

Voting at different polls on 5 May 2011 – the Electoral Commission’s position

The UK Government has indicated that it intends to introduce legislation for a referendum on changing the voting system for UK Parliament elections to be held on 5 May 2011, the same day as scheduled elections to the Scottish Parliament, National Assembly for Wales and Northern Ireland Assembly, as well as 280 local authorities in England and possible local elections in Northern Ireland.

It will be for the UK Parliament to approve the timing of such a referendum, taking account of views expressed by all those with an interest in both the scheduled May 2011 elections and the proposed referendum.

This paper sets out the Electoral Commission’s position on the proposed timing of the referendum. We will offer advice on what we consider to be in the interests of voters in ensuring the effective administration of the scheduled elections and any referendum.

The Electoral Commission’s role at a UK-wide referendum

The Chair of the Electoral Commission would be the Chief Counting Officer for the referendum, responsible for its conduct and ensuring the accuracy of the overall result.

The Commission would also have responsibility for:

- commenting on the intelligibility of the referendum question
- registering those who want to spend significant amounts on campaigning in the referendum as ‘permitted participants’
- where appropriate, appointing lead campaign groups (‘designated organisations’) for each outcome
- ensuring that designated organisations have access to certain assistance, including grants that we determine within statutory limits
- monitoring and reporting on campaign spending and
- reporting on the administration of the referendum

Our approach to considering proposals for holding different polls on the same day

The Commission has previously considered and set out its views on proposals for holding different polls on the same day, including in 2002 considering holding a referendum on a single European currency on the same day as scheduled

elections in 2003¹. We have always recognised that there would be both advantages and disadvantages associated with holding elections and referendums on the same day, but concluded at that time that in general it would be better for voters if this were avoided.

In November 2009 we reviewed the evidence base for our previous position, including international experience of holding elections and referendums on the same day.² In the light of this review of the evidence, the Commission concluded that each specific proposal should be considered individually on its merits, rather than adopting a blanket view regardless of the specific circumstances.

Our priority is that voters and campaigners should be able to understand and easily participate in the scheduled elections on 5 May 2011 and any referendum which is held on the same day. We also want to ensure that those responsible for running the polls are able to do so effectively.

It is important that voters have access to information about the arguments for and against the choices they have at the different polls on 5 May. Elected representatives and others have raised concerns that if a UK-wide referendum is held on the same day as elections in different parts of the UK this would impact on the coverage of the campaigns for the elections. It is important that political parties, the media, referendum campaigners and the Electoral Commission all recognise this issue and play a part in ensuring that voters receive an appropriate level of information on the relevant campaigns and can make informed decisions.

But there are also benefits from holding a referendum on the same day as scheduled elections in many parts of the UK that can be set against these concerns, including some overall cost savings and avoiding asking approximately 39 million electors to participate in an election and a referendum on two separate occasions.

Our position

On balance, we believe that it should be possible to deliver the different polls proposed for 5 May 2011 if the key practical risks to the successful conduct of the scheduled elections and a UK-wide referendum are properly managed:

- **The Government must support the Commission in putting in place a robust process to ensure that planning for 5 May 2011, across the whole of the UK, takes full account of the implications of the different**

¹ Commission statement on possible May 2003 referendum:

www.electoralcommission.org.uk/news-and-media/news-releases/electoral-commission-media-centre/news-releases-referendums/combining-polls--the-referendum-on-the-euro-and-the-devolved-legislature-elections

² Minutes of the Board meeting on 4 November 2009 can be found here:

www.electoralcommission.org.uk/_data/assets/pdf_file/0020/83144/Minutes-of-4-November-2009-meeting.pdf

polls due to take place on that date, so that the interests of voters across the UK are considered as a priority.

- **The rules on how the referendum will be conducted must be clear from at least six months in advance**, so that campaigners, Returning Officers, Counting Officers and the Commission are not left with uncertainty about their respective roles and responsibilities and can undertake the necessary planning and preparation for the May 2011 polls. If we are not satisfied that it this is achievable we will make that clear in the autumn.
- **Adequate provision must be made for appropriate public awareness activities to support understanding of the elections and referendum processes by voters**, so that different ballot papers and voting systems used on polling day do not lead to confusion and errors by voters in correctly expressing their choices.
- **Appropriate levels of funding must be made available for the delivery of the referendum and the scheduled elections together**, so that Returning and Counting Officers can ensure all the polls on 5 May 2011 are well-run.
- **The legal framework for the referendum must make provision for formal combination of the referendum poll with the scheduled elections**, including establishing clearly which rules would apply in relation to any combined polls, so that the voting process is as straightforward as possible for voters and those who will administer the polls.

We will be monitoring the passage of the Bill closely and will advise Government and Parliament if we believe these risks have not been adequately addressed.

22 July 2010