

## Refreshing absent vote signatures

### Revised timing of the 2014 refresh in England and Wales and the 2014/2015 refresh in Scotland

1. The law requires Electoral Registration Officers, by 31 January each year, to send every person who is an absent voter<sup>1</sup> and whose signature on the personal identifiers record is more than five years old a notice in writing:

- requiring them to provide a fresh signature if they wish to remain an absent voter, and
- informing them of the date on which they would cease to be entitled to vote by post or by proxy in the event of a failure or refusal to provide a fresh signature (i.e., six weeks from the date of sending the notice).

2. However, this year, the Elections (Fresh Signatures for Absent Voters) Regulations 2013 will require EROs between 1 and 19 August 2013 (inclusive) to send refresh notices to:

- in England and Wales, those absent voters whose signature would be more than five years old on 31 January 2014
- in Scotland, those absent voters whose signature would be more than five years old on 31 January 2015.

3. As in other years, there is no flexibility for the refresh to be carried out outside the specified period.

#### **Timing of the refresh**

4. The refresh notices may be sent at any point between 1 and 19 August 2013 (inclusive), provided the signatures of the absent voters will be more than five years old on 31 January 2014 in England and Wales, or on 31 January 2015 in the case of Scotland. You will need to decide when to best send out the notices.

---

<sup>1</sup> Absent voters who have been granted a waiver are not affected by the refresh provisions as they do not have a signature on the personal identifiers record.

5. There are particular issues that you will need to consider when deciding on a date for sending out the notices:

- the fact that August is traditionally a holiday month, so some electors may be away on holiday and may miss the original refresh notice or the reminder
- the proximity of the refresh to the start of the postponed canvass

6. Whichever day (or days) you choose to send out your refresh notices, it should enable you to receive the completed notices back in sufficient time to allow you to pre-print your canvass forms with accurate information about electors' absent voting arrangements. A balance will need to be struck, so that responses from electors can be maximised, while allowing for the administration of the canvass not to be adversely affected by unduly delaying its start.

7. For example, sending the original notice out on 1 August, means that the reminder will need to go out as soon as practicable after 22 August, with responses due by 11 September. While this would give you the maximum available time to use the information gained from the refresh to pre-print your canvass forms, it could, in some cases, mean a lower response rate.

8. Where the original notice was dated the last possible date, i.e. 19 August 2013, the deadline for absent voters to provide a fresh signature would be 30 September 2013<sup>2</sup>. In this case, non-responders should be deleted from the absent voting list and record on 1 October 2013, the earliest date on which the canvass can start. However, this day is likely to be too late to give you sufficient time to pre-print the canvass forms, indicating electors' absent voting arrangements.

9. The next refresh exercise after August 2013 will be in January 2015 in England and Wales and January 2016 in Scotland. In England and Wales, the next refresh, in 2015, will cover those absent voters whose signatures on the personal identifiers record will become more than five years old between 31 January 2014 and 30 January 2015. In Scotland, the next refresh, in 2016, will cover those absent voters whose signatures on the personal identifiers record will become more than five years old between 31 January 2015 and 30 January 2016.

### **Calculating deadlines**

10. Even though the timing of the refresh has changed, the amount of time that absent voters have to respond has not. Six weeks from the sending of the original notice, absent voters will lose their entitlement to vote by post or proxy if no response is received. This means that absent voters have just under six

---

<sup>2</sup> The last day of the period of six weeks starting on 19 August falls on 29 September, which is a Sunday. Consequently, the deadline is extended to the next working day.

weeks to return the notice – the entitlement would be lost on the last day of the six-week period.

11. You should date the notice on the day you expect to send it to absent voters, as the six-week period is calculated from the date the notice is sent.

12. Where the end of the six-week period falls on a non-working day, the deadline is extended to the next working day.

13. After three weeks of the date of the original notice, if no reply is received, a reminder notice needs to be sent to the absent voter. In this instance, the three weeks are inclusive, i.e. absent voters have a full three weeks to complete the notice and for it to arrive back at the ERO's office before a reminder should be sent.

## Identifying the size of the refresh

14. The Electoral Registration Officer should determine the age of the signature based on:

- the date of the signature the voter originally provided, or
- if the signature is undated, the date that the Electoral Registration Officer received the original signature, or
- if the signature is undated and the Electoral Registration Officer does not have a record of the date on which the signature was received, the date the signature was scanned into the electoral management system in order to be added to the personal identifier record.

15. If an absent voter has submitted a new signature to replace an existing signature at any point, the age of the signature is calculated based on the latest signature provided.

16. The Electoral Registration Officer should identify the size of the refresh exercise as soon as possible by reviewing the personal identifiers record to check the numbers of signatures that will be subject to the refresh process in August 2013. This will enable planning for the exercise to be undertaken and captured in project planning and risk register documentation.

17. As part of the planning process, consideration will need to be given as to what resources will be required to carry out the exercise, including whether any additional staff will be required. The necessary technology also needs to be in place to support the process. Electoral Registration Officers should confirm with their suppliers at the earliest opportunity that their systems are able to identify the relevant absent voters.

18. The design, printing and distribution of the notices will also be a key consideration.

## Collection of date of birth

19. The date of birth is not part of the refresh process as set out in legislation. Existing absent voters **do not** need to provide their date of birth again in order for their absent vote to continue.

20. If the Electoral Registration Officer does include a space for the date of birth to be provided in the notice requesting a new signature, it should be made clear in the notice that a failure to re-submit their date of birth will not affect their absent voting arrangements. There is no provision for the date of birth held by the Electoral Registration Officer to be pre-printed on the notice.

## Contents of the notice

21. The notice should be dated on the day that it is being sent to the absent voter. The Electoral Registration Officer should maintain a record of the name of each absent voter to whom a notice is sent, the address to which the notice is sent and the date of the notice.

22. The notice sent to the relevant postal, proxy and postal proxy voters must require them to supply a specimen of their signature, and explain that if this is not received before six weeks of the date of the notice, their absent voting facility will be cancelled.

23. Along with or in the notice, the Electoral Registration Officer should also explain:

- how the required personal identifiers are used and how the personal identifiers assist in deterring misuse of the entitlement to vote
- the details of the absent vote currently in place for that elector and the types of elections the absent voter would cease to be entitled to an absent vote at should they fail to provide the required signature
- that cancellation of the absent vote for failure or refusal to supply a new sample signature does not prevent the elector re-applying for an absent vote at a later date
- the circumstances in which the signature requirement may be waived
- the deadline for the elector to provide their signature (i.e., before six weeks from the date of the notice)

## Sending the notice

24. The Electoral Registration Officer is required to send the notice to the current or last known address of the absent voter and must enclose a pre-addressed pre-paid postage reply envelope with every request made to a UK-based absent voter. Notices sent to absent voters with non-UK addresses must be sent with a pre-addressed reply envelope but there is no requirement to include pre-paid postage.

## Reminder notice

25. If an absent voter who has been sent a notice has not responded within three weeks of the original notice date, they must be sent a reminder notice that is a copy of the contents of the original notice as soon as is practicable.

26. You will need to have a mechanism to register or scan in returned notices to allow you to produce an accurate list of those electors who need to be sent a reminder notice.

27. Any absent voter who cancels their absent voting arrangements in response to the original notice should not be sent a reminder notice.

## Notices without a signature or where the signature is not returned in the prescribed format

28. A returned signature must meet the prescribed requirements, i.e. appear against a background of white unlined paper of at least five centimetres long and two centimetres high.

29. If a notice is received that does not include a signature or where the signature does not meet the prescribed requirements, a notice should be sent requesting a new signature and explain why the notice originally returned by the absent voter could not be accepted – provided there is time left for the absent voter to complete and return it before the deadline. Otherwise, they will need to be treated in the same way as someone who has failed to return the notice or reminder notice (see next paragraph)..

## Failure to return the notice or reminder notice

30. If the Electoral Registration Officer has not received the required signature before six weeks of the date of the original notice, the absent vote facility **must** be removed from the absent voting records and lists. The absent vote should be deleted on the day after the deadline.

31. The absent voter must then be informed in writing that their absent vote has been removed. This applies equally where a voter has notified the Electoral Registration Officer that they refuse to provide a signature or where an absent voter has failed to respond to the notice or reminder notice.

32. The Electoral Registration Officer must send each absent voter removed from the absent vote records and lists a removal notice which:

- explains that their absent vote has been removed because of a failure to provide a fresh signature, and so they must personally attend a polling station in order to vote,
- informs them of their polling station, and
- reminds them that they may make a fresh absent vote application, which must include their identifiers. A new application form should be included with the removal notice. The date of birth the Electoral Registration Officer already holds for the elector may not be pre-printed on the new application form.

## Removing an absent voter from the relevant lists and records

33. Where an absent voter refuses or fails to provide a fresh signature before the period of six weeks has elapsed from the date of the original notice, the Electoral Registration Officer must remove that absent voter's entry from the postal voters list, list of proxies or proxy postal voters list (as the case may be). The Electoral Registration Officer must also remove that person's entry from the relevant record of granted absent vote applications.

34. However, the Electoral Registration Officer must keep the elector's signature and date of birth previously provided on the 'record of personal identifiers' for a period of twelve months from the date on which the elector is removed from the record of granted applications.

35. If an absent voter's entry on one of the above lists and the record of granted applications is removed, the removal will take effect immediately.

36. Where a postal proxy is removed from the record and list of postal proxies, the Electoral Registration Officer must also write to the elector who appointed the proxy whose entry has been removed and explain that while the proxy appointment remains in place (provided the elector has not also lost their entitlement to vote by proxy), their proxy must now attend the elector's polling station to vote on their behalf.

37. The Electoral Registration Officer should also write to any proxy or postal proxy where the elector has failed to respond to the request notices to inform them that their proxy or postal proxy appointment has been cancelled.

## Return of the notice or reminder notice after the deadline

38. Any fresh signature that is received after the deadline cannot be used to add the previous absent voter back onto the relevant absent voter record.

39. When such a notice is received after the absent voter has been removed, the elector should be sent a letter explaining that the notice cannot be accepted. This letter should be accompanied by a new absent vote application, which will require the applicant to provide both of their identifiers. Again, the date of birth the Electoral Registration Officer already holds for the elector should not be pre-printed on the new application form.