The European Parliamentary elections and the local government elections in England and Northern Ireland

May 2014

Report on the administration of the 22 May 2014 elections

July 2014

Translations and other formats

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We are an independent body set up by the UK Parliament. We regulate party and election finance and set standards for well-run elections. We work to support a healthy democracy, where elections and referendums are based on our principles of trust, participation, and no undue influence.

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Foreword

The European Parliamentary elections, and the local elections held in England and Northern Ireland went well overall. Voters have told us that they were largely satisfied with the way the elections were run.

However, the May 2015 UK General Election (with local elections also taking place in some parts of England) will present much greater challenges for all those involved in administering both the elections and the electoral registration system. Increased turnout, the potential for more candidates and campaigners that are less familiar with the electoral system and a number of contests that are likely to be very closely fought will all increase the scrutiny and pressure that our electoral system faces.

We have good foundations on which to build. For the May 2014 elections, our research showed that almost nine in ten voters (88%) were confident that they were well run - 97 per cent of polling station voters and 96 per cent of postal voters said they were satisfied with their experience of voting. These high levels of satisfaction reflect positively on the work of Returning Officers and their staff to deliver a high-quality service to voters and I want to thank them for their work. Despite these high levels of overall confidence, however, several problems arose during the elections.

In Tower Hamlets in east London, there was much concern about delays at the election count, and there were also reports of intimidation both at the count venue and around polling stations. On 1 July we published a report on the conduct of the count so urgent lessons could be learnt and changes implemented for the countermanded poll for the election of three members for Blackwall and Cubitt Town ward held on 3 July. We observed at all polling stations and at the count for the 3 July poll, and were pleased to see that our recommendations were implemented and there was no repeat of the earlier problems.

There were also concerns raised about campaigners outside polling stations in Tower Hamlets, where some voters reported large groups and intimidating behaviour. Despite changes to the local rules put in place by the Returning Officer and the efforts of the Metropolitan Police Service, there still needs to be a significant change in campaigner behaviour ahead of the General Election and we will be monitoring closely to ensure there is a sustained and robust response from the police and the Returning Officer to avoid a repeat of this unacceptable behaviour.

Voters value the contact that they have with campaigners. But as we look to the General Election, there needs to be a change in campaigner behaviour across the UK to rebuild trust in the system. Some voters at these elections lost their chance to vote by post because of the way campaigners tried to manage postal vote applications. This is unacceptable. Campaigners must no longer handle postal votes or completed postal vote applications under any circumstances and we will be consulting with political parties over the coming months to agree a new code of conduct by November 2014 to give voters greater confidence.

Across the UK as a whole, there have been fewer allegations of electoral fraud than at previous polls. Where allegations have arisen we are confident from our monitoring both before and during the elections that the police have taken swift and robust action to establish what evidence is available to substantiate allegations and, where appropriate, to investigate them. We will continue to monitor cases of alleged electoral fraud, and will report on the outcome of cases, including any prosecutions arising from the May 2104 elections, by March 2015.

For the first time in five years, EU citizens living in the UK could cast a vote in a nation-wide election – the European Parliamentary election. On polling day, and in the days following, we heard reports that some had not been able to do so as they had not filled in the declaration stating that they would vote in the UK, and not in their home country. It is unacceptable that administrative barriers prevented eligible and engaged electors from participating in these elections, and we will work with others to identify what can be done to simplify the system so that this problem does not affect electors at the next European Parliament elections in 2019.

Although people were mostly pleased with their experience at polling stations, there were some problems. We received reports – particularly via social media – from some voters who let us know that their ballot papers had been handed to them folded up and that they couldn't see immediately all the options on the ballot paper. We had made clear to everyone running elections at local level that however ballot papers were delivered from the printers, they should be handed unfolded to voters, but this guidance was not universally followed across the UK. On polling day we responded to these reports, contacting the relevant Returning Officer, to ensure that this was put right immediately. We will be reinforcing the message that ballot papers must be handed to voters fully unfolded between now and next May.

Candidates standing for political parties and the parties themselves are allowed to use a 'party description' on the ballot paper, provided the Electoral Commission has registered the description. There were issues around the use of these party descriptions – and in one case, we had wrongly registered an offensive description, which subsequently appeared on the ballot paper in Wales. We apologised for this and have since published an independent report that examined the background to this decision and identified steps we should take to avoid this happening again, all of which we accepted. There was also concern that some other descriptions might have led to voters being confused. We have said to the UK Government that we think the case for changing the current rules around the use of party descriptions on ballot papers should be considered, with a view to reducing the risk of voter confusion.

The May 2014 elections were also the last set of elections before major changes to the registration system in Great Britain take effect. Individual Electoral Registration is now live in England and Wales, and online registration is available for the first time (in Scotland, the changes will not begin until after the independence referendum in September 2014). Although our public awareness campaigns performed well, there are still millions of eligible people missing from the electoral register, and certain groups are significantly less likely to register, such as young people and recent home-movers. Online registration will help Electoral Registrations Officers reach many of

those who are not registered to vote, particularly younger people who are used to managing much of their life online. We are also now working hard with dozens of partners to ensure that the registration message reaches all under-registered groups.

Across the electoral community, attention is already focused on the independence referendum in Scotland and the elections in May 2015 – alongside the move to Individual Electoral Registration in Great Britain.

Acting on the recommendations in this report will be an important part of preparing for the UK Parliamentary General Election next year. But there will be a range of other preparations that we will want to see in place well before May 2015. Over the next few months we will start to issue guidance and advice for Returning Officers and their staff; and for political parties, candidates and others who plan to campaign at the 2015 UK Parliamentary General Election. All of this advice and guidance will be publicly available on our website, as usual, and our focus will remain on ensuring that elections and electoral registration continue to be run in a way that puts voters' interests first.

Jenny Watson
Chair, Electoral Commission

1 Introduction

About this report and our role

Our role

1.1   The Electoral Commission is an independent body which reports directly to the UK Parliament. We regulate political party and election finance and set standards for well-run elections. We put voters first by working to support a healthy democracy, where elections and referendums are based on our principles of trust, participation, and no undue influence.

- **Trust**: people should be able to trust the way our elections and our political finance system work
- **Participation**: it should be straightforward for people to participate in our elections and our political finance system, whether voting or campaigning; and people should be confident that their vote counts
- **No undue influence**: there should be no undue influence in the way our elections and our political finance system work

1.2   We want people across the UK to be confident that electoral registration and electoral events are well run, and that they will receive a consistently high quality service, wherever they live and whichever elections or referendums are being held.

1.3   It should be easy for people who want to stand for election to find out how to get involved, what the rules are, and what they have to do to comply with these rules. We provide comprehensive guidance for anyone who wants to stand as a candidate or be an agent which covers the whole process, including the main steps towards standing as a candidate, the campaign and election periods, the declaration of the result, and election spending. We also provide practical advice and assistance.

This report

1.4   This report provides our assessment of how well the May 2014 European Parliamentary elections and the local government elections in England and Northern Ireland, were run.

1.5   Our analysis reflects the experience of voters, based on public opinion research; electoral data; and feedback provided by Regional and Local Returning Officers and candidates and agents.

1.6   It provides a forward look to future elections, highlighting the issues which the Commission considers need to be addressed to make sure that the interests of voters continue to be put first at future elections.

About the elections

1.7 On 22 May 2014 elections were held for the United Kingdom's 72 members of the European Parliament, for local councillors in approximately one third of English local authority areas[1] and for the 11 new councils in Northern Ireland.[2] There were also elections for directly-elected Mayors in five English local authorities (Hackney, Lewisham, Newham, Tower Hamlets, and Watford), one local referendum on proposals to introduce a directly elected mayoral system in Copeland (Cumbria) and neighbourhood planning referendums in Much Wenlock (Shrophire), Woburn Sands (Milton Keynes), and Strumpshaw (Norfolk).

1.8 The table below shows the different voting systems used, the number of candidates/parties and the number of seats contested. The highest number of parties standing in the European election was 17 in London.

Table 1: The voting system, number of candidates and parties standing and the number of seats contested at the elections on 22 May.

Election	Voting system	Number of candidates/parties	Number of seats contested
European Parliamentary elections – Great Britain	Closed-list proportional representation	31 parties	70
European Parliamentary elections – Northern Ireland	Single transferable vote	10 parties	3
Local government elections - England	'First-past-the-post' majoritarian	c. 17,000	c.4,200
Local government elections – Northern Ireland	Single transferable vote	905	462
Mayoral elections	Supplementary vote preferential	34	5
Neighbourhood planning referendum	Majoritarian	n/a	n/a

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[1] 32 London boroughs, all 36 metropolitan boroughs, 76 second-tier district authorities, 20 unitary authorities. Seven local authorities were electing on new boundaries: Hart District Council (Hampshire); Sough Borough Council (Berkshire); The London Borough of Tower Hamlets; The London Borough of Hackney; Milton Keynes Borough Council (Buckinghamshire); The Royal Borough of Kensington & Chelsea and Three Rivers District Council (Hertfordshire)

[2] The new councils will take on additional responsibilities in areas such as planning, housing and urban regeneration. The councils will run in shadow form alongside the existing 26 councils until 1 April 2015 when they will take over. For more information on the changes to local government in Northern Ireland, visit www.nidirect.gov.uk/newcouncils.

Roles and responsibilities for managing and delivering the elections

1.9   For the European Parliamentary elections, a Regional Returning Officer (RRO) is appointed for each of the European electoral regions. The Deputy Prime Minister, as Lord President of the Council, was responsible in law for appointing RROs for each of the 11 electoral regions in Great Britain, while in Northern Ireland the Chief Electoral Officer (CEO) fulfils the responsibility of Returning Officer at all elections, including RRO for the European Parliamentary elections.

1.10 RROs have overall responsibility for the conduct of the European Parliamentary election within their electoral region. The running of the European Parliamentary election at a local level in Great Britain is the responsibility of Local Returning Officers (LROs). RROs can direct LROs to undertake certain functions and LROs have a duty to comply with such directions.

1.11 Where the polls for more than one election are combined the Returning Officer responsible for running the local government election will take on the majority of the functions of the LRO at the European Parliamentary election.

1.12 At local council elections in Northern Ireland each council has its own Deputy Returning Officer (DRO). Normally this is the Chief Executive but on this occasion a DRO was appointed prior to the elections for each of the 11 new council areas.

1.13 The Commission sets, monitors and reports on performance standards for ROs in Great Britain.[3] Building on the lessons we have learned from monitoring the performance of ROs over the last five years and taking account of the feedback we have received, we published a new performance standards framework in November 2013. The May 2014 polls were the first at which we applied this framework, which was designed to support ROs in delivering a consistent high-quality service for voters and those standing for election.

1.14 The new framework reflects what we and the UK Electoral Advisory Board agree that ROs need to do to prepare for and deliver well-run elections. The standards focus on the key outcomes from the perspective of voters and those who want to stand for election, and in particular whether ROs are taking the necessary steps to deliver the following outcomes:

- Voters are able to vote easily and know that their vote will be counted in the way they intended.
- It is easy for people who want to stand for election to find out how to get involved, what the rules are, and what they have to do to comply with these rules, and they can have confidence in the management of the process and the result.

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[3] More information about our performance standards framework for ROs is published on our website at: http://www.electoralcommission.org.uk/find-information-by-subject/performance-standards

1.15 The standards cover the range of activities carried out by ROs in preparing for and delivering well-run elections including, for example, setting up and staffing polling stations, and delivering timely and accurate verification and count processes.

1.16 A sample of 20% of ROs were selected for detailed monitoring at the May 2014 polls. The selection of this sample was principally risk-based, taking into account factors such as the experience of the RO and any previous issues as well as any other available information. The selection of the risk-based sample was made in consultation with the RROs. Additionally, the sample for monitoring included a random selection of ROs to mitigate the risks which could arise from only monitoring a known sample of ROs.

1.17 Also, for the first time, we also monitored the performance of all RROs in carrying out their role in co-ordinating and managing the delivery of the polls.

1.18 As for previous elections we provided guidance, tools and templates to support ROs in planning for and delivering the elections.

1.19 The Cabinet Office established the Elections Policy Coordination Group (EPCG) to enable RROs to come together to:

- shape the legislative framework
- share and identify good practice
- discuss issues of common concern.

1.20 **The Cabinet Office should evaluate how this group worked in practice, and consider, what if any, role it might have for ensuring the effective co-ordination of the 2015 elections.**

1.21 The Commission's Elections, Referendum and Registration Working Group (ERRWG)[4] continued to be a valuable forum for informing our approach to guidance and standards, and for discussions on practical issues relating to the delivery and co-ordination of the polls.

1.22 Prior to the elections we identified 16 local authority areas[5] where there could be a higher risk of allegations of electoral fraud. We worked closely with the relevant EROs and ROs, as well as the local police in the lead up to the election period to ensure that:

- The risk of electoral fraud had been robustly assessed locally.
- Appropriate preventative measures were in place in advance of the polls.
- Local elections staff and the police were equipped to respond quickly to any allegations of criminal activity.

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[4] The terms of reference for the group, including information on membership, can be found on our website.
[5] The Commission identified the following 16 local authorities as areas at a greater risk of allegations of electoral fraud being reported at the May 2014 elections: Birmingham, Blackburn with Darwen, Bradford, Burnley, Calderdale, Coventry, Derby, Hyndburn, Kirklees, Oldham, Pendle, Peterborough, Slough, Tower Hamlets, Walsall, and Woking.

1.23   Our monitoring before and during the election period meant that we were confident that ROs and police forces in all 16 areas had appropriate plans in place to minimise the risk of electoral fraud and to respond effectively to any cases of alleged electoral fraud which might be reported. Some ROs sought to agree local codes and protocols with campaigners, although not all local parties and campaigners agreed to sign up to them. We will continue to share information about good practice that has been adopted with other ROs and EROs to help them plan for future elections.

The Commission's role in encouraging voter registration

1.24   Ahead of the elections we ran a UK-wide media campaign which aimed to increase public awareness of the need to register to vote by 6 May in order to take part in the elections. In Great Britain, our campaign ran from 1 April-5 May on TV, radio and online. In Northern Ireland our campaign ran from 14-30 April on TV, radio, online, press and outdoor (posters and billboards).

1.25   As British citizens living overseas are eligible to vote in the European Parliamentary elections, we ran an online registration campaign aimed at British expatriates in the top 10-20 countries with a high British expatriate population. The campaign ran from 24 February - 18 April in non-European countries and until 27 April in Europe. We also created radio fillers (non-date specific radio adverts) for expatriate radio stations, and worked in partnership with the Foreign and Commonwealth Office, expatriate groups such as Votes for Expat Brits, and parties' overseas networks.

1.26   We supplied template PR materials to the Foreign and Commonwealth Office (FCO) and asked them to distribute these via consulates and embassies to gain media coverage in countries with the highest numbers of British expatriates. Many consulates and embassies used these materials, which resulted in a number of pieces of coverage to support the campaign.

1.27   In addition, we held an Overseas Registration Day on 26 February 2014. This was used as a hook for media releases. It was highlighted by our partners, and generated numerous pieces of coverage, both domestically and overseas. To support Overseas Registration Day Greg Clark MP (Minister of State, Cities and Constitution) also recorded a video message to expatriates urging them to register to vote ahead of the 22 May 2014 elections.

1.28   In Northern Ireland we also ran a 'voter information' media campaign to remind voters to take their photographic ID with them to the polling station and to inform them that the Single Transferable Vote voting system would be used for both the local government and European elections.[6] Our campaign ran from 7-22 May on radio, online, press and outdoor (posters and billboards).

1.29   As with previous campaigns, all advertising across the UK directed people to the Commission's www.aboutmyvote.co.uk website where they could download registration forms and find out further information about the elections taking place in

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[6] In Great Britain voters used the Closed List proportional voting system.

their area. We also set up a telephone helpline for the public awareness campaign period, allowing people to call for more information or to request a registration form.

1.30   In Great Britain 207,815[7] registration forms were downloaded from our website, which exceeded both the number in 2009 (131,194) and our target of 140,000 forms. In Northern Ireland, 6,059[8] registration forms were downloaded from our website. This was lower than 2009 (7,007[9]) and also fell short of our target of 10,000 forms – this may be due to our campaign going live shortly after the autumn 2013 canvass which had seen an increase in registration levels.

1.31   Due to their dispersed nature and the lack of reliable data on their numbers, British expatriates are a particularly difficult audience to target. This year we did a number of things differently for this aspect of the campaign, including working more closely with partners and holding an Overseas Registration Day. We achieved a total of 7,079[10] overseas registration form downloads from our website, which exceeded the number of forms downloaded during the campaigns undertaken prior to the European Parliamentary elections in 2009 (5,566) but fell well short of our target of 25,000 forms. Although we were disappointed not to hit our target we recognise that expatriates at these elections may have chosen to register to vote in their EU countries of residence. For example, according to official figures from Spain, 82,000 out of 336,586 foreigners registered to vote ahead of the European elections were British nationals.

1.32   Despite not hitting our target for this element of campaign, we did receive a very positive reaction to our adverts, with over 87,000 clicks on our online advertising being recorded during the course of the campaign. It is possible that many of these individuals felt the process of downloading, printing - and then having another British passport holder countersign - the form was too onerous a task. The introduction of online registration will make this process a great deal more straightforward in future.

1.33   We will be reviewing our approach and looking to build on successes as we plan for the UK Parliamentary general election. We intend to again set a stretching target and will report on the impact that online registration has had on this audience in our report following the general election.

1.34   To evaluate the effectiveness of our UK-wide registration campaign, we carried out tracking research in two stages – before the campaign launched and just after the campaign ended. In Northern Ireland we also carried out tracking research after the 'voter information' campaign. In both cases, we met our target of reaching 60-70% of the target population. Sixty nine per cent of the population in Great Britain, and 78% of the population in Northern Ireland, reported seeing at least one element of our registration campaign. We also met our target of 95-98% of people in Northern Ireland knowing they needed to bring ID with them to the polling station: 95% of the population

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[7] From 1 April-6 May 2014; includes 4,550 forms sent out by our call centre.
[8] Registration form downloads from aboutmyvote.co.uk 3,568 (1 April-6 May 2014); registration forms issued by call centre 2,491 (14 April-4 May 2014).
[9] Registration form downloads 5,592 and registration forms issued by call centre 1,415 (9 March-7 April 2009). 7 April 2009 was the registration deadline before the then new late registration rules.
[10] From 24 February-6 May 2014.

were aware of the requirement to take a valid form of photographic ID with them to vote.

1.35   Bite the Ballot held a "National Voter Registration Day" on 5 February. To support this, we provided them with a link to the public awareness resources on our website.

1.36   We will review the results and lessons learnt from our campaign and those run by others to inform our plans for the UK Parliamentary general election campaign in 2015.

Key facts and figures

Registration and turnout

1.37   46.55 million people were eligible to vote in the European Parliamentary elections and 21.7 million and 1.2 million in the local government elections in England and Northern Ireland respectively.

1.38   Turnout for each of the different elections held on 22 May is shown in the table below:

Table 2: Turnout at the elections on 22 May

Election	Number of ballot papers included in the count[11]	Turnout (%)
European Parliamentary elections (UK)	16.54 million	35.6
Local government elections - England	7.95 million	36.0
Local government elections – Northern Ireland	638,332	51.3

1.39   The chart below shows the variation in turnout since the 2010 UK Parliamentary General election. Turnout at the European Parliamentary election was similar in 2014 to that in 2009.

[11] This figure includes invalid, as well as valid votes.

Chart 1: Turnout at recent elections 2009-14
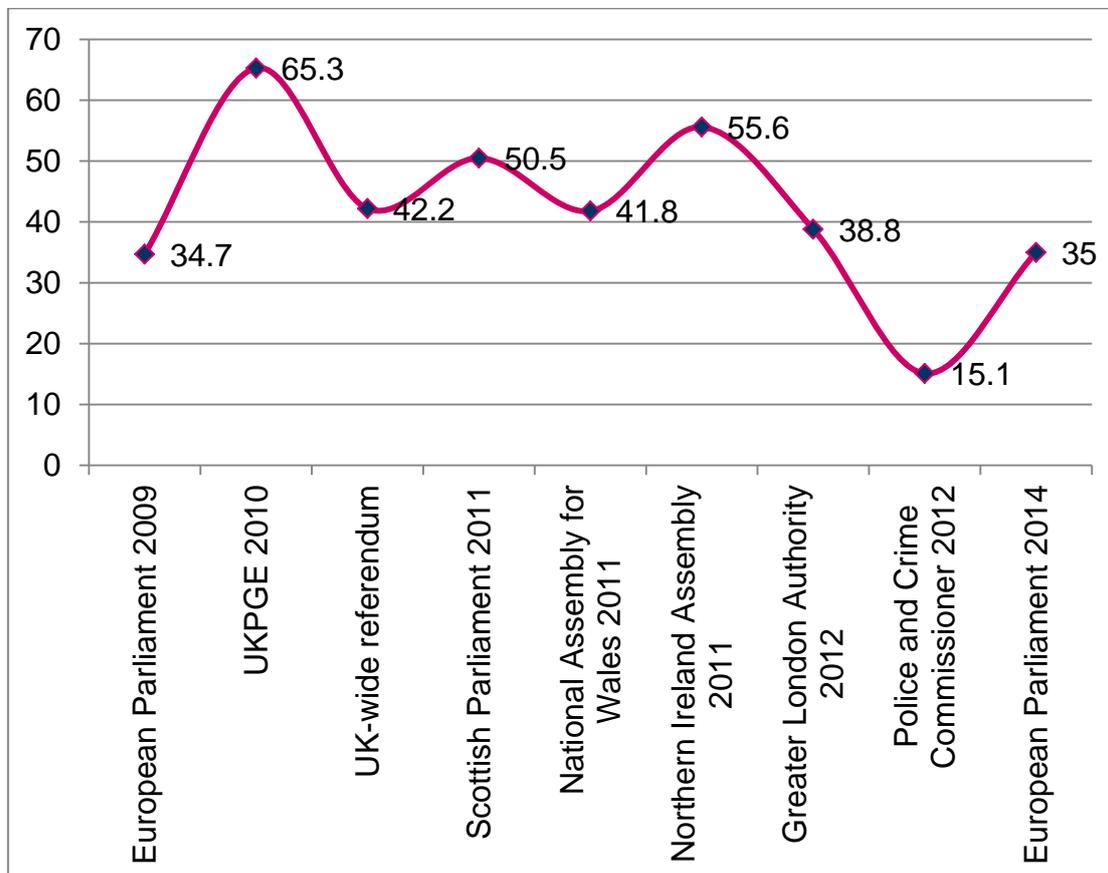
1.40   At the European Parliamentary elections, 11.5 million people in Great Britain and 12.1 million people across the UK cast their vote in their local polling station, accounting for 70% of all votes cast. This represents a turnout of 30% in Great Britain and 30.5% in the UK.

1.41   Postal votes were issued to around 6.65 million electors (16% of the eligible electorate in the UK) with a turnout rate of 69.5% among postal voters[12]. The majority of these were issued across Great Britain where postal voting is available on demand: England, 16%, Scotland, 15.9%, Wales 16.9%. By comparison 1.5% of the electorate were issued with a postal vote in Northern Ireland[13].

1.42   For the European Parliamentary elections approximately 51,690 electors were appointed as a proxy for another elector, representing 0.1% of the total electorate.

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[12] At the time of publication we had not received complete data for the local government elections in England and therefore are unable to provide data on polling station and postal voting for these elections.
[13] Postal voting on demand is not available in Northern Ireland. It is only available to people who can demonstrate that they are physically unable to vote in person at a polling station.

1,013 were emergency proxies (Great Britain). For the local government elections in England there were approximately 19,500 proxy voters and 430 emergency proxy voters. 70 were proxies appointed as a result of medical emergencies for the local government elections in 2013.[14]

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[14] Prior to the 2014 elections a person could only request an emergency proxy in the case of a medical condition, illness or disability arising after the deadline for ordinary proxy applications or if the person was a mental health patient detained under civil powers. Following the Electoral Registration and Administration Act 2013 (ERA Act) a person can now also appoint an emergency proxy if a person's occupation, service or employment means they cannot go to the polling station in person and they became aware of this fact after the deadline for ordinary proxy applications.

2 Were the May 2014 elections well-run?

2.1   Overall the elections on 22 May 2014 were well run and voters generally had a positive view of the electoral process.

People's experience of registering to vote

2.2   People continue to be satisfied with the procedure for registering to vote.[15] Over four in five (82%) of those surveyed said that they were satisfied with the procedure for registering, including 57% who said that they were very satisfied. Just three per cent said that they were dissatisfied with the process.

People's confidence that the elections were well-run

2.3   There were high levels of confidence that the elections were well run.

2.4   Almost three in four people (73%) reported that they were either very or fairly confident the elections were well run on May 22.[16]

2.5   This figure of three in four matches the levels of confidence following the May 2013 local elections in England and Anglesey (74%) and the May 2012 elections and referendums across Great Britain (74%). It significantly exceeds the levels achieved following the November 2012 PCC elections (33%).

2.6   People who turned out to vote were more confident that the May 2014 elections were well run: 88% of voters were confident compared with 59% of non-voters.

2.7   Reasons for not feeling confident that the elections were well run related to a lack of information/publicity/not knowing much (50%) and the fact that information was confusing/some people did not understand what the vote was for (14%). Other reasons were mentioned by 10% or fewer.

2.8   When this question was asked on our survey following the Police and Crime Commissioner elections, reasons related to a lack of information available were cited by 79% of people who were not confident that those elections were well run.

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[15] Full details of all our public opinion research, including data tables and further analysis can be found on our website here: http://www.electoralcommission.org.uk/our-work/our-research/public-opinion-surveys

[16] These levels of confidence were consistent across the different parts of the UK, although people in England (27%) were more likely to report that they were very confident compared to those in Scotland (18%), Wales (20%) and Northern Ireland (21%).
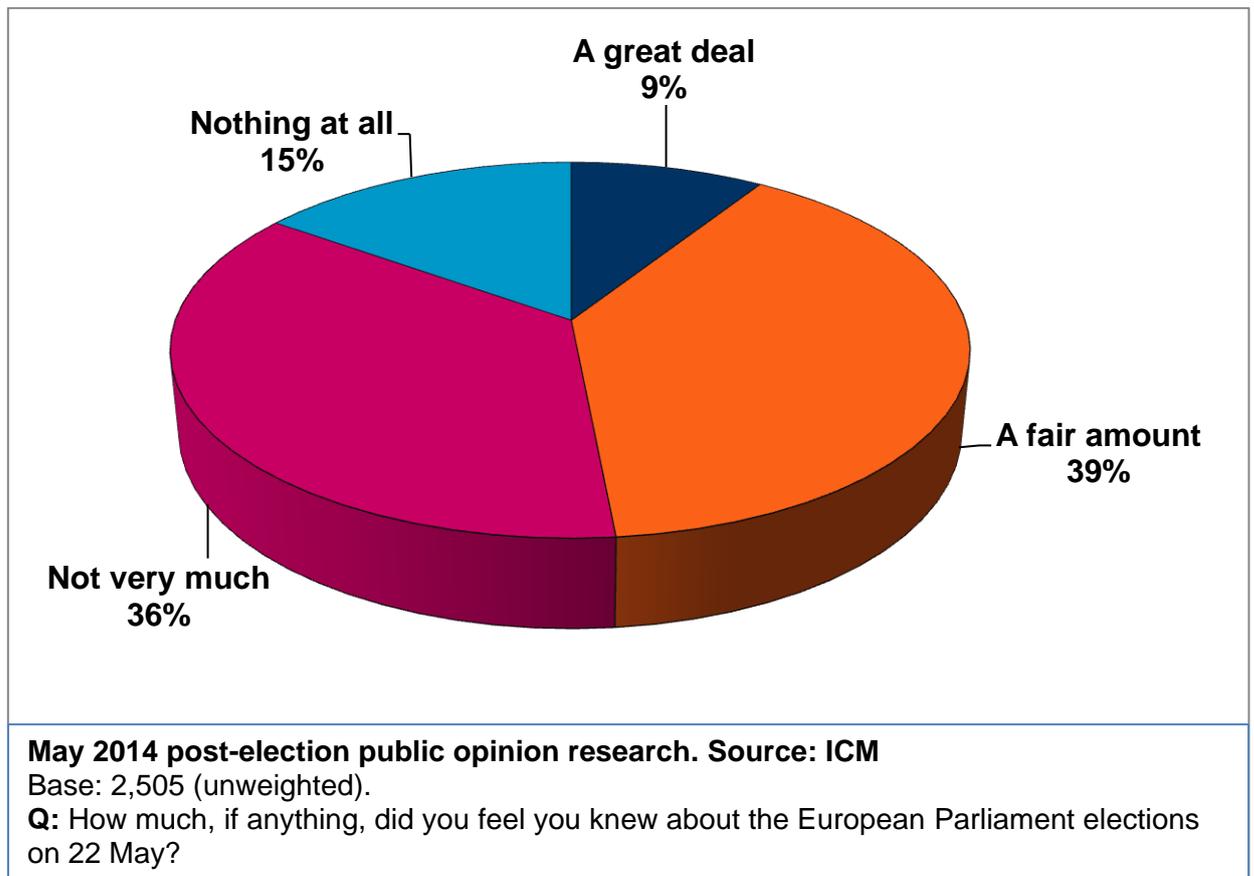
2.9   Although there were no widespread problems with the administration of the May 2014 elections, we discuss some specific issues in more detail in chapter 3 of this report.

People's experience of casting their vote

Did people feel informed about the elections?

2.10   Our public opinion research asked people how much they felt they knew about the elections on May 22.

Chart 2: Knowledge of the European Parliamentary elections

May 2014 post-election public opinion research. Source: ICM
Base: 2,505 (unweighted).
Q: How much, if anything, did you feel you knew about the European Parliament elections on 22 May?

2.11   Voters were, unsurprisingly, more likely than non-voters to report they knew a great deal or a fair amount about the elections. For example, 60% of voters compared to 39% of non-voters said they knew about the European Parliament elections.
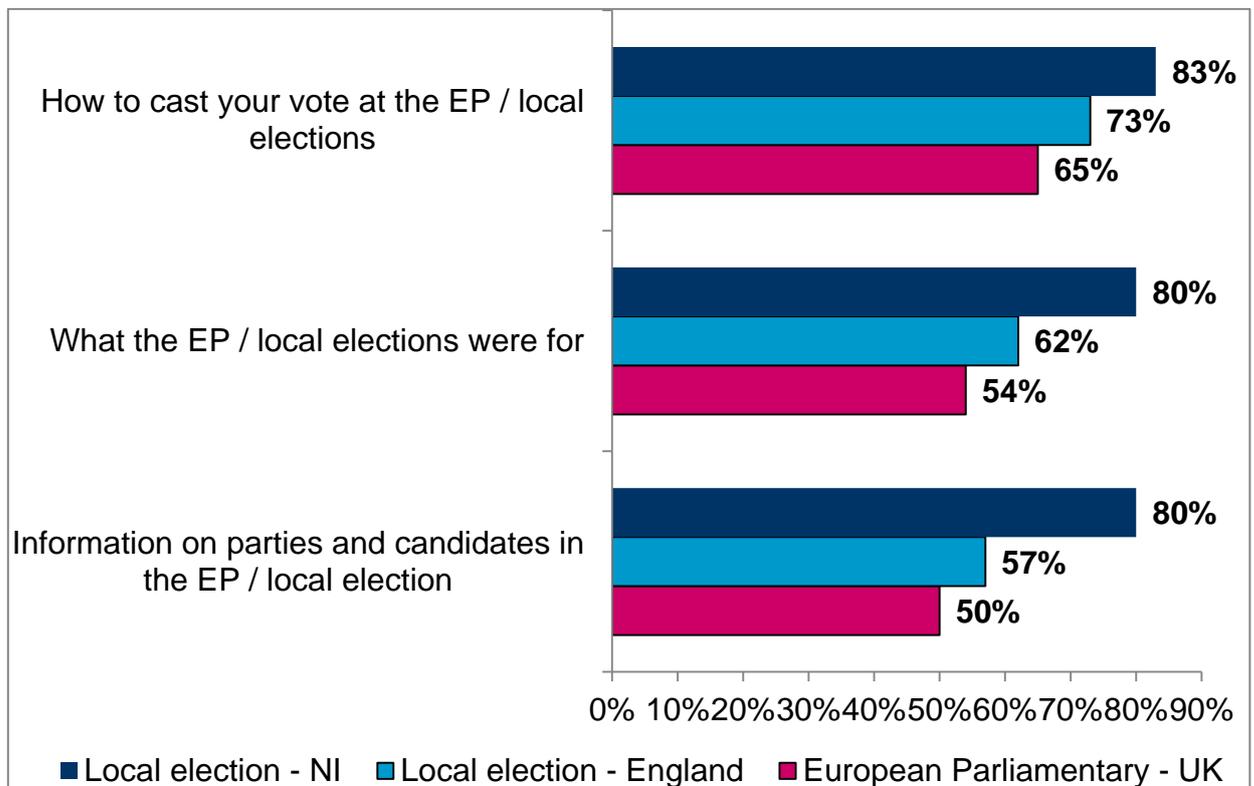
2.12   Knowledge levels were similar for those in England with local elections where the same proportion said they knew a great deal or fair amount about them (48%). However, respondents in Northern Ireland were more likely to say that they knew a great deal or a fair amount about their local elections (69%) than about the European Parliament elections (50%).

Access to information

2.13   Nearly two-thirds (65%) who responded to our public opinion survey said that information on how to cast their vote at the European elections was very or fairly easy to access.

2.14   Just over half (54%) said that they found it easy to access information on what the European elections were for, and a similar proportion (50%) reported that it was easy to access information on the parties and candidates. Reported ease of access to these types of information was higher for the local elections, with people in Northern Ireland more likely to report ease of access than those in England.

Chart 3: Percentage saying very / fairly easy to access to the following information

	Local election - NI	Local election - England	European Parliamentary - UK
How to cast your vote at the EP / local elections	83%	73%	65%
What the EP / local elections were for	80%	62%	54%
Information on parties and candidates in the EP / local election	80%	57%	50%

May 2014 post-election public opinion research. Source: ICM
Base: European Parliamentary elections UK: 2,505 (unweighted) - Northern Ireland local election areas only (502), English local elections areas only (700).
Q: For each of the following statement, would you say it was very easy, fairly easy, neither easy nor difficult, fairly difficult or very difficult to access information on…?

2.15   Table 3 below shows that:

- For the European elections, 61% agreed that they had enough information on how to cast their vote and 54% said they had enough information on the parties and candidates to make an informed decision. However, people in Northern Ireland were more positive about ease of access than those in Great Britain;

nearly three-quarters (73%) felt they had enough information on how to cast their vote and 70% agreed they had enough information on parties and candidates.

- Respondents in Northern Ireland were also more likely to agree that they had sufficient information on their local elections than those who had local elections in England. In March 2014 the Department of the Environment (NI) issued an information leaflet to every household in Northern Ireland explaining the changes that were taking place in local councils and when the changes would happen. This may help to explain why people in Northern Ireland found it easier to access information about their local elections.

Table 3: Enough information for voters?

Election	Agree enough information on how to cast their vote at EP / local election %	Agree enough information on parties and candidates to make an informed decision at EP / local election %
European Parliamentary – UK overall	61	54
European Parliamentary – Great Britain	61	53
European Parliamentary – Northern Ireland	73	70
Local government - England	71	62
Local government – Northern Ireland	85	82

People's experience of voting

2.16   Voters continue to remain very positive about their experience of voting, whether in person at a polling station or by post.

- Nearly all who voted in person at a polling station reported that they were very or fairly satisfied with the process of voting at their polling station (97%), and 94% said it was a convenient way for them to vote.
- Ninety six per cent of people who voted by post reported that they were satisfied with voting in this way, and 94% said that it was a convenient way of casting their vote.

2.17   For the European Parliamentary elections, approximately - 168,000 postal vote statements for the elections (4% of all those returned) were reported by ROs as having been rejected either because they were not duly completed or because they were not

accompanied by a ballot paper. For the local elections in England, 90,000 (4% of all those returned) were rejected.

2.18 It continues to be the case that the most common reasons why returned postal votes are not included in the count are because either or both of the signature and date of birth provided by the voter do not match the records held by the ERO, as well as people not returning either their postal vote statement or their ballot paper (see table 4).

Table 4: Reasons why returned postal votes were not included in the count (Great Britain)

	Percentage of overall total not included in the count (168,000) – European Parliamentary	**Percentage of overall total not included in the count (90,000) – local government elections in parts of England[17]**
Signature missing	8.6	6.0
Date of birth missing	4.7	4.8
Both signature and date of birth missing	9.5	10.1
Signature did not match ERO's record	19.7	21.5
Date of birth did not match ERO's record	17.6	17.1
Neither the signature nor the date of birth matched the ERO's record	7.5	7.8
Missing postal voting statement	16.7	14.4
Missing ballot paper	15.7	18.2

2.19 While it is clearly important that measures are in place to detect and prevent postal voting fraud, it is also important to ensure these measures do not inadvertently prevent someone who simply made mistakes on their postal voting statement from casting their vote.

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[17] These figures are based on approximately 80% of returns.

2.20   We therefore welcome the recent legislative changes in Great Britain that require EROs to inform electors after a poll where the signature and/or date of birth they supplied on the postal voting statement failed to match those held on record or had simply been left blank. This is to help to ensure those people can participate effectively in future elections and not have their postal vote rejected at successive polls because of a signature degradation or because they are making inadvertent errors.

2.21   EROs must contact these voters within three months after the elections. EROs in Scotland have already done this, and a number in England and Wales are in the process of doing so. Where a postal vote has been rejected because the signature on the postal voting statement could not be verified against the signature on the postal vote application, EROs have a power to collect a fresh copy of the voter's signature to ensure that their records are accurate.

2.22   It is important to emphasise that the requirement to send a rejection notice does not apply if an ERO has any concerns that a postal vote may have been completed fraudulently. EROs will work with their local police forces to consider how best to respond to and investigate any specific instances of potential postal voting fraud which have been identified.

Completing the ballot paper

2.23   Almost all of those respondents who said that they had voted in the May 2014 elections felt it was very or fairly easy to complete their ballot paper. Only three per cent of respondents said that they had difficulty completing the ballot paper for the European Parliamentary elections. Those who did find it difficult most commonly indicated that they found the instructions unclear, the parties / candidates were in confusing order or they couldn't easily find their party of choice.

2.24   As shown in the chart below the percentage of people who said it was 'very easy' to fill in their ballot paper related to the voting system their ballot paper was based on.[18] Respondents in Northern Ireland, who voted using STV, were less likely to say that completing their paper was easy than those in England, Wales and Scotland.

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[18] In Northern Ireland voters used the Single Transferable vote system for both the European Parliamentary and local council elections.

Chart 4:Whether easy or difficult to fill in ballot paper by election type
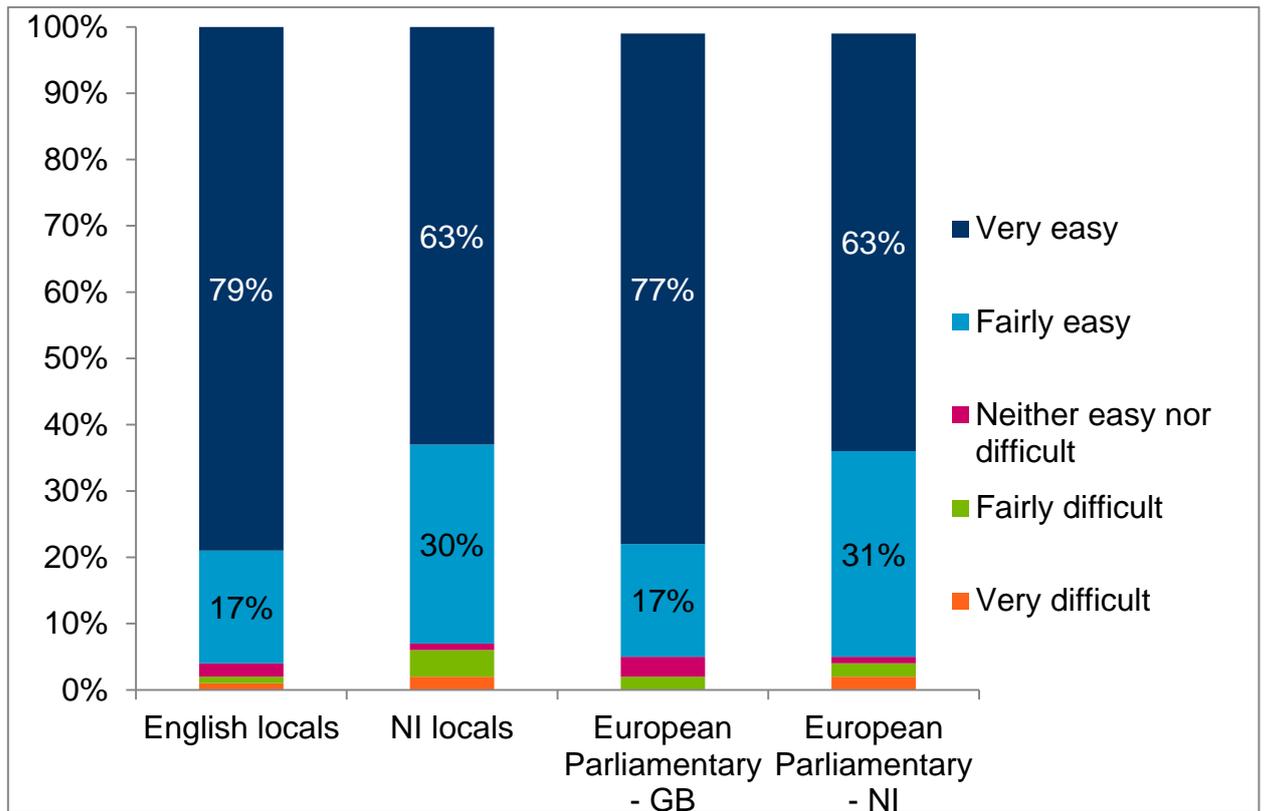
May 2014 post-election public opinion research. Source: ICM.
Base (unweighted): European Parliamentary elections GB (1,027), EP elections NI (266)
NI local election areas only (274), English local elections areas only (374).
Q: Some people said it was difficult to fill in the ballot paper when voting in the
22 May election. How easy or difficult did you find it to fill in the ballot paper for ....

2.25   Encouragingly, voter experience does not seem to have been adversely affected by having to complete multiple ballot papers. Ninety four percent said it was easy to fill in the different ballot papers on the same day for different elections (77% very easy; 17% fairly easy).

2.26   For the European Parliamentary elections the percentage of votes rejected at the count was 0.55% across the UK, ranging from 1.6% in Northern Ireland to 0.2% in Scotland. For the local elections in England, this figure was 0.7% and 1.6% in Northern Ireland.

Electoral integrity

Understanding electoral fraud

2.27   Almost half (46%) of people surveyed in our public opinion research after the May 2014 elections felt that they understand 'a lot' (12%) or 'a little (34%) about electoral fraud, compared to almost half who claimed to know 'hardly anything at all (29%) or 'nothing at all' (24%). These results are broadly consistent with our previous post-poll research, where about half of respondents felt they understood a lot or a little about electoral fraud.

Perceptions of electoral fraud

2.28   Seventy three percent of people surveyed said that they believe that voting in general is safe from fraud and abuse, with 21% describing it as 'very safe' while 6% said 'fairly unsafe' and 2% 'very unsafe' (and 13% said it is 'neither safe nor unsafe). As previous post-election research has found, voters were more confident that non-voters that voting is safe from fraud and abuse – 80% compared to 68%.

2.29   A survey of local election candidates in England, conducted by Professors Rallings and Thrasher at the University of Plymouth, found that 73% believed that voting in general is safe from fraud and abuse, the same proportion as the public.

Chart 5: Is voting safe from fraud and abuse?

	Very safe	Fairly safe	Neither	Very / Fairly unsafe	Don't know
Voting in general	21%	52%	13%	8%	6%
Polling station voting	36%	46%	9%	5%	4%
Postal voting	15%	36%	15%	25%	9%

May 2014 post-election public opinion research. Source: ICM.
Base: 2,505 (unweighted).
Q: In general, when it comes to being safe from fraud and abuse, would you say that voting / voting at the polling station / voting by post is very safe, fairly safe, neither, fairly unsafe or very unsafe?

2.30   Voting in person at the polling station continues to be perceived as safer than casting a vote by post (82% compared with 51%) and there is a strong link between people's preferred voting method and their perception of the safety of the alternatives. For example, people who voted at a polling station (91%) are more likely to say that polling station votes are safe from fraud than those who voted by post (79%). Equally, postal voters are significantly more likely to describe voting by post as safe (84%) compared to 39% of those who voted at a polling station.

Concern that fraud took place at the May 2014 elections?

2.31   Almost half of respondents (46%) thought that hardly any (33%) or no (14%) electoral fraud took place at the May 2014 elections. Just under one-third (30%) of people said that they thought electoral fraud took place, with 25% saying it happened

'a little' and 5% saying 'a lot'. People in Northern Ireland were more likely to say it happened a little / a lot (39%) than those in Scotland (27%), Wales (29%) and England (30%). A further 24% said that they did not know.

2.32   The proportion of people who thought that fraud had taken place at recent elections has fluctuated between one in five and about one-third (for example, focusing on England only, 35% thought a lot or a little fraud happened following the 2012 local elections whereas 22% said the same after the 2013 local elections).

2.33   Those respondents who said that they thought electoral fraud took place on 22 May were asked which out of a list of options best described why they thought this. As in previous years, reasons why people who thought that fraud had taken place related to a general impression that fraud was a problem (21%) and because they had seen stories in the media about electoral fraud (18%) were common responses.

2.34   Plymouth University's survey of local election candidates in England found that 36% said that they thought fraud took place at the local elections (29% thought it happened 'a little' and 7% saying they though it happened 'a lot') and just over a quarter (27%) said that they thought fraud took place at the European Parliamentary elections (24% saying 'a little' and 3% saying 'a lot').

Allegations of electoral fraud

2.35   As at the end of May 114 cases of alleged electoral fraud had been reported by UK police forces.[19] Thirteen forces gave a nil-response for allegations reported to them at the end of May; as of 12 June there were only five forces with no recorded cases of alleged electoral fraud.

2.36   The majority of allegations reported were campaign offences: 44 (39% of total reported allegations). The largest proportion of cases were about incorrect or missing imprints on election material or false statements of fact about the personal character or conduct of candidates. There were 27 nomination offences (24% of the total). Most of these relate to complaints about false statements in nomination papers or accusations that a candidate was ineligible to stand in the election.

2.37   There were twenty allegations (18% of all allegations) of voting offences - mainly accusations of personation at a polling station or in voting by post or proxy; fewer related to accusations of bribery, treating or tampering with ballot papers. Thirteen cases (11% of all allegations) related to registration[20].

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[19] Through the ACPO National Police Coordination Centre (NPoCC), we collate data from all police forces across the UK relating to cases of alleged electoral fraud during the year. At the time of publishing this report the majority of these cases were still under investigation by the police, and we will publish by mid-March 2015 comprehensive data on all cases of alleged electoral fraud reported during 2014, and their outcomes.

[20] This data in based on returns 1 January to 12 June.

2.38   At the time of publication 72 cases or 63% remain under investigation, 20 cases or 18% were resolved as requiring no further action; of these cases 15 were judged to involve no offence, three were undetectable[21] and in two no evidence was found. .

Election petitions

2.39   At the time of publication there were three election petitions challenging the result of elections held on 22 May:

- London Borough of Tower Hamlets – challenging the result of the mayoral election
- Plymouth City Council, Compton Ward – challenging the result of the local election.
- Hackney South and Shoreditch King's Park Ward – challenging the result of the local election.

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[21] No Further Action – undetectable is where there is an allegation or suspicion of electoral malpractice but where there are no further lines of enquiry and it is extremely unlikely that the offender can be identified.

3 Issues

3.1   The polls on 22 May 2014 were well run with high levels of voter confidence.

3.2   Using our new performance standards framework, we monitored the work being undertaken by Regional and Local Returning Officers in Great Britain to plan for and deliver the polls, to ensure we could intervene and facilitate the provision of support wherever issues were identified in order to support the delivery of well-run polls.

3.3   There were a small number of instances where we intervened to recommend minor improvements (in relation to, for example, overall planning for the delivery of the polls and arrangements for the verification and counting of votes), but no significant issues were identified in the course of our monitoring. In each case where we intervened, the RO responded positively to our recommendations and took action to amend their plans and processes to ensure the service they provided to voters and those standing for election was high-quality and consistent.

3.4   However, some issues arose both in advance of the polls, and on polling day and at the count. While some of these related to the performance of ROs others were out of their control, such as delays in legislation and party descriptions on ballot papers. We consider these issues below.

Issues arising prior to polling day

Delays in legislation

3.5   For some years the Electoral Commission and the wider electoral community have argued that legislation relating to any poll should be in place at least six months before polling day. We were pleased that for the first time, the Cabinet Office set out with a clear intention to achieve this. However, the UK Government failed to deliver this intention in full: the main regulations for the European Parliamentary elections (The European Parliamentary Elections (Amendment) Regulations 2013) were made in November 2013, six months before polling day, but there were significant delays in the passage of the Welsh Forms Order, the local government elections regulations and legislation and guidance on the funding mechanism for the elections, as detailed below.

3.6   The Local Elections (Principal Areas) (England and Wales) (Amendment) Rules 2014, which updated the rules and forms for the administration and conduct of local government elections, were laid on 7 March 2014 and came into force on 6 April 2014, just over six weeks before polling day. The late laying of this legislation meant uncertainty and planning issues for ROs, particularly in relation to electoral forms and stationery. There had also been uncertainty that the order would be made in time.

3.7   For European Parliamentary elections, RROs and LROs are paid for their services and are entitled to recover the costs of running the election from the Consolidated Fund through the Cabinet Office. The Fees and Charges Order,[22] which provides for payments for services and expenses of ROs and LROs in connection with the conduct of European Parliamentary elections, was made on 13 February 2014, just over three months before polling day. The Expenses Guidance Notes for Returning Officers were issued by the Cabinet Office on 21 March 2014, just two months before polling day.

3.8   The late laying of the Fees and Charges Order and publication of the guidance caused uncertainty for Returning Officers ahead of the election about the maximum amounts recoverable by ROs and how the funding allocation process would work in practice.

3.9   There was no good reason for these updates to the underlying legislative framework to be delayed, and the UK Government should not repeat this at future polls. We recognise that there may be limited circumstances which require changes to legislation to be made at relatively short notice, particularly where it is clearly in voters' best interests to do so, but such late changes should be exceptional rather than normal practice. **The UK Government should set out in response to this report how its plans for managing updates for the underlying legislative framework to avoid similar delays at future elections.**

The Welsh Forms Order

3.10   All electoral forms, notices and ballot papers must be available to voters in Wales in both English and Welsh so that voters in Wales are able to participate through the medium of Welsh should they choose to do so.

3.11   To achieve this the UK Government makes a statutory Order for each election, prescribing the materials in Welsh. However, the Order has frequently been late, causing significant problems for ROs in Wales in arranging printing of the necessary materials. Despite calls from the Regional Returning Officer for Wales and the Electoral Commission that the Order should be drafted and made in good time, it was again significantly delayed, and no good reason for this has been offered at any stage. The Welsh Forms Order came into force on 1 April 2014, less than two months before polling day and four months after the publication of The European Parliamentary Elections (Amendment) Regulations 2013, which provided for the forms, notices and ballot paper in English.

3.12   Many electoral administrators in Wales had to delay the printing of postal vote stationery, poll cards and notices as a direct result of the late legislation. One Electoral Services Manager captured the views of others when commenting, at our post-election feedback session, that the four month delay in publication of the Welsh Forms Order was 'inexcusable' when the UK Government had five years to plan.

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[22] The European Parliamentary Elections (Returning Officers' and Local Returning Officers' Charges) (Great Britain and Gibraltar) Order 2014.

3.13   In Wales, delays to providing for Welsh forms notices and the ballot paper in the Welsh language continue to pose a significant risk to the conduct of elections.

Election stationery

3.14   A number of issues arose throughout the election period around the printing of election stationery.

3.15   There were instances of incorrect designs being submitted by ROs to printers, or printers failing to print accurately the correct designs submitted to them by ROs.

3.16   Whenever such issues arose, we provided advice and guidance on what ROs should do to correct any mistakes, taking into account the impact on electors and what could feasibly be done within the timeframe. But these failures caused delays and costs arising from the need to re-print postal ballot packs and ballot papers.

3.17   Through an assessment process incorporating a review by a panel made up of representatives from the UK Electoral Advisory Board (EAB),[23] we have at this stage assessed two ROs as having failed to meet one of the elements of the performance standards as a result of a failure in their proof checking processes:

- **One for sending the poll card out with the wrong deadline for proxy voting.** Reading Borough Council included incorrect information regarding the deadline for applications to vote by proxy on their poll cards distributed to ordinary electors, specifically that the final date these applications could be made was 16 May rather than 14 May.
- **One for failing to print an emblem on the ballot paper.** Reigate and Banstead Borough Council produced and used a ballot paper for the local government election taking place in the Tattenhams ward which omitted a registered party emblem for the Tattenhams Residents Association.

Party descriptions and emblems

3.18   Political parties contesting European Parliament elections may choose to include certain information on the ballot paper in addition to their registered party name:

- Registered party description; and/or
- Registered party emblem.

3.19   However, to use these party identifying marks they must have registered them with the Commission. The law requires us to register party names, descriptions and emblems unless they fail certain tests, which include whether in our opinion:

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[23] An advisory group convened by the Electoral Commission and made up of senior Electoral Registration and Returning Officers, and representatives of SOLACE and the AEA. The EAB gives the Commission strategic advice about elections, referendums and electoral registration.

- it is the same as, or is likely to result in electors confusing it with, one that is already on the register;
- it is obscene or offensive, or includes a prohibited word, or its publication would likely amount to an offence; or
- by appearing on a ballot paper it would be likely to result in electors being misled as to the effect of their vote, or to contradict or hinder an elector's understanding of any directions for voting on the ballot paper or elsewhere.

3.20 There were a number of issues regarding party names and descriptions on the ballot paper at the 22 May polls. These are outlined below.

Britain First

3.21 In January 2014 Britain First – a registered political party – applied to register seven new descriptions in advance of the European Parliamentary elections. Four of these descriptions were rejected because they were either the same as, or likely to confuse the voter with, descriptions registered for other political parties. One of the three descriptions we accepted was "Remember Lee Rigby".24

3.22 Shortly before the deadline for nominations for the European Parliamentary elections, 24 April, Britain First nominated a list of candidates to stand in the elections in Wales and Scotland. In Wales, the party chose to use the description "Remember Lee Rigby" on the ballot paper.

3.23 After it came to light that this description was to appear on ballot papers in Wales, our Chair, Jenny Watson, personally apologised to Fusilier Rigby's family. We then promptly issued a public statement on 26 April to make clear that we should never have permitted the description, because it would cause offence, most particularly to the family of Fusilier Rigby who had previously said publicly that they did not want his name used in this way. We also removed this description from the register so it cannot be used at future elections. However, election law meant that there was nothing that could be done to prevent the description appearing on ballot papers at the European elections in Wales.

3.24 As soon as our Board became aware of the mistake, it asked for a full independent investigation. The investigation was undertaken by Elizabeth Butler FCA, the Independent Chair of the Commission's Audit Committee. The findings of her report included a number of recommendations for change.25 The Commission accepted them all.

3.25 We monitored the impact of this offensive party description being used in Wales, including responses from members of the public before and on polling day; responses from candidates, elected representatives and political parties; media comment; and feedback from Returning Officers. Members of the public did not in fact

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[24] Fusilier Lee Rigby of the Royal Regiment of Fusiliers was murdered on 22 May 2013 near the Royal Artillery Barracks in Woolwich, South East London.
[25] A summary of these recommendations can be found in Appendix 3. For the full report see Elizabeth Butler FCA, *Report to the Electoral Commission* (5 May 2014) http://www.electoralcommission.org.uk/__data/assets/pdf_file/0020/167411/Report-to-the-Electoral-Commission-registration-decision.pdf

register significant numbers of complaints, and there were not many examples of voters spoiling their ballot paper in response to seeing the description; however, this in no way diminishes the seriousness of the matter, and both the UK Government and the Welsh Government registered with us their serious concerns about the issue, as did individual politicians and political parties.

3.26   We have made a range of changes to minimise the risk of such a serious error in future. This includes subjecting party registration decisions to wider scrutiny within the Commission, not least to ensure that we consider the broader context when assessing whether a party name, description or emblem is offensive. We also instructed our internal auditors to review a sample of the names, descriptions and emblems of those registered parties that contested the European Parliamentary elections to ensure that our registration process has complied with the requirements of PPERA. Their findings suggest that there are no more widespread risks of us failing to comply with the key requirements of PPERA.

Other party names and descriptions

3.27   In February 2014, An Independence, a political party that has been registered since June 2012 and had been able to use this name on ballot papers since October 2013, applied to change its name to An Independence Party. We rejected this application on the basis that it was likely to confuse voters with the description of another registered political party, the UK Independence Party (UKIP).

3.28   In March 2014, An Independence submitted a subsequent application to change their name to An Independence from Europe and to register a new party description: UK Independence Now. We decided that both the party name and its description were sufficiently different from those registered by UKIP to mean that when voters saw these two parties on the same ballot paper, they were unlikely in our opinion to be confused and would be able to vote as they intended. The party used this name and description on the ballot papers for the European Parliament in seven out of the nine electoral regions in England.

3.29   4 Freedoms Party (UK EPP) have been a registered political party since October 2012. They originally registered the name UK in Europe Party (UK EPP) for use on the ballot paper, but changed their name to 4 Freedoms Party (UK EPP) in February 2014. The party used this name on the ballot paper in London, the only region they were contesting for the European Parliament elections.

3.30   A significant number of people, including representatives from UKIP, strongly felt that An Independence from Europe and 4 Freedoms (UK EPP) had chosen names and descriptions that were intended to confuse voters. As of 8 July we had received more than 260 complaints from people who said that the names and descriptions of these parties had confused voters who had intended to vote for UKIP, and should not have been registered.

3.31   A number of the complaints also focused on the layout and the order of parties on the ballot paper. Political parties are ordered alphabetically on the ballot paper for European Parliamentary elections. A number of complaints alleged that these two parties had deliberately chosen names that would get them to the top of the ballot paper, while UKIP was placed at the bottom.

3.32   In total 235,124 votes were cast for An Independence from Europe across Great Britain and 28,014 for 4 Freedoms Party (UK EPP) who only contested the London electoral region. Both these parties represented particular strands of opinion at the European Parliament elections, and it is very hard to determine how many of the votes cast for them may have been intended for another party. At every election, voters have to make a choice between different parties or candidates on ballot papers. There were 41 parties standing across the UK at the European Parliament elections, with between 8 and 17 parties standing in each electoral region. In addition, our general approach has been that the rules on party descriptions are not intended to give particular political parties a monopoly on the use of words like 'independence' or 'Europe'.

3.33   However, in view of the concerns raised about this issue, we are considering what should be done for future elections.

3.34   In the past the Commission has made a series of recommendations that the rules on ballot papers should be changed to ensure that party names are always shown alongside the names of party candidates. Following the 2007 Scottish Parliament Elections, the independent Gould Report recommended that ballot papers should clearly show which political party a candidate represents: a change was made to the rules for Scottish Parliamentary ballot papers, but not for other elections. We raised this issue again in our post-election report on the 2012 elections, and repeated it in our 2013 Regulatory Review of PPERA.

3.35   In the light of the experience at the May 2014 elections there is a case for reforming the rules on party descriptions. We will continue to discuss with Governments ways to ensure it is made clearer on ballot papers for voters which party a candidate is standing for. We will also consider further reforms to the rules that could reduce the potential for confusion at the ballot box.

'Quick response' code for party emblem

3.36   The European Parliamentary elections were the first to see a political party use a Quick Response (QR) code as an emblem on the ballot paper. QR codes can be scanned by mobile devices, taking the viewer direct to a specified website. YOURvoice, a registered political party, used this technology as their registered emblem, alongside a party description in the style of a website hyperlink.

3.37   We support new and innovative ways for political parties, candidates and campaigners to communicate with voters. Using a QR code as a party emblem was an interesting and novel approach and there are no specific legal restrictions on using a website hyperlink or a QR code as a party identifying mark, such as an emblem or description. However, we have reservations about the use by a party of a QR code on a ballot paper.

3.38   There is nothing wrong with using QR codes or URLs on election campaign material, it is common practice among parties and candidates. However given that all other party names, descriptions and emblems are static in content we are concerned about the registration of QR codes and URLs for use on the ballot paper. Our concern stems from the fact that the emblem or description could link to dynamic material online which could breach one of the statutory rules, for example, it could link to a site

that contains material that is offensive to voters. In this particular instance, YOURvoice assured us that would not happen and it did not.

3.39   We do not think that when PPERA introduced the rules on party names, descriptions and emblems, Parliament had envisaged the development and use of QR codes or website hyperlinks on the ballot paper. Following the European elections, we are reviewing the use of QR codes and URLs as party identifiers on the ballot paper, and will provide guidance on this to political parties as necessary.

Imprints

Imprints on printed campaign material

3.40   Imprints are required on printed material that promotes or procures the electoral success of a candidate, groups of candidates or political parties. Generically, this is known as "election material". Imprints are intended to ensure that there is transparency for voters about who is campaigning at elections.

3.41   The two sets of rules governing imprints[26] require that all printed election material must contain the name and address of:

- the printer; and
- the promoter.

3.42   The promoter is the person who has authorised the material to be printed. If the promoter is acting on behalf of a group or organisation, they must also include the group or organisation's name and address.

3.43   The Electoral Commission is responsible for regulating and enforcing the imprint rules for political parties and general non-party campaigners under PPERA. The police are responsible for assessing allegations regarding the imprint rules for candidates and local non-party campaigners under the Representation of the People Act 1983 (RPA 1983).

Imprints on electronic campaign material

3.44   Although we encourage campaigners at elections to include imprints on electronic campaign material (such as social media) as good practice, there is no legal requirement for them to do so. In 2013, we recommended as part of our review of rules for party and election finance that the UK Government should introduce a proportionate legal requirement to include on imprints for electronic material at elections. The UK Government is still considering the recommendations of that review. The Scottish Parliament has introduced a requirement to include imprints on all referendum campaign material for the 2014 Scottish Independence Referendum. We are monitoring compliance with the referendum rules and will comment on the use of imprints in our post-referendum report.

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[26] The rules on imprints for political parties and general non-party campaigners are contained in Section 143, PPERA. The rules on imprints for candidates and local non-party campaigners are contained in Section 110, Representation of the People Act 1983 (RPA 1983).

3.45   During the European elections there was a substantial amount of activity undertaken online by campaigners. Some of these campaigns appear to have only used online media to interact with voters. While most electronic campaign material at this election made it clear who was responsible for its production and promotion, there was the potential for an individual or organisation to spend significant amounts of money on an online campaign without this information being available to voters.

3.46   We will continue to encourage campaigners to include imprints on electronic material at elections as good practice, and encourage the UK Government to make them a legal requirement for campaigners. We do not think it should be made a legal requirement for the 2015 UK Parliamentary general election (UKPGE) because the regulated period for political parties has already started and it is not good regulatory practice to amend the rules on campaigning while they are in effect. However, **we recommend that this reform should be implemented in the next UK Parliament.**

Early dispatch of postal votes

3.47   The law on the timing of dispatching postal votes changed ahead of these elections to allow ROs to send postal ballot packs to electors at an earlier stage in the election timetable. At previous elections, ROs were not permitted to issue postal votes until 5pm on the 11th working day before polling day. Following the change to the law, ROs are now able to issue postal votes as soon as practicable, which in practice means once nominations have closed and they have printed and collated their postal ballot packs: after 4pm on the 19th working day before polling day.

3.48   The ability for ROs to send out postal ballot packs earlier in the election timetable extends the time available for electors – particularly those who require their postal ballot packs to be sent overseas – to receive and return their completed postal votes. Our guidance to ROs was clear that they should send out postal votes as early as practicable in all cases, and in particular should prioritise the issue of postal ballot packs to overseas electors.

3.49   While we are aware that some ROs sent out postal ballot packs earlier than they would previously have done, others opted to follow a similar timetable to that used for previous elections.[27] Our initial analysis suggests that those ROs who only had European Parliament elections issued postal ballot packs earlier than those where the European Parliament elections were combined with local authority elections where more than one ballot paper was issued.

3.50   In Scotland, the RRO issued a direction to LROs specifying that all postal ballot packs should be dispatched between Wednesday 30 April 2014 and Friday 2 May 2014. In Manchester the RRO issued a direction that postal votes had to be delivered to electors by 7 May. This was earlier than in the other electoral regions of the UK.

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[27] As part of our electoral data collection we asked ROs to send the issue date for postal votes sent overseas and the delivery date for postal votes sent to electors in the UK. We had not received this information at time of publication, but it will be available on our website early September 2014.

This early dispatch was of benefit to electors as it provided a larger window of time in which they could return their postal ballots.

3.51

3.52   A number of responses to our post-election survey of ROs mentioned that their ability to send out postal ballot packs much earlier than they would previously have done was limited by the time still required to print the postal ballot packs and the proximity of this particular election to the end of the annual canvass. On the other hand, a small number of administrators reported that the ability to despatch postal votes earlier made it easier for them to manage and administer other parts of the election.

3.53   We are disappointed that more ROs were not able to take advantage of the ability to send out postal ballot packs earlier in the election timetable for the May 2014 elections. We will continue to encourage ROs to put plans in place to ensure that they make full use of these provisions to maximise the time available to electors to receive, complete and return their postal vote at future polls, including at the May 2015 UK Parliamentary general election.

Campaigners handling postal vote applications

3.54   During the months leading up to the deadline for electors to apply to vote by post we heard concerns from Electoral Registration Officers and their staff from across different parts of Great Britain about the impact of campaigns by political parties to encourage their supporters to apply to vote by post.

3.55   Several campaigners and political parties ran large-scale direct mail campaigns from early 2014, contacting their supporters by post to encourage them to apply to vote by post at the May elections (including an application form for them to complete) and often at the same time to make donations. In some cases supporters' name and address details were pre-printed on these forms, and we received a small number of complaints directly from electors who were concerned about the security of their personal data.

3.56   While information about how to find the address of the Electoral Registration Officer was provided on the forms, electors were given greater encouragement to return the application forms directly to the political party – for example, by providing freepost return envelopes addressed to a central clearing house.

3.57   While campaigns by political parties are of course an important part of encouraging electors to participate in the May 2014 elections, Electoral Registration Officers highlighted a number of specific concerns about the impact of these campaigns and application forms for electors:

- Batches of completed forms were received from the central clearing houses used by the political parties involved after the deadline for applying to vote by post, despite individual applications being dated before – in some cases several weeks before – the deadline. The result was that electors could not vote by post, although it was not always possible to establish that the delay had been caused by the campaigner clearing house rather than the elector themselves.

- Batches of completed forms sent to Electoral Registration Officers were not correctly sorted, which meant that electoral administrators needed to forward on forms to colleagues in other local authority areas, further delaying otherwise valid applications and again involving a risk of electors being unable to vote by post.
- Some of the application forms sent out by parties only applied to the European Parliament elections – so that electors who completed them were not sent postal ballot packs for the local government elections on 22 May. Because these new postal vote applications cancelled any previous applications, this included some people who had previously applied successfully to vote by post for all local government elections and who did not expect a political party to supply a form that effectively cancelled their previous voting arrangements. We advised EROs to make contact with electors to make them aware of the effect of this application.
- Some electors who had completed and returned an application form to a political party clearing house were then concerned that their application had not been processed, presumably because there was a delay in the clearing house passing on the application; and therefore completed a second application form, causing unnecessary duplication of work for electoral administrators and confusion for electors.

3.58   Electoral Registration Officers and electoral administrators also highlighted concerns that the security of the postal voting process could be compromised if someone other than the Electoral Registration Officer and the individual elector has access to the signature and date of birth details provided on application forms, which are used to verify the returned postal voting statement, particularly if these are stored for some time in a party office or a clearing house before being sent to the correct person.

3.59   It is for all these reasons that the *Code of Conduct for Campaigners*,[28] which the Commission has developed in consultation with political parties, includes provisions which specify that campaigners should:

- ensure that any bespoke postal or proxy voting application forms conform fully to the requirements of electoral law, including all the necessary questions and the options open to electors;
- ensure that the local Electoral Registration Officer's address is provided as the preferred address for the return of absent vote application forms; and
- send on unaltered any completed application forms given to them to the relevant Electoral Registration Officer's address within two working days of receipt.

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[28] The *Code of Conduct* has been the Commission has developed in consultation with the political parties represented on the House of Commons Parliamentary Parties Panel and the panels for the Scottish Parliament and the National Assembly for Wales, and is endorsed by the members of the Electoral Commission's UK Electoral Advisory Board of senior Returning and Electoral Registration Officers and Electoral Integrity Roundtable. It is published on our website at: http://www.electoralcommission.org.uk/__data/assets/pdf_file/0006/154176/Code-of-conduct-campaigners-2013.pdf

3.60   We monitor possible breaches of the Code which are raised with us by electors, other campaigners or Electoral Registration Officers or Returning Officers, and publish details after each set of elections where necessary.

3.61   Having reviewed the information provided to us by Electoral Registration Officers and electors we have concluded that:

- A postal vote application form sent in a mailing by the Conservative Party to supporters across a large number of local authority areas during February and March 2014 did not include an option for electors to request a postal vote for any local government elections which were held on the same day. We have also concluded that the instructions for returning the application form should have been worded to make it clearer that returning the form directly to the local Electoral Registration Officer was the preferred approach, rather than sending it via a central clearing house.

- A mailing issued locally by the Conservative Party in relation to the local elections for the London Borough of Havering did not make it clear that an enclosed postal vote application form should be returned directly to the local Electoral Registration Officer.

- The instructions for returning a postal vote application form included in a mailing by the Scottish National Party should have been worded to make it clearer that returning the form directly to the local Electoral Registration Officer was the preferred approach, rather than sending it via a central clearing house.

- These mailings and application forms did not comply with the provisions of the Code of Conduct.

3.62   The Conservative Party has agreed that future mailings will include details of how to return application forms directly to the local Electoral Registration Officer as the first option. The Scottish National Party has agreed that the party will take steps to identify how the issue arose and put further procedures in place to ensure that it is not repeated, including reminding local campaigners of the specific provisions of the Code.

3.63   In our report on electoral fraud vulnerabilities published in January 2014, we recommended that campaigners at elections and referendums in the UK should not be involved in the process of assisting other people in completing postal or proxy vote applications or handling postal ballot packs or completed postal ballot application forms. We recognise and support the vital role that campaigners play in encouraging participation in elections (including helping to publicise and explain different voting methods to electors who might not be able to vote in person at a polling station, through handing out blank postal ballot application forms) but we have heard concerns from the public and electoral administrators about the impact on vulnerable electors and on perceptions of the integrity of the absent voting process when their involvement is taken further than this. Other parts of the electoral process – voting in polling stations and the count, for example – are very tightly regulated to prevent the direct involvement of campaigners.

3.64   We intend to consult political parties, other campaigners and ROs/EROs on proposed changes to the Code of Conduct with sufficient time for any changes to be discussed and agreed by the beginning of November 2014, in time for elections in May 2015 including the UK Parliamentary general election. Returning Officers in some areas where concerns and allegations about electoral fraud have been raised previously have developed their own more stringent codes of conduct for campaigners, but we are aware that not all local political parties agreed to sign up to these codes in advance of this years' elections. For example, the Labour Party in Pendle did not agree to follow the guidelines set out by the local Returning Officer; in Tower Hamlets the local Conservative group did not sign the protocol developed by the local Returning Officer.

3.65   We will work with political parties and others to find a way to make these changes without the need for legislation. If we are not satisfied, however, that campaigners are prepared to comply with these strengthened requirements voluntarily we will reconsider whether to recommend that the law should be changed. The practical problems which affected voters at the May 2014 elections (as described above) reinforce the need for campaigners to adhere to the provisions set out in the Code, and illustrate the limitations of a non-statutory approach to regulating the behaviour of campaigners.

3.66   To ensure that electors themselves are not disadvantaged, we will continue to encourage EROs and ROs to provide a facility to collect these documents from electors who are genuinely unable to return them through the postal service or to a polling station – many EROs and ROs already provide this service.

Emergency proxies

3.67   The elections on 22 May 2014 saw an increase in the use of emergency proxies,[29] and were the first at which an emergency proxy could be appointed by those called away on business or military service unexpectedly in Great Britain. Previously, emergency proxies could only be appointed for reasons of personal medical emergency.[30]

3.68   Despite the extension in the circumstances within which an emergency proxy can be granted, the queries we received from electoral administrators and electors on how far the criteria extended - including whether circumstances such as jury service, taking a relative or friend to hospital or a job interview would be allowed – illustrate that there remain gaps in the circumstances covered by the legislation, which should be considered further by the UK Government.

3.69   In our 2011 report on the referendum on the voting system for UK parliamentary elections we recommended that the UK Government extend the provisions so that those who have unforeseen caring responsibilities or who have experienced the death of a close relative would also be eligible to apply for an emergency proxy vote. The UK

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[29] For the local government elections in England in 2013, there were 70 emergency proxies appointed which compares to 430 at the England locals on 22 May 2014.
[30] This is still the case in Northern Ireland.

Government has not taken this recommendation forward and we would urge them to bring forward additional secondary legislation to further extend the ground for being able to apply for an emergency proxy voter to be implemented in time for the 2015 May elections.

Ballot papers for the European Parliament elections

3.70   At the 2009 European Parliamentary elections ballot papers which had been pre-folded by the printer were being handed to voters folded in polling stations in some areas in a way that could have obscured the last line of the ballot paper, which included the candidates for one particular party. As a result we have been clear since that ballot papers should be handed to voters unfolded.

3.71   We view the ability of the voters to conveniently see all candidates on the ballot paper as a matter of critical importance, even if the number of candidates requires the ballot paper to be long.

3.72   Traditional practice among polling station staff is to fold ballot papers before they issue them to voters unfolded. This is so that voters re-fold them along these lines once they have voted and before they put their ballot paper into the ballot box. Some printers also pre-fold the ballot papers. We issued guidance to all electoral administrators in Great Britain last year which stipulated that ballot papers handed to voters in a polling station must not be folded, and we followed this up with a reminder in our Bulletin to administrators dated 11 April 2014.

3.73   Despite this, there were reports that some polling station voters were being handed folded European Parliamentary ballot papers by polling station staff when they voted in their polling station. As part of a postal ballot pack the ballot papers have to be folded in order to fit into the envelope. We are not aware of any similar complaints made by postal voters, and in any case it is the voter's own responsibility to ensure that they have opened it up fully. We received approximately 50 tweets from voters during the course of the day covering a total of 22 local authorities, almost half of which were in London who had the longest ballot paper where 19 parties stood in the European Parliamentary election. In addition, we received 75 emails and 5 telephone calls on the subject of folded ballot papers.

3.74   We contacted the relevant RO in each case so that they could take action and emphasise to their staff that ballot papers should be handed to electors unfolded.

3.75   We also received a complaint from UKIP who (because party names are listed alphabetically on the European Parliamentary ballot paper) were concerned that they would not be visible to voters on a folded ballot paper, and therefore disadvantaged.

3.76   We received feedback from LROs that the length of the papers also caused a number of practical problems both in the polling stations and at the verification and count given the difficulty in handling them.

3.77   In England, Scotland and Wales the voting system used for European Parliamentary elections is the "closed list" system. Voters voting in these elections must complete the ballot paper by voting for the political party.[31] Party candidates are elected in the order they appear on the party list, as decided by the party.

3.78   At European Parliamentary elections in England, Scotland and Wales, the candidates chosen by each political party are listed under the party name on the ballot paper. This level of information about party candidates is not, however, included on ballot papers for other UK elections that use a "closed list" voting system. Lists of candidate names are not, for example, included on the London-wide Assembly Member ballot paper for Greater London Authority elections. Nor do they currently appear on Scottish Parliamentary or National Assembly for Wales regional ballot papers, although the names of candidates are required to be displayed inside and outside every polling station so that voters can see them. At Scottish Parliamentary elections, postal voters receive, alongside the regional ballot paper, a list showing the names of the candidates who appear on the regional list of each party, followed by the names of the individual candidates, as given in the statement of persons and parties nominated.

3.79   In our report on the 2009 European Parliamentary elections we noted research from our *Making you mark* project, which found that when asked to complete a European Parliamentary ballot paper, voters are confused by the presence of lists of candidate names on the ballot paper.[32] Voters also found that the candidate names made the ballot paper very cluttered, and were often printed in such small type that they were difficult to read. We recommended that ballot papers should be designed to put voters' needs first. We called for excessive candidate information to be removed, leaving clear and concise choices for the voter. We also recommended that there is greater consistency between ballot papers for different types of elections.

3.80   Feedback from this year's elections again suggests that the inclusion of lists of candidate names on the European Parliamentary election ballot paper was a source of confusion for voters. **We therefore reaffirm our 2009 report recommendation and continue to urge the UK Government to remove lists of candidate names on European Parliamentary ballot papers which would automatically reduce the length of the ballot paper.**

Voting by EU citizens at the European Parliament elections

3.81   On polling day we received 74 enquiries from citizens of other EU member states complaining that they had gone to their local polling station and found that they were able to vote in their local election but not the European Parliament election. Since polling day we have also heard from a number of organisations representing the

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[31] An elector can also vote for an individual or an independent candidate, although none stood in the 22 May poll.
[32] http://www.electoralcommission.org.uk/__data/assets/pdf_file/0006/81483/047-elections-report-final-web.pdf

interests of citizens of other EU member states in the UK, including Migrants United and New Europeans, who have collected information from people affected by similar problems.

3.82   Citizens of other EU member states[33] who are resident and registered to vote in the UK have a choice of voting at European Parliament elections in either their home country or the UK. If they wish to vote in a European Parliament election in the UK they must complete a separate declaration stating that they will not vote in their home country. EROs mark the register used for the European Parliament elections to make clear that only those who have completed this declaration are entitled to be issued with a ballot paper. Those people who did not complete the declaration were still entitled to vote in any local government elections which were held on the same day.

3.83   Electoral registration authorities from all EU member states are required to exchange information about citizens of other member states who have declared their intention to vote in that country, in order to detect and prevent voting twice in the same set of elections. However, feedback from EROs suggests that the information provided through this process by other EU member states is rarely sufficiently detailed or timely to enable them to take action in advance of polling day to amend electoral registers in the UK.

3.84   Our guidance makes clear that EROs should send declaration forms to all those electors who indicated on their annual canvass or electoral registration form that they are an EU citizen, and we reminded EROs of their duties in a bulletin issued in February 2014. We followed this up after the election and found that all of the 191 EROs who responded to us said that they had sent this form to European electors. We also directed citizens of other EU member states visiting our voter information website aboutmyvote.co.uk to a clear explanation of what they had to do and there was a link to the declaration form from the main May 2014 elections online campaign banner.

3.85   Despite this activity by EROs, it appears that a significant number of citizens of other EU member states resident and registered to vote in the UK who wanted to vote in the UK at the May 2014 European Parliament elections were unable to do so, because they had not successfully completed the necessary declaration. While it is not currently possible to identify precisely how many citizens of other EU member states were affected, it is unacceptable that administrative barriers prevented eligible and engaged electors from participating in these elections.

3.86   We will work with the UK Government, EROs and organisations representing citizens of other EU member states in the UK to identify what can be done to simplify the system and remove unnecessary administrative barriers to participation so that this problem does not affect electors at the next European Parliament elections in 2019. In particular, we will consider whether legislation could be changed so that in future citizens of other EU member states do not need to complete more than one electoral registration form to be able to vote at European Parliament elections in the UK. **We will make any recommendations to the UK Government in sufficient time for any changes to legislation to be introduced ahead of the 2019 European elections,**

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[33] Except those from Malta and Cyprus who are entitled to vote as qualifying Commonwealth citizens.

and make sure that whatever process is in place it is clearly communicated to EU citizens in the UK.

Election selfies

3.87   Taking election 'selfies'[34] in polling booths or polling stations has become increasingly popular in other countries and was covered widely in the national and local media. Election selfies can generate a sense of excitement and involvement around a poll, and could encourage other people to vote. But, the laws to safeguard the secrecy of the ballot mean that if someone took a photo in a polling station showing how they or anyone else had voted, and then shared it, they may well be committing an offence.

3.88   Although it would of course be possible to take a photo in a polling station without committing an offence, we took the view that in the interests of clarity and to best manage the risk of voters inadvertently breaching the law, we would advise ROs that photography should simply not be permitted inside polling stations.

3.89   The rules are not the same for postal ballots, so although it is an offence to induce someone to show how they have voted, there are no equivalent provisions around secrecy to those applying in polling stations.

3.90   **We will continue to recommend that ROs should prevent photography inside the polling station, but we are also looking at how election selfies could be used to encourage voting in the 2015 polls and will issue guidance on this before these elections.**

Allegations of electoral fraud and malpractice in Tower Hamlets

3.91   Following a number of complaints and allegations made at previous elections in Tower Hamlets, including at the local and mayoral elections in 2010, the London Mayoral and Assembly elections in 2012 and two local ward by-elections in the same year, the Electoral Commission made a number of recommendations in March 2013 to all those involved in upholding the integrity of elections in the borough. The steps we identified were needed to rebuild confidence and trust between the key participants in the election process and to reduce the risk that confidence in the May 2014 local and European Parliament elections might be damaged by an inadequate response to allegations of electoral fraud. Tower Hamlets was also identified by the Electoral Commission prior to the May 2014 elections as one of 16 areas nationally which were at higher risk of allegations of electoral fraud.

3.92   In response to our recommendations, the Returning Officer for Tower Hamlets put in place a local protocol which represented a commitment by campaigners, individuals and organisations involved in the May 2014 elections in Tower Hamlets to

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[34] A "selfie" is a photograph taken by the user of a smartphone of themselves.

support electoral integrity.[35] The protocol was endorsed by the Metropolitan Police Service (MPS) and supported by the Electoral Commission, and was signed by representatives of all the political parties represented on the Council before the elections, with the exception of the local Conservative Party. The protocol set out agreed processes for reporting and investigating allegations of electoral fraud in the period leading up to polling day, and also included commitments by campaigners not to handle postal vote applications or postal ballot packs and to limit the number of campaigners outside polling stations on polling day to no more than two per candidate.

3.93   In the months leading up to the May 2014 elections the Commission closely monitored progress towards implementing our recommendations, meeting the Returning Officer for Tower Hamlets and the MPS regularly to review their plans and attending briefing meetings for prospective candidates.

3.94   During the period before polling day, the MPS and the Returning Officer received complaints about alleged electoral fraud or malpractice, which they responded to by carrying out preliminary inquiries before deciding whether to open full investigations. We are pleased that the Returning Officer and the MPS responded promptly and thoroughly to these allegations, and we are aware that the MPS are continuing to investigate a number of cases of alleged electoral fraud relating to the May 2014 Tower Hamlets elections.

3.95   On polling day itself and in the days following, however, candidates, campaigners and voters raised concerns about the behaviour of campaigners outside polling stations. These included allegations that campaigners were gathering in large numbers around the entrances of some polling stations and that some voters felt intimidated by the presence of campaigners and what they felt were aggressive appeals for them to vote for particular candidates. In the weeks following the elections similar concerns and examples of alleged intimidation outside polling stations were raised with the Returning Officer, the MPS and directly with the Commission by voters and campaigners.

3.96   The MPS operational policing plan for polling day in Tower Hamlets had included deploying officers to be present at every polling station in the borough until the close of poll at 10pm, although in a small number of polling stations officers did not arrive until after polls opened at 7am. Some voters and campaigners raised concerns, however, that police officers at some polling stations did not appear to respond effectively to deal with complaints about intimidation or aggressive campaigning. The MPS has highlighted that it responded to specific complaints raised directly with them during polling day by election agents, although it will also need to review the training and briefing provided for officers on polling station procedures to ensure an effective and robust response to concerns raised by voters and campaigners at polling stations for future elections, particularly at the May 2015 UK Parliamentary general election.

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[35] Published on the Tower Hamlets Council website at http://www.towerhamlets.gov.uk/idoc.ashx?docid=7c3e44e1-1d9c-4b00-ab63-441afc9e6eb0&version=-1

3.97   The enhanced plans put in place by the Returning Officer and the MPS for preventing and detecting electoral fraud at the May 2014 elections in Tower Hamlets, including the protocol developed by the Returning Officer, were among the most detailed and robust for any other elections in the UK in 2014, and it is important to recognise the commitment of the Returning Officer and the MPS to trying to re-build confidence in the integrity of the electoral process in Tower Hamlets. Nevertheless, it is clear that there remains a significant degree of mistrust between campaigners and political parties, the Returning Officer and the police in Tower Hamlets which poses a serious challenge for the delivery of future elections in the borough. We are also aware that there is currently a legal challenge to the result of the election for the Mayor of Tower Hamlets, which has been submitted to the High Court.

3.98   The political climate in Tower Hamlets is likely to remain volatile and challenging in the period leading up to the scheduled May 2015 UK Parliamentary general election. The development of a protocol for campaigners, the Returning Officer and the police was an important step towards securing improvements, but we recognise that it may not on its own be enough for the May 2015 elections. Significant changes in behaviour are required from campaigners from across the political spectrum in Tower Hamlets, but those changes need to be backed up and enforced by a sustained and robust response from the police and the Returning Officer. We also recognise that the level of support provided by the MPS for the May 2014 elections in Tower Hamlets (including support for the delayed poll in one ward which took place on 3 July) was unprecedented, and we are aware that providing a similar or increased level of support for the May 2015 elections will be a significant resource challenge for the MPS.

3.99   Responsibility for protecting the integrity of elections in Tower Hamlets rests not only with the Returning Officer and the MPS, but also with political parties, candidates and other campaigners. We will make clear publicly if we are not satisfied that all those involved in maintaining the integrity of elections in Tower Hamlets have taken appropriate steps to respond to the significant concerns which have been raised about electoral fraud in Tower Hamlets in recent years.

3.100   We will continue to monitor closely the steps being taken by the Returning Officer and the MPS to prevent and detect electoral fraud. We will consider what further steps we can take to support the Returning Officer and the MPS to ensure the electoral process is robust and that voters and campaigners can have confidence in the integrity of the 2015 elections, including using our powers to attend and observe any aspect of election processes from nominations to the count. We will also continue to encourage all campaigners at future elections in Tower Hamlets to commit publicly to following the highest possible standards of behaviour, including agreeing not to collect postal ballot packs from electors or handle postal votes and not campaigning directly outside polling stations in a way which might intimate or prevent electors from entering to cast their votes.

3.101   We expect to comment further on progress in Tower Hamlets towards ensuring integrity and confidence in the May 2015 elections by no later than the end of November 2014. We will continue to monitor closely the response in Tower Hamlets, including setting out clearly our expectations and assessment to parties and candidates who intend to contest seats in this area in 2015.

The election count in Tower Hamlets

3.102 On 22 May 2014 in the London Borough of Tower Hamlets there were three different elections: European Parliamentary, local and mayoral elections. The result of the election of the executive Mayor for Tower Hamlets was announced at 01.15am on Saturday 24 May, after the count of first and second preference votes. Count totals for the election of members of the European Parliament for the London electoral region were announced by 02.40am on Monday 26 May and the result for the final ward election for the local council ward elections was declared by 21.30pm on Tuesday 27 May.

3.103 On 1 July 2014, we published a review of the count, which set out our understanding of why the count took so long as well as making recommendations for the management of future election counts in the borough.[36] The report identified two main factors that led to the count being delayed:

- Access to the count venue on Friday 23 May: delays in allowing count staff and those entitled to attend the verification and count meant that verification was delayed by approximately two and a half hours.
- Inadequate resource management during the verification and count on Friday 23 May and Saturday 24 May, and on Sunday 25 May: in addition to the significant delay to the start of the verification process on Friday 23 May, the number of count staff available was insufficient either to recover from the initial delay or to manage the number of ballot papers to be verified and counted within the Returning Officer's planned timetable.

3.104 Our report concluded that underlying both of these main factors were plans for the management of the verification and count on Friday 23 May which proved inadequate for the number of ballot papers to be counted and the intense focus of candidates and agents on the count process. We made a number of recommendations for future election counts, including the count for the countermanded poll for the Blackwall and Cubitt Town ward on 3 July, and made clear that we would continue to monitor closely the response to our recommendations by the Returning Officer ahead of the May 2015 elections. The Returning Officer put in place some changes at the count following the election on 3 July, which Commission representatives attended to observe, and we will also review the Returning Officer's evaluation of those changes.

3.105 Following information that an election petition had been presented regarding the Mayoral we undertook not publish any information relating to the performance of the Tower Hamlets Returning Officer against our performance standards whilst this was on-going.

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[36] Published on our website at
http://www.electoralcommission.org.uk/__data/assets/pdf_file/0008/169199/Our-report-on-elections-held-in-Tower-Hamlets-in-May-2014.pdf

3.106 Following conclusion of this process we can confirm our assessment that the RO did not meet elements of performance standards 1 and 2 in relation to the delivery of the count process for the European Parliamentary and local elections.[37]

The election count in Northern Ireland

3.107 At the 2011 Northern Ireland Assembly election, which used the Single Transferable Voting system, the verification of ballot papers[38] took much longer than planned, which contributed to significant delays in the counting of votes. Overall there was a considerable improvement in the verification of ballot papers at these elections. Both the European and the local council ballot papers were verified by the local Deputy Returning Officers and at most count venues the process was completed by early afternoon on Friday 23 May, with no major issues arising.

3.108 In advance of the elections, the Chief Electoral Officer for Northern Ireland provided an extensive training programme for local council staff with separate sessions on verification, STV-counting and calculator training. Feedback from the local council DROs was generally positive and they were satisfied with the training provided to them. The co-ordinated approach to planning taken by the CEO and the local councils' DROs led to much of this improvement.

3.109 Once the ballot papers had been verified the DROs commenced the count for the local councils. The counts ran well, with the last election results declared by 1am on Sunday 25 May.

3.110 The counting of votes for the European Parliamentary election commenced at 9am on Monday 26 May in the Kings Hall Pavilions, Belfast. At the early stages of the count the process seemed to be working well with ballot boxes for each of the 11 council areas being opened in turn. However by mid-afternoon it became apparent that the ballot papers were not being counted as quickly as had been expected. In particular it appeared that there was a backlog between the sorting of ballot papers and actually counting them.

3.111 As a result the announcement of first preference totals was not made until after 6:00pm. The Sinn Féin candidate exceeded the quota by approximately 3,000 votes, but no other candidate exceeded the quota. The count then moved to the exclusion of candidates and redistribution of votes and surpluses. At this stage there was a significant negative reaction from some politicians and sections of the media about the time it was taking to carry out the count.

3.112 At 9:00pm the CEO advised that a decision would be made at 11:00pm on whether to continue with the count overnight or suspend it until the following day. The count was suspended at 12:30am and recommenced at 9am on Tuesday. The DUP candidate exceeded the quota that afternoon at the seventh stage of the count and

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[37] Updated in September 2015

[38] Verification is the process by which the total number of ballot papers to be counted is confirmed.

following the redistribution of her surplus the UUP candidate secured the final seat at the eighth stage. The count was completed by 5pm.

3.113 Overall the count was accurate and transparent and produced a result that was accepted. Despite this, it took longer than had been anticipated to complete and there were clearly some lessons which could be learned in terms of planning. In total there were 635,927 votes polled – an increase of 147,036 since the last European Parliamentary election in 2009. In addition ten candidates was the largest number in recent European Parliamentary elections in Northern Ireland. The impact of an increased turnout and more candidates should have been more fully considered by CEO in the run up to the count.

3.114 After the ballot papers had been verified, the first stage of the count took almost nine hours to complete. Although there is no clear reason as to why this part of the count took so long there were a number of factors that contributed to this delay. There appeared to be a lack of overall management and oversight on the first day of the count resulting in some count staff not being used as effectively as they could have been. In addition some staff seemed to work considerably slower than others. Delays were also caused by the long-time taken to complete the calculations at each stage of the count, most notably during the second stage when it took over one hour to work out the transfer of approximately 4,000 votes. On the second day of the count the CEO allocated an experienced local council DRO, who had assisted on the first day, to oversee the management of the count which appeared to improve the speed and efficiency.

3.115 There was a lack of contingency planning in place with the general assumption that the count would be completed by mid to late afternoon based on previous European Parliamentary elections.

3.116 Given that the count continued to a second day, the CEO and his senior staff had to spend considerable time ensuring there were sufficient staff available to work the following day. As a result a number of staff who had no experience of working in counts were appointed to work on the second day alongside those who agreed to return. One council provided 15 members of their staff who had worked at the local council elections the previous weekend.

3.117 We acknowledge that by its nature a manual STV count will take time, and that the European counts in the Republic of Ireland and Malta[39] also took a number of days to complete. However, we think that improvements could have been made to the planning based on the likely turnout and number of candidates, and to the overall management of the count process. Such planning could have helped to better manage expectations on how long the count would have taken to complete, as well as to identify which parts of the count were running particularly slower than others.

3.118 **It is important that lessons are learned ahead of the UK Parliamentary General Election next May and the Assembly elections in 2016, where closely**

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[39] The Republic of Ireland and Malta also use the single transferable vote for European Parliamentary elections.

fought contests will bring increased scrutiny. The CEO's plans should identify the expected timing for completion of all stages of the count, and should be flexible enough to be revised to reflect changes if those assumptions change. Such plans should reflect every stage of the count including the verification of ballot papers, the sorting and mixing of ballot papers, the counting of votes and the adjudication of spoilt ballot papers as well as the process for calculations and transfers. The Chief Electoral Officer should also ensure that there is a contingency plan in place for managing the count if the original plan is no longer sufficient, including what actions will be taken if the count process is taking longer to complete than planned.

3.119 The Northern Ireland (Miscellaneous Provisions) Act 2014 includes a provision to extend the performance standards frameworks that operate in Great Britain to Northern Ireland. The CEO has already agreed to pilot electoral registration standards from January 2015 that will then form the basis for standards to be used across the UK once the transition to individual electoral registration in Great Britain has been completed.

3.120 Given the issues that arose at this election, work should now begin on introducing standards for electoral events in Northern Ireland, with a view to piloting these at the 2015 UK Parliamentary election. The standards already in place for Returning Officers in Great Britain provide an appropriate framework to move this forward with a view to placing performance standards on a statutory footing ahead of the Northern Ireland Assembly election in 2016.

3.121 In addition to this we will work with the CEO to look at what can be done to improve the efficiency of the manual counting of STV elections in Northern Ireland. This could include looking at the CEO's plans as well as the design and content of polling station stationery, the setup of count venues and the allocation of staff. There may be benefit in running a mock count to assess each aspect of the process in detail to identify were improvements can be made that would improve the time taken to complete counts whilst also maintaining accuracy and confidence in the overall count and result.

Electronic counting

3.122 The CEO has made clear his support for the introduction of electronic counting at elections using the single transferable vote in Northern Ireland. In May 2012 he undertook a trial run of an electronic count in Belfast City Hall. Later that year the NIO also gave a commitment to carry out a consultation on the introduction of electronic counting at elections in Northern Ireland. However, to date, this consultation has not happened.

3.123 Electronic counting is already used at some elections in the UK, including those to local councils in Scotland, and the London Mayoral and Greater London Assembly elections.

3.124 Any move to introduce electronic counting in Northern Ireland would require legislative change. There would need to be significant work to consider the costs and benefits of introducing electronic counting. This would include undertaking an appropriate cost benefit analysis of the setup, implementation and running of electronic counting compared to that of manual counting. Consideration would also

need to be given as to who would meet these costs given that there are different funding arrangements in place for European Parliamentary elections, Northern Ireland Assembly elections and local government elections. Any such move must also have appropriate measures in place that ensure that the CEO maintains overall responsibility for the election in his statutory role as Returning Officer. The Commission would be happy to work with the Government and the CEO on this issue.

4   Looking ahead

4.1   The elections on 22 May were well run. Voters were satisfied with the way they were run and were able to participate either by voting in person at a polling station or by completing and returning a postal vote.

4.2   However, there remain a number of challenges and improvements that can be made for future elections to ensure that the interests of the voter continue to be put first.

In advance of the 2015 elections

4.3   There will be considerable scrutiny of election counts at the May 2015 UK Parliamentary general election, particularly given that many constituencies are likely to see very closely fought contests. There will be an expectation among candidates, parties and the media that the results for UK Parliamentary constituencies will be declared as soon as possible after the close of polls at 10pm on 7 May 2015.

4.4   Returning Officers will need to plan carefully how to meet and manage these expectations, particularly where the UK Parliamentary election is combined with local elections and parish council elections. Legislation for UK Parliamentary elections specifies that the RO must take reasonable steps to begin counting the parliamentary ballot papers as soon as practicable within four hours of the close of poll. Since ballot paper accounts for all contests held within the area of a constituency must be verified before counting can commence, in some cases this will present a real logistical challenge and contribute to delay.

4.5   In previous reports on the administration of elections in the UK we have highlighted issues relating to the efficient delivery of verification and count processes and, as demonstrated again this May, we believe this remains an area where ROs can learn lessons from their own evaluations and the experiences of others. Count management processes need to ensure accurate results as a priority, but they should also be as efficient and transparent as possible to ensure confidence in the results for both voters and candidates who stand in elections.

4.6   We will continue to provide advice and guidance to ROs and local authority electoral services teams on effective count management process, and will encourage review and evaluation of local practices to ensure that verification and count processes are transparent, accurate, timely and robust. We will provide further resources in October 2014 to support ROs to plan and make decisions as to how best to manage their verification and count processes locally, and we will continue to monitor their progress in planning for the delivery of election counts. We will also explore further

with the UK Government whether it is possible to remove the legal requirement to delay counting until after all ballot box contents have been verified, without compromising important audit and accuracy checks.

4.7   At the last UK Parliamentary general election in May 2010, at least 1,200 people were still queuing at 27 polling stations in 16 constituencies at the close of poll at 10pm, and so were unable to be issued with a ballot paper and cast a vote. We are pleased that Parliament has since amended the legislation to allow any voter who is in a queue waiting to vote at a polling station at 10pm to be issued with a ballot paper. Nevertheless, ROs will still need to ensure that their plans for polling stations are based on robust assumptions about turnout in order to ensure that voters can receive a high-quality service and do not face undue delays in voting. Our monitoring for the 2014 May elections showed that most ROs met our recommendations for the number of polling station staff, and where they had not they were able to demonstrate clear and evidenced reasoning based on previous turnout, as well as having robust contingency plans in the event of a significantly higher than expected turnout. None of the plans we received as part of the monitoring process gave rise to significant concerns with regards to the service electors would receive in polling stations, and we are not aware of any queues that formed outside polling stations for these elections.

4.8   In advance of the 2015 elections we will continue to monitor areas where we are concerned that there is a higher risk of cases or allegations of electoral fraud. We will continue to work closely with the Association of Chief Police Officers in England, Wales and Northern Ireland and with Police Scotland to support police forces with guidance and training to ensure they can respond quickly and effectively to allegations of electoral fraud. We will also monitor ROs' plans for preventing and detecting electoral fraud, and will make clear where we think they need to take additional steps to protect the integrity of elections in 2015.

4.9   We continued to hear concerns from voters as well as EROs and ROs about the impact of campaigners handling postal vote applications on the integrity of absent voting and electors' ability to vote using their preferred method. We have made clear our view that campaigners should no longer handle completed postal vote applications or postal ballot packs, and we will ask political parties to agree to strengthen the current voluntary *Code of Conduct for Campaigners* in advance of the May 2105 elections. Where ROs identify the need to introduce local codes or protocols for campaigners in response to specific risks or concerns, we will support them. We will continue to monitor and report on any breaches of the Code.

4.10   There will continue to be a focus on how candidates and their political party are represented on the ballot paper. At UKPGEs, candidates can choose either to have their party name or a registered description on the ballot paper. This means a candidate can use a description on the ballot paper that does not identify which political party they are standing for. This has the potential to be confusing for voters. We will continue to discuss with Governments ways to ensure it is made clearer on ballot papers for voters which party a candidate is standing for.

4.11   Electronic material, such as social media, is increasingly being used by campaigners in the run-up to elections. Currently, there is no legal requirement for campaigners to make it clear who is responsible for the production or promotion of this material. We will continue to encourage campaigners at elections to include this

information on electronic campaign material as good practice, and encourage the UK Government to introduce proportion requirements to include this information at future elections. However, we think it is too late to make them a legal requirement for the 2015 UKPGE because the regulated period for political parties has already started and it is not good regulatory practice to amend the rules on campaigning while they are in effect.

4.12   Although the criteria for electors needing to appoint an emergency proxy at short notice before polling day has been extended in Great Britain to include those called away on business or military service unexpectedly, evidence from this year's elections – the first at which these provisions were in place – has shown that it is still not wide enough to cover all reasonable circumstances which might affect electors. We recommended previously that the criteria should be further extended so that those who have unforeseen caring responsibilities or who have experienced the death of a close relative would also be eligible to appoint an emergency proxy. We will work with the UK Government to identify whether legislation can be amended in time for the May 2015 elections.

In advance of the next European Parliamentary elections in 2019

4.13   The length of the European Parliamentary ballot paper for several regions in Great Britain caused administrative problems for ROs in polling stations and during counting, and added unnecessary complexity to the voting process for electors. We have previously recommended that ballot papers for closed party-list elections, including European Parliament elections, should not include the names of individual candidates who are included in the lists for each political party – since voters cannot cast a vote for those individuals, the information is not relevant or necessary at the point of casting a vote. We will work with the UK Government to identify changes to the rules for printing ballot papers, so that the ballot papers for the 2019 European Parliament elections are not unnecessary lengthy.

4.14   It is unacceptable that administrative barriers prevented some eligible and engaged electors from other EU member states from participating at the May 2014 European Parliament elections. We will work with the UK Government, EROs and organisations representing citizens of other EU member states in the UK to identify what can be done to simplify the system and remove unnecessary administrative barriers to participation so that this problem does not affect electors at the next European Parliament elections in 2019. In particular, we will consider whether legislation could be changed so that in future citizens of other EU member states do not need to complete more than one electoral registration form to be able to vote at European Parliament elections in the UK, and we will make sure that whatever process is in place it is clearly communicated to citizens from other EU member states in the UK.

4.15   We have previously recommended that voters should be required to show proof of their identity before they can be issued with a ballot paper at polling stations for elections and referendums in Great Britain, as is already the case in Northern Ireland. We will consult widely and work with others to identify and develop a proportionate and accessible scheme for verifying the identity of electors at polling stations. We will also

work with the UK Government to develop legislative proposals for such a scheme which could be introduced for approval by the UK Parliament in time for the 2019 European Parliament and English local government elections.

Appendix 1

Research methodology

Public opinion

ICM interviewed a representative sample of 2,505 voters and non-voters across the UK. Interviews were conducted by telephone between 27 May and 9 June 2014. Interviews were distributed as follow:

• 1,001 in England,
• 502 in Northern Ireland,
• 500 in Scotland,
• 502 in Wales.

A representative sample was interviewed in each type of area, with quotas set by voting/not voting, election type, age, gender and local authority area.
The data has been weighted by region, election holding areas, age, gender, social class and work status.

Comparisons made between these polls and those held in previous years are indicative and should be treated with some caution.

Electoral data

Professors Colin Rallings and Michael Thrasher at the Elections Centre, Plymouth University, collected and collated data from Returning Officers on the Commission's behalf.

This included data relating to electoral registration, turnout, absent voting and rejected ballots. We received data from all those local authorities in England, Wales and Scotland which held scheduled European, local or mayoral elections. However, in some cases an authority did not return all of the data requested, or did not return it for all wards.

Returning Officer feedback

The Commission issued an optional qualitative feedback form to Returning Officers (ROs), Electoral Registration Officers (EROs) and electoral administrators. To have maximum reach this was an online survey available on our website and promoted in our Bulletin which is sent to ROs, EROs and their staff.

We received 58 returned surveys. Forty one forms were completed by electoral administrators, twelve of the forms were completed by ROs (seven of whom were also ERO for their area); and five were completed by Deputy ROs. Twenty five responses were from areas holding combined polls.

National and regional sub-agents feedback

We issued a postal survey to a total of 103 agents for the European elections in the week after the election. We sent surveys to all national election agents (including in Northern Ireland) and whole electoral region sub agents (but not local sub agents). We obtained addresses from the published statements of appointment of election agents, available from each RRO.

Figures given here are based on the 22 responses received by 13 June and should not be considered to be representative of the views of all candidates. 21 of the 22 responses answered the question asking whether the respondent was an agent, or both candidate and agent; 17 were just an agent, but 4 were acting as both.

Appendix 2

List of parties standing candidates in Great Britain and their descriptions used on the European Parliamentary election ballot papers

Party Name	Descriptions used on the ballot paper in the different electoral regions of Great Britain
4 Freedoms Party (UK EPP)	Europe's Leading City Europe's Leading Party
An Independence from Europe	UK Independence Now
Animal Welfare Party	For People, Animals and the Environment
Britain First	Defending the Union 2014 Remember Lee Rigby
British National Party	Because we make Britain Better Fighting Unsustainable Housing Because We Care Re-elect Nick Griffin
Christian Peoples Alliance	
Communities United Party	
Conservative Party	Ceidwadwyr Cymreig / Welsh Conservatives For a real change in Europe Scottish Conservatives Vote No to Independence
English Democrats	I'm English, NOT British, NOT European Putting England First!
Europeans Party	Modern United Europeans
Green Party / Green Party / Plaid Werdd	Green Party Stop Fracking Now
Harmony Party	Zero-immigration, Anti-EU, Pro-jobs Zero-immigration, More Jobs, Anti-Globalization
Labour Party / Labour Party / Llafur	
Liberal Democrats	Liberal Democrats Scottish Liberal Democrats
Liberty Great Britain	Faithful to tradition, revolutionary in outlook.
National Health Action Party	Patients not Profits
National Liberal Party - True Liberalism	National Liberal Party - Self-determination for all!
NO2EU	Yes to Workers' Rights Yes to Workers' Rights / Ie I Hawliau'r Gweithwyr
Pirate Party UK	The Pirate Party UK
Plaid Cymru - The Party of Wales	Plaid Cymru - Cymru'n Gyntaf / Plaid Cymru - Wales First

Scottish Green Party	
Scottish National Party	Make Scotland's Mark in Europe
Socialist Equality Party	Join the fight for social equality!
Socialist Labour Party / Plaid Lafur Sosialaidd	
The Peace Party - Non-violence, Justice, Environment	
The Roman Party.AVE	
The Socialist Party of Great Britain	World Socialist Movement
UK Independence Party (UKIP)	UK Independence Party (UKIP)
We Demand A Referendum Now	RE-ELECT NIKKI SINCLAIRE MEP
Yorkshire First	A voice for the region
YOURvoice	yourvoiceparty.org.uk

List of parties standing candidates in Northern Ireland and their descriptions used on the ballot paper at the European Parliamentary elections

Party Name	Description
Alliance - Alliance Party of Northern Ireland	Alliance Party
NI21	Aspire to Better
Green Party	Green Party
Sinn Féin	Sinn Fein
Conservative and Unionist Party	NI Conservatives
SDLP (Social Democratic & Labour Party)	SDLP (Social Democratic & Labour Party)
Traditional Unionist Voice – TUV	Traditional Unionist Voice - TUV
Democratic Unionist Party - D.U.P.	Democratic Unionist Party - D.U.P.
Ulster Unionist Party	Ulster Unionist Party
UK Independence Party (UK I P)	UK Independence Party (UKIP)

Appendix 3

Elizabeth Butler's recommendations to the Electoral Commission

- All future decisions concerning the registration of party names, descriptions and emblems should include a broader consideration of context, as set out in legal advice of 28 March 2013 and the QMS, and this should be documented on the approvals records.

- All future decisions concerning the registration of party names, descriptions and emblems should be considered by a wider group of senior individuals.

- Consideration should be given to defining, more clearly and publically, the criteria used by the Commission in deciding on registrations. This process would benefit from wide consultation.

- Where personal names are used in names or descriptions, the person's consent (or that of the family) is always obtained by the party making the application.

- The Commission should instruct their internal auditors to ensure that all names and descriptions on the register comply with the requirements of PPERA, reflecting the legal advice, both to test that procedures were followed and that there are no other descriptions which would have the potential to cause offence.

- The EC should review its crisis management policy and have a "lessons learned session" with all interested parties at the earliest opportunity.