

BARNSLEY METROPOLITAN BOROUGH COUNCIL

REPORT OF: EXECUTIVE DIRECTOR FOR CORE SERVICES

**TITLE: IMPLEMENTATION OF CHANGES TO ELECTIONS ACT 2022
AND ITS IMPACT ON THE 2023 ELECTIONS**

REPORT TO:	Cabinet
Date of Meeting	08 March 2023
Cabinet Member Portfolio	Core Services
Key Decision	Yes
Public or Private	Public

Purpose of report

To update Cabinet on how the Returning Officer, with support from other services within the council, is implementing the changes under the Elections Act 2022, including the new legal requirements for voters to provide photo identification at polling stations.

Council Plan priority

N/A

Recommendations

That Cabinet:-

1. Note the actions that are being taken.

1. INTRODUCTION

- 1.1 On 28 April, the [Elections Act 2022](#) gained Royal Assent. This bill makes nine key changes to how elections are run. It's being implemented in stages, so not all changes will be in place for elections starting from 4 May 2023.

The changes enacted so far are:

- Requirement for voters to show photo ID at polling stations before a ballot paper is issued.
- Requirement for Electoral Registration Officers based in local authorities to issue a free Voter Authority Certificate to those without a valid form of photo ID.
- Requirement for Returning Officers to take all reasonable steps to support those with a disability in polling stations.
- Replacing the supplementary voting system with the first past the post system for mayoral and police and crime commissioner elections in England.

- 1.2 The remaining changes are scheduled to come into effect in the second half of 2023:

These changes are:

- Limitation on the number of people someone may act as a proxy for to two people.
- Requirement for postal voters to reapply for a postal vote every three years, replacing current rules of refreshing their signature every five years.
- Restricting the handling of postal votes by election candidates and campaigners, including limiting the number of postal votes an individual can hand in at a polling station.
- Removing the voting and candidacy rights for citizens of EU countries unless a bilateral deal has been reached with that nation (currently Luxembourg, Poland, Portugal and Spain). This could remove these rights from around 3675 (58%) of the EU citizens in Barnsley.
- Allowing all British citizens living overseas to vote in UK Parliamentary elections, regardless of when they left the UK.

1.3 **Requirement for voters to show photo ID at polling stations before a ballot paper is issued**

The main acceptable forms of ID are a passport, a photocard driving licence, an older person's bus pass, a disabled person's bus pass and a disabled person's blue badge. An expired ID is acceptable as long as the photo is recognisable. Student cards, such as those provided by Barnsley College, aren't acceptable. You can view the full list on the [Electoral Commission's website](#).

There is no clear data on how many people in Barnsley have an acceptable form of ID. Research nationally indicates that anywhere between 2 to 8 per cent of voters don't have an acceptable form of ID (equivalent to a range of

3,700 to 14,800 voters in Barnsley).

The demographic groups of people with the least access to an acceptable form of ID are:

- people aged over 85 (9 per cent without valid ID)
- people with a disability (6 per cent without valid ID)
- unemployed people (8 per cent without valid ID)
- people without qualifications (6 per cent without valid ID).

Barnsley has relatively high incidences of all these groups.

If people do not have an accepted photo ID and want to vote at the polling station, they will need to apply for a free Voter Authority Certificate. This is a free photographic identification document specifically for voting.

Only voters who produce a Voter Authority Certificate or valid identification will be allowed to vote on the day.

1.4 Requirement for Electoral Registration Officers based in local authorities to issue a free Voter Authority Certificate to those without a valid form of photo ID.

There will be a national online application portal on gov.uk to support this service. It's anticipated that this will be launched late January 2023. People will also be able to apply by post.

All applications on the portal will be sent to us for checking and processing. With potentially high volumes of applications, this could be a significant new impact on Electoral Services' resources.

You can read more information about the Voter Authority Certificate on the [Electoral Commission's website](#).

1.5 Requirement for Returning Officers to take all reasonable steps to provide support for those with a disability in polling stations.

This requirement will be supported by Electoral Commission guidance. The Returning Officer must demonstrate that she has had due regard for this.

[A draft version of this guidance has been released for public consultation](#), and we have been progressing on this issue on the assumption that most of this draft guidance will progress into the final version.

To ensure compliance with the guidance, the Returning Officer must:

- demonstrate engagement with disability groups. This has already taken place in Barnsley.
- emphasise different potential needs of disabled voters in polling staff training. We're updating our training, and this will be included.
- make alterations to some of the equipment available in polling stations

and, where possible, ensure accessible parking spaces and other appropriate support are available.

1.6 Replacing the supplementary voting system with the first past the post system for mayoral and police, and crime commissioner elections in England.

This will only have an impact in 2023 if there are by-elections for the Police and Crime Commissioner (PCC) or South Yorkshire Combined Authority Mayor. For the PCC elections in May 2024, the voting system will be first past the post.

2. PROPOSAL

Voter ID public engagement campaign

2.1 The [Electoral Commission national advertising campaign](#) started week commencing 9 January 2023 and includes mass media and targeted digital channels to maximise the campaign's reach.

- Phase one (January to March): raising awareness of the new requirement to bring ID across England.
- Phase two (March to May): Remind voters in areas where elections are taking place to bring their ID with them when they vote.

Their campaign, 'Note to self', features giant handwritten sticky notes as unmissable reminders that will prompt voters to bring their ID on polling day. Voters can expect to see sticky note reminders across advertising channels, including billboards and buses, online in their social feeds, on website banners and in local newspapers. A TV advert will appear on linear TV and 'Video on Demand' and will be used across a range of digital channels.

They will also provide local authorities with a resource pack including tailored information for:

- Gypsy, Roma and Traveller communities
- Older people
- People experiencing homelessness
- People who are registered to vote anonymously
- Trans and non-binary people

2.2 In Barnsley, we're going one step further and developing a comprehensive local communications campaign which complements the national campaign. Our approach will focus on showing the benefits of voting, encouraging people to register to vote, and raising awareness of the new requirement to bring ID when voting, how to get a free Voter Authority Certificate and to encourage applications for a postal vote.

We will use internal and external communications channels to communicate messages to our key audiences, which are:

- All employees
- Councillors and candidates
- Residents (targeted activity aimed at young people, first-time voters, and people with disabilities)
- Media

Our activity:

- Insert a designed A5 flyer with the personalised letter to all residents with their Poll Card (24 March), which will include information to encourage applications for a postal vote.
- Engage with services and partners through the intranet news, Sarah's blog and Let's Talk weekly newsletters to raise awareness and share content on their social media accounts and internal channels.
- Materials such as leaflets available in our buildings and utilising digital screens, including Libraries, Glass Works, Westgate and Smithies.
- Materials provided for Councillors, candidates and Area Teams to give out to residents through various contacts.
- Website information.
- Media releases.
- Advert in the Barnsley Spotlight Magazine (March).
- Social media – including our corporate Facebook, Twitter, Instagram stories/reels and Tiktok using #BarnsleyVote23. We will complement this activity with a paid-for Facebook campaign for four weeks.
- Email newsletter to people signed up to receive Our Barnsley News.
- Paid for local advertising, including:
 - Digital screens in the Alhambra and Asda at Old Mill Lane
 - Geo locate – (delivers banner ads to target audiences' mobile phones as they view various apps or websites).
 - Digital screen vehicle advertising in key locations.

Member, election candidates and political party representatives briefings

2.3 There will be two All Member Information Briefings on these changes on 16 and 25 January. All potential election candidates and political party representatives will also be invited to attend these briefings, and the presentation and associated information will be made available on our website.

There will be a briefing for all election candidates and agents on 21 March and a second briefing on 24 April, which will include information on voter ID. It will also be included in all the written materials provided to candidates.

All members, election candidates and campaigners will be encouraged to raise awareness of the new voter identification requirements in their interactions with voters. They will have an important role in helping to spread the knowledge of these new requirements as widely as possible.

Training for staff

- 2.4 We're working with the Learning and Development team to develop training materials for polling station staff in their new duties. We'll contact elections staff in early January to inform them about these changes. It may be that some of our regular staff decline the work due to these requirements.

We have developed a new recruitment website for election staff and will be advertising elections work to South Yorkshire NHS, Department for Work and Pensions staff and all council staff. Rotherham and Doncaster councils do not have elections this year and could provide support if staff recruitment proves challenging.

- 2.5 There will be a significant need to train all electoral services staff on the new requirements. It is expected that some training will be available from the Association of Electoral Administrators (AEA) or the Department for Levelling Up, Housing and Communities (DLUHC).

Supporting people with a disability in polling stations

- 2.6 We have engaged with local disability groups and will use their feedback to strengthen our accessibility offer for polling stations. We will purchase new polling station equipment once DLUHC has confirmed the level of funding.

Strengthening Electoral Services

- 2.7 We'll expand our capacity using temporary staff to deliver these new requirements for the 2023 local elections. Once the remaining changes of the Elections Act are implemented, the permanent capacity of the team will be considered alongside projects to transform how the team operates. There will be some DLUHC funding to support this.

IMPLICATIONS OF THE DECISION

3.1 Financial and Risk

DLUHC have provided some funding to implement the new measures. Our budget for 2022/23 and 2023/24 should be sufficient.

3.2 Legal

Failure to comply fully with the requirements of the legislation would be a breach of the law and could lead to either the council or the Returning Officer personally being prosecuted in the High Court.

3.3 Equality

Equality Impact Assessment Pre-screening completed determining full EIA not required.

3.4 Sustainability

The decision-making wheel is not completed – it is not applicable to this decision.

3.5 Employee

No implications.

3.6 Communications

No Implications

4. CONSULTATION

None

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 None

6. REASONS FOR RECOMMENDATIONS

6.1 That Cabinet is aware of the actions we are taking to mitigate the impact of this government policy.

7. GLOSSARY

N/A

8. LIST OF APPENDICES

None

9. BACKGROUND PAPERS

None

10. REPORT SIGN OFF

Financial consultation & sign off	Senior Financial Services officer consulted and date
Legal consultation & sign off	Legal Services officer consulted and date Sukdave Ghuman 09/01/2023

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Post: Head of Elections
Date: 09/01/2023