

**Speech to SOLACE National Elections Conference
16 January 2014
Peter Wardle**

Opening remarks

Thank you.

It's good to have the chance to speak to the SOLACE Elections Conference again.

I will focus today on three areas. They illustrate the challenge of delivering major change in the electoral system while ensuring it continues to be both accessible and secure for voters.

I'm going to talk about performance standards. Where we've listened to your views and aimed to change the framework to reduce the burdens they impose.

I'll talk about the introduction of Individual Electoral Registration, the challenge it represents but also the opportunities it offers.

And I'll talk about the Commission's recommendations last week on how to strengthen the electoral system against fraud – including the work we've said we will do to work up how a scheme for voter ID in polling stations can operate, without unintended consequences. We're going to need a good deal of help from the wider electoral community with that.

The last 12 months

But before I get to those three areas, I want to reflect briefly on some of what the electoral community across the UK has achieved since I spoke to you last year.

Perhaps the most constitutionally significant event was the passage of the Act that enables the Independence Referendum in Scotland on 18 September this year. Mary Pitcaithly, the Convener of the Scottish Electoral Management Board and designated Chief Counting Officer for the referendum, made a presentation to the Electoral Advisory Board – the 12 Regional Returning Officers across the UK – last month, and we all expressed our readiness to support her in what will be a historic poll which will have wide implications, whatever the result.

And, of course, Scotland doesn't look like a one-off. Legislation is on the cards allowing for a referendum in Wales on further devolution. And the Westminster Parliament is continuing to debate a Bill providing for a UK-wide referendum in the next few years on UK membership of the EU.

I talked to you last year soon after the first round of Police & Crime Commissioner elections. We've since published a report, and have said we are disappointed by the Government's response so far. There are still important lessons for the Government to learn from those elections – before we get too close to the next set, due in May 2016. On a more positive note, it was noticeable how well some of the liaison between Returning Officers at – broadly speaking – county level worked at the PCC

elections; and many of those arrangements have continued among EROs preparing for the introduction of IER.

The Commission has been consulting about the rules on standing for election. We're looking at a range of issues, including why the rules around subscribers and deposits vary for candidates at different elections and the question of independent candidates' access to the electoral register. We'll publish our recommendations for change in the next few months.

90 per cent of voters we talked to said the elections last May were well-run. That's been a consistent message from voters for some years now, and is a testament to the hard work that you and your teams put in each year. Elections in the UK continue to be run well.

Finally, for the first time since we first said that legislation for elections needs to be settled 6 months ahead of polling day, the UK Government set itself that target the elections on 22 May this year – and achieved it. Thank you and well done to the Government - it wasn't that hard, was it? Please can we stick to this now for future elections - whichever government department is in charge?

Performance Standards

Performance standards started in 2008, and back then there were some significant areas where the standards were not being met. But in five years since then, things have changed a lot. Consistent performance has improved year on year, and most ROs and EROs met most of the standards in 2012 and 2013.

You and your teams asked us to review the framework to make sure we took account of that improved performance, and focused better on areas where the risk of poorer performance remains.

So we've changed the approach, based on extensive feedback from ROs, EROs and their teams. We think we've got an approach that focuses on key information that ROs and EROs would anyway want to be monitoring. Importantly, the new standards – and the supporting guidance – have been endorsed by the Electoral Advisory Board, reflecting a shared approach to what 'good' looks like, across the electoral community.

The new standards are meant to strike a better balance between ensuring we have the consistent, professional approach in place across the UK that voters – and candidates – have the right to expect; and the need for local accountability for local decision-making about how you achieve that given your local circumstances. We now aim for an approach where unless there's a clear rationale for doing something a particular way in the interests of voters, we'll be less prescriptive about the way things should be done.

And our monitoring is more risk-based. We won't be checking every Returning Officer – if there's no reason to think you'll struggle to meet the standards, we don't need to check. And where we do check, the emphasis will be on providing support where it's most needed.

But I make no apology for stating what I'm sure many in this room may regard as the obvious. Over the next few years we are facing bigger challenges in our elections than we have dealt with in the past few years.

None of us, of course, want to see a repeat of 2010, when a very few Returning Officers' failure to plan adequately for the predictable higher turnout at a General Election got in the way of the generally very high standards of elections administration that we're all used to.

In 2014 and 2015 we have major UK-wide elections. It's possible that turnout at the European Parliament elections this May will be pretty high, given the political context. And for those of you running the European elections alongside your council elections, you and your teams are facing perhaps the biggest challenge since 2010 or 2011.

And for many of us it doesn't stop in 2015. In 2016, on top of local elections, we have elections to the Scottish Parliament and the National Assembly for Wales; the Greater London Authority elections; and a second round of Police and Crime Commissioner elections. Sometimes the scale of 2016 seems not to register in the minds of people in Westminster and Whitehall – I can assure you that the Commission and the Electoral Advisory Board are already very focused on the fact that we have three very busy years coming up. We all need to check that our planning assumptions and preparations are in the right place.

And all of this takes place against the background of at least two significant factors. First, the implementation of IER, which begins this summer and carries on until at least December 2015. Second, local authority resources are significantly more squeezed than they were in 2010.

So now is the time to be standing back and asking a few key questions. About your suppliers. About your teams. About your plans. And to look for support where it's needed now, rather than later.

Individual Electoral Registration

The new performance standards for Electoral Registration Officers are focused on making the change from household to individual registration over the next couple of years.

I don't have to tell this audience the magnitude of the challenge in implementing IER, or the significance it has for voters.

Our ERO standards aim to help you see where local teams might be struggling with preparations for the transition that begins this summer – with the aim of providing support, not highlighting 'failure'. And to help us pick up good ideas and good practice that we and the Cabinet Office can share with the electoral community more widely.

With the ERO standards, we will be collecting information from you all. That's because we need to be able to take an overview of how the transition is working right across England, Scotland and Wales – and one of the things we already know is that where there are issues, they are likely to arise in particular places as well as more generally. But again, we have developed the new approach through consultation and with the Electoral Advisory Board, and the feedback so far is that it feels more like a collaborative endeavour than 'us' standing to one side looking for 'failure'.

There's a big focus on plans – and plans that respond to local needs – in the ERO standards. The challenges you face will vary a lot. So the key to getting local residents to take action where they need to, is high-quality local engagement, based on sensible analysis of your local context.

To support this, the Commission and the Cabinet Office will do everything we can to provide good templates and other materials that have been tested and that work – but how they are used is down to your local knowledge.

An obvious but important thing to add is that we and the Cabinet Office are committed to do everything we can to prevent overlap and inconsistency. So far we think we're managing reasonably well – but tell us where we don't! But we do appreciate that there is more to do to ensure that you and your teams receive what you need, when you need it, but aren't bombarded by unnecessary material.

Just before Christmas the Cabinet Office announced that we will be moving to a new - bigger - format for IER forms. That was the Commission's recommendation based on careful research with users, and also taking account of the implications of changing the format. We know that this is a significant change, and for some of you will also mean new equipment. But we and the Cabinet Office are committed to working closely with you to make this work without becoming a distraction from the rest of what's going on in the coming months. And we're convinced from our research with voters and others that the benefits of better, clearer forms – both in terms of the initial responses, and as IER goes on, are worth it.

Currently we're working with EROs and their teams across the country to review implementation plans. The vast majority of plans are well underpinned by good analysis of the Confirmation Dry-Run results, backed up by local knowledge and information to help identify key target groups and how you are going to work with them. Where we've found plans that lack that underpinning of local analysis, we're working with EROs to help revise them – most of that revision work has already been completed. We'll also be sharing good practice through our regular Bulletins.

And of course it doesn't stop with the initial plans. Monitoring how your local plan is working, and responding to issues that get thrown up, will be a critical part of managing the transition to IER.

So, the key questions I'd suggest you might want to take away from this session are:

- First - how good is the analysis of the groups in your local community that you need to focus on?

- And second - do your plans to reach those groups make full use of the knowledge and resources available across your local authority and in your wider community?

There will be intense local and national interest in how the IER transition goes – particularly where people think the results aren't 'good enough'. I want each of you to be able to say – with our and the Cabinet Office's agreement – that you've done everything you reasonably should be doing to ensure the transition is a success. And if even that isn't having the results we all want, then we and the Cabinet Office will continue to work with you to come up with new responses.

Turning to national activity, the Commission will be running a mass-media public awareness campaign to coincide with your write-out to voters – this summer in England and Wales; after the referendum in Scotland. This is meant to encourage people to respond to your letters and complement the work you'll be doing locally.

We know that the people most likely not to be confirmed at the outset are young adults and students; people that have recently moved home; and people that live in private rented accommodation. So we are working with a range of partner organisations who have good links with people in these groups and who can help pass on the message to them.

We don't underestimate the challenge of the transition to IER. But it brings some real opportunities with it – for cross-authority working, for mutual support between authorities, for a real modernising step forward with the introduction of online registration applications; and of course, for a modern, more secure electoral registration for the 21st century.

Fraud

The last area I'd like to discuss is fraud. Last week the Commission published final recommendations following a year-long review.

There have been cases that we all know about. There is no evidence to suggest that fraud is widespread or systemic. But, voters are nevertheless worried about fraud, and are looking for reassurance that those of us responsible for the system are making sure their vote is safe.

We made three key recommendations.

First, we all need to keep our guard up – and show that we are doing that – against fraud. That means the Commission, EROs and ROs, the police – and political parties as well: one of the points we make in our report is that the majority of people in communities affected by electoral fraud are victims rather than offenders.

We have identified some areas of England where there is a greater than usual need for determined anti-fraud vigilance, especially in the run-up to important local elections this May; and we'll be focusing particularly in those areas to make sure all the necessary steps are taken.

The sort of things we want to see in place include:

- Targeted preventative measures like reviewing applications to register, based on historic analysis including analysis of alleged fraud
- The police reviewing their plans, including their plans for policing around higher-risk polling stations
- Campaigners making a clear public commitment to following our Code of Conduct

Second, we want to strengthen our Code of Conduct to stop campaigners handling postal or proxy vote application forms, or completed ballot papers. We hope to do this by agreement with the political parties, but if not we'll recommend a statutory change.

Voters are worried about this – they have no problem with campaigners campaigning, but they don't like campaigners getting involved in any aspect of running the election itself. We wouldn't dream of campaigners handling ballot papers in a polling station, or at a count – why, voters asked, should it be OK for them to handle ballot papers in the postal voting process?

ROs will have an important role to help deliver this – if we're telling campaigners it's inappropriate for them to handle ballot papers, we need to be able to offer electors help if they need it to deliver their postal ballot.

Third, and most significantly, we said that we need to move in England, Scotland and Wales to a requirement for voters to identify themselves more reliably in polling stations.

IER will do a lot to close down vulnerabilities in the postal voting system – it will be harder to create a false entry on the register and then use it to cast a postal vote. But postal voting isn't the only area of the system that's vulnerable to fraud. And the time has come to move on from a system originally designed when significantly fewer than half the population could vote, and where it was assumed that polling station staff would know most voters who presented themselves, by sight.

Presenting some form of reliable ID is already required in Northern Ireland, and is common in other countries.

But of course we understand people's fears that if we get this wrong, it could make things worse in terms of participation, even if it makes things better in terms of security – the constant balance we all have to strike in managing elections.

It's no part of our brief to come up with new deterrents to legitimate voters. It's worth noting that the voters we talked to as part of our review were often pretty surprised that they're not asked to produce ID when they go to vote – the idea isn't as strange as all that. But we want to work up a scheme that improves security while not disadvantaging people who don't have easy access to ID.

We'll want to talk to you about this as we try to get the balance right – for example, drawing on your experience with ID in other council services. We'll want to talk to you about how to make a scheme work efficiently, keeping the costs manageable. And we won't be pushing for an unfunded change – we know that any new costs will have to be met, and we'll have that firmly in mind as we develop our thinking with you.

Conclusion

So, a busy few years ahead, with major elections coming thick and fast, and a big change in electoral registration – all against the background of scarce resources. A new approach to performance standards. And a set of proposals about strengthening the system against fraud.

Beyond that, I suspect, an ongoing debate about levels of participation at elections and how the system can be modernised both to make it more accessible for voters and to streamline the way it operates – the Law Commission review of electoral law will be an important part of this.

With an agenda like this, the obvious thing for me to do in conclusion is to pay tribute once more to the hard work and commitment of the people up and down the country who make our electoral system continue to work as well as it does, and who are constantly eager to make it work better.

For my part, I hope we can continue to build stronger relationships between the Commission and all those in the electoral community. We have made some really significant progress in the past twelve months, and I hope that if I'm invited back next year, I'll be able to report on further successful work together then.

Thank you all for listening.