Cabinet Office

Policy paper

May 2021 polls delivery plan

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1. Ministerial foreword

Safe and secure elections are the cornerstone of our democracy.

In light of the unprecedented global pandemic, the government last year postponed for one year the scheduled local polls that were due to take place in May 2020, as well as subsequent by-elections. In the year that has intervened, Returning Officers, the government and their partners have made extensive preparations to be able to hold these polls on 6 May 2021 in a way that minimises the risk of spreading the coronavirus.

Successful elections have been held around the world while the pandemic has been happening – in Ireland, France, Italy, Portugal, Israel, South Korea and the United States, and a range of elections are due to be held between March and May.

Our public health response – not least the vaccination programme, which we plan will have reached all nine priority cohorts by May – means that we can commit to go ahead with these polls with confidence. The government is working with the Electoral Commission to ensure that we are setting out clearly how social distancing and other rules apply specifically to all aspects of the polls. We will maintain the choice for voters between in person and absent voting (using a postal or proxy vote).

The United Kingdom has a world-class electoral system, delivered in each area by the statutorily independent Returning Officer. We have the utmost confidence in the ability of the Returning Officers to run these polls in a way that meets the highest standards of both public safety and democratic integrity.

There will be challenges – for example, finding alternative polling station and count locations when the normal locations are unavailable, and additional staff to support public health measures like social distancing. The government has allocated additional funding to support local authorities with COVID-19 pressures and we have said that election costs are a priority for this funding.

There will be an estimated £92 million of government funding that will be provided to Returning Officers and local authorities for the elections; of this, £31 million is an uplift to directly address costs associated with making the elections COVID-19 secure.

This package of funding will support Returning Officers to secure venues and staffing and run COVID-19 secure elections. The Barnett formula will apply, meaning that our partners in the Welsh and Scottish Governments will also receive additional funding.

The changes we will be making for voters and electoral staff will be similar to those in workplaces and public spaces like the many essential services across the country that have continued to function successfully. The government is also supporting the Census, which will be going ahead this spring in a COVID-secure way.

Everyone who feels comfortable going to a supermarket or a post office should also feel confident attending a polling station in May. We encourage anybody who is shielding, or who would prefer not to attend a polling station, to apply for a postal or proxy vote ahead of the polls.

As the economy recovers from COVID-19, locally elected representatives will be able to help build back better. We hope that every elector will take the opportunity to have their say in May's elections with the confidence that the right precautions are in place.

Chloe Smith, Minister of State for the Constitution and Devolution (Cabinet Office)

2. Executive summary and introduction

The May 2021 polls will take place in a way that is fundamentally similar to previous polls – but there will be differences, as there have been in many areas of life during the pandemic. We are working closely with Returning Officers and other partners, including the Electoral Commission, the Local Government Association, Society of Local Authority Chief Executives (Solace), the Association of Electoral Administrators, the Devolved Administrations and political parties to put in place sensible measures to protect public health and overcome practical challenges.

The Electoral Commission has already published extensive guidance on conducting elections in a COVID-19 context that can be found on its website. This is part of an ongoing process of providing support and advice that is updated as and when necessary.

This document describes how these polls will proceed, from announcement to results, and then covers the four major areas that we are addressing: public health and social distancing; nominations and campaigning; voting; and the delivery of elections.

In summary, the government is making the following commitments:

1. Voters will have a choice between in person and absent voting. Postal and proxy voting will be supported, and proxy voting rules changed so that those affected by COVID-19 in the days before the poll can still vote.
2. We will work with our partners to make sure that voters, electoral staff, candidates, campaigners and the wider public are protected to the maximum extent possible from the spread of disease. We will be clear about how existing public health regulations and guidance apply to essential voting activities.
3. Candidates and their agents will have additional guidance on the specific application of social distancing and other regulations to their activities, including nominations and campaigning.
4. Returning Officers and local authorities will have support from the government that they need to deliver the elections, including additional funding for the extra costs the necessary public health measures will generate.

This Delivery Plan applies to all polls in England and to Police and Crime Commissioner elections in England and Wales on 6 May 2021.

Senedd and Scottish Parliament elections are also being held on 6 May 2021. These are the responsibility of the Welsh and Scottish Governments, and are not covered in this plan. A complete list of all elections is published by the Electoral Commission.

This means that in Wales, both devolved and reserved polls will be running in combination. We are working particularly closely with the Welsh Government to deliver these elections in as consistent a way as possible and provide clarity to voters in Wales.

Where this delivery plan covers matters that are devolved to Wales, such as social distancing regulations, the advice and guidance here applies to England only.

3. Electoral process and how it will run in May 2021

The rules for these polls are set out in legislation and guidance. The polls will run as normally as possible, and we will put in place sensible measures to protect against spread of disease and overcome practical challenges.

The electoral process formally begins with the notice that a poll is going to take place and, for elections, the nominations process where candidates are required to obtain signatures from a certain number of supporters in order to get their name onto the ballot paper. Campaigning will be ongoing up until the elections.

Voters will continue to have access to three methods of voting:

- in person at a polling station
- by postal vote
- by proxy vote

We are changing the rules for proxy voting to ensure that anyone who is self-isolating can request a proxy vote at the last minute – up to 5pm on polling day itself. We are working with suppliers, local authorities and Royal Mail, who are ensuring the COVID-19 secure and effective operation of the postal vote system, from the issuing of postal vote applications to the point where they are counted. We will also work with local authorities who will ensure the COVID-19 secure and effective operation of polling stations. Voting in person will still be available for all those who would like to, and there will be no change to the hours of polling.

Following the closure of polling stations, votes must be counted and results announced as soon as is practicable. As with the voting process, we will work with local authorities and Returning Officers who will ensure this process is COVID-19 secure and effective. We expect the counts may take more time than for previous polls. However, results should of course still be announced before the terms of new elected officials begin.

The rest of this Delivery Plan sets out how the government will take action to support the successful delivery of the May 2021 elections in this way.

4. Public health and social distancing

At every stage in the preparations and delivery of these polls we must all prioritise the protection of public health and minimise risk of coronavirus transmission. Voting in a polling booth is a private activity, in order to ensure the secrecy of the ballot. There is no reason why social distancing within a polling station cannot be maintained.

The Electoral Commission has already published extensive guidance for electoral administrators, candidates and their agents on the operation of an election during the COVID-19 context. We will work with them to ensure the guidance is updated as necessary, in accordance with wider restrictions, and to ensure that requirements are clear at every stage of the process, from nominations to the count. Returning Officers should also refer to the government's existing guidance on social distancing, protective equipment and COVID-19 safe workplaces, which will all need to be applied in an election context. They will make risk-based assessments to determine exactly how these measures should apply for each location and circumstance.

Social distancing and other safety measures will be in operation in polling stations, as in all public spaces. Everyone should wear a face covering in polling stations and at counts, and we will amend the government guidance on face coverings, and the relevant legislation, to clarify this.

Hand sanitiser will be available and, where appropriate, screens and distance markings will be in use. Polling stations will need to be set up to maximise ventilation, and frequent touch points will need to be cleaned at very regular intervals. All touch points should be cleaned before and after use. Voters (and companions of disabled voters) should bring their mask, as they would wear in any indoor public place, and we will be encouraging them to bring their own pen or pencil with which to mark their ballot paper.

The government will ensure that the regulations and guidance governing the COVID-19 response take into account the need for essential elections activity. For example, regulations are already clear that:

- voting is a permitted, lawful reason to leave your house during general restrictions;
- elections staff can leave home for work where it is not reasonably possible to work from home
- premises and business can open for the purposes of voting, counting of votes or associated activities
- Test and Trace is not required for polling stations (unless a voter remains in the building for some other purpose)

The government remains absolutely clear that anyone who has tested positive for coronavirus, or is displaying symptoms, should self-isolate. We strongly advise that voters in this position take advantage of the new rules on proxy voting outlined below if it is too late to apply for a postal or regular proxy vote.

Anyone travelling to a polling station should consider the government's safer travel guidance, including for car-sharing. The government will be recommending that political parties and candidates do not engage in the common practice of offering car lifts to members of the public to and from polling stations, given this has been identified as a particular risk of spreading the virus.

What to expect in polling stations during coronavirus

- Social distancing (inside and outside venues)
- Limited number of people inside polling stations
- Masks worn by staff and voters
- Voters bring their own pen or pencil
- Maximum ventilation
- Plastic screens (where appropriate)
- Hand sanitiser
- Regular cleaning

5. Nominations and campaigning

The nominations process is a key part of our electoral system and it is important that all candidates have local support, but we must balance this with the need to minimise contact. For potential candidates standing for elected office, we are introducing measures to reduce the travel and contact involved in completing their nomination form. Further detail on the change will be provided in secondary legislation that will be laid on 8 February, followed by further guidance in mid-February.

Campaigning is an essential part of the democratic process, and voters deserve to be well informed before going to the polls. Many forms of campaigning can be carried out without increased face-to-face contact – including online campaigning, campaigning by telephone, and delivery of leaflets by post or other commercial delivery services (who are already operating, without causing additional circulation of campaigners). The government has already uprated election expenses for council candidates, which will provide greater opportunity for such candidates to campaign via digital channels and utilise paid-for delivery services in their regulated election period.

We have been clear that under the current national lockdown, leafleting and door-knocking by party activists is not permissible. However, it is vital that voters are fully informed and all candidates have a level playing field in making their case to the electorate in order for elections to be fair and effective. Further information on permitted face-to-face campaigning and organising, including the delivery of leaflets by party volunteers, or independent candidates and their supporters, will be published before the beginning of the regulated election period. The government believes it is important that political parties' views are taken on board, so will continue to use the Parliamentary Parties Panel to engage on this guidance, prior to its formal publication.

6. Voting

It is important to the democratic integrity of these polls that COVID-19 secure and accessible voting is available to all those who are eligible to vote and would like to do so.

There are three ways to vote in the UK:

- in person at a polling station
- by postal vote
- by appointing a proxy to vote for you

These will all be available to voters in 2021. The vast majority of electoral rules and procedures will remain as they were at the previous local, mayoral and Police and Crime Commissioner elections, and other local elections and referendums, which took place between 2016 and March 2020.

We recognise that the pandemic may change people's needs and preferences. The government does not support all-postal voting, as this increases the risk of fraud, and removes choice from voters. The government does not propose to introduce early voting – this is unnecessary given voters can already vote early by post, and the additional resources required to staff early polling stations would make the elections harder to deliver given COVID-19 staffing pressures.

Local authorities are able to contact all Clinically Extremely Vulnerable people in their areas to make them aware of the options to use a proxy or postal vote and they will be supported in their efforts by targeted communications from the Electoral Commission.

As usual, applications for postal or proxy votes can be made until 11 (postal) or 6 (proxy) working days before the polls, at 5pm. An emergency proxy vote is available in certain limited circumstances (such as illness) until 5pm on polling day, though this requires attestation that you meet the criteria.

We recognise that those who wish to vote in person may have those intentions disrupted by the pandemic. The government is amending secondary legislation to further support proxy voting for people affected by coronavirus close to the polls. In particular, these changes will allow those self-isolating as a result of coronavirus exposure, testing or symptoms to apply for a proxy vote in the days leading up to polling day and until 5pm on the day itself, without having to find someone to attest their application. This will also be available to those who test positive for the virus, on the same basis. If a person already has a proxy appointed to vote for them, but the proxy is then affected by COVID-19, there will also be the ability to make an alternative proxy arrangement. It remains vital that those who need to self-isolate continue to do so.

Agents and candidates will continue to be able to be provided with the list of people who have been granted a proxy vote, as a check against fraudulent behaviour.

The government is also taking steps to support an increase in capacity to process postal votes, so that everyone who would like to use a postal vote will be able to do so, and so those votes can be processed in a COVID-19 secure, effective and timely manner. Royal Mail have agreed to prioritise the delivery of elections mail including delivery and return, when completed, of ballot packs, in the same way as it does now for coronavirus tests. We will work closely with the suppliers of postal vote materials, Returning Officers, and the Royal Mail to make this process run as smoothly as possible.

Those wishing to use a postal vote should apply early, and Returning Officers should encourage them to do so. Anyone can apply for a postal vote and voters have the option of requesting a postal vote until further notice (a permanent postal vote) or solely for this election, or a particular time period. All existing security measures will remain in place to ensure the integrity of the postal vote process and the government continues to strongly discourage the collection of postal ballots from voters for submission to the Returning Officer by campaigners (so-called 'vote harvesting'). It is the government's intention to ban this practice altogether through legislation at the earliest opportunity.

Voting Methods

Polling station: Voters (and companions of disabled voters) should wear masks (unless exempt) and bring their own pen. Social distancing should be maintained at all times.

Postal Vote: Those wishing to use a postal vote should apply early. Anyone can apply for a postal vote and voters have the option of requesting a postal vote until further notice (a permanent postal vote) or solely for this election, or for a particular time period.

Proxy Vote: Those wishing to use a proxy vote out of personal preference should apply early. Emergency proxy votes are already available in certain circumstances, such as illness close to polling day. The government is amending secondary legislation to further support proxy voting for people who are affected by the pandemic close to polling day. In particular, these changes will allow those self-isolating as a result of coronavirus exposure, testing or symptoms to apply for a proxy vote in the days leading up to polling day and until 5pm on the day itself, without having to find someone to attest their application, or to change who is appointed as their proxy if the proxy is affected by coronavirus. This will also be available to those who test positive for the virus, on the same basis.

If you are self-isolating, you should not go out to vote. You can obtain an emergency proxy.

7. Delivery of polls

Statutorily independent Returning Officers are responsible for the delivery of elections in each local authority and have made extensive plans for the delivery of the polls on 6 May.

Identifying suitable venues to act as polling stations, count locations and other electoral locations (for example, for the opening of postal votes) represents a challenge for this election. Some usual venues will not be suitable because of the difficulty in social distancing or because they are being used for other priority activities, such as for vaccinations. Given the importance of avoiding any further disruption to education, schools should not be used where alternative venues are available. We particularly discourage the use of schools where it would result in closure, and will provide support to Returning Officers to explore the use of other community or commercial facilities, and to minimise disruption to schools where they are the only available option.

The second major delivery challenge for this election will be ensuring there are sufficient elections staff. We expect Returning Officers to need more staff to:

- support social distancing and other protective measures
- manage any increase in postal and proxy votes
- replace any local authority staff normally used for elections who have been redeployed onto other urgent COVID-19 response roles
- replace those who usually volunteer to work on elections who prefer or are unable to carry out public-facing duties for health reasons

The government will work with the sector to provide what support it can to recruitment of sufficient people.

In December, the government published final allocations for a further £1.55 billion of funding to local authorities in order to support additional burdens on them resulting from coronavirus. Local authorities have flexibility to use part of this unringfenced funding to support Returning Officers to deliver these elections, and we indicated when announcing allocations that local election costs should be considered locally as a priority for which this funding can be used.

Increased costs of the Police and Crime Commissioner elections will be met by the government. We have been clear that this will include the necessary additional costs of running these polls, such as protective equipment, the hiring of larger or more expensive venues to enable distancing or where usual venues are unavailable, or additional cleaning requirements. We will publish guidance to local authorities shortly on how we will approach this. Returning Officers should be assured that they will be supported in making the necessary decisions to deliver these polls.

There will be an estimated £92 million of government funding that will be provided to Returning Officers and local authorities for the elections; of this, £31 million is an uplift to directly address costs associated with making the elections COVID-secure.

This funding is for reasonable additional costs. It might be used to fund the hiring of alternative venues; to procure additional PPE; to hire stewarding staff; or to expedite cleaning to minimise disruption to schools. The Barnett formula will apply where relevant, meaning that our partners in the Welsh and Scottish Governments will also receive additional funding.

As is standard practice, the government is providing an indemnity to Returning Officers (who, as statutorily responsible officers take on the risks associated with delivering the polls personally) for the Police and Crime Commissioner elections. In view of the exceptional circumstances, we will also provide an indemnity for local elections in respect of COVID-19 risks. This will prevent any gaps in coverage where existing local authority insurance does not include risks resulting from coronavirus.

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