

Consultation questions

We would be keen to hear your views on these proposals, in particular on:

Chapter 1

1. To what extent do you agree or disagree with the six principles for electoral reform of equity, accessibility, participation, improving citizen experience, simplicity, integrity?

Fully agree

Partially Agree

Disagree

Please explain your answer:

We partially agree with the six principles for electoral reform set out in the Paper.

However, while simplicity is a key objective in making registering to vote and voting easier, it seems an impossible objective considering the divergence issues brought about by the Elections Act 2022.

While some suggestions are clearly designed to make devolved elections more accessible and improve the citizen experience, without the UK Government replicating provisions for reserved polls it again adds another level of complication.

The six principles cannot be adhered to when the UK and Welsh Government approaches to electoral reform are not aligned.

Chapter 2

2. Should the Welsh Government commit resource to considering how electronic remote voting could operate for devolved elections?

Yes

No

Don't know

Please explain your answer:

We are supportive of Welsh Government committing resource to consider how electronic remote voting could operate for devolved elections. We believe the use of IT for voting should be considered but only utilised when the system(s) can be shown to deliver safe and secure results, deliver improvements on current paper-based systems, be cost-effective and demonstrate public confidence.

3. What impacts, if any, do you think the proposed introduction of an all-Wales database of electoral registration data would have on the electoral process (such as registration and electoral services)?

Please consider the potentially positive and negative impacts and provide evidence to support your response, where available. Please comment on each characteristic individually.

It is a matter for the UK Parliament and devolved governments to determine whether a national electoral register would be appropriate. If it were, there would be obvious and clear benefits to electoral processes.

The ERO has a duty to prepare three separate registers; one for UK parliamentary electors, one for local government electors, and one for overseas peers. Although the registers are created separately, they are stored on the same software system.

We think a separate electronic register for Wales could well lead to difficulties in this regard.

4. What are your views on the application of Elections Act 2022 provisions on (a) digital imprints for digital campaign material, and (b) online nominations?

It is our view is that imprints should be required on all digital and printed electoral material. This will allow for consistency, greater transparency, ease of monitoring, and to ensure there is no uncertainty or confusion as to whether an imprint should be included or not. The use of imprints allows the electorate to clearly see material that is promoting a candidate(s) or political party. We also recommend that a candidate should not have to include their home address on any imprint.

The Election Act 2022 makes no provision for online nominations.

5. Should principal and town and community councils revert to four year terms?

Yes
No
Don't know

Please explain your answer:

Chapter 3

6. To what extent do you agree or disagree that the franchise for devolved elections should be restated in one bi-lingual Welsh Act?

Strongly Agree
Agree
Disagree
Strongly Disagree

Please explain your answer:

We strongly in support of any attempt Welsh Government make to consolidate electoral law where possible. Ideally a new, modern Electoral Administration Act in collaboration with all four UK governments would be of benefit.

7. From your perspective, should the franchise reflect the changes in the status of EU citizens now the UK has left the EU?

8. How can we best help people understand they have been automatically registered and feel confident that their data is protected, especially for people who may be vulnerable or wish to register anonymously?

Any communication should be prescribed and developed in collaboration with the electoral community. This will ensure that consistent information is provided to any elector who is registered automatically across Wales. There would have to be a clear message that this is only for devolved polls and FAQs to explain the difference, as this will lead to voter confusion. This includes those wishing to register anonymously.

9. To what extent do you agree with the removal of the open register in relation to devolved elections?

Strongly Agree

Agree

Disagree

Strongly Disagree

Please explain your answer

We believe that the electoral register should only be compiled for electoral and statutory purposes and should not be sold for commercial purposes. The open register lists the names of all electors who have not 'opted out'. Access to the open register is not restricted. It is available for sale to any person who wishes to buy a copy and the data in it may be used for any purpose. Credit referencing agencies are legally able to commercially sell details of any elector appearing on the open register. There is often a misconception from the public that local authorities are profiting from the open/edited register, rather than credit referencing agencies and third parties.

This should apply to registers produced for devolved and reserved elections to avoid further divergence issues.

10. Should the Welsh Government place a duty on local authorities to have data sharing agreements within the authority itself, and where applicable, with other authorities or organisations?

Yes

No

Don't know

Please explain your answer:

The ERO/RO is the data controller not the local authority. The Information Commissioner's Office (ICO) requires EROs and their local authority to register as separate data controllers.

11. Are there any specific aspects of automatic registration that should be piloted before we move to an all Wales roll out?

Yes

No

Don't know

Please explain your answer:

There may be benefit in piloting areas regarding the quality of data sets to identify new electors. Are such datasets considered good enough to automatically register an elector. Also are there may be national data sets that could be used.

The key to any reform is communication, so this is another area that could be piloted.

12. To what extent do you agree or disagree that students should have the option to register to vote whilst enrolling at university?

Strongly Agree

Agree

Disagree

Strongly Disagree

Please explain your answer:

It would seem sensible to allow students to register to vote during their enrolment week, as long as the appropriate mechanisms are in place.

Where answered Strongly Agree or Agree:

12a. Should any data that is provided be subsequently shared, via a data sharing agreement, with the relevant Local Authority's Electoral Services Team?

Yes

No

Don't know

Please explain your answer:

The data sharing agreement should be between the university and the ERO not the university and local authority.

Chapter 4

13. Do you agree that a statutory Electoral Management Board for Wales should be established?

Strongly Agree

Agree

Disagree

Strongly Disagree

Please explain your answer:

We support this recommendation and believe that Wales would benefit from the establishment of an Electoral Management Board (EMB). Careful consideration would need to be given to its set up and membership.

14. If answered Strongly Agree or Agree to Question 13, what should its functions be?

The responsibility of the Board should be to assist ROs/EROs in carrying out their functions in relation to elections and electoral registration. It should provide co-ordination of key processes and promoting good practice. It could provide training in key areas and provide advice and guidance, so there is consistent approach across Wales, when required.

15. Should the Electoral Management Board have powers to issue directions to Returning Officers and Electoral Registration Officers?

16. Should the Electoral Management Board have the power to issue advice to Returning Officers and Electoral Registration Officers on the carrying out of their functions?

Yes

No

Don't know

Please explain your answer:

As mentioned previously careful consideration needs to be given on who is appointed to the board. Members should have substantial knowledge and experience in delivering elections and electoral registration. The power should be used to ensure consistency but should be respectful of any arguments for local choice in the exercise of discretion by RO's

17. What are your views on who should be members of the Electoral Management Board and how they should be appointed?

Members of the board need to be able to inspire confidence in both ROs and electoral candidates/agents. They will require extensive experience not only of the legislation but also the practicalities of work as an ERO/RO

18. To what extent do you agree or disagree with our proposals to provide for greater electoral certainty by extending the statutory time during which no final electoral review reports can be published and no electoral review orders may be made?

Strongly Agree

Agree

Disagree

Strongly Disagree

Please explain your answer:

This would avoid resource implications for councils and administrators extending the timetable.

19a. At which point in the electoral cycle should the Commission be prevented from publishing electoral review reports:

Within twelve months of an ordinary election

Within fifteen months of an ordinary election

Other – please specify

19b. Do you agree the Commission should, as far as possible, be required to schedule electoral reviews within two years of a community review being completed?

Yes – it would be sensible to schedule electoral reviews within two years of a community review be completed by a local authority.

20. To what extent do you agree or disagree with the suggested proposals for setting maximum review and decision making periods?

Strongly Agree

Agree

Disagree

Strongly Disagree

Why do you say this?

We support any changes to the electoral review process that brings greater electoral certainty for administrators, councillors and prospective candidates. The proposal to set a maximum period of 15 months to conduct an electoral review with decisions required to be made by Welsh Ministers to implement the recommendations within three months of receiving the final report provides a clear timeframe.

21. What are your views on whether a power to pause the conduct of electoral reviews should be included in legislation?

It seems sensible to have this power because of the uncertainty of when the next UK Parliamentary election may take place or any other snap election. Also should there be another public health emergency.

22. To what extent do you agree or disagree with the principle of a common, extended list of mandatory consultees for all parts of the electoral review process?

Strongly Agree

Agree

Disagree

Strongly Disagree

Why do you say this?

So that there is a consistent approach and as many key stakeholders are included.

23. To what extent do you agree or disagree that requirements to engage with eligible voters as part of the electoral review process should be strengthened, including in respect of ward names?

Strongly Agree

Agree

Disagree

Strongly Disagree

Why do you say this?

We are supportive of this in principal, but this would have a considerable impact on the resources of the local authority. This should be fully funded and resource templates to be provided to assist consistency.

24. To what extent do you agree or disagree with the proposals to amend and extend the considerations the Commission must take into account when determining electoral arrangements which maximise effective and convenient local government?

Strongly Agree

Agree

Disagree

Strongly Disagree

Why do you say this?

The emphasis on ensuring the ratio of local government electors to the number of members of the council to be elected is, as far practicable, the same in every electoral ward of the principal area fails to take account other factors that can impact councillor workload.

Such as the existence of tourism population, the levels of deprivation in a ward, the nature and concentration of businesses and the whether the ward is urban and rural are important factors to consider when determining council size.

25. Do you agree with our proposals requiring the Commission to undertake a further consultation where a recommendation in its proposed final review report is not one of the options it consulted upon in its draft report?

Yes we agree with this proposal.

26. Do you agree with our proposals to enable Welsh Ministers to require the Commission to revisit a part of an electoral review before they make an electoral review order?

We do not agree with this proposal as we believe it would take away the independence of the review.

27. Are there are any further changes to the electoral review process that should be considered?

We have no further suggestions to make.

28. To what extent do you agree or disagree that the purpose of the six-week representation period should be clarified in the legislation?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

This provides greater clarification of the process.

29. Do you agree that Welsh Ministers should be required to consider any representations received during this period before taking any action to direct the Commission to undertake further work or implement, modify or not implement the recommendations set out in the final recommendations report?

30. To what extent do you agree or disagree that legal requirements on the Commission to provide hard copies of documentation should be removed, except for when they are requested?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

We are supportive of this proposal.

31. To what extent do you agree or disagree with the proposals for legislative change in relation to community reviews?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

We are supportive of the proposals that will bring consistency to both the electoral review and community review process.

32. Please provide any further comments on how you think the process of conducting community reviews could be improved.

None.

33. To what extent do you agree or disagree that seaward boundary review arrangements should be revised to include the ability for the Commission to undertake reviews relating to multiple local government areas and the expansion and

contraction of seaward boundaries in a single review process? Should those arrangements to be included in the same review order?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

We have no comment to make.

34. Do you agree with our proposals to transfer the functions of the Independent Remuneration Panel for Wales to the Commission?

35. Do you agree that functions relating to the determination of the salaries of chief executives should be abolished and not transferred?

Yes the salary of a Chief Executive, as with any employee, is a matter for each council as employer to determine in accordance with local priorities and the prevailing market conditions.

36. What do you think about the idea that new powers should be created to enable determinations to be made about parachute payments for councillors?

37. Do you agree with our proposal for Wales to maintain a single regulatory framework on political finance for reserved and devolved elections in Wales, where appropriate?

38. Please provide any further comments on the specific measures under consideration regarding political finance.

39. What types of innovation in electoral administration would you like to see piloted in the future?

The areas that we would like piloted in the future include

- *Online voting*
- *Automatic and compulsory registration*
- *Extending the election timetable*
- *Digital registers*
- *Polling hours*
- *Polling station provision*

40. How could we facilitate a more varied mix of local authorities participating in future pilots?

A long timeframe, clear direction and understanding of the process involved.

41. What are your views on a power of direction for Welsh Ministers which would enable them to compel a local authority to pilot electoral innovations?

42. Should Returning Officers be subject to specific Welsh language requirements when elections take place?

Yes

No

Don't know

Please explain your answer:

43. Are there any types of services you would like to see Returning Officers providing in Welsh?

44. Have you ever experienced any issue related to the Welsh language during elections?

Yes

No

Don't know

Please explain your answer:

Chapter 5

45. Should the Welsh Government consider making provision for an online voter information platform? What information should be provided on the platform and who should host it?

Yes

No

Don't know

Please explain your answer:

46. Who would need to provide information to an online voter information platform and how could they be supported to do so?

47. What should be done to encourage political parties to produce accessible materials?

48. To what extent do you agree or disagree that that the returning officer at devolved elections should be under a duty to provide such equipment as it is reasonable to provide for the purposes of making it easier for disabled people to vote?

The Elections Act 2022 includes provisions for reserved polls relating to assisting people with disabilities to vote, and introduces a duty on the Electoral Commission to provide guidance to ROs on the requirement to provide reasonable equipment to

assist voters with disabilities in polling stations. ROs must have regard to this guidance, which will support them to make accessibility arrangements for the May 2023 elections and beyond. It would be beneficial for similar arrangements for devolved polls.

49. What support should be put in place to ensure the returning officer is able to effectively discharge that role?

Guidance and funding to cover any new burdens.

50. Do you think the Welsh Government should specify in regulations the type of assistance which must be offered to disabled voters in polling stations?

Yes

No

Don't know

Please explain your answer:

There should be consistency of approach between reserved and devolved polls when it comes to equipment provision for disabled electors.

51. What sort of assistance do you think should be offered to disabled voters in polling stations?

52. In addition to provisions in the Curriculum for Wales, are there any other measures that the Welsh Government should put in place through the education system to ensure that learners in Wales can confidently take part in Welsh elections?

53. To what extent do you agree or disagree that the definition of the electoral offence of Undue Influence provided by section 114A of the Representation of the People Act 1983 be used for devolved elections?

Strongly Agree

Agree

Disagree

Strongly Disagree

Why do you say this?

Following the changes in the UK Elections Act 2022 it would seem appropriate to review.

54. Do you think some or all of these proposed actions described in the White Paper will help to contribute to reducing instances of abuse of candidates?

Yes

No

Don't know

Please explain your answer:

55. If an exemption from candidates spending limits for security related spending is sought, what activities should be included in that exemption?

56. Will the proposed addition to the standard wording included in the Statement of Persons Nominated form have the desired effect of reducing occurrences of abuse or would different measures would be more effective?

Yes

No

Don't know

Please explain your answer:

The intention to include a standard description of the geographical qualifications for standing as a candidate on the statement of persons nominated is likely to have limited impact and do little to remove local pressure on candidates to publish their home address.

57. What other actions would contribute to reducing instances of abuse of candidates?

58. Should Welsh Ministers legislate to require the establishment and maintenance of an 'Access to Elected Office Fund'?

Yes

No

Don't know

Please explain your answer:

59. Should this Fund be available to support candidates from under-represented groups for all devolved Welsh ordinary and by-elections?

60. If you agree the Fund should be a requirement set out in primary legislation, what should be the parameters within which the Fund should operate?

61. To what extent do you agree or disagree that the requirement to set out the Local Government Candidates' Survey questions in regulations should be removed?

Strongly Agree

Agree

Disagree

Strongly Disagree

Why do you say this?

61a. If Strongly Agree or Agree, should the survey be updated through a formal review process involving key partners?

62. Do you agree there should be flexibility for local authorities to ask questions about local widening participation measures?

63. Do you agree questions should be included in the survey about candidates' experiences of abuse and harassment (see the section on "other measures we are taking to ensure candidates safety")?

64. Do you think Welsh Ministers should approve the full set of questions or only the core all-Wales questions?

Chapter 6

65. What are your views on the impact of maintaining the current renewal time of 5 years in light of the Elections Act 2022 changes?

The renewal time of 5 years should be reduced to 3 years allowing devolved polls to follow the same timescale for reserved polls. This should limit voter confusion and reduce administrative burden on EROs. This will help with any divergence issues.

66. Would you like to see advance voting and /or voting in a range of venues offered for devolved elections across Wales?

Yes

No

Don't know

Please explain your answer:

67. Do you support the introduction of an online absent voting application system in Wales? If yes, what would you like to see in place?

Yes

No

Don't know

Please explain your answer:

We are supportive of an online absent voting application system for devolved elections and should look at using the same system UK Government introduces for reserved polls. Two different online portals to apply for an absent vote is both confusing for electors and creates additional burdens for electoral administrators.

The communication requirements would be complex to ensure electors understood the need to complete two different online postal vote applications. The complication could lead to electors choosing only to have a postal vote for reserved polls due to the high-profile nature of UK Parliamentary elections and detrimentally impact turnout at devolved polls.

68a. Do you think that such a system would help to reduce the number of postal votes rejected due to errors on PVS' and help raise public confidence in the postal voting system?

Yes

No

Don't know

Please explain your answer:

An online system could make it easier for electors to apply for a postal vote and prevent errors on the initial application.

68b. Could a manual system be used to do this?

Yes

No

Don't know

Please explain your answer:

It would not be practicable to add validation checks to a manual system.

69. Would the introduction of a postal ballot tracking system, such as that described above, create a significant administrative burden on local authority electoral teams?

Yes

No

Don't know

Please explain your answer:

With the high volume of electors with a postal vote it would be an extra administrative burden. No duty should be placed on the RO to contact electors and it would be unmanageable during the short election timetable. The onus should be on the elector to check, clear guidance is provided on how to complete the postal vote. Would such a system be viable in terms of security and working with IT systems?

70. Do you support the introduction of a postal vote e-tracking system in Wales?

Fully support

Partially support

Do not support

Please explain your answer:

As explained above.

71. Do you support the wider introduction and use of Digital Registers for non-reserved elections in Wales? What are the benefits or detriments of doing so?

Yes but this would need to be fully funded. Local authorities do not have funds to move to a digital solution.

72. Are there any potential barriers to a wider introduction of Digital Registers?

Yes

No

Don't know

Please explain your answer:

As outlined above there are huge cost implications. Also this would only be for devolved polls, so there is another divergence issue.

Chapter 7

73. To what extent do you agree or disagree that there should be mandatory training and development for councillors?

Strongly Agree

Agree

Disagree

Strongly Disagree

Why do you say this?

74. If Strongly Agree or agree to question 73, should this mandatory training and development for councillors include principal councils and town and community councils?

75. If Strongly Agree or Agree to question 74, should the expectations for mandatory training be different between principal councils and town and community councils?

76. If Strongly Agree or Agree to question 75, what proposals would you make for areas to be included in mandatory training?

77. If Strongly Agree or Agree that there should be mandatory training, do you consider candidates should be asked to confirm their willingness to undertake it as part of the nomination of candidates' process?

78. Should there then be sanctions for candidates who do not confirm they are prepared to undertake mandatory training?

Yes

No

Don't know

Please explain your answer:

79. Should a commitment to undertake mandatory training and development form part of the oath successful candidates must take before being able to take up their office?

Yes

No

Don't know

Please explain your answer:

80. If Yes at Q79 what sanctions should apply to elected members for then not undertaking mandatory training and development?

81. To what extent do you agree or disagree with the policy proposal to bring arrangements for Town and Community councillors into line with the disqualification regime for principal council members in Wales, so that members of Town and Community councils are disqualified from becoming a member of the Senedd?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

82. To what extent do you agree or disagree that the grace period for all councillors elected to the Senedd should be retained?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

83. To what extent do you agree or disagree with the approach to assessing the impacts of the proposals set out in the draft IIA? Do you have any comments?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

84. To what extent do you agree or disagree with the approach to assessing the costs and benefits of the legislative proposals set out in the draft RIA?

Strongly Agree
Agree
Disagree
Strongly Disagree

Why do you say this?

85. Are there other areas that should be considered as we develop the IIA and RIA further?

86. Please identify any other sources of data and information that we should consider in the IIA and RIA ?

87. We would like to know your views on the effects that our proposals for 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?

We support the use of both the Welsh and English languages.

88. Please also explain how you believe the proposed policy 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.

As above.

89. We have asked a number of specific questions. If you have any comments on any related issues which we have not specifically addressed, please tell us below.

No further comments to make.

Name:

Organisation (if applicable): Flintshire County Council

Email address

Responses to consultations may be made public. To keep your response anonymous (including email addresses) tick the box.