

SOUTH STAFFORDSHIRE COUNCIL

STANDARDS AND RESOURCES COMMITTEE – 23 NOVEMBER 2023

ELECTIONS ACT 2022 UPDATE

REPORT OF CORPORATE SUPPORT TEAM MANAGER

PART A – SUMMARY REPORT

1.0 SUMMARY OF PROPOSALS

1.1 To update the Committee on the Elections Act 2022.

2.0 SUMMARY IMPACT ASSESSMENT

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	Having a well-managed Electoral Services Team contributes to the objectives in the Council Plan.
	Has an Equality Impact Assessment (Equal) been completed?	
	No	Not applicable – information report only
	Has a Data Protection Impact Assessment been completed?	
	No	Not applicable – information report only
SCRUTINY POWERS APPLICABLE	No	Not applicable – report to Standards and Resources Committee.
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	Not applicable.	
FINANCIAL IMPACT	No	
LEGAL ISSUES	No	Compliance with the legislative requirements around elections is mandatory.
OTHER IMPACTS, RISKS & OPPORTUNITIES including climate impacts and health impacts if applicable	Not applicable.	
IMPACT ON SPECIFIC WARDS	No	Not applicable.

PART B – ADDITIONAL INFORMATION

3.0 INFORMATION

3.1 The Elections Act 2022 makes a range of changes to electoral law and processes. The first tranche of those changes which included the introduction of Voter ID and new accessibility requirements were implemented for the elections in May 2023.

3.2 The second tranche of changes come into force in advance of the May 2024 polls. These provisions relate to:

- Absent Voting.
- Overseas electors.
- EU citizens' voting and candidacy rights.
- Postal vote handling and secrecy and commonly used names.

3.3 They will apply at the following types of elections:

- UK Parliamentary elections in Great Britain.
- Local Elections.
- Police and Crime Commissioner elections.

4.0 Absent Voting

Postal and proxy voting identity checking requirements

4.1 All absent vote applications (except for emergency proxy applications) made on or after 31 October 2023 must contain a **National Insurance Number (NINo)** or a reason why one cannot be provided.

4.2 The personal identifiers contained on the application (name, address, date of birth and NINo) must initially be **verified against Department of Works and Pension (DWP) data**.

4.3 Where an application fails to match with DWP data – electors will be required to provide **documentary evidence** to verify their identity. Where this is not possible, electors must submit an **attestation** to confirm their identity.

Online absent vote applications

4.4 From 31 October 2023 electors (except for anonymous electors) are now able to apply for most types of **absent vote online** via www.gov.uk/apply-postal-vote.

4.5 Electors can apply for the following absent votes both online and through a paper application:

- Postal vote
- Proxy vote for a particular election or referendum
- Proxy application for definite or indefinite period for overseas and service electors

- 4.6 Electors will not be able to apply for the following absent votes online but can continue to be applied for through a paper application:
- Proxy postal application
 - Postal waiver application
 - Proxy application for definite or indefinite period due to disability
 - Proxy application for definite or indefinite period due to employment, service etc.
 - Emergency proxy application

Maximum period for absent vote applications

- 4.7 From 31 October 2023, a **postal vote** can be in place for:
- a particular poll (poll held on specific date)
 - a definite period of not more than 3 years
 - a maximum period of up to 3 years
- 4.8 Electors applying for a postal vote will now only be able to hold their postal vote until the third 31 January following the date on which their application was granted.
- 4.9 For electors with a long-term postal vote (in place before 31 October 2023) there will be transitional arrangements. Existing domestic electors will be able to vote by post for relevant polls until 31 January 2026.
- 4.10 Proxy voters can continue to put in place a proxy arrangement for an indefinite period (subject to a three yearly eligibility check and five yearly signature refresh). However, all existing proxy voters who have an arrangement in place before 31 October 2023 must reapply and make a fresh application by 31 January 2024.
- 4.11 We intend to send out a notice to existing proxy voters informing them of the need to reapply early December 2023 and a reminder sent in early January 2024.

Changes to proxy voting limits

- 4.12 The number of people a person can act as proxy for has also been restricted from 31 October 2023.
- 4.13 A person is not entitled to vote as proxy in any electoral area on behalf of more than four electors. Within the four electors, no more than two electors can be domestic electors. Domestic electors are those electors who are neither service voters nor overseas electors.

5.0 Overseas electors

- 5.1 The removal of the 15-year limit on expatriates' right to vote in UK Parliamentary elections in January 2024. All British citizens overseas who were previously registered or resident in the UK will be enfranchised.
- 5.2 The registration period will be extended to a maximum of three years and renewals will be set to a fixed point of 1 November, in line with the updated absent voting provisions for overseas electors.
- 5.3 Overseas electors will have the option to re-apply for a postal or refresh their proxy vote, which will then be 'tied' to the new three-year period of registration (unless a shorter period for the absent vote is specified by the elector and it therefore expires before).

6.0 Next steps

- 6.1 We will be issuing a further briefing note to the 25 January 2024 committee meeting to update on EU citizens' voting and candidacy rights and Postal Vote handling and secrecy as more details emerge.

7.0 IMPACT ASSESSMENT – ADDITIONAL INFORMATION

Not applicable.

8.0 PREVIOUS MINUTES

Not applicable.

9.0 BACKGROUND PAPERS

Not applicable.

10. RECOMMENDATIONS

- 10.1 To note the contents of this report.

Report prepared by:
Rebecca Harris
Corporate Support Team Manager