHOR:

John Pearson, Local Democracy Manager
Email: johnpearson@monmouthshire.gov.uk
Telephone: 01633 644978

Appendix A – Survey responses 2012.

Extracts from comments received:

- "I am a full-time mother and have a full time job. The current timings of the Council meetings are, from a personal perspective, incredibly difficult to manage…I do not believe we will ever have inclusive democracy if we do not change the times of meetings to encourage greater participation – both in terms of those wishing to become Councillors and the public who wish to attend meetings. The majority of people of non-retired age have to work, the timings of the current meetings means that there is always a financial penalty involved…. I strongly believe that we need to change the times of our meetings to ensure that we have diversity across out Councillors and thus ensuring we have a participative Council which represents all interests."

- "The timing of local government meetings must take into account parental responsibilities if the Monmouthshire County Council is serious about overcoming the demographic deficit." Change is absolutely necessary if we want younger parents to take an active part in local government."

- "When newly elected, a Councillor may have a fulltime job. Most Induction sessions have been during the day which means that Councillors have to take days off or rely on lenient employers. Committee meetings etc throughout the day may be off- putting to potential candidates, especially younger people who may also have young families." My concern is that the majority of candidates will be older and retired thus preventing diversity within the Council"

- "I have voluntary, outside body meetings in the evenings. Also all town council projects, full and planning are held in the evenings. I believe that if members are taking their allowance that they should treat it as a real job and attend meetings during the daytime."

- "I believe that County Council meetings should be held during the daytime, because members have to attend other meetings i.e. Governors, Town & Community Council, outside interest meetings also ward business, which needs to be dealt with when their constituents are themselves at home from work, in the evenings. I know this might deter those who are in full time employment from becoming Councillors, but if their work time is so full during the daytime, they would not be able to give enough time to being a County Councillor successfully, anyway. Also I feel it is unfair on Council officers to have to work evenings when they may need to spend time with their families."

- "Many meetings called by local organisations in the area one represents are evening meetings, these give you an opportunity to listen and take part in local issues. Most residents are in employment and to meet them the preferred time is in the evening."

- "I need to fit my council work hours around my 9-5 employment. Although I have reduced my working hours to accommodate my council role and give flexibility, regular day time meetings has meant I have needed to take annual leave to attend meetings and training. I do not mean to have all meetings at 4.00 but if they could at least be varied as I am aware other councillors prefer other times due to differing commitments. 4.00pm allows me to attend work and get back in time to any meetings without needing to take regular annual leave."

- "I think the committees themselves should evaluate their membership and if required should try to facilitate the needs of individuals if possible."

- "I work full-time, which makes it extremely difficult for me to attend council meetings in the day. As a newly elected councillor, I am also excluded from every training session, because they are also all held in the day. I feel the current timings discourage people in full-time employment from becoming a councillor."

- "I would prefer meetings to be either early or late in the day, since that minimises the disruption to the working day…. However I think the question is wrongly directed. Surely, if we want our residents to engage with the Council, we should be asking about the best time for them, not us."

- "Evening meetings take place with the Community Councils in the area that I represent."

- Where a meeting starts at 4.00pm there are difficulties with arranging childcare due to the uncertainty about the time the meeting will end.

- "Main choice 1000hrs. Meetings starting at 4pm means you have to leave your employment at least an hour prior to meeting in view of many schools finishing at 3pm. Traffic around town villages increased if you want to arrive earlier again more school traffic in the area and time wasted. Some training briefings need to be completed these could be done later in the afternoon; after 4.30pm this cuts out school traffic."

- "I have opted for 10am, as if as I do you have primary caring responsibility for a child then being able to drop them to school, attend a meeting and be home in time to pick them up is very important. Whilst I understand the need to try an operate so that members of the public can attend area committees for example, 7pm is bedtime and if you have to travel to get to a meeting then whilst on an occasional basis this is fine it would be tricky all the time…. In addition to childcare responsibilities I also work 21hrs a week and fitting it all in is a juggling act."

Timing of Full Council Meetings - Wales

Authority	Time of County Council Meeting
Blaenau Gwent	10:00:00
Carmarthenshire CC	10:00:00
Denbighshire	10:00:00
Pembrokeshire	10:00:00
Torfaen CBC	10:00:00
Conwy CBC	10:00:00
Ceredigion CC	10:00:00
Powys CC	10:30:00
Gwynedd CC	13:00:00
Anglesey	14:00:00
Flintshire	14:00:00
Neath Port Talbot	14:30:00
Cardiff City Council	14:30:00
Bridgend CC	15:00:00
Wrexham CBC	16:00:00
Caerphilly CBC	17:00:00
Newport Council	17:00:00
Rhondda Cynon Taf	17:00:00
Swansea City Council	17:00:00
Merthyr Tydfil	17:30:00
Vale of Glamorgan	18:00:00

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COUNTY COUNCIL
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REPORT

SUBJECT: WELSH GOVERNMENT – ELECTORAL REFORM
           CONSULTATION
MEETING: DEMOCRATIC SERVICES COMMITTEE
DATE: 11th September 2017
DIVISION/WARDS AFFECTED: N/A

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1.   **PURPOSE:**

       To receive the consultation document and opportunity for the
       committee to provide feedback to be included in a response.

2.   **RECOMMENDATIONS:**

       That members of the committee provide feedback on questions of
       interest to formulate a response with the final response approved with
       the chair.

3.   **REASONS:**

       To ensure that Monmouthshire County Council respond and contribute
       to the consultation.

4.   **KEY ISSUES:**

       With the relevant provisions of the Wales Act due to come into effect
       next year, the Welsh Government are consulting on how the current
       system of voting could be reviewed with a view to making any
       improvements.

       Comments have been included alongside the relevant question in the
       appendix to provide members with information on practical issues that
       any changes to the system may have, as well as giving a perspective
       of the current processes in Monmouthshire.

       There is no requirement to respond to every question in the
       consultation but comments or feedback you provide will be
       incorporated in to an authority response.

5.   **RESOURCE IMPLICATIONS:**

       No resource implications

6.   **EQUALITY IMPLICATIONS:**

       None

7.   **SAFEGUARDING AND CORPORATE PARENTING IMPLICATIONS**

Not applicable.

8.   **BACKGROUND PAPERS:**

Wales Act 2017

9.   **CONSULTEES:**
Democratic Services Committee

10.   **AUTHOR:**

John Pearson, Local Democracy Manager
Email: johnpearson@monmouthshire.gov.uk
Telephone: 01633 644978

Welsh Government
Consultation Document

Electoral Reform in Local Government in Wales

Date of issue: 18 July 2017
Action required: Responses by 10 October 2017

Overview	This consultation is seeking views on a range of electoral reforms. These proposed reforms deal primarily with the way in which people register to vote and cast their vote.
How to respond	The closing date for responses is **10 October 2017**.

Responses can be submitted via the online document of consultation questions: https://consultations.gov.wales/consultations/electoral-reform-local-government-wales
To respond to the consultation, please either complete the online form or request the accompanying questionnaire and return it either by email: RLGProgramme@wales.gsi.gov.uk

or by post to
Local Government Democracy Division
Welsh Government
Cathays Park
Cardiff
CF10 3NQ |
| **Further information and related documents** | **Large print, Braille and alternative language versions of this document are available on request.**

The consultation document can be accessed from the Welsh Government website at: https://consultations.gov.wales/consultations/electoral-reform-local-government-wales |
| **Contact details** | For further information:

Local Government Democracy Division
Welsh Government,
Crown Buildings,
Cathays Park,
Cardiff,
CF10 3NQ

email: RLGProgramme@wales.gsi.gov.uk

telephone: 03000 256913 |
| **Data protection** | How the views and information you give us will be used

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other |

Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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Foreword

With the relevant provisions of the Wales Act on electoral and registration matters due to come into effect next year, the Welsh Government and the Assembly has a new opportunity seriously to review how democracy functions here, how people become eligible to vote, how they exercise their right to vote and how elections are organised.

In our local elections last month, with a few exceptions, for the mass of people the experience of voting was the same as that of their grandparents would have had: walking to the local polling station and filling out a ballot paper with a pencil tied on a string. I enjoy that experience, as do many others, but it can also be viewed as anachronistic and nothing like other comparable procedures people experience in their everyday lives.

Although this consultation paper deals primarily with the arrangements for registration and voting and how we might change them, the Welsh Government will, separately, be continuing its efforts to raise interest in democratic participation, with the aim of reducing the number of uncontested seats and increasing the turnout in elections.

In line with this, I want to explore ways in which we can allow more people to participate in elections by extending the franchise to young people, by making registration easier and more automatic , by making it easier to vote using different methods and making sure people are well informed about who is standing for election.

I am well aware of concerns about security and electoral fraud. These are important considerations, but ways of addressing them must be found which do not compromise the basic democratic right of citizens to participate in elections.

I hope you will respond to this consultation. This is a genuine exercise in finding out what is possible, practical and desirable before we move towards any legislative change. My hope is that the next 12 weeks will add new ideas and fresh possibilities, as well as responding to the ones set out here. In that way, by the time 16 year olds get to cast their vote in the next local elections, it will be easy for them to register, easy for them to vote and as a result, will be encouraged to do so in large numbers.

Mark Drakeford,
Cabinet Secretary for Finance and Local Government.

1. Introduction

1.1. Participation in elections is essential if we are to have a healthy democratic system. This cannot be achieved solely, or even mainly, by legislative means but requires people to be inspired sufficiently to engage. Welsh Government, local government, political parties and other stakeholders, all have a role to play in addressing the low levels of turnout and the scale of uncontested seats at local elections, which we witnessed in the May elections. This paper, however, deals primarily with the way in which people register to vote and cast their vote.

1.2. The Wales Act 2017 received Royal Assent on 31 January this year and contains provisions (section 5 *et seq*) which have the effect of transferring competence to the National Assembly to legislate in relation to the administration of elections to the Assembly itself and of those to local government. In addition, legislative competence for the registering of electors eligible to vote in these elections and the franchise applying to them are also devolved. An exception to this is the digital registration system operated by the UK Government.

1.3. Up until now, the Assembly has had very limited powers in relation to local elections or registration of electors and its powers in relation to Assembly elections have been confined to the appointment of returning officers (where constituencies crossed county boundaries) and regional returning officers, as well as the financing of these elections through providing funds to returning officers and the costs of distributing candidates' literature to Royal Mail.

1.4. The transfer of competence by the Wales Act, once the relevant provisions are brought into force, provides the opportunity for the Welsh Government to review the framework of legislation applying to Welsh local elections.[1] This paper concentrates on the franchise for local elections, the registration of electors, voting procedures and systems, standing as a candidate and the returning officer function. Where appropriate, the Welsh Government intends to include provisions within forthcoming local government legislation when the opportunity arises.

1.5. In putting forward these proposals for consultation, we recognise that any reforms brought into effect will require detailed planning and cooperation between the electoral community of returning officers, electoral administrators and the statutory bodies. The Welsh Government has enjoyed a strong working relationship with this community (who are noted for their excellent record in the successful delivery of elections and other polls in Wales) and will seek to work closely with them and other stakeholders in progressing the reform programme.

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[1] The National Assembly is conducting a separate review of the size, electoral system and franchise for the Assembly and there may well be issues in this paper which could apply to both

2. Building the franchise

- **Votes for 16 and 17-year-olds**

2.1.   The extension of the franchise to include all those aged 16 on polling day in Welsh local government elections would be the biggest change to the franchise since 1970, when 18- year-olds were able to vote for the first time. This younger cohort is already able to vote in Scottish local elections and elections to the Scottish Parliament and participated actively in the Scottish independence referendum.

2.2.   It has been Welsh Government policy for several years to reduce the voting age to 16 and indeed the National Assembly by a clear majority voted in favour of this move in May 2013. Furthermore, the policy was included in the manifestos of the Labour Party, Plaid Cymru and the Liberal Democrats at the General Election. We should soon be in a position to implement this.

2.3.   The case for enabling 16-year-olds to vote has been well-rehearsed. With most of the 16 and 17-year-old cohort these days being in school, it makes them far more exposed to political education of some sort than was the case in previous generations. Use of social media and electronic media sites is high amongst this age group and discussion of major political events is common.

2.4.   Citizenship and political education are important parts of the curriculum and learners currently have the opportunity to study politics and current affairs through Personal and Social Education, Education for Sustainable Development and Global Citizenship (ESDGC) and the new Welsh Baccalaureate.

2.5.   The 'Active citizenship' theme in the existing Personal and Social Education (PSE) framework, the key document which schools and colleges should use to review and develop existing PSE provision for 7 to 19-year-olds, allows learners to develop their knowledge on politics and their rights in a democratic society which reflects the United Nations Convention on the Rights of the Child. This should mean a more politically aware section of the population.

2.6.   The 2014 Scottish referendum – where votes at 16 were made available for the first time in the UK – gives some indication of likely rates of registration. 109,533 16 and 17 year-olds registered, estimated at 89 per cent of those eligible.

2.7.   Turnout of 16 and 17 year-olds was estimated at 75%, compared with 54% of 18-24 year olds and 72% of 25-34 year olds, though it was lower than for the electorate as a whole (85%). This presents an argument in favour of extending the franchise, as an early experience of voting could well lead to a maintained engagement, which would hopefully lead on to a greater interest in democratic politics more generally, including standing as a candidate. The lowering of the voting age would require a drive for maximum rates of registration. This might be easier for this age group than for those a couple of years older because most of them are still at home and, as stated earlier, attending school.

2.8.   Currently, those who are entitled to vote at Assembly elections are people who are registered and who are entitled to vote at local government elections. Extending the local government register to include 16 and 17-year-olds would, without changes to the current legislation, apply automatically to voting at

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Assembly elections. It will, of course, be for the Assembly to determine, if it so wishes, to remain affixed to the local government register.

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

- **EU Citizens and citizens of other countries**

2.9. At present, it is unclear how the decision to leave the European Union (EU) will affect the automatic right of EU citizens to vote in council and Assembly elections here.

2.10. This issue will form part of the negotiations. Both the UK Government and the other EU member-states have expressed a strong willingness to reach an agreement which protects in full the existing rights of EU citizens who already are resident in the UK and this is also the clear position of the Welsh Government.

2.11. The question of EU citizens who arrive in the UK after EU withdrawal from the EU is a slightly different one, even if this too could form part of the discussion about the future of the relationship between the EU and the UK. It could be argued that such citizens should be no differently treated to citizens of non-EU countries once the UK is no longer a member of the EU – although, of course, citizens of Commonwealth countries already have and would presumably retain a right to vote here.

2.12. Citizens of other countries who may be resident here (other than EU citizens or citizens of Commonwealth countries) have no entitlement to vote. So a citizen of, say, the United States, China or Russia cannot participate. If it were decided that an EU citizen who arrives in the UK after UK withdrawal from the UK should have voting rights, then depending on the level of ongoing integration between the UK and the EU, the differentiation between EU/Commonwealth and non-EU/Commonwealth citizens arguably becomes less defensible. There is a case to be made that if someone lives in Wales lawfully, the local and Assembly franchises should also include them.

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

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

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?

- **Prisoners - See Annex**

2.13. Extending the franchise to prisoners is a subject that raises a number of issues, such as where a prisoner should be deemed resident for the purposes of voting

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and whether the franchise should be universally extended to the prison population or linked to specific criteria such as the length or type of sentence. Because of these complexities we are not making firm policy proposals at this stage while legal issues continue to be explored. However, we would welcome responses to the questions at the end of the annex as a test of public opinion on this subject which we would take into account when considering whether we will legislate on this subject.

3. Improving registration

3.1.   In this section we are considering policies designed to help people to register more easily. Registering to vote does not suggest any compulsion to use that vote. However, being on the register is a necessary pre condition to voting. In this section we put forward proposals to help ensure so that all those eligible to vote have these choices.

3.2.   Electoral registration is the act of including names on the register held by the local Electoral Registration Officer (ERO) and denotes all those entitled to vote in that area (in Wales, there is an ERO for each of the 22 counties). It is compulsory to provide the required information to register when requested to do so, subject to a fine for failure to do so.

3.3.   The register is therefore a list of people eligible to vote. The proposals which follow are designed to maximise the number of eligible persons included on the register. They do not imply any compulsion or obligation to cast a vote. That is an individual choice.

- **Data-sharing and Automatic Registration**

3.4.   The introduction of individual electoral registration to replace household registration has generally been welcomed, in principle, in that it cast off a system primarily based on the "head of the household" having the power to provide personal information on the persons resident at an address, possibly without their knowledge, and replaced it with one placing the responsibility to register on each individual.

3.5.   Unfortunately, this has led to a fall in the numbers registered, particularly amongst certain groups. The inability of landlords to register their tenants has led to big drops in the numbers of students on the electoral roll and there are also problems associated with other mobile populations. So, areas with high levels of students, migrants or people with unsettled lifestyles may suffer disproportionately from reduced levels of registration.

3.6.   The Electoral Administration Act 2013 provided UK Ministers with the power to allow pilot schemes for improving registration. These are being pursued by the UK Cabinet Office's Modernising Electoral Registration Programme, in which the Welsh Government participates.

3.7.   One of the innovations that the UK Government has introduced to counter this fall in registration is the concept of data-sharing. In particular, data from the Department of Work and Pensions has been used to compare with the register, enabling EROs to make enquiries as to whether any persons absent from the register were resident at the named address. EROs can include someone on the register where other data confirms their belief that someone is resident at that address. Any data sharing would be in compliance with the Data Protection Act (due to be replaced next year by the General Data Protection Regulation[2]) and personal information would be treated in accordance with the principles of that Act

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[2] http://www.eugdpr.org/

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3.8. There could be considerable scope for expanding this resource by making available other official sources of data, which record persons' addresses, such as those maintained by the DVLA, HMRC and other listings maintained by local authorities.

3.9. This could be done by providing EROs with the freedom to make their own decisions as to what alternative sources of data might be relied upon, provided, of course that the proposed data-holder has a legal basis to disclose it.

3.10. There could be merit in moving far closer towards a system of automatic registration.

3.11. This position has been proposed by Claire Bassett, chief executive to the Electoral Commission, recently, in stating:

"We believe that more automatic registration processes would greatly improve the system, with voters being added to the register after providing their details to other government services. A key example would be the automatic registration of young people when they are issued with a National Insurance number, helping to address historic under-registration of this age group".

3.12. There will be other examples where this possibility exists and EROs could be given freedom to make use of them. This suggests a widening of the power of EROs to gather data for the register in a more flexible fashion than has been allowed for in recent regulations. The Representation of the People (England and Wales) (Amendment) Regulations 2016 includes provisions which allow EROs to exercise their discretion as to the issuing of Household Enquiry Forms and to use electronic means to send out invitations and reminders to register.

3.13. We could seek to move to a situation whereby, routinely, electors would only need to check they were registered rather than having to apply for registration. If individuals are added to the register without their initial knowledge, it should be remembered that registration is compulsory, and that being on the register only provides the right to vote – it does not require the right to be exercised.

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

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

- **Enabling a wider range of Council Officers to assist people to register**

3.14. The more sources which are used to compile the register, of course, the more necessary it is for the available software to be formatted to identify and discard duplicate entries. There could be distinct advantages in allowing access to the register to a wider range of council staff, so enabling, for instance, the possibility of registering at a local library or leisure centre. When members of the public

contact their council for whatever reason, including, for instance, enquiries about council tax, there could be an automatic check against the register.

3.15. There would inevitably need to be a system by which the ERO or their staff were automatically informed when an amendment were made to the register by other council staff but this should not be an insurmountable problem, particularly as we move towards electronic registers. It could become a routine exercise as people make use of council services.

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?

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

- **Relaxing rules on individual registration**

3.16. There may be a case for relaxing the rules on individual registration, so that a household form is permissible in certain circumstances but allowing for each individual to "sign", either in paper format or through using some identifier provided to them. This would mean each individual would still need to indicate their participation in the process but a single form could be accepted by the ERO.

3.17. This could have positive advantages where a number of people reside in accommodation with a single landlord, such as a university residence or care home.

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?

- **Targeted registration campaigns**

3.18. EROs are already able to conduct targeted registration campaigns but it may be possible to broaden these, aiming, for instance, at school students, the unemployed, council tenants, older persons in care – any category where it is possible to reach known individuals.

3.19. Welsh Government officials liaise closely with the UK Cabinet Office's Modernising Electoral Registration Programme and the pilot exercises being promoted by this and we are supportive of its goals. These pilots allow EROs to be imaginative about how they conduct their annual canvass of households, in order to use their resources most effectively.

3.20. Targeted campaigns have also taken place in some areas aimed at working with universities, housing associations and other third parties to try and reach those least likely to register otherwise. There is a case for allowing EROs discretion as to how they conduct their canvassing exercises so as to maximise registration.

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The Behavioural Insights Team (a social purpose company dedicated to the application of behavioural sciences) worked recently with two Welsh local authorities on registering students and their work could help to inform the design of literature aimed at this group.

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?

- **Identifying people moving into and out of an area**

3.21. It should be possible for mechanisms to be introduced to identify people moving into or within an area to be provided with registration forms as a matter of course. This could be coupled with them receiving notice of their responsibility to pay council tax, for instance.

3.22. Social services departments or health bodies could be the first to be aware of people moving into, within, or out of an area and could provide people with registration forms and inform the ERO of the move. Universities should be aware of students changing address and similarly could have a link to the registration process. Housing associations, care homes and even estate agents could be included in this process.

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

- **Developing an all-Wales electronic register**

3.23. Despite the inclusion of provisions in the Electoral Administration Act 2006 for the development of a Co-ordinated On-Line Record of Electors (CORE), no such scheme has been established. Wales, with its 22 EROs, would appear to be ideal for the development of a single electronic register, which might facilitate some of the reforms proposed in this consultation and we would seek to work with the Electoral Commission and other stakeholders on its development.

3.24. For some of the proposals in the next section to work effectively, an electronic register would be a positive advantage. The CORE project was seen as essential in enabling multi-channel e-enabled elections and this could be our aim for Wales.

3.25. An all-Wales register would mean the use of common software on which to carry the register. Should electronic / remote voting be introduced it should be formatted so that the vote is recorded against the register whenever it was cast and from what location.

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

4. The voting system

- **Offering a choice: First Past the Post or Single Transferable Vote**

4.1.   The Local Government White Paper (Reforming Local Government: Resilient and Renewed) contained the proposal to allow individual local authorities to decide on their preference to stay with the first-past-the-post (FPTP) system or to move to election through a Single Transferable Vote system. Such a move would require a fresh electoral review of the council area to enable multi-member wards. The proposal would prevent a council, having changed to a different electoral system, from moving back until at least two elections had passed.

4.2.   FPTP has been the only electoral system used to elect local councils in Wales since the introduction of elected local government in the late 19th century. It is also the system used to elect MPs, constituency AMs and community councillors in Wales. Accordingly, it is the electoral system with which Welsh voters are most familiar. Nevertheless, voters appeared to cope adequately with the elections for regional members of the Assembly, the European Parliament and Police and Crime Commissioners which all use different methods of proportional representation.

4.3.   Supporters of FPTP take the view that the voting and counting procedures are simple, familiar and relatively cheap and there is a straightforward relationship between where a candidate finishes in the tally of votes and whether or not they are elected.

4.4.   The Single Transferable Vote (STV) is a preferential electoral system, which means voters are asked to rank the available candidates in order of preference. Voters may choose to rank all the available candidates or only as many as they wish, which may be as few as just one.

4.5.   STV is considered to be a system of "proportional representation". It usually produces election results which generally reflect the proportions of votes cast for the different political parties, groups and independents in an individual electoral area and across the election as a whole.

4.6.   Each election of a principal council is a separate election. It is appropriate that the council should decide on its electoral method just as the Assembly will be able to decide on its preferred option, albeit by a two-thirds majority. We propose that each authority should be allowed to decide for itself on the electoral system they prefer. We do not propose to introduce the option of STV for elections to community councils, because a root and branch review of the sector is underway.

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

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

- **Five year terms**

4.7.   It is the intention of Welsh Government to introduce statutory five year terms for local government, replacing the existing arrangements for four year terms. This would be in keeping with the five year terms for the UK Parliament (as set in the Fixed Term Parliaments Act 2011) and for the Assembly in the Wales Act. This would mean that the next ordinary date of elections to local government would be in May 2022.

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

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5. The voting process

[NOTE: Any reforms to voting methods proposed below could apply to elections, including by elections, to community councils as well as to those to principal councils]

5.1.   For most people, the experience of voting has not changed significantly during their lifetimes. It is true that a higher proportion than ever now vote by post since absent voting rules were changed in the Representation of the People Act 2000 to provide it as an option on demand but it is still a minority activity.

5.2.   The general experience is of attending the polling station allocated to your area, informing the presiding officer of your identity, receiving a ballot paper, taking it to a booth, completing it with the pencil provided and placing it in the ballot box provided.

5.3.   This remains the case despite the fact that most people's experience of "voting" for other things would involve use of some type of computer screen, mobile or land phone or TV remote control. In many cases, such as elections or ballots within trade unions or other societies, the voting systems are designed to be secure, with individual codes of some sort to try and ensure that the correct person is voting – and doing so only once.

5.4.   Despite the testing of various pilots at local and regional elections in the early 2000s, the traditional system remains in place. The question this raises is whether, as the electoral voting system diverges increasingly from how people otherwise live their lives, its relative monopoly will come to be seen as an anachronistic relic. Having said that, of course, there is plenty of evidence to show that when people really think voting is important, they turn up at old-fashioned polling stations in numbers. That does not mean, though, that even more would not participate if there were alternative voting methods available. This could be particularly the case in relation to young people, for whom the polling station process will be increasingly divorced from their normal experience of completing forms and providing personal details on line for almost all official communications.

5.5.   In saying this, we have to attend to one of the main reasons why change has not been pursued. Issues around security and fraud have been associated with postal voting in particular and are feared in relation to any form of remote voting. In introducing any of the proposed reforms to the method of voting below, ROs would need to be vigilant and continue the scrutiny of the process as they do now to spot any irregularities. We do not wish to be resistant to reform, however, due to concerns over scrutiny when there have been no significant cases of electoral fraud in Wales in recent times.

5.6.   There is now the opportunity to consider reforms to voting methods which could be piloted at council by-elections, or at the ordinary council elections in 2022, or even introduced across Wales in 2022. We would retain existing provisions in UK legislation requiring the Electoral Commission to evaluate any electoral pilot and we would seek to work with the Electoral Commission – and other stakeholders - on the development of any new methodology.

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

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

- **All-postal voting**

5.7. This would involve all electors in the relevant area receiving a ballot paper by post at the normal time for issuing postal votes. It would not appear conceivable that this could operate successfully without removing the need for the personal identifiers required to support a postal vote application as requiring the application process would both be administratively problematic and also inevitably lead to a declining number of electors. The personal statement element, confirming that the vote was cast by the intended person, should remain, however, as providing at least a self-administered honesty check.

5.8. Of course, it would not be practicable to operate this system if the local elections were held at the same time as another poll for which normal rules applied to postal voting. Requiring personal identifiers for one form of postal vote but not another – particularly if there were multiple voters in one household – would make the process difficult to follow and open to criticism.

5.9. Previous pilots in the early 2000s indicated that all-postal voting led to an increased turnout (although in Wales the pilot was only at a single community council by-election). This has a logic to it. If you receive a ballot paper with instructions and a pre-paid reply envelope, there is a stronger chance that you will respond than being required to attend a polling station on a set day between certain hours. The expense of conducting an exercise by post, including use of pre-paid reply envelopes, would need to be balanced against the savings made by the removal of the need to operate polling stations.

5.10. In May 2003, 35 local authorities in England piloted all-postal voting. The outcome of those pilots was a recommendation from the Electoral Commission that all-postal voting should be adopted as the normal method of voting at local elections in the UK. This reflected the positive impact on voter turnout at these elections (in some places, turnout doubled) and the fact that there was no evidence at that time of an increase in fraud.

5.11. The local elections scheduled for May 2004 were postponed to June and combined with the European Parliament elections. The UK government used this opportunity to trial all-postal voting in these elections across four regions and the pilots did show a significant increase in turnout in those areas.

5.12. The Electoral Commission report into these elections drew back from their earlier recommendation because its research showed that a large minority of people wished to retain the option of voting at polling stations. Thus, the Commission recommended that a new model of multiple voting methods should be developed, including postal voting, rather than proceeding with elections run entirely by all-postal voting.

5.13. We recognise also the Electoral Commission's concerns about potential abuses of postal voting and would support their calls for it to be made an offence for anyone other than the voter concerned to interfere in the postal voting process.

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

Q19 – Should it be subject to pilot exercises first?

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

- **Electronic voting**

5.14. This implies the installation of equipment at polling stations (and possibly other locations) to enable touch-screen voting. Polling would still be subject to a form of limited supervision. It would be important to ensure that officers presiding at the polling places could not see how people were voting but they would also need to ensure that voters did not receive unauthorised assistance or guidance as to how to cast their vote.

5.15. Electronic voting is already used widely internationally, particularly in India but also in Belgium and Estonia amongst others.

5.16. Technology could probably provide that the touch-screen capacity could be made available in places other than normal polling stations but there would still need to be trained staff present to oversee and help. Also, there would need to be a way that the register was marked to indicate who had voted.

5.17. There are clear cost implications for this. Whether or not dedicated hardware would be required, the returning officer would need to be certain that they had sufficient working equipment available on polling day.

5.18. There are potentially considerable cost savings on the counting of votes, the hiring of counting premises and time. After close of voting, there would need to be a set location where the results of poll were displayed, showing the number of votes cast and how they were shared between the different candidates.

5.19. There would need to be measures to prevent voting patterns being viewed ahead of counting time to prevent this information assisting candidates or their campaigners. Similarly, there would need to be secure procedures in place to ensure the security of data being transmitted from the polling places to the central count operations. The challenging of votes could become less likely. Systems might be configured so that an error in completion of the ballot form could lead to the vote being rejected and voters being allowed another attempt.

Q21 – Should electronic voting be enabled at local elections?

- **Remote voting**

5.20. This refers to a process of voting through access of the internet by an electronic device, using an individual recognition code. The use of codes of different sorts to ensure that only the intended person is accessing a system is now commonly used for purchasing, banking, voting in elections within political parties, trade unions and other organisations. Registration to vote is now routinely performed on line, as is registering/taxing a motor vehicle and accessing a multitude of other public services or transactions.

5.21. Remote voting was piloted in local elections at South Buckinghamshire in May 2007. Although only a minority made use of the facility, 10 years later the option is likely to be more popular. There were no particular technical difficulties but the Electoral Commission called for the pilots to be suspended – along with all others – until the system was generally more secure. There is a risk that, with registering being done remotely, fictitious voters could be created and that voting might not take place in secure environments. In addition, realistic concerns exist about cyber security, and any system needs to be as secure as possible from the dangers of hacking and manipulating votes. This must be weighed against this method becoming more and more commonplace in relation to other types of voting or completion of official forms and having likely efficiency savings. There are remote voting procedures operating in at least one European country allowing the casting of a vote more than once by the same person, with only the final vote cast before close of poll counting. This is to provide for the possibility that an elector may be subject to intimidation when voting but would take a later opportunity to vote in private.

5.22. There would need to be a window during which time voting could take place; counting would need to be performed at a set time and be open to scrutiny and arrangements might be needed for people who found it difficult or did not wish to cast their votes this way .

5.23. Both electronic and remote voting could include methodologies which make mistakes less likely and increase the possibility of dealing with multiple polls on the same day by assisting voters through the process.

Q22 – Should remote voting be enabled at local elections?

- **Electronic counting**

5.24. Electronic counting is not necessarily linked to electronic voting and is now, for instance, the accepted method of counting votes cast in Scottish local elections. Its use is particularly justified by the decision of the Scottish Parliament to elect councils by the single transferable vote system, which throws up a more complex counting process than in traditional first-past-the-post elections (see above).

5.25. It is not always the case, however, that use of the STV electoral process is linked to electronic counting. STV votes are counted manually in Northern Ireland and the Republic of Ireland. It absorbs more time and resource but is believed to have

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a greater degree of transparency.

5.26. Electronic counting is an expensive option. The Scottish Government has reportedly paid £6.5million for the contract for the counting machines to be used this year. It would be much less, of course, for an individual Welsh authority but could still be a six-figure sum. It is, however, an area in which we could anticipate greater adaptability of equipment in the future. Authorities might prefer to purchase equipment and training for their staff rather than enter all-embracing arrangements with contractors.

5.27. Of course, electronic counting could also be an option on FPTP elections. It should still speed the process and have some consequential savings in time and counting staff.

5.28. Observing electronic counting is a less complex, and possibility less exciting prospect than traditional paper counts. The machines are quick and count less visibly, not putting votes into piles but recording the totals. They also are able to identify wrongly completed ballot papers and display them for judgement by the RO.

5.29. In some pilots and in the Scottish elections of 2007, there were some technical problems with the counting machines which delayed results. These appear to be largely overcome and more recent elections have taken place smoothly.

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

- **Mobile polling stations**

5.30. This conceives some polling stations operating like mobile libraries, visiting different parts of an area, in addition to "normal" polling stations. This might be particularly useful in hard-to-reach areas, neighbourhoods with traditionally low turnouts and concentrations of elderly persons.

5.31. People would need to know in advance at what times the mobile station would be calling – preferably when polling cards are distributed - and there might need to be some form of broadcast message on site.

5.32. For this to be able to operate successfully, an electronic register system would need to be in place, ensuring that voters casting their vote in the mobile station were not able to vote again at a "normal" polling station – or vice versa. If operating an auto-update register, there would need to be a high degree of surety that reliable connections operated between the mobile polling station and the central register so that linked polling stations would see which votes had been cast. Otherwise, you would need to employ a system whereby people would have to register in advance to have a mobile vote.

5.33. If the same mobile polling station served more than one ward, a process would need to be in place to ensure the ballot papers from one were separated from those in another. This would be easier if electronic voting were introduced.

5.34. There would also need to be restrictions on campaigning close to a mobile station akin to those relating to other polling stations. The mobile stations themselves, of course, would need to be accessible to disabled people.

5.35. Mobile polling stations are allowed in Canada but have not been piloted in the UK.

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

- **Voting at places other than polling places**

5.36. This proposal would suggest enabling voting at places like supermarkets, local libraries, leisure centres and bus and railway stations – public places local people might visit during the course of a normal day.

5.37. If these were to be in addition to "normal" polling stations, so not confined to a particular polling district, again an electronic register would be required so that an elector, once having voted, had their name marked against the register to avoid the possibility of multiple voting.

5.38. Voting at places other than normal polling stations was piloted in the early 2000s. Although it appears not to have been problematic, most people preferred to stick with their local polling stations. Any places designated as additional to normal polling stations would need to be accessible to all and able to cater for voting in secret.

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

- **Voting on different days and on more than one day**

5.39. Election Day in the UK is traditionally a Thursday, possibly because of a combination of historic factors. Under the Fixed Term Parliaments Act 2011, all General Elections should take place on the first Thursday in May every five years, barring special circumstances (as we have just witnessed).

5.40. Most other European countries hold elections on a Sunday. In the past, objections to Sunday voting have been raised from religious quarters. These days, however, many activities take place on a Sunday – like shopping and sport – which were once not permitted or commonplace.

5.41. Local authorities are not bound to hold by elections on Thursdays and occasionally choose not to. Community polls, for instance, can be held on different days. Pilots in the early 2000s included voting on days in addition to Thursday and, if we move to a situation by which the register can be marked electronically to record the casting of votes, there should be a greater possibility of stretching an electoral process over a number of days. Voting on more than one day could help to overcome circumstances such as occurred in parts of London at the time of the European referendum, where flooding led to serious disruption of transport links on polling day.

5.42. Any requirement to staff polling days over several days, of course, would come with the commensurate costs.

5.43. Counting would, of course, need to be completed at one time after all votes were cast and there would be a need to keep ballot boxes secure for a longer period of time.

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

- **Simpler postal voting procedures**

5.44. Anyone can apply for a postal vote, either for a single election on a specific date, for a specific period or permanently. You will need to provide your name, address, signature and date of birth when completing the application form.

5.45. When voting by post, you are required to mark your vote on your ballot paper in secret, fill in a postal voting statement (which confirms that you are the person entitled to cast the vote), put the ballot and statement in the envelope provided and seal it yourself, and then post it.

5.46. There may be more than one election on the same day, most commonly in the case of county and community elections, but it is usually the case that both ballot papers can be inserted in the same reply envelope.

5.47. Many users of postal voting are elderly or otherwise infirm. For many people in these circumstances, official forms can be irksome and they may need help to deal with them, which partly defeats the object. But it is also the case that individuals without any particular vulnerabilities who have chosen to vote by post find the instructions difficult to follow and, in some cases, the sealing process less than straightforward.

5.48. There may well be a case for examining whether the postal vote material can be made simpler to understand and complete. There are certainly organisations who would volunteer their services to address this.

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

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

- **Presenting ID at a polling station**

5.49. In August 2016, the UK Government published a review of electoral fraud carried out by Sir Eric Pickles (https://www.gov.uk/government/publications/securing-the-ballot-review-into-electoral-fraud). Although it contains many proposals, the most publicised has been the proposal that voters should be required to present some form of personal identity document when attending a poling station before they could receive their ballot paper. Acceptable ID might be a passport, driving licence or utility bill. This is not that unusual. In some cases, such documents

need to be produced before being allowed entry to a council recycling centre to prove your local residence.

5.50. However, the introduction of such a requirement is not one which would lead to a higher turnout. It is more likely to result in people being turned away who then don't bother to return. As such, it puts the interest of security of the vote above that of accessibility.

5.51. Wales has, fortunately, been relatively free of any allegations of significant electoral fraud in recent years, in contrast to certain inner city areas in England. The case, therefore, for the introduction of ID at Welsh polling stations is therefore harder to justify.

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?

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

6. Standing for election

- ### Removing need to publish candidate's postal address

6.1.   We need to be mindful of recent, though thankfully rare, occasions where politicians' accessibility has been abused, resulting in them being attacked, in one case fatally. It may be that there is no longer a necessity for the returning officer to publish the candidate's home address on election literature. The RO would, of course, need to be satisfied that the candidate at a local election was qualified to stand but if there remains a need to publish contact details, possibly an e-mail or social media address could replace their physical location. There is no intention in this proposal to prevent a candidate from showing their connection to a locality.

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?

- ### On-line publication of candidate's statement

6.2.   On the other hand, there could be more information available to the public about the candidates' beliefs or policies, using on-line facilities. Each candidate could be required to provide a statement which would be published collectively by the returning officer and could be located in one spot on the web.

6.3.   What we are proposing is a facility provided by an RO but in which the responsibility for the content remains with the candidate. It is the candidates' responsibility to ensure that their statement complies with the law. ROs may refuse to publish a statement if they consider it may be in breach of legislation. This practice is already employed in New Zealand and the Netherlands.

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?

- ### Prohibition of Assembly member standing as council candidate

6.4.   The National Assembly's Constitutional and Legislative Affairs Committee, in a 2014 report (http://senedd.assembly.wales/mgIssueHistoryHome.aspx?IId=14799), called for the Welsh Government to review whether it was appropriate for an Assembly Member to also serve as a county councillor. The Welsh Government's view is that this is not appropriate, given the full-time role an Assembly Member fulfils. However, it is possible that this issue will be addressed through disqualification from the Assembly, rather than through amending local government legislation. Otherwise, the disqualification rules for election to local authorities could be amended. In either case, we are proposing that a councillor should be free to stand for election to the Assembly, and that Assembly Members be able to stand for election to a council, but that, if elected, they would need to vacate the first held position within a year.

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

- **Requirement to declare party affiliation**

6.5. Welsh Government policy is also that it should not be acceptable for a person to stand for election without declaring their membership of a political party, if that is in fact the case. Consideration could be given to making that illegal at council elections, with the result declared invalid if it were proven that a candidate withheld this information. Making this an offence suggests the possibility of disqualification for a period of time.

6.6. Party affiliation needs to be declared on a candidate's online statement (see above) if the candidate has been a member of any political party during the twelve months up to and including the election.

Q34 – Do you agree 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?

- **Allowing council staff to stand for their own council**

6.7. This matter was raised previously in the consultation paper "Power to Local People"[3] and at that time the weight of opinion was against this idea but we wish to test it again in the context of limited progress on diversity illustrated at the 2017 local elections.

6.8. Officers and staff in Local Authorities generally have a thorough understanding of their communities and a deep commitment to improving their well-being. Many might themselves make effective elected members, but there are restrictions on some senior employees of a Local Authority standing for elections. In particular, although all Local Authority employees (including school staff) can stand for election unless they hold a politically restricted post (generally higher paid officers), none of them can stand for election to their own employing Authority. This makes sense from the point of view of them not being able to make decisions affecting their own employment conditions.

6.9. The Welsh Government recognises the need for checks and balances to ensure the integrity and impartiality of advice offered by officers to elected members. However, given that Local Authorities are major employers in all areas of Wales, these restrictions may be preventing a wide range of suitable candidates from diverse backgrounds from coming forward to stand for election in their local area.

6.10. Whilst any person who is disqualified currently from standing may resign their post to stand for election, this is a significant disincentive due to the risk it carries for the individual. There may be a case for this disqualification being reviewed. It results in thousands of individuals being unable to stand for election in their own area. Views are being sought as to whether any Local Authority officers should be entitled to stand for election to their own Authority. In Scotland they are only

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[3] http://gov.wales/docs/dsjlg/consultation/150203-power-to-local-people-full-en.pdf

required to resign their paid employment with the Authority once they are elected. Alternatively, there could be a period of secondment to the council, entitling the individual to return to their employed position after completing a council term, should their employing authority so decide. An alternative approach is that the code of conduct regime could ensure that an interest is declared on any matter in which the member has a pecuniary or other interest. This would widen the pool of potential candidates while ensuring there is no conflict of interest once the candidate is elected

6.11. In terms of politically restricted posts – those post-holders in local authorities who cannot participate in political matters – this is in keeping with the traditional view that those officers who advise a local authority from a senior position should be politically neutral. Current arrangements require that, in addition to chief officers, each council should keep a list of officers other than these who advise or act on behalf of the council on a regular basis. Anyone on this list has to apply to an Independent Adjudicator appointed by Welsh Ministers before they can be freed to participate. Any applications for permission are extremely rare. There have been none since the 2010s. Views are being sought as to whether the need for such a list – and therefore the adjudicator position – is still justified.

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

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

7. Returning officers

- **Ending right to personal fee for returning officer**

7.1. Existing legislation enables ROs to reclaim an amount for their services and expenses incurred in the running of an election from the body responsible for the funding of the elections. For Welsh elections, this means the Welsh Government for Assembly elections and individual local authorities for county and community elections.

7.2. ROs have an independent position, governed by statute. ROs, when performing their functions, are treated as distinct from what might be their everyday job, and have the responsibility to ensure the proper administration of the election from start to finish. This implies a greater element of risk than might apply in their normal employment, although there are indemnities and insurances normally in place partly to balance this.

7.3. For Welsh elections, the RO must be an ERO of a principal council. Each council must appoint one of its officers as the ERO and this is usually, though not always, its chief executive. The chief executive is therefore usually also the RO.

7.4. An option under consideration is that the function of ERO/RO becomes an automatic function of the proposed statutory chief executive (included within the Draft Local Government Bill of 2016).

7.5. Within the expenses that an RO can claim from the funding body has traditionally been an element representing a personal fee. This recognises that the role is additional to – or separate from – their normal job. In recent years, however, there has been significant public attention brought to the level of salaries payable to senior public servants at a time of general restraint and limitations over pay more generally and of lower level public servants in particular. This has included the issue of RO fees, which, in some cases, are claimed in multiples. (This is the case in Assembly elections, for instance, if an RO covers more than one constituency and/or is appointed as Regional RO for the purpose of the election of Regional Assembly Members).

7.6. We are considering legislating to prevent ROs recovering a personal fee from their own authority and to replicate this policy in relation to the fees and charges payable at Assembly elections.

7.7. Local authorities will be able, if they wish, to consider whether to recognise the compulsory RO role within the salary of the chief executive. In doing so, they will need to take into account that the RO responsibility embraces the management of Assembly and town and community council elections as well as those to their own authority. Should they wish to increase the salary for this purpose, they would need to consult the Independent Remuneration Panel for Wales for a view.

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

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?

- **Simplifying fees and charges system**

7.8. The existing system of paying for elections to the Assembly involves the Assembly approving a fees and charges order which details the maximum amounts claimable by an RO for services and expenses at an election.

7.9. ROs are able to claim an advance on the expenses and there is then a complex process by which accounts are submitted and checked with calculations taking place as to whether the RO is entitled to an addition to the advance fee or is required to return any of the fee received.

7.10. It can take up to a year after the election for accounts to be finalised and the resource and time required to do this, at both local authority and Welsh Government level is significant. It has the advantage of accuracy. However, it would probably represent an overall saving on public funds to move to a system whereby election costs were paid on a formula basis – linked to the size of the electorates – within which ROs would need to accommodate their expenditure on the election.

7.11. In this situation, there would need to be arrangements in place to deal with the recovery of any surplus and the process would have to be open to audit.

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

8. Conclusion

8.1.   Any changes which we decide to pursue will be subject to consultation with our stakeholders through the establishment of an Electoral Reform Programme Board. We will also be participating in the Wales Elections Coordination Board, established by the Electoral Commission.

8.2.   We are aware that these proposals are not the only proposals for change which may emerge in the coming period. The UK Government's Modernising Electoral Registration Programme is ongoing and the UK Cabinet Office has recently consulted on changes to anonymous registration. The Assembly's Presiding Officer (Y Llywydd) has established an expert panel to consider, amongst other things, reform to the way the assembly is elected.

8.3.   On top of this, the Law Commissions of England and Wales, Scotland and Northern Ireland have reviewed electoral law and report on recommended reforms. They aimed to consolidate electoral law, at the same time modernising and simplifying. We understand that their proposals are unlikely to lead to the publication of a Government Bill but may be pursued – to an extent – through secondary legislation.

8.4.   This consultation document introduces a panoply of potential reforms to the electoral process in Wales. This is a real opportunity for a modernisation of procedures which have changed little for many, many years. We need to encourage a far greater degree of participation in political life and easing the processes leading to casting a vote could play a major role in this.

8.5.   While we have set out many proposals within this paper it is certainly not intended that these are exhaustive. We would welcome any alternative suggestions for reform of electoral administration and democratic processes where these promote registration and participation.

8.6.   Responses are welcomed. If you responded to the electoral section of the previous White Paper, you can refer to your previous submission without needing to duplicate it.

Please send response to RLGProgramme@wales.gsi.gov.uk by 10 October 2017.

Annex – Prisoner Voting

1. The UK Government has, despite earlier indications that it was under consideration, failed to address the ruling of the European Court of Human Rights that a blanket ban against prisoner voting contravenes Article 3 of Protocol No 1 of the European Convention on Human Rights. The First Minister of Scotland has, however, indicated that there will be a need for Scottish Ministers to consider their position on prisoner voting in the light of the 2016 Scotland Act.

2. The UK Government has indicated that it does not intend to bring forward legislation to respond to the European Court of Human Rights' judgment. The Council of Europe's Committee of Ministers, which is responsible for enforcing judgments of the European Court of Human Rights, has twice called upon the UK to respond to the Court's judgment.

3. In 2010, Mark Harper, then UK Minister for Constitutional Reform, issued a statement saying:

"The Government will therefore bring forward legislation providing that the blanket ban in the existing law will be replaced. Offenders sentenced to a custodial sentence of four years or more will lose the right to vote in all circumstances, which reflects the Government's clear view that more serious offenders should not retain the right to vote. Offenders sentenced to a custodial sentence of less than four years will retain the right to vote, but legislation will provide that the sentencing judge will be able to remove that right if they consider that appropriate. Four years has in the past been regarded as the distinction between short and long-term prisoners, and the Government consider that permitting prisoners sentenced to less than four years' imprisonment to vote is sufficient to comply with the judgment."

4. The four-year qualification proposed in 2010 would mean that in the region of 45% of prisoners would become entitled to vote and clearly those convicted of the most serious offences, would, in the main, have been given longer sentences.

5. However, the Parliamentary Joint Select Committee which considered the draft Voting Eligibility (Prisoners) Draft Bill in 2013 recommended:

   - That all prisoners serving sentences of 12 months or less should be entitled to vote in all UK parliamentary, local and European elections;
   - That such prisoners should be registered to vote in the constituency where they were registered prior to sentencing; and that, where there is no identified prior residence, they should be able to register by means of a declaration of local connection;
   - That prisoners should be entitled to apply, 6 months before their scheduled release date, to be registered to vote in the constituency into which they are due to be released.

6. Neither of these proposals have come into effect and the Conservative government elected in 2015 made it clear that they would not be taking the matter forward. It seems unlikely in the short term that there will be any change to the current franchise in relation to prisoners, meaning that only remand prisoners are entitled to vote. (Discussions are however still underway between the UK Government and the Council of Europe.)

7. It would be possible for voting rights to be extended to the approximately 3200[4] prisoners resident in Wales. The issue of where they would be resident for the purposes of registration would be important here. Prisoners could be deemed resident at their addresses outside prison, or they could declare a local connection to an addresses to which they had attachments, such as their parents or family addresses. The alternative approach is that of the prison address being the relevant residence, although this could cause a sudden growth, possibly unwelcome, to the nature of the electorate of the local ward. It is noted that many inmates of Welsh prisons will have their previous or attached addresses in England, where the franchise may not have been extended.

8. In a consultation of 2009, the then UK Ministry of Justice, raised the possibility of registering prisoners to vote by using a special convicted prisoners' voting registration form attested by a designated prison official. This would enable convicted prisoners to register to vote through the 'rolling registration' route, by reference to a previous residence or enabling prisoners to make a 'declaration of local connection' where there is no connection to a previous residence. The consultation also asked whether it would be preferable for prisoners to vote by post and how prisoners' details should appear on the electoral register.

9. An alternative approach for Wales could be that eligible convicted prisoners should maintain their entry on the register at the time of their conviction. The returning officer (RO) would need to arrange for them to receive a postal vote at the institution where they were resident, or a proxy vote cast on their behalf. They would remain on that register until they were released.

10. There could still be a process of registration for unregistered persons as described in the options above. Any extension of the franchise to 16 and 17 year olds would need to be addressed and there would need to be a process for registering young people below voting age who reach the qualifying voting age during their period of detention.

11. Prisoner voting is routinely permitted in Ireland, France, the Netherlands, Italy and Germany, as it is in Finland and Sweden (which also allows political parties to hold campaign meetings in prison).

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?

Q42 – By what method should prisoners cast a vote?

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

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[4] https://www.gov.uk/government/statistics/prison-population-figures-2017

Consultation Response Form
Your name:

Organisation (if applicable):

email / telephone number:

Your address:

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

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

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

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?

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

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

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?

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

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?

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?

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

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

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

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

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

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

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

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

Q19 – Should it be subject to pilot exercises first?

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

Q21 – Should electronic voting be enabled at local elections?

Q22 – Should remote voting be enabled at local elections?

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

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

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

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

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Q44 – By what method should prisoners cast a vote?

Q45 – At what address should prisoners be registered to vote?

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?

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.

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:

Please enter here:

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

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

Consultation on Electoral Reform	
Date	
Name	
Organisation	
Address	
Email address	
Telephone	

Consultation questions

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

Comments:

There is a need to consider the implications of combined elections on the same day where 16 year olds can vote in only one type of election. For example the next Council elections are due in May 2022 as well as the next UK General Election. 16 year olds would be able to vote in the Council elections but not the General Election. Similarly for Welsh Assembly (if those rules were changed) and the Police Commissioner Elections.

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

Comments:

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

Comments:

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:

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

Comments:

A wider range of sources of data is only useful if the data you are using is up to date and accurate. Issues we currently experience with the DWP data for example is that the majority of female applications to be added to the register require them to provide evidence to support their application because DWP still holds the persons maiden name even where they might have married for a number of years.

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

Comments:

Current sources used

- *Council tax records to cross reference applications that need support or querying.*
- *Council tax empty properties used to minimise the number of registration forms dispatched and followed up*
- *School transport admissions – applications for school transport are checked against the register to ensure they live at the address, we then have data of young people eligible to register.*
- *Registrars / Tell us once – registered death records used to remove names from the electoral roll. Citizenship information provided to those who have become eligible to register.*

If automatic registration came in we would look to extend that to include:
- *Libraries records*
- *Leisure applications*
- *Mon Housing records*

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:

With online registration, there just needs to be direction to the registration website to inform them they should register. Ideally, there should be a 'local government' portal that residents can use to update a wide range of information including informing electoral registration, council tax, leisure services etc when they have moved with information on how to update their information, but it needs to be across local authorities not just within them.

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

Comments:

Already lost a significant amount of control through online registrations. The need for electors to give date of birth and national insurance number before registering, with those checks completed outside the authority, the only thing preventing someone being added to the register is if that verification fails. With those checks already in place and that should be the control mechanism rather that the registration officer.

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:

*Where logical reasons apply for individuals being unable to provide the information themselves then ye*s. For example, we work with care homes to ensure that we have an up to date list of residents and provide them with guidance on how to register and the relevant forms to do so. However, it is still up to the individuals to ensure that they have registered or someone h*as registered them on their behalf. Block registrations in these circumstances where they are supported by the warden of the care home would ensure that the residents are registered to vote even where they don't intend to use it.*

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:

We already do this as per Q9. We have assessed the key registrations groups in the area and identified those who are hardest to reach and put in place mechanisms to ensure we maximise registration in those groups. These are also included in the Electoral Commission performance standards for Electoral Registration Officers.

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

Comments:

As per Q7, if there was a portal for residents to do this online and inform us a local authority, this could then be disseminated out with agencies accessing that and all local authorities services benefiting rather than one service.

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

Comments:

In order to address the issues being faced because of the introduction of online registration, particularly around duplicate registrations, a single electronic register would be needed to implement the checks against the register etc.

It could also allow political parties to standardise their systems and access that directly rather than the current need for local authorities to provide monthly updates in different formats to each political party.

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

Comments:

The biggest impact this will have be on the electorate. You could have electors (students for example) who can register and vote at two separate addresses who would have two different voting systems for the same election.

Similarly, the ordinary council elections would then have different voting systems for community/town councils than it would for County Councils which adds greater complexity. This doesn't just apply to community/town council elections but all other elections should they be combined on the same day (local elections and general election are both scheduled to fall on same day in 2022, if five year term is implemented).

Guidance notes are slightly misleading in that for the regional assembly election and European election, electors still only have one vote for a party and do not rank candidates/parties by preference. The Police commissioner is the only

election where electors have to give a first and second choice of candidate and at the last election we had over 2000 blank/spoilt ballot papers for that election.

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

Comments:

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

Comments:

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

Comments:

Yes, provided there is strong evidence to support a move away from the current system and that the evidence proves participation will be increased.

There needs to be evidence that supports the system is broken and that it is the system that is discouraging participation. With turnout in Monmouthshire at the EU referendum of 89% it would suggest that its not the system that is preventing participation more the subject/type of post they are being asked to vote on.

If anything needs reforming first, it's the timetable for the election process. Allowing greater time between poll cards being sent and the registration/postal vote deadline would allow electors more time to prepare themselves for the poll. Additionally, allowing more time between the close of nominations and polling day allows candidates more time to campaign, for electors to be more aware an election is taking place, who is standing, and allow systems to be put it in place to more widely advertise candidates electronically. For example, allowing candidates to publish their priorities/manifestos online through the Returning Officer with standard criteria similar to the online publication of Police and Crime Commissioner candidates.

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

Comments:

Reforming election timetable as above with ability for Returning Officer to publish manifestos of all candidates standing. Lack of information from candidates standing for election is the biggest complaint we have in the office

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at election time. Could potentially look at setting up a dedicated website for online information from candidates for all elections which negates the need for candidates to be provided with postage-paid literature and could incorporate choice of receipt of information in with registration process.

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

Comments:

Yes, particularly at community/town council elections. For example, we had a contested election at the May 2017 elections for a community ward of 36 electors, 4 of those were postal voters. An election of this size would be ideal to run on an all postal basis. That said however, at the local elections where all seats were contested a county wide postal ballot, without a verification process in place for all those electors to confirm it was them completing the postal vote, would be difficult to ensure the integrity of the poll and voters only getting one vote, their own.

Q19 – Should it be subject to pilot exercises first?

Comments:

Possibly. The previous pilots were held before the need for electors to provide personal identifiers on their postal votes so there is no evidence for that. As above, all postal voting shouldn't be introduced without the checks in place to verify it is the individuals completing the postal vote themselves, this questions the integrity of the election. And again, if the election is combined, then there are different systems in place for different elections which cause extra confusion.

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

Comments:

Yes, but the need to have checks in place against who has completed the postal vote should remain. Its now standard practice. The timetable for these elections should be extended to have a period for electors to provide personal identifiers where they are not already registered for a postal vote but how would electors who do not provide the information be able to vote?

Q21 – Should electronic voting be enabled at local elections?

Comments:

It should be starting to be trialled at local elections. Electronic voting during a trial could be run alongside the current system of the Returning Officer providing staff in a polling station who checks the eligibility of electors before having a 'key/code etc' that they can input to allow electors to vote. They could input the

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elector number which marks off the register that they have already voted. There is the obvious initial outlay costs of the equipment but over time would be negated by no longer needing printed papers. The issue for Monmouthshire would be the lack of wifi/3g/4g connectivity to transmit the data to a central place if there is more than one polling station.

Q22 – Should remote voting be enabled at local elections?

Comments:

Electronic voting should be trialled before remote voting takes place. Again, rural authorities may struggle with internet connectivity to enable all residents in an area to cast a vote electronically so we may need to consider physical electronic voting booths in areas where there is a connection in addition to this anyway.

Additionally, the timetable for elections doesn't lend itself well to this system of providing the security codes to electors who register close to the deadline. Currently we would not be able to notify electors of their security code until 6 days before an election. At the general election there was 1300 applications to be added to the register on the final day so generating the codes and distributing them in these timescales needs consideration.

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

Comments:

If remote or electronic voting is a viable option then the need for electronic counting is no longer needed. Focus should be made to enable electronic or remote voting.

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

Comments:

No, for national elections where the ballot paper is the same for all electors mobile polling stations could work. However, in Monmouthshire we had over 65 different ballot papers depending on where you lived at the local elections. Not only would the mobile station need to hold these but it would also need the staff to ensure that they are giving the correct ballot paper to the elector depending on where they reside.

Again, as the guidance states, it would need an electronic register to record those who have voted. If it can do this then it should allow electronic voting as well and is why that should be the priority.

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

Comments:

This option wouldn't be cost effective without electronic voting for the same reasons as in 24. Polling stations would still need to be open in addition to 'other polling stations' for those in the community who are unable to travel. Additionally, if elections were combined, these would not supersede the rules for say a general election which requires polling stations within polling districts.

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

Comments:

Staffing costs will increase for holding the poll on a weekend. Turnout at elections doesn't suggest that holding the poll on a Thursday is a barrier to voting. The hours of poll being 7am until 10pm allow people to fit voting in through their working day as well as having the options of postal and proxy voting. Again, if there is evidence to suggest that participation would increase on a different day then it should be explored but feedback we get is more there is an apathy to voting for a particular government than the day of voting being an issue.

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

Comments:

The process of voting by post couldn't be made any simpler. The elector completes an application form with the required information and is sent a postal vote depending on what they have requested. They must provide a signature and date of birth on the postal vote which is compared against the application to ensure it is the elector who has completed the vote, mark the ballot papers and return everything to us.

In terms of literature, the postal vote stationery is always being tweaked to ensure that it is as clear as possible and the improvements we have made to the stationery are reflected in the reduction of the number of rejected postal votes over the previous.

Additionally, we work with other authorities in the region to try and standardise the postal vote product so that any electors who move within the region receive the same literature which also makes it easier for printers to produce the postal votes in the short timescales available.

There is a need to bear in mind that there is limited printed capacity for the production of postal vote materials with only a handful of companies able to produce the 'one piece mailer'. Any changes made should ensure that the manufacturers are consulted to ensure that the changes are viable.

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

Comments:

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:

Security and integrity of the vote has equal importance as the accessibility of the vote. If there is no confidence in the system or the result is in question then regardless of how many people voted, the system will not be fit for purpose.

If the voting system were to remain the same then ID should presented at a polling station. If electronic or remote voting is in the near future then this should be the priority as that should have its own security embedded in to the system.

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

Comments:

If electronic or remote voting is the ultimate aim then the security needed to maintain the integrity in those systems will be just as much of deterrent as it would be to provide ID at a polling station.

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:

I agree but as with parliamentary elections and the candidates having to provide the constituency they reside in, local election candidates should also need to provide the ward they reside in within the local authority so the electorate can see their connection to the area they are standing.

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:

Yes, see response to Q16. However, there needs to be a legislated solution to cover the Returning Officer against candidates who do not provide a statement

to ensure that the Returning Officer is not deemed to be favouring candidates who do provide one.

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

Comments:

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

Comments:

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

Comments:

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

Comments:

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

Comments:

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

Comments:

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:

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

Comments:

No, as a local authority Monmouthshire has a relatively low electorate but due to the large rural area it covers and the other relevant legislation (such as the number of polling places etc) the costs associated with an election are not related to the number of electors. For example, we had 94 polling stations at the last election some polling station only covering 50 electors. The cost of running that polling station (hire fee, staffing costs, printing of ballot papers & poll cards) for those 50 electors would not cover the actual cost of administering the election for that station.

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:

Q42 – By what method should prisoners cast a vote?

Comments:

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

Comments:

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:

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:

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: