

Cheltenham Borough Council

Full Council – 19th June 2023

Voter Identification (ID)

Accountable member:

Cllr Peter Jeffries – Cabinet Member for Finance and Assets

Accountable officer:

Paul Jones – Executive Director Finance, Assets and Regeneration (Returning Officer and Electoral Registration Officer)

Ward(s) affected:

All

Key Decision: No

Executive summary:

In December 2022, a motion was put forward at Full Council which resolved to ask the Chief Executive and/or Returning Officer to report back to Full Council on this authority's proposals to minimise the risk of disenfranchisement from the Voter ID proposals, which are due to be enacted nationwide from 2023 and would apply to all elections in Cheltenham.

Recommendations:

1. Council notes the contents of this report;
 2. Council appoints Gareth Edmundson, Kim Smith and Alison Murray as Deputy Electoral Registration Officers;
 3. Council approves the use of £20,000 from the Elections Equalisation Earmarked Reserve to further promote the requirement for Voter ID in future elections.
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Implications

1.1 Financial, Property and Asset implications

At 31 March 2023 there is a balance of £66,887 in the Elections Equalisation reserve. It is budgeted that an additional £62,100 will be contributed to this reserve in 2023/24 therefore sufficient funding is available to support the actions outlined in this report. There are no property or asset implications of the recommendations in the report.

Signed off by: Gemma Bell, Director Finance and Assets, gemma.bell@cheltenham.gov.uk

1.2 Legal implications

Under the Representation of the People Acts, it is essential for the Council to have a designated Electoral Registration Officer (and Returning Officer). Section 52 (2) of the Representation of the People Act 1983 Act provides that any Deputy Electoral Registration Officer must also be approved by the Council. The Voter Identification Regulations 2022 introduced various requirements in relation to voter ID and designated various responsibilities to the Electoral Registration Officer and/or their deputies.

Signed off by: One Legal – legalservices@onelegal.org.uk

1.3 Environmental and climate change implications

None directly associated with this report.

Signed off by: Laura Tapping, climate change officer, laura.tapping@cheltenham.gov.uk

1.4 Corporate Plan Priorities

This report contributes to the following Corporate Plan Priorities: *[please delete as appropriate]*

- Ensuring residents, communities and businesses benefit from Cheltenham's future growth and prosperity
- Being a more modern, efficient and financially sustainable council

1.5 Equality, Diversity and Inclusion Implications

Members will be keen to ensure that the council is being pro-active to ensure that no sectors of the community are disadvantaged by the implementation of the new voter-ID requirements and will note the list of actions as set out in 4.1

Members will also note that in para 4.5 the fact that the Electoral Commission will publish its own review of the May 2023 council elections to better understand whether any sectors of the community were disadvantaged, the reasons behind this and what can be learnt for future elections.

It is recommended that once the Electoral Commission review is published, that council considers any further action it may wish to take in respect of equality, diversity and inclusion.

2 Background

2.1 From May 2023 individuals, who wish to vote in person, including those acting as a proxy on behalf of another individual, will be required to produce an accepted form of photographic ID to prove their identity before they will be issued with a ballot paper.

2.2 This will apply at:

- UK parliamentary by-elections
- Recall petitions
- Police and Crime Commissioner elections
- Local government elections in England
- Referendums

2.3 The requirement for voter ID to be provided at UK Parliamentary General elections will only take effect for polls on or after 5th October 2023. The accepted forms of photographic ID are:

- a 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 (including an Irish Passport Card)
- a driving licence issued by the UK, any of the Channel Islands, the Isle of Man, or an EEA state (this includes a provisional driving licence)
- a biometric immigration document
- an identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
- a Ministry of Defence Form 90 (Defence Identity Card)
- a Blue Badge
- a national identity card issued by an EEA state
- an Older Person's Bus Pass funded by the Government of the United Kingdom
- a Disabled Person's Bus Pass funded by the Government of the United Kingdom
- an Oyster 60+ Card funded by the Government of the United Kingdom
- a Freedom Pass
- a Scottish National Entitlement Card issued in Scotland
- a 60 and Over Welsh Concessionary Travel Card issued in Wales
- a Disabled Person's Welsh Concessionary Travel Card issued in Wales
- a Senior SmartPass issued in Northern Ireland
- a Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland
- a War Disablement SmartPass issued in Northern Ireland
- a 60+ SmartPass issued in Northern Ireland
- a Half Fare SmartPass issued in Northern Ireland
- an Electoral Identity Card issued in Northern Ireland

2.4 Expired photographic identification documents can still be used as accepted photographic ID at the polling station, as long as the photograph is still a good likeness of the elector.

3 Voter Authority Certificates

3.1 Section 8 of the Representation of People Act 1983 requires a District Council to appoint an officer of the council to be the Electoral Registration Officer within its district. Paul Jones, Executive Director

Finance, Assets and Regeneration, was formally appointed as the Council's Electoral Registration Officer by Full Council at its meeting on 14th October 2019.

- 3.2 The main duties of the Electoral Registration Officer include the creation and maintenance of the registers of Electors. The statutory involvement of the post includes the provision of registers and absent voter list for each Polling Station, as well as to candidates at the election and to the Returning Officer.
- 3.3 Where an individual does not have one of the accepted forms of photographic ID (as prescribed in para 2.3 above), they can apply for a Voter Authority Certificate. This is a document containing an elector's name and photograph which can be obtained free of charge from their local Electoral Registration Officer (ERO), following verification of an applicant's identity.
- 3.4 Anonymous electors wishing to vote in person will also need to produce photographic ID. Due to their entry on the polling station register being linked to their electoral number, rather than their name, the only accepted form of photographic ID for an anonymous elector will be an Anonymous Elector's Document. This is a document containing an anonymous elector's elector number and photograph which can be obtained free of charge from their local ERO, following verification of an applicant's identity.
- 3.5 Electors can apply online, by post and in person (by appointment). Regardless of the way a person applies, there will be a check as to the person's electoral registration status, and their identity will need to be confirmed.
- 3.6 The deadline to apply for a voter authority certificate is 5pm 6 working days ahead of the poll.
- 3.7 Voter authority certificates are dispatched via a central print supplier within two working days from determination of the application.
- 3.8 Where an elector has applied ahead of the deadline and a voter authority certificate has been issued before 5pm on polling day, but not received, the Electoral Registration Officer can issue a temporary voter authority certificate valid for a single polling day. Temporary certificates can be printed on standard A4 paper, but for security purposes, must be individually signed by the Electoral Registration Officer. This must be a wet signature and not an image.
- 3.9 There will be times when the Electoral Registration Officer is not available, however, an appointed Deputy will also be able to sign the certificate. It is therefore recommended that Full Council formally appoints Gareth Edmundson, Kim Smith and Alison Murray as Deputy Electoral Registration Officers to ensure resilience.

4 Actions being undertaken to minimise the risk of disenfranchisement

- 4.1 A number of measures have been implemented so far and a number are planned over the coming year:
 - Information provided in the Confirmation of Registration letter sent via email or post to every elector being added to the Electoral Register.
 - Information provided on calling cards left by Electoral Registration Canvassers if they have been unable to obtain a response at the door whilst canvassing.
 - Electoral Registration Canvassers check with each individual where a registration application form is completed that they are aware of the requirement and advise what they need to do if they do not have the necessary photo ID.
 - Information provided on the Council's website

- Social media posts
- Information to partners including Borough and County Councillors parish clerks etc.
- Information in CBH newsletter both digital and hard copy
- Surgeries – a number of drop-in surgeries have been arranged
- Leaflet to be included with canvass communications to households that will receive paper form
- Engagement with community groups
- Posters and information to:
 - Doctors Surgeries
 - Dental Surgeries
 - Feed Cheltenham outlets
 - Voluntary and Community Sector support in Cheltenham

4.2 Funding is being provided using a hybrid approach of upfront grant payments and Justification Led Bids (JLB) and a combination of both via New Burdens Funding. The upfront grants enable a proportion of the funding allocation to be disbursed early in the financial year. As there are no scheduled elections in Cheltenham for 2023 the funding does not cover engagement. The upfront grant is to cover costs for core team training and equipment.

4.3 Members will be aware that whilst no local elections took place in Cheltenham in May 2023, they did take place in other parts of Gloucestershire and throughout England. These were the first set of polls to take place since the voter ID requirement came into force. Early feedback suggests that whilst elections overall were well run, the ID requirement posed a greater challenge for some groups in society, and that some people were unfortunately unable to vote as a result.

4.4 The Electoral Commission expects to publish its initial analysis of the implementation of voter ID in June 2023, subject to data being available.

4.5 In September 2023, the Electoral Commission will publish its full report on the May 2023 elections. This report will feature further data, including the reasons people were turned away, as well as turnout, postal voting and rejected ballot papers. It also plans to provide analysis of other aspects of the elections, including accessibility support that was provided for voters in polling stations.

4.6 In order to enhance local activity and minimise the risk of disenfranchisement, it is recommended that £20,000 is allocated from the Elections Equalisation Earmarked Reserve to further promote the requirement for Voter ID in future elections. The elections team will use the findings from the Electoral Commission’s report to target how best to utilise this funding in consultation with the Cabinet Member for Finance and Assets.

5 Timelines for implementation of other measures included in the Elections Act

5.1 Secondary legislation is currently being developed subject to Parliamentary approval of the statutory instruments and it is expected that secondary legislation will be made as follows:

- October 2023 - Online absent vote applications and postal and proxy restrictions
- December 2023 for polls from May 2024 onwards – Postal vote handling and absent vote secrecy
- November 2023 – EU citizens voting and candidacy rights but will not come into effect until after the May 2024 polls.
- January 2024 – Votes for life for overseas electors

Report author:

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Appendices:

- i. Risk Assessment

Appendix 1: Risk Assessment

Risk ref	Risk description	Risk owner	Impact score (1-5)	Likelihood score (1-5)	Initial raw risk score (1 - 25)	Risk response	Controls / Mitigating actions	Control / Action owner	Deadline for controls/ actions
	The requirement for photo ID to vote in elections runs the risk of disenfranchising several groups of people	Electoral Registration Officer	3	4	12		As detailed in Section 4 of the report	Electoral Registration Officer	April 2024