

Part A

Report to: Functions Committee

Date of meeting: 26 February 2018

Report of: Managing Director

Title: Voter ID Pilot

1.0 Summary

- 1.1 Cabinet Office offered all local authorities in Great Britain the opportunity to pilot voter identification (ID) in their May 2018 local elections to enable the Cabinet Office to identify the best way to implement voter ID nationally. Woking, Gosport, Bromley, Swindon and Watford have offered to pilot different forms of voter ID and are working closely with Cabinet Office to complete the design and development of successful voter ID pilots.
- 1.2 The Functions Committee has within its terms of reference the delegation to agree whether the Council should participate in an electoral pilot.
- 1.3 As the Cabinet office needed Watford's decision last year in order to prepare the regulatory Order, the Managing Director consulted the Mayor and the Election Agents and made the decision to put forward the Council under urgency provisions.
- 1.4 This report seeks formal confirmation from the Functions Committee to proceed with the Pilot.

2.0 Risks

2.1	Nature of Risk	Consequence	Suggested Control Measures	Response (Treat, tolerate, terminate, transfer)	Risk Rating (the combination of severity and likelihood)
	ID pilot will disenfranchise voters	Democratic process will be impaired	Extensive publicity is underway to ensure all voters know	Tolerate	4

		the requirements . Watford's pilot is not restrictive as the poll card or any other approved ID is the only requirement.		
There may be a challenge to the pilot or election result	May generate legal process	Government has now made the regulatory Order which legally authorises the pilot.	Tolerate	4

3.0 **Recommendations**

3.1 That the committee ratifies the Managing Directors decision to request the Cabinet Office to participate in the Electoral Pilot for the May 2018 Mayoral and Borough Ward elections.

4.0 **Detailed proposal**

4.1 In March 2017, the Cabinet Office invited local authorities to participate in a pilot study this year to help reduce election fraud. The prospectus inviting interest in the pilots is attached at Appendix 1. The pilot schemes will seek to address a number of risks to the integrity of the electoral system. The intention for the 2018 electoral pilots is to test methods of mitigating the risk of electoral fraud. Watford Council has put forward the idea that the level of ID requirement should be as unobtrusive as possible and that rather than ask for formal documents such as a passport, requiring the poll card for voter eligibility would be sufficient. At the moment an elector would not be required to provide any form of ID at all. Cabinet Office was subsequently interested in testing this lower intervention approach.

4.2 The Mayor and the election agents were consulted and the Managing Director set out the proposal in his letter of 13 August to the Cabinet Office (attached as Appendix 2). The election agents had a mixed view – some were concerned that the introduction of ID would unfairly impact on particular communities but others welcomed any move to reduce the risk of fraud. Watford does not have a

major issue with election fraud but is of the view that demonstrating that minimum intervention can work is in the national interest. The pilot will cover the Mayoral and Borough Ward elections.

- 4.3 The key to making the ID pilot work in Watford well is to have extensive publicity – most voters bring their poll card anyway – to remind voters to do so and our pilot is such that in the absence of bringing the poll card other forms of ID such as a passport, driving licence, current bank or credit card is acceptable. The publicity plan agreed with the Cabinet office is attached to the equality impact assessment.
- 4.4 Modern Democracy Ltd will be providing the digital software to scan the poll cards at the polling station. The different scenarios that may arise have been anticipated with advice on how to deal with them is set out in the Appendix to the Equality Impact Assessment. Appendix 3 sets out a simple flowchart.
- 4.5 A full evaluation of the pilot will be undertaken including to assess whether there has been any impact on voter patterns. An equality impact assessment has also been undertaken (Appendix 4).

4.6 **How Watford Pilot solves possible disadvantages**

<i>Additional Voter ID checks will lengthen election process, possibly requiring additional polling stations, staff and cost</i>	Simple instructions can be given to polling station staff. Some cost involved in setting up technology to record, but in the long-term could replace some stationary requirements. Any methodology of ensuring that current electorate has some form of ID, especially photo ID is likely to be far more expensive to both introduce and maintain.
<i>Electors may get disenfranchised, on account of inability to provide certain forms of Voter ID</i>	All individuals currently listed on the electoral register will have access to their poll cards, which will all be personally addressed, barcoded, enveloped and delivered
<i>May reduce voter turnout through uncertainty of ID requirements, or more importantly due to queues</i>	Simple message of “Bring Your Poll Card” to be communicated to the electorate. Barcode being read may be a faster process than looking up details within register – dependent upon individuals bringing poll cards to polling station.

4.7 Implications

4.7.1 Financial

The costs of the Mayoral & Borough elections are provided for in the base budget. The additional costs of the pilot will be met by the Cabinet Office.

4.7.2 Legal Issues (Monitoring Officer)

Under the constitution any function in the scheme of delegation that can be exercised by a committee, can in the event of a decision needing to be taken as a matter of urgency be exercised by the Managing Director. In this instance whilst the Cabinet Office wrote out to local authorities in March 2017 there were a number of discussions with the Cabinet Office with officers about whether they would include use of a poll card produced by the local authority in their pilot. Discussions then took place with both the Mayor and the election agents to gauge interest. Once all this had happened the Cabinet Office were pressing the Council to make a formal application as the original requirement was for such applications to be submitted by June 2017. As there was not then time to convene a Functions Committee in order for the Committee to make a decision, the Managing Director therefore used the urgency powers under the constitution to make the decision.

The formal Statutory Instrument implementing the Pilot for both the Mayoral and Borough elections has now been made.

Appendices

- 1. Elections Integrity Pilots Prospectus, Cabinet Office**
- 2. Returning officer letter of 13 August to Cabinet Office**
- 3. Watford Pilot flowchart**
- 4. Equality Impact Assessment**