



Elections Act 2022 Briefing for Councillors

What we will cover today

- Overview of the following aspects of the Elections Act 2022 including:
- Voter ID
- Absent Voting
- Polling Station accessibility
- Voting and candidacy arrangements for EU voters
- British citizens living overseas voting in UK Parliamentary elections
- Impact on the Council and Councillors

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Elections Act 2022 - What does it do?

Voter ID

- Requires voters to show photographic ID at polling stations before a ballot paper is issued
- Requires Electoral Registration Officer to issue free elector identification documents to registered electors who apply for one

Postal & Proxy Voting

- Requires postal voters to reapply for postal votes every three years
- Restricts the number of postal votes individuals can hand in
- Limits the number of people someone can act as proxy for

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Elections Act 2022 - What does it do?

Other changes

- Improve accessibility by requiring Returning Officers to take all reasonable steps to provide support for those with a disability in polling stations.
- Simplify and clarify the offence of undue influence
- Change the voting and candidacy arrangements for EU voters
- Restricts the number of postal votes individuals can hand in
- Allow all British citizens living overseas to vote in UK Parliamentary elections, regardless of when they left the UK.

DLUHC are still developing the policy and secondary legislation, and more detail will be shared when it is available.

The majority of changes will result in a new financial burden

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Which polls are impacted by the 2022 Act?

- UK Parliamentary elections
- Local Elections and referendums
- Police and Crime Commissioner Elections

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Voter Identification Documents

- Electors will need to show an approved form of photo ID before they are issued a ballot paper in a polling station
- Forms of existing photo ID listed in the secondary legislation

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Acceptable forms of Photo ID

- Passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country
- Driving licence issued by the UK, any of the Channel Islands, the Isle of Man or an EEA state
- Biometric immigration document
- Identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
- Ministry of Defence Form 90 (Defence Identity Card)
- Blue Badge
- National identity card issued by an EEA state
- Older Person's Bus Pass
- Disabled Person's Bus Pass
- Oyster 60+ Card
- Freedom Pass
- Voter Authority Certificate or a temporary Voter Authority Certificate

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Photo ID that cannot be accepted

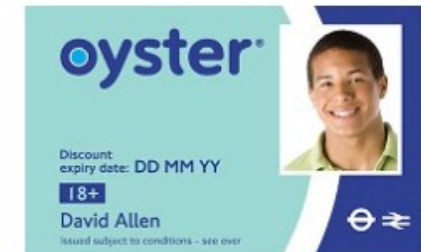
Any Photo ID not on the prescribed list so

- No Railcards (6-17 Saver, 16-25 Railcard, 26-30 Railcard, Disabled Persons Railcard, Family & Friends Railcard, Network Railcard, Senior Railcard, Two Together Railcard, Veterans Railcard)
- No other travel cards
- No work or student passes
- No photocopies of any ID Documents
- No photo ID on a mobile devices

Counts as ID



Does not count as ID



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Voter Identification Documents

- Electors will need to show an approved form of photo ID before they are issued a ballot paper in a polling station
- Forms of existing photo ID listed in the secondary legislation
- A Voter Authority Certificate (VAC)
- A Temporary Voter Authority Certificate (TVAC)
- Anonymous Electors Document (AED)

Voter Authority Certificate application process due to launch in January 2023 supported by a national campaign by the Electoral Commission.

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Voter ID At the Polling Station

- There is an expectation that private areas will be made available to produce identification if requested. Not all our polling stations can offer this so some form of screen may be needed.
- Will need to attempt to have a gender balance at Polling Stations if voter requires privacy
- Only the Presiding Officer or Poll Clerk have the authority to inspect ID
- The Presiding Officer must refuse an elector a ballot paper if they have a reasonable doubt that the ID does not look like the elector or suspects the documents are forged.

Accessibility

- ROs will have a general responsibility to take all reasonable steps to support voters with disabilities.
- The provisions for voters to be assisted by a companion will be extended to allow anyone over the age of 18 to assist.
- Expected to be in place at elections taking place from May 2023

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Accessibility at the Polling Station

The guidance makes clear that the RO has a legal obligation to provide:

- A notice inside and outside the polling station providing instructions on how to vote at the election.
- A notice in each polling booth providing information on how to mark the ballot paper at the election.
- At least one large sample copy of the ballot paper must be displayed inside the polling station.
- An enlarged hand-held copy of the ballot paper.

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Accessibility at the Polling Station

The following equipment should be provided as a minimum:

- Chair/seating
- Magnifiers
- Tactile voting device
- Polling booth at wheelchair level
- Staff name badges
- Pencil grip
- Ramps (for buildings with steps)
- Temporary alerters or doorbells for doors required to remain shut
- Appropriate lighting.
- Reserved parking spaces

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Absent Voting

- Political parties and campaigners will be banned from handling postal votes
- There will be a limit on the number of postal votes a person can hand in at a polling station
- Postal voters will need to make a fresh application every 3 years, instead of the 5-yearly signature refresh
- Electors will only be allowed to act as proxy for up to 4 people, of which no more than 2 can be 'domestic electors'
- Applications will require identity verification
- Secrecy and postal vote handling rules expected to be in place after the May 2023 polls, most likely coming into force Autumn 2023
- Change to the three yearly application process will be transitional, starting from January 2024
- Postal vote application and new proxy limit expected for May 2024 polls

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EU Citizens' Voting and Candidacy Rights

- EU citizens will no longer automatically be entitled to register to vote, vote, and stand for election
- Two groups of EU citizens will retain their rights:
 - **'qualifying EU citizens'** from countries with reciprocal agreements, and who have leave, or do not require it, to remain in the UK - currently Luxembourg, Poland, Portugal and Spain
 - **'EU citizens with retained rights'** who were resident in the UK before 1 January 2021

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EU Citizens' Voting and Candidacy Rights

- Applies at [local elections, PCC elections and referendums
- Expected to be in place at elections from May 2024
- From June 2023, the ERO will need to review existing EU electors and process applications in line with new eligibility criteria
- Communication with EU electors

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Overseas Electors

- The 15-year limit on voting rights for British citizens living overseas will be removed
- Overseas electors will be able to register at an address where they were previously registered, or if they were never registered, where they were last resident
- The registration period will be increased to 3 years, and renewals will be linked to a fixed point of 1 November
- Applies at UK Parliamentary elections
- Expected to be in place at elections from May 2024
- The number of people who qualify as overseas electors could triple, although it is unlikely they will all seek to register

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New burdens funding

- Three funding mechanisms:
 - Grants,
 - Justification Led Bids &
 - Hybrid
 - Payments will be made via Section 31 Grants
- £25,856,922 set aside by Government for new burden funding.
- Derbyshire Dales £14,990 in 2022/23 and £35,236 in 2023/24
- No indication of JLB bidding process
- New burdens become business as usual after 2 years.

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Impacts for Councillors

- Raising awareness of changes with electorate and your campaigners
- Restrictions on handing in postal votes
- Potential improvements with online postal vote application, but new requirement to verify identity
- Candidacy rights for EU citizens
- Undue influence

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Impacts for the Council

- New burdens on the ERO, RO and electoral services team
- Assistance from multiple service areas
- Communication of new requirements
- Polling day
 - Staffing
 - Polling stations

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Elections - 4 May 2023

- Briefing for potential candidates - 6pm on **15 February 2023**
- Pre-nomination briefing - 6pm on **15 March 2023**
- Notice of Poll published on or before **27 March 2023**
- Close of Nominations - 4pm on **4 April 2023**
- Deadline for Register applications - **17 April 2023**
- Post-nomination briefing - 6pm on **18 April 2023**
- Deadline for new postal votes - 5pm on **18 April 2023**
- Last date to apply for a Voter Authority Certificate - **25 April 2023**

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QUESTIONS?



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