

# **Committee on Standards in Public Life**

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## **Written Submission – AEA Wales**

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# 1. Introduction

- 1.1 The AEA (Association of Electoral Administrators) is the leading professional body in the UK, solely interested in the administration of electoral matters. It is a non-government and non-partisan body with over 1300 members, most of which are serving electoral practitioners. The aims of the AEA are to promote and foster good practice amongst its members but through its directors have strong links and close relations with government departments, the Electoral Commission (EC) and other national bodies.
- 1.2 AEA Wales is a branch of the main association but has particular interest in Welsh affairs. AEA Wales is formed into five Regional areas based on the former European regions within Wales. The five regions have chairs and with the Branch Chairman form a working group to consider issues and hold regional meetings to bring matters back to the main branch meetings.
- 1.3 The working group has forged strong links with the Electoral Commission (Cardiff Office) and have regular meetings to discuss matters of interest. AEA Wales also has an active role in the Elections working group consisting of representatives of the Wales Office, Welsh Assembly Government, the EC and other key stakeholders.
- 1.4 The AEA Nationally has already submitted its written response to the Committee and is giving evidence separately in London. (a copy is attached for information) There are no major issues between the AEA and AEA Wales but our submission attempts to put this into a Welsh context.

# 2. Electoral Administration

## The Commission's role

- 2.1 The Electoral Commission has an important role in the electoral process; although some have commented that they may be "exceeding their brief" (ostensibly set up to monitor and review Party Funding and the Registration of Political parties) it should now be seen as an integral part of the British Constitution. The Political Parties, Elections and Referendums Act 2000 (PPERA) gives the EC both an Executive (limited directions) and an advisory role and has seen huge growth in the organisation to meet the pace of change in electoral administration both arising from the PERA and the more recent Electoral Administration Bill.
- 2.2 Administrators welcomed the setting up of the EC and have long argued the case for an independent Commission able to give advice and direction on electoral matters. Since its establishment there have been huge benefits from working together particularly but not exclusively with the Cardiff Office. This can be evidenced from the involvement with the EC's "Managing Electoral Services" papers and AEA Wales and the Elections Working Group where benefits have been gained from the early involvement of practitioners with both legislators and the EC as independent advisors.
- 2.3 There is, however, a feeling amongst members that the commission "lacks teeth" and much of its advisory role has been ignored by Government despite the mandate for the Government to consult with and have regard to their comments (e.g. the stance on use of the Register for electoral purposes only and the arguments advanced and supported by AEA Wales against combined elections). Whereas a case could be made out for more regulatory powers there has to be a balance between Executive function and the EC's advisory role to avoid potential conflict and ensure that there is proper scrutiny.
- 2.4 Having long argued the case for an Electoral Commission it is disappointing that the concerns over the previous Home Office advice which often stated "***This is our view but of course it is up to each individual Returning Officer / Electoral Registration Officer to take their own view and ultimately it is***

*for the Courts to decide*” is still very much in evidence. This was always seen as unhelpful to say the least where a definitive view was sought.

- 2.5 We offer no comment on the role of the EC with regard to the Registration of Political Parties and funding issues other than that this appears to be at the right level. We are concerned that the timing for Registration and for registering an emblem is critically close to the close of nominations and sending ballot paper proofs to printers and would advocate that this should be put further back in the Timetable to allow more time.
- 2.6 There is again a case that could be put forward to replace the antiquated system of Election claims currently administrated by the Elections claims Unit / DCA and registration expenses with a more consistent and centralised approach which could be a function of the EC. This is partly recognised within the Electoral Administration Bill where additional monies have been allocated and tied in with the role of the EC to direct Local authorities to provide financial information on electoral spending and set performance targets. (Should Local Authorities retain control over electoral spending ?)
- 2.7 The submission by the Boundary Commission for Wales (BCW) is noted and a strong case has been made for it’s retention as a separate body and not to be transferred to a Welsh Committee of the EC. This is in direct contrast to the position in England where the EC has powers for Local Boundary reviews and is likely to undertake responsibility for Parliamentary reviews. The BCW response is largely based on cost considerations (shared cost with the LGBC Wales which in effect has the same staff and also serves the needs of the Parliamentary Boundary Commission for Wales) Whereas the argument for a more locally based BCW separate from England may have validity the same argument could be advanced for the EC which perhaps could, through it’s Cardiff Office be strengthened and more directly aligned to the people of Wales.
- 2.8 It is confusing sometimes to have so many different bodies involved in the democratic process and if combined with the EC there would at least be one co-ordinating body. Whilst there is a compelling case for the EC to operate and develop a “strategic regulator” role and remain separate from and independent of bodies responsible for boundary reviews there is a need for more co-ordinate their functions i.e. the BCW in looking at Principle Council reviews and prompting Local Authorities to carry out Community reviews may not always be mindful of the effects on the practical issues in the same way as the EC and is often too focussed on the review and not the implications of changing boundaries.
- 2.9 Perhaps a similar relationship should be built up with election administrators and the BCW as with the EC. It is considered that this matter is worthy of wider debate but on balance there is much merit in having a single body responsible for boundary issues and that the BCW brief to only look at matters of “efficient and convenient local government” is too restrictive and should be widened to encompass community identity and electoral equality – Changes to electoral arrangements affect the level of representation voters have in an area, the number of councillors elected and make up of Electoral divisions and community wards. Local authorities do not have sufficient resources to undertake major reviews as evidenced by the “duty” they have to undertake Community reviews..

### 3. Effectiveness of the electoral administration system in Wales

- 3.1 Wales is generally well placed being small enough to have good communications and an active AEA Wales branch and Regional arrangements. There are extremely good relations with both the EC and WAG as evidenced with their involvement outlined above.
- 3.2 AEA Wales has developed over the last few years to advance the promotion of best practice and build on the efforts of the AEA Nationally. There is still much work to be done however and many different approaches throughout Wales to the task at hand. Whilst it has to be recognised that there is not a one size fits all solution (rural Powys has different problems to Cardiff City) there is a need to share more good practice and to work collaboratively. More recently members of AEA Wales (South Wales East and

Central) have organised and agreed a joint publicity campaign which has been extended to members in North Wales and training sessions will be arranged at branch level. This concept should be extended to look at issues such as procurement and developing standardised forms if not all Wales certainly at a regional level.

- 3.3 There can some times be conflict between administrators (practitioners and Electoral Registration Officers Returning Officers who are more often than not Chief Executives. wearing in effect three separate hats. The cause of electoral services is not always best served with this arrangement, as there can be conflict between the roles and political pressures on Chief Executives who after all are now charged with the running of large unitary authorities. It is vital that the service is strictly neutral and served by independent ERO's and RO's who have no other commitments other than in running the service.
- 3.4 There is some concern that there are many new RO's in Wales who do not have practical experience and knowledge of electoral issues whilst many more senior administrators are coming to an age of retirement. There is a need to ensure that there is continuity of service provision and those more junior members of staff can be retained and / or recruited. This is an area in which the EC can be actively involved with AEA Wales and we would welcome more discussion with the Committee and the EC on this issue.
- 3.5 Overall the performance of the electoral administrative system is thought to be of a high calibre with perhaps some areas in need of attention more than others but mainly because of difference in size and resources allocated by individual authorities. This problem is compounded when there are large differences in pay scales of election staff in comparison with RO's and Electoral Services Managers and their staff across Wales. It is considered that as part of their remit the EC should look at Electoral Services structures across Wales to make valid comparisons and obtain a consistent approach. It is vital for the future of the service to address this issue. Whilst not necessarily advocating that the service should be run by the EC (indeed there is a strong case to retain local involvement) Electoral Services are in a unique position being charged with producing in effect Registers and run elections for Local, Parliamentary and devolved government.
- 3.6 The importance of the service is only more recently being brought to light following the spate of fraud issues and media attention but to avoid the prospect of future "poor" performance there is a need to ensure that resources continue to be allocated properly and directly to the service and that staff are well trained to undertake their role to avoid recurrence of the recent problem with a particular Welsh authority.

## 4. Electoral Registration - Wales

- 4.1 The Welsh Assembly Government commissioned the EC (Wales) to look at registration rates in Wales. The findings based on comparisons with population figures and evidence from the Office of National Statistics showed that there was approximately an overall 6% under registration in the Principality. This is substantially less than in England and Inner cities in particular. Whilst it can be said that any under registration is a matter of concern it is perhaps more important to ensure the accuracy of our Registers and to have a valid means of measuring this. There has to be a balance between full Registration and accuracy and the cost of chasing the 6% may prove prohibitive considering that these are the least likely to vote – it is a paradox that increased registration may in turn lead to lower turn out at polls, although the argument is if persons are not registered they are unable to exercise their right to vote. It is certainly noticeable that the number of people who complain that they can not vote because they are not registered are very few across Wales.
- 4.2 There are nonetheless still many different practices and again whilst there is no one size fits all solution there is a case for examining best practice and comparing means of increasing registration rates (e.g. those authorities with universities could discuss ways of increasing student registration.)
- 4.3 This is another area where joint working with the EC and AEA Wales would prove beneficial.

## 5. Individual Registration.

- 5.1 AEA Wales supports the principle of Individual Registration but is concerned over the practicalities and timing of introduction. Administratively it is far easier to chase properties than people and at least with the existing system the “head of household” ensures that youngsters are registered. It is clear from the Northern Ireland experience that registration rates would significantly drop in the first year of introduction and it could prove difficult to gain these electors back. (It has been estimated that registration could drop by as much as 10% to 15% )
- 5.2 AEA Wales share the concerns of the government on this issue but would advocate far more discussion and consultation over the practicalities and means of introducing such a system.
- 5.3 We have long argued that the whole basis of the annual canvass itself need to be re-examined since the introduction of monthly updates by way of rolling registration. It is interesting to note that Northern Ireland has now ceased to undertake an annual canvass as such and will carry out an audit of Registered electors on a less frequent basis relying on the Rolling registration procedure.
- 5.4 It is considered that the present system which relies on an annual canvass of properties from August with a residential “qualifying date” of 15<sup>th</sup> October to produce a Register on 1<sup>st</sup> December when most elections occur in May or June is a confusing concept for the public and unhelpful for administrators. The voting public are only really interested in registration in the months before an election (or otherwise to obtain credit)
- 5.5 It would seem more appropriate to concentrate on registration in this window of interest prior to an election by asking for confirmation of a voters details whilst promoting rolling registration throughout the year.