



# Polls Apart 2010

Opening elections to disabled people



equality • choice • control



scope

About cerebral palsy.  
For disabled people achieving equality.

“I had to wait in the rain [at] a poorly manned polling station for someone to attach a moveable ramp into position. My wife was asked if she would be voting on my behalf. I answered indeed she would not be!”

“Excellent accessibility levels as you can imagine given its use, good on-site parking, nice wide level doorways and no ramps.”

“I had to vote in the open air outside the station and in full public view, and not in the privacy of the polling booths like everyone else.”

“First-rate disabled access because the whole building was purpose-designed to accommodate disabled people.”

“Reluctant to mark my own paper because I’m blind and didn’t want to spoil the paper by marking the wrong place or scribbling something that could be deemed as not a proper mark.”

“After 18 years of voting, this was the best experience I have ever had voting.”

“This polling station needs to change as it puts me off voting. I like to go down there to vote as it makes a change to be part of my community.”

“There were no accessible booths, therefore staff kindly set up a table at the back of the room. Although it was the best temporary solution for the staff to implement, this is not ideal for privacy.”

“They offered to bring out my form and the box... it was raining. I came away feeling angry and disappointed that once again I am a second class citizen!”

“As somebody with epilepsy and Asperger’s syndrome I find polling stations quite overwhelming and need direction from the staff, and my local polling station is wonderful for this; it’s also very quiet and I’m usually the only person there when I go in, which helps me to relax.”

“I found the staff completely ignored me as a person and only spoke to my PA. They looked friendly but the fact that no-one spoke to me and only spoke to my PA made me nervous and I felt like a ghost. I tried speaking, I said hello and goodbye to them, but they only spoke to my PA.”

“I took my son who has learning disabilities to vote. I was disgusted to hear one of the three people at the polling station say ‘that’s another spoilt paper’ and the other two people agree. In future we will go for postal voting so that we don’t have to put up with this sort of comments.”

# Polls Apart 5

Opening elections to disabled people

## **Acknowledgements**

We would like to thank everyone who helped us gather the data for this report by completing a Polls Apart survey when they went to vote. This year many Polls Apart campaigners spent a lot of their own time on Election Day going round to polling stations and filling in our survey. Without your work this report would not have been possible. We would also like to express our appreciation to those organisations and individuals that worked with us to promote the campaign.

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## **Foreword**

### **The Association of Electoral Administrators**

The issue of access to the electoral process for people with disabilities has long been championed by Scope. The AEA has been pleased to work with Scope in the efforts that have been made to continue to bring improvements to the process and the systems which support it, and this has been the case in respect of the elections held on 6 May this year. Legislative change over the past few years has been aimed at improving several aspects of registering to vote and then being able to vote. However, this laudable aim is not always easy to put into practice. There are a number of areas which still need attention if we are to jointly arrive at a position when we can truly say that there are no barriers to a person with disabilities in terms of exercising the most fundamental of their democratic rights.

One of the most challenging areas is that which relates to the provision of polling stations which allows easy access to premises which are fully compliant with Disability Discrimination Act principles. More could and should be done to assist returning officers by allowing them to use by right a wider range of public buildings than that which currently exists, particularly given that many such buildings will have been improved at public expense to provide the sort of access which flows from the legislation on this point. Similarly, although there have been improvements to afford better access to the voting process for people with vision, literacy and learning disabilities, more needs to be done to ensure that existing barriers can be removed, particularly by the use of technology or other methods that are already employed to assist such people in their everyday lives.

This report, like many before it, will do much to draw attention to the continuing issues and problems. Those responsible for the electoral system will need to give it careful attention to ensure that lessons can be learnt and improvements made. The AEA will be keen to work with other stakeholders in continuing this work which very much fits with the overall objective of putting all voters at the heart of the electoral process.

**John Turner**  
**Chief Executive, AEA**



## **Foreword**

### **The Electoral Commission**

Voting is the most important way that people can participate in our democratic life. It is vital that everyone who is eligible can exercise their right to vote, and that the voting process does not present obstacles for anyone wanting to exercise that right.

Scope's Polls Apart campaign plays a vital role in making sure that people with disabilities know what their rights are when it comes to voting. Scope's work in detailing the experiences of voters with disabilities also provides important evidence to help Governments, the Electoral Commission and returning officers identify areas that need to be improved to increase accessibility of the voting process for all people in the United Kingdom.

I welcome Scope's work supporting the 2010 General Election, and I welcome this report.

**Jenny Watson**  
**Chair of the Commission**

The  
Electoral  
Commission

## **Foreword**

**John Bercow MP**

### **Speaker of the House of Commons**

For more than a decade, Scope has been campaigning to make elections more accessible to disabled people. The publication of this report is a testament to this important commitment.

It is absolutely crucial that we open up our democracy and ensure that disabled people are involved in the decisions that affect their everyday lives. Disabled people should have a say and take part in the democratic process in the same way as everyone else. For all that politicians have done to support disability rights, Scope's report shows that there is much to do if rhetoric is to be matched by reality.

As the findings from this year's election illustrate, despite recent legislative changes, for many disabled people the experience of voting hasn't improved. Many are often left with a feeling of being disenfranchised because of the various access barriers they face in exercising their right to vote. This, together with the under-representation of disabled people in all areas of public and political life, sends a clear message that progress must be accelerated.

As the Speaker's Conference demonstrated, I am deeply committed to addressing barriers to participation by disabled people and opening up democracy to be as inclusive as possible.



## **Foreword**

**Anne Begg MP**

**Chair of the All Party Group on Equalities**

**Deputy Chair Speaker's Conference (on Parliamentary Representation)  
2009 – 2010.**

During the election campaign I sent a hand-written note to all the people who had an 18th birthday saying that they now had one of the most important rights, and responsibilities, that people in this country have. That right belongs to everyone over the age of 18, whether they are disabled or not, and so it is crucial that everyone is able to exercise their franchise.. That's why it is so important that voting is accessible to all, regardless of disability. It should not be the case that just because someone has a learning disability they can't vote, which is what I was told by some carers I met on election day.

There are still challenges in making sure that elections are open to all disabled people. While physical access for those of us in wheelchairs has been improving over recent years (I accept it is not yet perfect everywhere), it is still difficult for people with a visual impairment, learning disability or motor limitations. It is not good enough to say that they can always get a postal vote and someone to help, although making postal votes easier to get has made things much easier for many elderly people. But for those who want to vote in person on election day, as most people still want to do, then it should be possible regardless of one's disability.

## Introduction

Disabled people are a large constituent group in society. There are over ten million disabled people in the UK and on average each parliamentary constituency contains 15,000 disabled voters; a fifth of their total electorate. Moreover, demographic changes mean that we will see a growth in the number of disabled children coming up to voting age<sup>1</sup> and an increase in older voters with age-acquired impairments<sup>2</sup>.

In many respects, disabled voters have the same concerns as the rest of the electorate. They do not have a high level of trust in politicians, and many feel that their voices are not heard by their elected representatives<sup>3</sup>. Like the rest of the population, disabled people's votes are influenced by issues that affect their everyday lives and those of their family members. It is not then surprising that many are influenced by a party's policies on disability (67 percent), the benefits system (39 percent), the NHS (39 percent) and social care (34 percent).

Historically, the electoral system was not designed with disabled people in mind. Inevitably this has led to many disabled voters finding it difficult to cast their vote in secret and using a channel that best meets their access needs. In many respects the barriers that disabled people still face are also encountered by other groups of voters. Some families using prams or buggies find it difficult to get into a polling station and manoeuvre around inside it. Voters who have low levels of literacy or have English as a second language find it difficult to understand the, frequently complicated, instructions on how to cast a postal ballot or distinguish between candidates on the ballot paper. Many young voters report that they are put off by voting in overly-formal, unfamiliar environments like polling stations where they feel that, in some cases, their presence and motives are questioned by staff.

These experiences would inevitably have a negative effect on any voter who encountered them. However, whilst many of these experiences would inconvenience or reduce the voter's satisfaction with the process, for disabled people the consequences can be far worse. Some disabled voters<sup>4</sup> have had to compromise their right to secrecy by voting outside the polling station or having to ask others to mark their ballot paper for them, whilst many with visual impairments and learning difficulties have expressed concern that they

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<sup>1</sup> Emerson, E. (2009) *Estimating Future Numbers of Adults with Profound Multiple Learning Disabilities in England*: [www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/documents/digitalasset/dh\\_103200.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_103200.pdf)

Institute for Public Policy Research (2007) *Disability 2020: Opportunities for the full and equal citizenship of disabled people in Britain in 2020*: [www.ippr.org.uk/publicationsandreports/publication.asp?id=531](http://www.ippr.org.uk/publicationsandreports/publication.asp?id=531)

<sup>2</sup> ONS (2007) *National Projections: UK population*: [www.statistics.gov.uk/cci/nugget.asp?id=1352](http://www.statistics.gov.uk/cci/nugget.asp?id=1352)

<sup>3</sup> Scope / ComRes (2010) *National Disabled People's Poll* on politics. According to the poll the disabled vote has a very low level of trust (three percent) in politicians, with few (12 percent) feeling that their views and opinions are generally heard by them.

<sup>4</sup> Scope (2005) *Polls Apart 4: Campaigning for accessible democracy*: [www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf](http://www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf)

may have accidentally spoiled their ballots. In the worst cases some have been unable to vote at all.

### **Polls Apart**

What unifies the stories of the thousands of people we have talked to over the last 18 years is that they face an on-going battle to get equal access to the voting process. Since the 1992 General Election, we have run a campaign to increase the accessibility of elections to disabled voters. Working in partnership with other disability charities and the Electoral Commission we have developed information and resources for disabled people, their families, professionals who work with them, election staff and prospective candidates. Most importantly, we have surveyed the accessibility of polling stations and postal voting at General Elections and, with partners, elections in the devolved administrations (Wales, Scotland and Northern Ireland).

All of this activity has been focused on designing practicable solutions that ensure that our electoral system becomes more accessible to disabled voters. In creating these solutions for disabled people, we have also addressed the needs that other groups of voters (older people and those with low levels of literacy for example) face when they go to vote at a polling station or through a postal vote.

More information about the history of the Polls Apart campaign, its influence, and copies of previous reports can be found at [www.pollsapart.org.uk](http://www.pollsapart.org.uk)

This is the fifth report in the Polls Apart General Election series.

## Executive Summary

At the General Election, on 6 May 2010, hundreds of campaigners visited over a thousand different polling stations in just under 400 different parliamentary constituencies throughout England, Scotland, Wales and Northern Ireland. Their investigations revealed that 67 percent of polling stations had one or more significant access barriers to disabled voters. This represents just a 1 percent improvement from the last General Election (68 percent) and 2 percent from the General Election of 2001 (69 percent).

Our findings illustrate that whilst legislation and guidance have created the impetus for significant improvement, more recent experience shows that the implementation and enforcement of this on the ground falls short. This resulted in many disabled people, in 2010, being unable to cast their vote without assistance and in secret. For some it meant that they were not able to vote at all or could not verify that their vote had been cast and counted.

Our electoral system was not designed with disabled people in mind and in this inherently inaccessible system few alternative ways of casting the ballot are offered. We found that despite the widespread assumption that postal voting was the most accessible channel for disabled voters, almost half (47 percent) of postal voters reported one or more significant problems. These ranged from the confusing and complicated instructions that accompanied the ballot to the difficulty postal voters faced in marking and folding the paper into the small envelope provided.

The inflexibility of the current electoral system was brought to a head in the events of election day (6 May) 2010. The debacle over the 10pm polling station closures and the heightened media focus surrounding it brought dissatisfaction amongst voters, with some being locked in the station to vote and others denied their ballot altogether.

This is not, however a new situation for disabled voters. The Polls Apart campaign has been documenting for the last 18 years that many have faced significant access and attitudinal barriers to cast their ballot. The experiences of non-disabled voters on polling day made visible something we have been talking about since our very first report. That the current system is stretched and electoral staff come under significant pressure to find temporary solutions when unexpected events occur.

The forthcoming public spending cuts will have a further impact on the budgets of electoral services, which in turn will mean that Electoral Officers will find themselves having to deliver even more for even less on their already squeezed resources. This will reduce their ability to respond quickly to the needs of voters and effectively manage the election process. In order to further increase the accessibility of the electoral system staff will need better planning and training than they had in 2010. When we wrote to all local authorities, we found that they already knew that 14 percent (n = 3,851) of the polling stations they had reviewed for accessibility and intended to use at the election would not be accessible to disabled voters. This is untenable as disabled

voters in these areas were effectively disenfranchised before they even left their front door. Very few authorities, outside of Northern Ireland, made an effort to tell voters about the accessibility of their polling station or offer an alternative to them.

Whilst better training and planning is important in mitigating the voter experience of an inherently inaccessible system, it cannot resolve all of the barriers disabled voters face. However, a number of policy and legislative solutions on the horizon may provide an opportunity to tackle them once and for all. The Coalition Government's proposals for referendums on alternative voting systems and the introduction of new local referendums offer new avenues for creating a voting system that has the flexibility that voters need to cast their ballot, irrespective of their need or circumstance.

In order to highlight the necessary direction of this reform we have set out three clear priority areas.

- **In the interim**, to ensure that we continue to make progress on the accessibility of the inherently inflexible and stretched electoral system we currently have in place through better planning and funding practice and the enforcement of best practice behaviours and action by electoral staff.
- **In the medium to long term**, create viable solutions to the systemic barriers currently faced by disabled by diversifying voting methods to include non-paper-based methods (such as internet voting).
- **In the medium to long term**, to create wider inclusivity in electoral representation and administration by ensuring that our representative structures are accessible and actively encouraging more disabled candidates and volunteers to participate in public life.

**For the report recommendation in full go to Section 4 (page 41).**

## Section one: Disabled voters and the reform of elections

### Introducing accessibility to electoral reform

Over the last 20 years, in particular, we have seen significant progress in making the electoral system more accessible to disabled voters. Legislators have slowly taken note of the changes that needed to be made to ensure that all voters could meaningfully take part in our democracy.

Below we briefly outline and discuss the key areas of reform that have improved access to elections, and how they relate to the findings of our Polls Apart reports. Broadly, the reform can be divided into seven themes, which will be explored in turn: voter registration; physical barriers; alternative formats; assistance for voting; negative attitudes and assumptions; alternative channels and the diversification of electoral systems.

### Voter registration

People can only vote if they are eligible and listed on the electoral register. Currently the 'head of the household' (which includes the managers of residential accommodation as well as private houses), must register the occupants of their household on an official registration form. If they forget or choose not to do this, the disabled person in that household or residential accommodation will not be able to vote. Research has suggested that this form of electoral registration has left many disabled people unregistered<sup>5</sup>. In many cases this is because of the negative assumptions or lack of acknowledgement of the designated head by the household that disabled people want to exercise their right to vote. There have also been some anecdotal reports of household registration being used as a way of stealing disabled people's votes.

Northern Ireland led the way in 2002 with a welcome shift towards individual voter registration, where voters register as individuals rather than collectively via the head of household<sup>6</sup>. The same approach was adopted by the UK<sup>7</sup> in 2009. Individual registration is a welcome step forward in improving access to elections for disabled people, helping to prevent deliberate non-registration or vote stealing by those responsible for registering them. However, it is essential that the new system of registration in the UK is designed from the outset with the access needs of disabled people in mind, including the ability to use different identifiers where required, and to receive registration information in the alternative format of their choice.

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<sup>5</sup> Barnes, C. (1991) *Disabled People in Britain and Discrimination: A case for anti-discrimination legislation*, London: Hurst & Co.

<sup>6</sup> Electoral Fraud (NI) Act [2002]: [www.opsi.gov.uk/acts/acts2002/ukpga\\_20020013\\_en\\_1](http://www.opsi.gov.uk/acts/acts2002/ukpga_20020013_en_1)

<sup>7</sup> The *Political Parties and Elections Act* of 2009 makes preparations for the phased introduction of individual electoral registration, which would include additional identifying information on a voluntary basis from 2010 - 2015 and on a compulsory basis from 2015. For more information see: *Political Parties and Elections Act* [2009]: [www.opsi.gov.uk/acts/acts2009/pdf/ukpga\\_20090012\\_en.pdf](http://www.opsi.gov.uk/acts/acts2009/pdf/ukpga_20090012_en.pdf)

### **Addressing physical barriers to voting**

Many disabled people find it difficult to physically access a polling station. This can be for a variety of reasons including, steps into the entrance, narrow doorways and corridors, or the lack of a low-level polling booth. Respondents to the Polls Apart surveys have reported all these barriers and documented the various solutions that electoral administrators and their staff have put in place to resolve them. They can include temporary ramps, the use of alternative entrances, propping open heavy doors, and greater offers of assistance.

In buildings that have been designated as polling stations, but are not considered accessible, local authorities frequently invest in temporary access adjustments; for example, hiring temporary ramps rather than investing in permanent access improvements. While this temporarily increases the accessibility of some of these buildings it cannot solve the problem for all of them. Even today we are still seeing totally inaccessible venues, such as portable buildings or caravans in fields, being used. These venues are not only expensive to hire, they are also frequently inaccessible to disabled voters.

In this way, the choice of polling venue is extremely important as it can mean the difference between disabled voters voting in the privacy of a polling booth, or filling out their ballot in the street.

The need to designate accessible venues may seem obvious to many readers. However it was only with the introduction of the Representation of the People Act<sup>8</sup> of 1983 that a duty was placed on local authorities to, 'so far as it is reasonable and practical', designate polling stations, in locations that are accessible to disabled people. Whilst this legislation represents significant progress, at the 1987 General Election<sup>9</sup> a report on twenty polling stations found that just four (20 percent) were accessible to disabled people, with ten (50 percent) having major access barriers.

We could not expect change on the ground to follow as quickly as we would have liked, but we were pleased by the introduction of the Disability Discrimination Act<sup>10</sup> of 1995, which strengthens this legislation by requiring providers of goods and services to the public to take reasonable steps to make goods and services accessible to disabled people.

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<sup>8</sup> Representation of the People Act [1983]:  
[www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga\\_19830002\\_en\\_1](http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga_19830002_en_1)

<sup>9</sup> Fry, E. (1987) *Disabled People and the 1987 General Election*, London: The Spastics Society

<sup>10</sup> Disability Discrimination Act [1995]:  
[www.opsi.gov.uk/acts/acts1995/ukpga\\_19950050\\_en\\_1](http://www.opsi.gov.uk/acts/acts1995/ukpga_19950050_en_1)

Between 1997 and 2001 we saw a substantial improvement in the accessibility of elections rising from six percent at the General Election 1997<sup>11</sup> to 31 percent at the General Election<sup>12</sup> 2001. However, significant barriers still remained. In 2001, half of polling stations still did not have level access into the polling station and around 40 percent did not have a low level polling booth.

Since then we have seen a further strengthening of Disability Discrimination Act<sup>13</sup> with the introduction of the final part of the DDA goods and services duties in 2004, that required those providing goods and services to the public to make reasonable physical adjustments<sup>14</sup> to their premises. In 2005 the Disability Discrimination Act was amended to include a duty on public authorities to promote disabled people's equality, with a specific focus on involvement in public life. This development brought electoral services unambiguously under the auspices of anti-discrimination law.

Soon the Equality Act 2010 will replace the Disability Discrimination Act (DDA) as the main anti-discrimination legislation for disabled people in the UK. The new Act maintains the provisions under the DDA which aim to remove physical barriers and improve access for disabled people to goods and services and maintains the duty, through the new single equality duty, to take proactive steps to promote disabled people's participation in public life; including their participation in elections.

### **Review of polling stations**

An important impetus for assessing the physical accessibility of polling stations came with Section 16 of the Electoral Administration Act<sup>15</sup> of 2006, which placed a new requirement on local authorities to review the accessibility of all polling stations to disabled voters and ensure every polling place, and prospective polling place, for which it is responsible is accessible to disabled voters 'so far as is reasonable and practicable'<sup>16</sup>.

In December 2009, Scope, on behalf of the Polls Apart campaign, wrote to the chief executives of all local authorities in the UK requesting, under the Freedom of Information (FOI) Act<sup>17</sup> of 2000, information about the polling stations in the districts they covered, their compliance with Section 16 of the Act, and any subsequent changes they made as a result of the review.

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<sup>11</sup> Scope (1997) *Polls Apart 2: Campaigning for accessible democracy*, London: Scope.

<sup>12</sup> Scope (2001) *Polls Apart 3: Campaigning for accessible democracy*, London: Scope.

<sup>13</sup> Disability Discrimination Act [2005]:

[www.opsi.gov.uk/Acts/acts2005/pdf/ukpga\\_20050013\\_en.pdf](http://www.opsi.gov.uk/Acts/acts2005/pdf/ukpga_20050013_en.pdf)

<sup>14</sup> Disability Discrimination (NI) Order [2006]: <http://www.opsi.gov.uk/si/si2006/20060312.htm>

<sup>15</sup> Electoral Administration Act [2006]:

[www.opsi.gov.uk/acts/acts2006/ukpga\\_20060022\\_en\\_5#pt4-l1g16](http://www.opsi.gov.uk/acts/acts2006/ukpga_20060022_en_5#pt4-l1g16)

<sup>16</sup> This was enacted in Northern Ireland in the Electoral Administration Act of 2006 (Commencement No. 1 and Transitional Provisions) (NI) Order [2008]:

[www.opsi.gov.uk/si/si2008/uksi\\_20081656\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20081656_en_1)

<sup>17</sup> Freedom of Information Act [2000]:

[www.opsi.gov.uk/acts/acts2000/pdf/ukpga\\_20000036\\_en.pdf](http://www.opsi.gov.uk/acts/acts2000/pdf/ukpga_20000036_en.pdf)



We received information from around 70 percent (n = 27,340) of all polling stations used at the General Election 2010. The picture we got from local authorities was, on the whole, positive and promising with 89 percent having undertaken a Section 16 Review. We should, however, keep in mind that this does mean that as many as 11 percent of local authorities had failed to meet their statutory responsibilities and there are still 30 percent of polling stations used at the General Election 2010 that we did not receive data about.

What is even more concerning is that, of the 86 percent of polling stations that had been reviewed, local authorities knew that 14 percent (n = 3,851) of the polling stations they intended to use would not be accessible to disabled voters. Similarly, of those polling stations that had not been reviewed, but were not considered accessible to disabled voters (n = 890), just eight percent (n = 60) made a change to the polling station following the review.

Local authorities gave a range of excuses for the inaccessibility of their polling stations; however the majority focused on the lack of an alternative more accessible venue in the local area. While this may be a genuine concern for a small number of authorities, we should keep in mind that they have had five years, with numerous other elections in between, to address these physical access barriers. A small number of the authorities who responded had changed the location or created alternative access solutions following their Section 16 review. The best of these also engaged with a local Disabled People's Organisation (DPO) or disability access consultant to ensure that they were making improvements that would have the desired outcomes.

Failure to make suitable access adjustments or select alternate venues inevitably leads to electoral administrators and their staff having to mitigate access problem on election day itself, putting the onus on staff and volunteers to try and implement temporary access solutions or alternative arrangements. As the voting system outside Northern Ireland does not permit voters to cast their vote in any other polling station than that indicated on their polling card, disabled voters cannot choose to vote in an alternative, more accessible, station.

In Northern Ireland we saw significantly better processes being implemented. Following reviews of polling stations, the Chief Electoral Officer in Northern Ireland wrote to those living in areas where it is known that a polling station is not accessible and temporary access solutions could not be made. This gave voters the opportunity to choose another polling station (in their local area) or to vote at or use a different channel of voting (such as postal or proxy voting). This was known as the Restricted Access Polling Station Scheme and was used at both the 2009 European Parliamentary election and 2010 Westminster Parliamentary election.

This advanced notice of the inaccessibility of their 'usual' polling station enabled many disabled people to consider their options and avoided them encountering access problems on polling day. As this voter, who received the letter, told us:

“I phoned the Electoral Office – they put me through to Omagh Office – I requested [an alternative polling station] which has a split level room that I would be able to vote on the top level, because of my mobility. I was assured this would be put in place and I was able to post the letter.”

This proactive action is to be commended as it ensured as many disabled people as possible could make an informed decision about alternative polling stations or channels they could use. We would encourage in the future the rest of the country to build on Northern Ireland’s approach by developing a mechanism to allow disabled voters to choose to vote in another polling station, or use an alternative voting method, if their designated station will be inaccessible.

### **Alternative Formats**

In the UK we have a paper-based voting system, which means that the ballots we cast are made of paper and need to be marked by hand by the voter. Many disabled people have not been able to vote independently in the past because the format of the voting instructions and ballot paper has been inaccessible to them<sup>18</sup>. This is the case for blind and visually-impaired voters who are unable to read the ballot, or voters with learning difficulties who require simpler language and terminology to be used in explaining how to vote. In some cases this has led to disabled voters accidentally spoiling their ballots.

The Representation of the People Act<sup>19</sup> of 2000 aimed to mitigate these barriers for blind and visually-impaired voters, by putting a duty on returning officers (who are responsible for overseeing elections at a local level) to provide at each polling station at least one large print version of the ballot paper, which is used as reference guide for voters when filling in their ballot paper, and a tactile voting device.

Both adjustments have gone some way towards making the voting process more accessible for visually impaired voters, but many people still report difficulties in using these devices and argue that such adjustments do not go far enough as they still do not provide equal access to the voting process.

The duty to provide electoral materials in alternative format was further strengthened in the Representation of the People Regulations<sup>20</sup> of 2001 and the subsequent Electoral Administration Act<sup>21</sup> of 2006, which placed

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<sup>18</sup> Polls Apart *ad nauseum*.

<sup>19</sup> Representation of the People Act [2000]: [www.opsi.gov.uk/acts/acts2000/pdf/ukpga\\_20000002\\_en.pdf](http://www.opsi.gov.uk/acts/acts2000/pdf/ukpga_20000002_en.pdf) and Representation of People Act (NI Regulations) [2008]: [www.opsi.gov.uk/si/si2008/uksi\\_20081741\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20081741_en_1)

<sup>20</sup> Representation of the People (England & Wales) Regulations 2001: [www.uk-legislation.hmso.gov.uk/si/si2001/20011700.htm](http://www.uk-legislation.hmso.gov.uk/si/si2001/20011700.htm) and The Electoral Administration Act (commencement no. 1 Transitional Provisions Order) (NI) Order [2008]: [www.opsi.gov.uk/legislation/northernireland/ni-si07](http://www.opsi.gov.uk/legislation/northernireland/ni-si07)

<sup>21</sup> Electoral Administration Act [2006]: [www.opsi.gov.uk/acts/acts2006/ukpga\\_20060022\\_en\\_5#pt4-l1g16](http://www.opsi.gov.uk/acts/acts2006/ukpga_20060022_en_5#pt4-l1g16)

an additional duty on local authorities to ensure that guidance documents are translated into Braille and other accessible formats.

### **Assistance for voting**

Legislation to improve physical access to buildings, provide information in accessible formats, and provide aides to voting, have helped to improve access to elections. However, the continued use of inaccessible buildings and the inflexibility of the standardised ballot mean that many disabled people are still prevented from voting independently and in secret.

This need was first recognised in the Representation of the People Act<sup>22</sup> of 1983, which allowed blind voters with the assistance of another person who accompanies them (a companion). Following the recommendations of the Howarth Working Party<sup>23</sup>, and the continued lobbying of the Polls Apart campaign, this provision was extended under the Representation of the People Act<sup>24</sup> of 2000 to other voters who would also benefit from it. The new provisions allowed disabled people and those who could not 'read or write' and could not vote without support, to vote with assistance through the support of a 'companion'. Presiding officers (the people who are responsible for the conduct of the ballot in the polling stations) had to ensure that companions of disabled voters were also admitted to the polling station. The Act puts measures in place to prevent electoral fraud by stipulating that the name and electoral register number of the disabled person and the companion are entered onto a list<sup>25</sup>.

More recently, the Electoral Commission (an independent body, which oversees electoral and democratic processes in the UK) has issued useful guidance which clarifies that presiding officers are obliged to enable disabled people to vote with assistance<sup>26</sup>. These requirements have also been outlined in more recent rules and guidance<sup>27</sup>.

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<sup>22</sup> Representation of the People Act [1983]:

[www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga\\_19830002\\_en\\_1](http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga_19830002_en_1)

<sup>23</sup> Home Office (1999) *Final Report of Working Party on Electoral Procedures*:

[www.nationalarchives.gov.uk/ERORrecords/HO/421/2/ccpd/wpep1.pdf](http://www.nationalarchives.gov.uk/ERORrecords/HO/421/2/ccpd/wpep1.pdf)

<sup>24</sup> Representation of the People Act [2000]:

[www.opsi.gov.uk/acts/acts2000/pdf/ukpga\\_20000002\\_en.pdf](http://www.opsi.gov.uk/acts/acts2000/pdf/ukpga_20000002_en.pdf) and Representation of People

Act (NI Regulations) [2008]: [www.opsi.gov.uk/si/si2008/uksi\\_20081741\\_en\\_1](http://www.opsi.gov.uk/si/si2008/uksi_20081741_en_1)

<sup>25</sup> European Parliamentary Elections Regulations additionally specifies that a companion cannot communicate at any time to any person any information about the way that the disabled voter intends to vote or has voted, or the number or other unique identifying mark on the ballot paper. For more information see: European Parliamentary Elections Regulations 2004/293: [www.opsi.gov.uk/si/si2009/pdf/uksi\\_20091120\\_en.pdf](http://www.opsi.gov.uk/si/si2009/pdf/uksi_20091120_en.pdf). The Electoral Administration Act (commencement no. 1 Transitional Provisions Order) (NI) [2008]: [www.opsi.gov.uk/legislation/northernireland/ni-si07](http://www.opsi.gov.uk/legislation/northernireland/ni-si07)

<sup>26</sup> The most recent version can be found at: The Electoral Commission (2010)

*Handbook for polling station staff Supporting a UK Parliamentary election*:

[www.electoralcommission.org.uk/\\_data/assets/electoral\\_commission\\_pdf\\_file/0009/55836/UKPGE-PSH-web-FINAL.pdf](http://www.electoralcommission.org.uk/_data/assets/electoral_commission_pdf_file/0009/55836/UKPGE-PSH-web-FINAL.pdf)

<sup>27</sup> C.f. National Assembly for Wales (Representation of the People) Order 2007/236:

[www.opsi.gov.uk/si/si2007/pdf/uksi\\_20070236\\_en.pdf](http://www.opsi.gov.uk/si/si2007/pdf/uksi_20070236_en.pdf) Greater London Authority Elections

Rules 2007/3541: [www.opsi.gov.uk/si/si2007/pdf/uksi\\_20070236\\_en.pdf](http://www.opsi.gov.uk/si/si2007/pdf/uksi_20070236_en.pdf) also the Electoral Commission has extensive guidance and a checklist, for more information see

We very much support the sentiment of the legislation and guidance; however we are concerned about how it is being implemented at a local level. Over the course of the Polls Apart campaign we have come across a number of worrying cases of disabled people not being allowed to vote (or only being able to after a long and strenuous confrontation) because presiding officers do not know when to grant admittance to a companion to assist with voting. As this Polls Apart 5 campaigner told us:

"I arrived accompanied by both my wife and one of our daughters to vote. We checked in, and one of the electoral staff asked: (not sure who it was directed to wife or daughter) 'Does the gentleman need help in completing the form?' 'Excuse me I am here.' was my response. The electoral officer became agitated when I suggested that either my wife or daughter would assist me if I was unable to cope. This, it appeared, was like a red rag to a bull in that suddenly all sorts of obstacles were thrown up, not least the: 'Well, I am supposed to help, but if a family member helps then there is a lot, a great deal of paper work to complete.' He seemed even more perturbed when I responded: 'Fine, get the forms ready as I want someone I know and trust to help me, not a stranger.'"

This demonstrates the extent to which negative staff attitudes can have an impact on the delivery and implementation of legislation designed to improve disabled voters experiences on election day.

### **Addressing negative attitudes and assumptions**

Disabled people who were historically considered to be incapacitated were excluded from voting in the UK. This was reversed substantively, however, through the introduction of the Representation of the People Act<sup>28</sup> of 1949, as amended by the Representation of the People Act<sup>29</sup> of 1983. This legislation allowed disabled people who are classified as 'patients' (residents in hospitals or secure units, but not on criminal grounds) to vote.

This signalled an important step forward in ensuring the inclusion of previously hidden disabled people in the electorate. The deinstitutionalisation of disabled people more generally led to a rising concern amongst electoral staff over how to judge a voter's capacity to cast a vote. This was clarified to some extent when disabled people who were considered 'patients' (but not criminal patients) were given the right to vote under the Mental Health Act<sup>30</sup> of 1983; however with the caveat that they must do so via postal vote or by proxy (through a nominated individual who casts the vote on their behalf).

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[www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections](http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/uk-parliamentary-elections)

<sup>28</sup> Representation of the People Act [1949]

<sup>29</sup> Representation of the People Act [1983]:

[www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga\\_19830002\\_en\\_1](http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga_19830002_en_1)

<sup>30</sup> Mental Health Act [1983]:

[www.cqc.org.uk/\\_db/\\_documents/Mental\\_Health\\_Act\\_1983\\_201002170112.pdf](http://www.cqc.org.uk/_db/_documents/Mental_Health_Act_1983_201002170112.pdf)

Similarly the Representation of the People Act<sup>31</sup> of 1983 originally stated that the presiding officer had to be 'satisfied' that the disabled voter could not vote without support in order to grant admission for assistance by a companion. Our Polls Apart reports have found that this discretion has led to some disabled people being asked to prove 'incapacity' to vote unaided. As this Polls Apart 5 campaigner told us:

"[I heard one of the staff in the polling station comment] that: 'People like that shouldn't be allowed to vote.' It was implied that my parents or carer should vote on my behalf on the way to the polling station last time around. I enquired as to why that should be and was told that I obviously was not capable of making a logical vote. I have a physical disability. I am completely compos mentis!"

It is negative attitudes like these that cause problems for disabled people when they go to vote, and until 2005 it was difficult for disabled people to challenge staff and assert their rights. This changed drastically with the introduction of the Adults with Incapacity (Scotland) Act<sup>32</sup> of 2000 and the Mental Capacity Act<sup>33</sup> of 2005, which creates a new statutory framework for ascertaining whether someone has capacity to vote or not. The Mental Capacity Act does not cover Northern Ireland; although legislation is currently being drafted. However, the Electoral Administration Act of 2006 (commencement No 7) Order<sup>34</sup> did acknowledge the need for change by removing the dated common law on mental capacity to register to vote.

Under the Mental Capacity Act, rather than a disabled person having to prove that they had capacity (which was previously the case), the legislation requires an assumption that the individual is capable of making an autonomous decision unless it can be proved otherwise. The Act sets out the process for conducting a Mental Capacity test. An individual is deemed capable of making a particular decision if they are able to:<sup>35</sup>

- Understand the information relevant to the decision
- Retain that information
- Weigh that information as a part of the process of making a decision
- Communicate his / her decision (whether by talking, using sign language or any other means).

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<sup>31</sup> Representation of the People Act [1983]:

[www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga\\_19830002\\_en\\_1](http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1983/cukpga_19830002_en_1)

<sup>32</sup> Adults with Incapacity (Scotland) Act [2000]:

[www.opsi.gov.uk/legislation/scotland/acts2000/pdf/asp\\_20000004\\_en.pdf](http://www.opsi.gov.uk/legislation/scotland/acts2000/pdf/asp_20000004_en.pdf)

<sup>33</sup> Mental Capacity Act [2005]: [www.opsi.gov.uk/acts/acts2005/pdf/ukpga\\_20050009\\_en.pdf](http://www.opsi.gov.uk/acts/acts2005/pdf/ukpga_20050009_en.pdf)

<sup>34</sup> The Electoral Administration Act of 2006 (commencement No 7) Order [2008]:

[www.opsi.gov.uk/si/si2008/pdf/uksi\\_20081316\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081316_en.pdf)

<sup>35</sup> Mental Capacity Act 2005 (Ch. 9) Section 3

[www.opsi.gov.uk/acts/acts2005/ukpga\\_20050009\\_en\\_2#pt1-pb2-l1g3](http://www.opsi.gov.uk/acts/acts2005/ukpga_20050009_en_2#pt1-pb2-l1g3)

If an individual is able to meet the above conditions, the Act stipulates a legal obligation for all practical steps to be taken to enable the person to arrive at an independent judgment. However, the Electoral Commission takes a stronger stance stating in its 2010 handbook for presiding officers<sup>36</sup> that: 'it is the view of the Commission that a person who is registered as an elector or entered on the list of proxies cannot be refused a ballot paper, or in other words be excluded from voting, on the grounds of mental incapacity'.

### **Alternative channels of voting**

Until just after the turn of the twentieth century, the UK relied on polling stations to cast votes. Since then two main alternative channels of voting have been trialled; one of which has been fully implemented in the UK context.

### **Postal voting**

Access to a postal voting option was first introduced to physically disabled voters in the Representation of the People Act 1948, after these provisions were introduced for overseas service personnel in 1918<sup>37</sup> and 1945<sup>38</sup>. This was strengthened through the Representation of the People Act<sup>39</sup> of 1985, which states that disabled people who have a 'physical incapacity' can vote by postal ballot or by proxy. This was an important change for disabled people as it enabled them to choose between voting at their local polling station or through a postal ballot. This was, however not applicable to the Northern Ireland context, where people still have to apply for a postal vote and need to meet specific criteria to become eligible<sup>40</sup>.

In 1999, there was a sea change with a report by a parliamentary Working Party on Electoral Procedures<sup>41</sup> that recommended that absent voting should be allowed on demand and the application and voting procedures for absent voting should be simplified<sup>42</sup>. This subsequently led to the Representation of the People Act of 2000<sup>43</sup> and the Representation of the People (England and Wales) Regulations of 2001 that extend the right to postal voting on

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<sup>36</sup> The Electoral Commission (2010) *Handbook for polling station staff Supporting a UK Parliamentary election*: [www.electoralcommission.org.uk/\\_data/assets/electoral\\_commission\\_pdf\\_file/0009/55836/UKPGE-PSH-web-FINAL.pdf](http://www.electoralcommission.org.uk/_data/assets/electoral_commission_pdf_file/0009/55836/UKPGE-PSH-web-FINAL.pdf)

<sup>37</sup> Representation of the People Act [1918]

<sup>38</sup> Representation of the People Act [1945]

<sup>39</sup> Representation of the People Act [1985]:

[www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1985/cukpga\\_19850050\\_en\\_1](http://www.opsi.gov.uk/RevisedStatutes/Acts/ukpga/1985/cukpga_19850050_en_1)

<sup>40</sup> For more information see: [www.eoni.org.uk/index/forms-and-leaflets/postal\\_and\\_proxy\\_voting.htm](http://www.eoni.org.uk/index/forms-and-leaflets/postal_and_proxy_voting.htm)

<sup>41</sup> Home Office (1999) *Final Report of the Working Party on Electoral Procedures*: [www.dca.gov.uk/elections/reports/procs/pdf/wpep1.pdf](http://www.dca.gov.uk/elections/reports/procs/pdf/wpep1.pdf)

<sup>42</sup> It also made observations as recommendations of the provision of polling aids for disabled people and improvement of advice for disabled voters. The report suggested polling aids included the use of tactile ballot paper templates and large print posters of the voting slip to assist the blind and visually impaired. Further it argued that Electors who would not otherwise be able to cast their vote should be able to be assisted by a companion, have the option of voting by post or by proxy.

<sup>43</sup> Representation of the People Act [2000]: [www.opsi.gov.uk/acts/acts2000/pdf/ukpga\\_20000002\\_en.pdf](http://www.opsi.gov.uk/acts/acts2000/pdf/ukpga_20000002_en.pdf)

demand to all voters<sup>44</sup>. This was a change that we very much welcomed as it extended the choice of voting channels to all voters, including those with a range of other impairments. The legislation did result in a wider take-up of postal ballots, standing at 12 percent of the UK electorate in 2005, which is three times higher than in 2001<sup>45</sup>. Our Polls Apart reports found, however, that in order to use this alternative channel many disabled people needed assistance as it replicated some existing access barriers and introduced some new ones.

In 2004, a Polls Apart report also examined a referendum on the creation of a regional assembly in the north east of England<sup>46</sup>. This was the first vote to be piloted as an all-postal ballot. Scope came out strongly against the introduction of all-postal elections as postal voting is inherently inaccessible to some disabled people and single channel restricts voter choice rather than enhancing it.

More recently there has been concern over abuse of postal voting, which led Richard Mawrey QC to conclude that the postal voting system was wide open to fraud<sup>47</sup>. Furthermore, research by the Joseph Rowntree Foundation shows the vulnerability of UK elections to fraud on the basis of the growth in the use of postal voting<sup>48</sup>. In recognising the need for greater security, an Electoral Commission report<sup>49</sup> proposed various methods to eliminate the possibility of fraudulent voting, including the introduction of individual registration, more checks and new offences; many of which have now been introduced.

### **E-voting solutions**

As we have seen, legislation, along with greater awareness of access barriers, has helped to bring about slow, but positive improvements in access to voting. However, for some groups of voters both polling station and postal voting continued to be fundamentally inaccessible. Visually impaired voters and those with complex physical impairments still had to rely on others to physically mark their ballot paper on their behalf, denying them their right to a secret ballot.

This led, inevitably, to a broader consideration of alternative voting channels that could be used to ensure that all voters could vote independently and in secret.

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<sup>44</sup> *Representation of the People (England & Wales) Regulations* [2001]: [www.england-legislation.hmso.gov.uk/si/si2001/20011700.htm](http://www.england-legislation.hmso.gov.uk/si/si2001/20011700.htm)

<sup>45</sup> Electoral Commission (2005) *The 2005 General Election: Analysis of the results*: [http://www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0009/47268/RallingsandThrasherreport\\_18801-13909\\_ENSW.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0009/47268/RallingsandThrasherreport_18801-13909_ENSW.pdf).

<sup>46</sup> Scope (2005) *Polls Apart: an accessibility analysis of the North East referendum November 2004*: [www.electoralcommission.org.uk/\\_data/assets/pdf\\_file/0009/47277/Accessibilityreport\\_18898-13986\\_ENSW.pdf](http://www.electoralcommission.org.uk/_data/assets/pdf_file/0009/47277/Accessibilityreport_18898-13986_ENSW.pdf)

<sup>47</sup> Judge upholds vote-rigging claims, BBC, 4 April 2005: [news.bbc.co.uk/1/hi/england/west\\_midlands/4406575.stm](http://news.bbc.co.uk/1/hi/england/west_midlands/4406575.stm).

<sup>48</sup> Joseph Rowntree Foundation (2008) *Purity of elections in the UK: Causes for concern*: [www.jrtf.org.uk/uploads/Purity%20of%20Elections%20in%20the%20UK%20-%20Executive%20Summary.pdf](http://www.jrtf.org.uk/uploads/Purity%20of%20Elections%20in%20the%20UK%20-%20Executive%20Summary.pdf).

<sup>49</sup> Electoral Commission (2005) *Securing the vote*: [www.electoralcommission.org.uk/templates/search/document.cfm/12944](http://www.electoralcommission.org.uk/templates/search/document.cfm/12944).

The term electronic voting (or e-voting) refers to methods of casting a ballot which use an information technology format to allow voters to record their vote digitally. Devices that can be used to facilitate electronic voting include kiosks which voters operate inside polling stations or remote technologies, such as mobile phones, digital TV, telephones and secure internet platforms. A White Paper<sup>50</sup> published by the previous administration found widespread support for innovation in voting channels, with 80 percent of responses to the paper supporting early voting and electronic voting. In response to this paper, and the subsequent debate arising from it, the Representation of People Act<sup>51</sup> of 2000 made provisions for the piloting of a range of innovative electronic voting channels in England and Wales at local elections.

The first major set of voting pilots took place during the Local Elections in May 2002, in 30 English councils; of which 17 involved some form of e-voting or counting. The second wave of pilots took place during the May elections in 2003. Scope was engaged by the Electoral Commission<sup>52</sup> to assess the accessibility of these pilots to disabled voters. Accessibility of these two waves of pilots were judged on a technical audit of the technology use, site visits to see the technology in use, focus group and interviews of disabled people's experiences of using these forms of e-voting.

We will not replicate the findings of our reports here but rather give an indication of the overall accessibility of the main e-voting channels that were piloted.

- **E-voting at kiosks:** We found that the kiosk created or replicated a number of key access barriers for disabled voters. Particularly in relation to the design of the hardware and usability of the software. Where smart cards or passwords were used the complexity of the system made access difficult for many disabled people.
- **Internet voting:** Many disabled people who piloted this method were pleased that for the first time they were able to vote independently, without assistance. That said, some found the navigation and journey through the voting screens confusing. During the pilots we tested all internet voting websites to see if they met the accessibility requirements<sup>53</sup> set by the then Office of the Deputy Prime Minister (ODPM)<sup>54</sup> for e-voting websites and

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<sup>50</sup> Department of the Environment, Transport and the Regions, 'Modern Local Government: In Touch with the People' (1998)

[www.communities.gov.uk/documents/localgovernment/pdf/144890.pdf](http://www.communities.gov.uk/documents/localgovernment/pdf/144890.pdf)

<sup>51</sup> Representation of the People Act [2000]:

[www.opsi.gov.uk/acts/acts2000/ukpga\\_20000002\\_en\\_1](http://www.opsi.gov.uk/acts/acts2000/ukpga_20000002_en_1)

<sup>52</sup> Scope (2002) Polls Apart: A future for accessible democracy (An evaluation of the accessibility of the May 2002 electoral pilot voting schemes), London: The Electoral Commission / Scope

Scope (2003) Polls Apart: Developing inclusive e-democracy (An evaluation of the accessibility of the May 2003 electoral pilot voting schemes), London: The Electoral Commission / Scope

<sup>53</sup> Office of Deputy Prime Minister (May 2002), Implementing Electronic Voting in the UK

<sup>54</sup> This became the Department for Communities and Local Government (CLG) in May 2006.



the Web Content Accessibility Guidelines (WCAG)<sup>55</sup> 1.0. Our review of the pilots found that none of the Internet voting sites met all the checkpoints necessary to fulfill the highest level of conformance. Despite this, we did find solutions that were generally accessible to disabled voters.

- **Telephone voting:** This channel will never be fully accessible to all disabled people and some of the extra layers of complexity used in pilots risk making the technology inaccessible to more voters than it should be. Voters who trialled the channel reported that they found it hard to remember the information or options given to them and some did not understand the terminology (such as 'press the hash key') being used.
- **SMS (text messaging):** Our review of the pilots found that frequently voters felt that they were being required to input too many layers of verification. There were also concerns around the length of the message, how the message components are broken down and the content and format of any error messages that may be returned to the user.
- **Digital TV:** From the pilots we know that digital TV voting systems are relatively inflexible when it comes to accommodating the needs of people with visual or co-ordination impairments. Also there are challenges with the slowness in processing information, potential loss of service and needing to switch between screens.

After the 2007 pilots, the Electoral Commission concluded that, without a comprehensive electoral modernisation strategy and the development of a framework of qualified e-voting suppliers, there should be no further trialling of the technology<sup>56</sup>. The then Government administration argued for the trials to be continued, disagreeing with the Commission's view that that was an overriding risk of undermining the accessibility and integrity of the elections<sup>57</sup>. The then Government did have the opportunity to pursue e-voting solutions further off the back of several related digital inclusion strategies<sup>58</sup>, however this never materialised.

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<sup>55</sup> W3C (1999) Web Content Accessibility Guidelines 1.0: [www.w3.org/TR/WCAG10/wai-pageauth.pdf](http://www.w3.org/TR/WCAG10/wai-pageauth.pdf) superseded by W3C (2008) Web Content Accessibility Guidelines 2.0: [www.w3.org/TR/2008/REC-WCAG20-20081211/](http://www.w3.org/TR/2008/REC-WCAG20-20081211/)

<sup>56</sup> The Electoral Commission (August 2007) Key issues and conclusions: May 2007 electoral pilot schemes: [www.electoralcommission.org.uk/\\_data/assets/electoral\\_commission\\_pdf\\_file/0015/13218/Keyfindingsandrecommendationssummarypaper\\_27191-20111\\_ENSW.pdf](http://www.electoralcommission.org.uk/_data/assets/electoral_commission_pdf_file/0015/13218/Keyfindingsandrecommendationssummarypaper_27191-20111_ENSW.pdf)

<sup>57</sup> Ministry of Justice (November 2007) The Government's response to the Electoral Commission's recommendations on the May 2007 electoral pilot schemes: [www.justice.gov.uk/about/docs/Government\\_s-response-Electoral-Commission\\_s-recommendations-on-May-2007-electoral-pilot-schemes.pdf](http://www.justice.gov.uk/about/docs/Government_s-response-Electoral-Commission_s-recommendations-on-May-2007-electoral-pilot-schemes.pdf)

<sup>58</sup> Local Government and Communities (2008) Delivering Digital Inclusion: An Action Plan for Consultation: [www.communities.gov.uk/documents/communities/pdf/1001077.pdf](http://www.communities.gov.uk/documents/communities/pdf/1001077.pdf)  
Department for Business, Innovation & Skills (2009) Terms of Reference for the Digital Champion and Task Force Members: [www.culture.gov.uk/images/publications/tor\\_digitalchampions\\_tfmembers.pdf](http://www.culture.gov.uk/images/publications/tor_digitalchampions_tfmembers.pdf)  
Heeley M. (2009) Digital Inclusion : a review of international policy and practice: [www.iden.org.uk/outcomes/LeelaMelanie-InternationalPolicyReview.doc](http://www.iden.org.uk/outcomes/LeelaMelanie-InternationalPolicyReview.doc)  
HM Treasury (2009) Putting The Frontline First: Smarter Government: [www.hmg.gov.uk/media/52788/smarter-government-final.pdf](http://www.hmg.gov.uk/media/52788/smarter-government-final.pdf)

Security considerations around e-voting platforms meant that e-voting platforms were often so complicated that they failed to provide practical accessible alternatives to existing channels. Our evaluation concluded that addressing the complexity of these systems, without compromising security, was where further effort needs to be directed. Since 2003, a raft of new technologies have emerged and public familiarity with such devices has increased exponentially. New technologies are now being used by disabled people to improve accessibility in every part of their lives, and the potential of it to revolutionise voting remains considerable.

### **Multiple systems, multiple barriers**

Finally, we currently have a situation where different electoral systems are adopted for different elections and different parts of the UK. For example, First Past the Post (FPTP) is used in the Westminster Parliamentary Election and Single Transferable Vote (STV) is used in the elections for the Northern Ireland Assembly<sup>59</sup> (see Annex A for further details). Many are used concurrently when elections coincide with one another; in the 2007 Scottish Parliamentary and local government elections, the Additional Member System (AMS) and Single Transferable Vote (STV) electoral systems were both used in a combined election, and in the General Election 2010 constituencies such as in Hackney (for example) were electing local, parliamentary and mayoral representatives.

In addition to the various systems currently in use, there are indications that reform will be taken further. The recent Coalition's programme for Government makes a commitment to a referendum considering the shift to the Alternative Vote (AV) system<sup>60</sup>. Future additions to this already complex system could also include an elected second chamber (currently the House of Lords) and the introduction of referenda on local issues<sup>61</sup>.

For many voters understanding and distinguishing between these systems is very difficult. Complexity is an issue for everyone, but it can also have a disproportionate impact in disabled voters. As this disabled voter at the 2010 General Election recounts:

“I felt the system was complicated – we had three elections, parliamentary, council and mayor, and five decisions to make.”

Voters with a learning difficulty, English as a second language and low levels of literacy find it difficult to make sense of the diverse instructions that come with these diverse systems. When new voting systems are introduced, the outcome is usually high numbers of spoiled ballots. The use of multiple systems at the same election creates further confusion. Any proposed reform

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<sup>59</sup> Ministry of Justice (2008) 'Review of Voting Systems: the experience of new voting systems in the United Kingdom since 1997': [www.justice.gov.uk/publications/voting-systems-review.htm](http://www.justice.gov.uk/publications/voting-systems-review.htm)

<sup>60</sup> HM Government (2010) *The Coalition: Our programme for government*: [www.cabinetoffice.gov.uk/media/409088/pfg\\_coalition.pdf](http://www.cabinetoffice.gov.uk/media/409088/pfg_coalition.pdf).

<sup>61</sup> Ibid.

must take into account the experiences of voters who have significant problems with the current system, and in creating new solutions aims to address these systemic barriers, rather than perpetuate them.

## Conclusion

The picture that emerges from electoral reform is one of progress, in that the legislation has brought about incremental change to try to improve a system that was not designed with disabled people in mind. However, our Polls Apart reports have demonstrated that whilst things are improving, progress has been slow and the effect of legislation and guidance patchy and inconsistent.

The first Polls Apart report<sup>62</sup> from 1992 found that 88 percent of polling stations were inaccessible to disabled voters. Worryingly, by the next General Election of 1997, the problem seemed to have got worse as our report<sup>63</sup> revealed that 94 percent failed our basic access test. By 2001, 69 percent of polling stations surveyed were inaccessible. Whilst the General Election of 2001 did see an overall improvement in access, many disabled people were still telling us that they found it difficult to vote. As this respondent from the Polls Apart 3 campaign<sup>64</sup> explains:

“I had to shout from outside two sets of doors to try and get someone to help. Eventually another voter asked someone to come out to me. There was no provision at all for disabled people, I had to vote in a car park, and pass my vote to a stranger to put in the box (I hope they did). To top it all it was raining, and I had to wait outside during all this.”

More recently the pace of change has slowed, and in 2005 we saw an increase of just 1 percent in the accessibility of polling stations (69 percent – 68 percent) and a similar level of accessibility reported for postal ballots (64 percent)<sup>65</sup>. Despite the fact that local authorities had new duties under the Representation of the People Act<sup>66</sup> of 2000, the proportion of polling stations that had level access had risen by only 9 percent to about 60 percent. Alarming, the percentage of adequately designed ramps had dropped from 71 percent in 2001 to 64 percent in 2005. Where attempts had been made they often relied on improvised or temporary ramps, which led to respondents questioning whether some stations were even safe to enter, let alone to cast their vote. We will need a significant improvement in the accessibility of the General Election 2010 in order to continue progress.

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<sup>62</sup> Scope (1992) *Polls Apart 1: Campaigning for accessible democracy*, London: Scope.

<sup>63</sup> Scope (1997) *Polls Apart 2: Campaigning for accessible democracy*, London: Scope.

<sup>64</sup> Scope (2001) *Polls Apart 3: Campaigning for accessible democracy*, London: Scope.

<sup>65</sup> Scope (2005) *Polls Apart 4: Campaigning for accessible democracy*:  
[www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf](http://www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf)

<sup>66</sup> Representation of the People Act [2000]:  
[www.opsi.gov.uk/acts/acts2000/pdf/ukpga\\_20000002\\_en.pdf](http://www.opsi.gov.uk/acts/acts2000/pdf/ukpga_20000002_en.pdf)

This slowing in the rate of change is, however, inevitable as we begin to reach the event horizon where the current, inflexible and inherently complicated system becomes (in legislative and guidance terms) as accessible as it can be. This is of real concern as our previous Polls Apart reports have clearly demonstrated that the reliance on postal voting, or proxy voting as the only viable alternative channel to voting at a polling station, is untenable. Whilst e-voting did offer a real prospect it was not focused enough, and the pilots were not extended long enough to find viable solutions that addressed systemic barriers. The system that we are left with therefore remains largely inaccessible, despite the legislative reform, and leaves many disabled people with the choice between two similarly difficult channels of voting.

Whilst the current system does retain this inherent inaccessibility, we must be mindful that the right to a secret ballot is enshrined in the Human Rights Act and its importance has been acknowledged in the European Court of Human Rights<sup>67</sup>. Furthermore, in ratifying the UN Convention on the Rights of Persons with Disabilities<sup>68</sup> in 2009, the Government is committed (under Article 29) to enable, on an equal basis, the full enjoyment of the right to vote by disabled people. The Government is required to undertake specific legislative and practical measures to ensure that voting procedures, facilities and materials are appropriate and accessible to disabled voters, entitling disabled voters to the services of an assistant of their own choice, and addressing issues such as privacy and confidentiality in exercising the right to vote.

As we have seen, the system remains largely inaccessible, and it is hoped that international scrutiny will create a further incentives for national and local government to consider how to make our inherently inflexible system more accessible to disabled voters. That said, all of the evidence from our previous Polls Apart reports suggests that there is now a greater need to focus on the planning and delivery of election, and in particular what can be done to encourage electoral staff to take advantage (implement) of the good practice that is out there<sup>69</sup>. Furthermore, more solutions need to be suggested as to how to hold those responsible for the conduct of elections and the provision of electoral service to account so people who experience poor or discriminatory treatment can get effective redress. This is a theme we will return to, once we have discussed the results from the General Election 2010.

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<sup>67</sup> Mowbray, A. (2007) *Cases and Materials on the European Convention on Human Rights*, Oxford: Oxford University Press.

<sup>68</sup> UN (2007) *Convention on the Rights of Persons with Disabilities (CRPD) and Optional Protocol*: [www.un.org/disabilities/documents/convention/convoptprot-e.pdf](http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf)

<sup>69</sup> For example The Electoral Commission (2010) *Handbook for polling station staff Supporting a UK Parliamentary election*: [www.electoralcommission.org.uk/\\_data/assets/electoral\\_commission\\_pdf\\_file/0009/55836/UKPGE-PSH-web-FINAL.pdf](http://www.electoralcommission.org.uk/_data/assets/electoral_commission_pdf_file/0009/55836/UKPGE-PSH-web-FINAL.pdf) and the Association of Electoral Administrators (2009) *National Occupational Standards for Electoral Services Staff*: [www.aea-elections.co.uk/nat\\_occ\\_stds.jsp](http://www.aea-elections.co.uk/nat_occ_stds.jsp)

## Section two: Polls Apart at the General Election 2010

### Accessibility at polling stations

At the General Election, on 6 May 2010, hundreds of campaigners visited over a thousand different polling stations in just under 400 different parliamentary constituencies (61 percent of the total number) throughout England, Scotland, Wales and Northern Ireland. Campaigners filled out surveys when they went to vote to evaluate the accessibility of the polling station and their experience of the voting process<sup>70</sup>.

The Polls Apart accessibility survey contained 17 questions focused on four core accessibility themes; physical access, access to information, attitudes and customer service, and individual rights. Questions looked at the physical accessibility of polling stations; the accessibility of polling cards and voting instructions including the availability of specialist devices for visually impaired voters. Campaigners also reported back on the attitudes of polling station staff towards disabled voters and the level of customer support they offered, and we asked for feedback on voters' ability to enjoy their right to vote in secret and with assistance if required.

Below we explore the key findings from these Polls Apart surveys and consider what this tells us about disabled voter's experiences at the General Election 2010.

### Polling station results

Our surveys revealed only a 1 percent increase in the accessibility of polling stations since the last General Election<sup>71</sup> in 2005. Overall over two thirds (67 percent) of polling stations had one or more significant access barrier. This mirrors the results from the 2005 General Election<sup>72</sup>, which found just a one percent increase in accessibility (68 percent) since the General Election<sup>73</sup> of 2001 (69 percent).

A two percent increase in accessibility in 10 years is very disappointing, and suggests that the rapid progress we saw between 2001 and 2005 has now stalled. It may be that we have reached a point where the inherent inflexibility of the current paper-based voting system means it cannot be made significantly more accessible to disabled voters and that it is time to look at new ways of meeting the needs of disabled voters. At this rate of change it would take another 335 years before our General Elections are fully accessible. However, before discussing this trend further, we will take a closer look at the results, which present a slightly more nuanced picture.

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<sup>70</sup> Campaigners had from polling day 6 May until Monday 17 May to complete and return the surveys. They were able to complete the survey online on the Polls Apart website<sup>70</sup>, via a dedicated phone line or by filling out a paper version and sending it back to us by freepost. The surveys were also available in alternative formats and a Welsh translation.

<sup>71</sup> Scope (2005) *Polls Apart 4: Campaigning for accessible democracy*. [www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf](http://www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf)

<sup>72</sup> Scope (2005) *Polls Apart 4: Campaigning for accessible democracy*. [www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf](http://www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf)

<sup>73</sup> Scope (2001) *Polls Apart 3: Campaigning for accessible democracy*, London: Scope.

The survey found that of the 67 percent of polling stations that were inaccessible to disabled voters, over a third had only missed the basic accessibility criteria by one feature. The table below gives an overview of the polling stations that missed the basic accessibility criteria by one feature and as such were classified as inaccessible (24 percent):

<b>The feature that was missed:</b>	<b>Percentage</b>
A tactile voting device to help visually impaired voters vote independently	45
A large print version of the ballot paper	30
Level access into the polling station; including an adequate ramp when required.	13
A low level polling booth	9
Registration documents and a polling card that was easy to read and understand	3
<b>Total</b>	<b>100</b>

The highest number of polling stations who only just missed the basic accessibility rating failed to have either a tactile voting device (45 percent) or a large print version of the ballot paper (30 percent). Both come under statutory duties and therefore it is concerning to see that polling station staff did not make them available to voters. These statistics include instances where polling station staff did not know where the device or large print ballot was or could not use the device, as well as those who did not provide them.

The examination of those polling stations that failed by one feature of accessibility is important as it gives us a better understanding of why there has been such little progress since the last General Election. That the top three features of missed accessibility (tactile voting device, large print ballot and level access or appropriate ramps) were relatively easy to fulfil, with only one requiring targeted training, is significant. That almost a quarter of polling stations missed being accessible by one feature tells us that the problem lies in the proper implementation of access guidance at the polling station. This reflects our assertion in the previous chapter that the currently inflexible electoral system reliance falls heavily on electoral staff to create the local solutions to compensate for the inherent barriers voters face. Our results show that lack of effective forward planning for accessibility, and inadequate staff training on how to meet the needs of disabled customers, lie at the heart of the problem.

### **Specifying levels of accessibility**

We get a similar picture when we further divided the 33 percent of polling stations that were accessible to disabled people. We rated the accessibility of each polling station under three possible classifications:

- **Inaccessible:** that the vast majority of disabled people would **not** be able to get into the polling station, and / or vote in secret, and would need significant assistance when voting. Furthermore not all statutory responsibilities were met.

- **Basic Accessibility:** that in most cases disabled people would be able to get into the polling station and vote, with all statutory responsibilities being fulfilled. However, it does not adequately meet the needs of all disabled voters, and it is likely that some disabled people will still not have equal access to the process or will need significant assistance to vote.
- **Comprehensive Accessibility:** that in the vast majority of cases all disabled people would be able to get into the polling station and vote in secret. All statutory responsibilities have been met and the polling station has met the expectations set out in the Electoral Commission's best practice guidance for electoral administrators<sup>74</sup>.

**Note:** A full description of the criteria used to judge the accessibility of a polling station can be found in Annex B of this report.

We found that, of the 33 percent of polling stations that were accessible to disabled people, just under half met the basic access criteria and just over half met the comprehensive access criteria. This distinction shows that a significant proportion of polling stations (17 percent) were compliant with the Electoral Commission's best practice guidance<sup>75</sup>. As this campaigner notes:

“No problem with disabled access here. Staff were very helpful and asked if everything was OK, and I believe would have been able to provide any assistance required.”

Two things emerge from this. Firstly, on a positive note, some electoral administrators effectively planned for and delivered an accessible experience for all voters in their district. In these circumstances, the electoral staff had good knowledge about their statutory duties and the expectations of the Electoral Commission as well as acting proactively and reasonably to address any unforeseen access barriers that did occur on the day. As this voter found:

“[The] Presiding Officer was very helpful and pleasant, [he] knew there was a tactile device and told me they had large laminated versions of the ballot papers, not just displayed on the wall [and could provide them if requested]. Chairs were there but were stacked – [the] presiding officer said when they saw someone coming in who appeared to be having difficulty they would offer one.”

However, secondly, this demonstrates that a gap is emerging between those who conform to good practice guidance and those who don't. Many of the polling stations that met the comprehensive criteria were in constituencies where we had seen progress in previous Polls Apart reports. What it does

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<sup>74</sup> Electoral Commission (2010) *Handbook for polling station staff Supporting a UK Parliamentary election*: [www.electoralcommission.org.uk/data/assets/electoral\\_commission\\_pdf\\_file/0009/55836/UKPGE-PSH-web-FINAL.pdf](http://www.electoralcommission.org.uk/data/assets/electoral_commission_pdf_file/0009/55836/UKPGE-PSH-web-FINAL.pdf)

<sup>75</sup> *ibid*

show is that more people are taking note of the best practice guidance distributed by the Electoral Commission; however the variance is in the extent to which the staff utilise their planning and practice on the day.

### Specific accessibility results from polling stations

This is reflected further when we consider the breakdown of the results by access barrier.

Bellow we have provided a summary of the specific accessibility results from polling stations survey by Polls Apart campaigners:

The feature of accessibility:	Percentage 2010	Percentage 2005
The registration documents and polling card received before voting was easy to read and understand.	87	56 <sup>x</sup>
The polling station was less than one mile from where disabled voters live.	93	84
There was designated parking for disabled voters close to the polling station.	54	39
Polling stations had level access into the building.	59	60
Where ramps were needed, they were appropriately designed.	78	64
There was level access inside the building and it was easy to move around.	88	87
Seats were available for people to rest if they need to.	62	Not asked previously
Polling instructions and information disabled voters received when they went to vote were easy to read and understand.	90	Not asked previously
The polling station was well-lit.	89	87
Polling stations had a low-level polling booth.	62	66
Polling stations had large print ballot papers on display.	49*	70
Polling stations had a tactile voting device.	25*	68
Polling station staff were welcoming and helpful.	84	96
No-one questioned your ability to vote	94	Not asked previously
Able to vote without assistance	91	84
Able to vote in secret	94	88
<b>Total accessible polling stations</b>	<b>33</b>	<b>32</b>

#### Key

<sup>x</sup> Differently worded question asked in 2005

\* The decrease in polling stations, which had these features of accessibility in part relates to our inclusion of instances where polling station staff did not know where the device or large print ballot was or could not use the device, as well as those who did not provide them.

At the election we saw a significant improvement in some access features and aspects of voter experience. With regard to location and physical accessibility,



we found that the vast majority of stations were less than a mile from where disabled voters live (93 percent in 2010, up from 84 percent); and where ramps were needed, 78 percent were appropriately designed, up from 64 percent in 2005. Similarly, information provided by local authorities had on the whole become more accessible with registration documents, polling cards (87 percent in 2010, up from 56 percent in 2005); and instructions and information (90 percent in 2010) were easy to read and understand. Similarly, we saw a significant improvement in the accessibility of disabled people's voting experience with more voters reporting being able to vote independently than in 2005. However, we found that 6 percent of disabled voters had their ability to vote questioned by polling staff. This is a significant concern and implies that, despite clear guidance from the Electoral Commission, some electoral staff still feel they have the right to make ill-informed decisions about who can and cannot vote. As this disabled voter told us:

"I took my son who has learning disabilities to vote. I was disgusted to hear one of the three people at the polling station say: 'That's another spoilt paper,' and the other two people agree. In future we will go for postal voting so that we don't have to put up with this sort of comment."

In situations where disabled people require assistance, it is important that they feel able to choose the person who supports them. Overall our survey revealed an increase in disabled voters' ability to vote in secret (94 percent in 2010, up from 88 percent in 2005). Once again, the experiences of the remaining six percent demonstrate that we still have some distance to travel:

"I was unable to vote alone or in private. The low level is too low and the v-shaped folding voting table is too narrow for me to get close to the table. The booth was right next to the man guarding the voting box. He could see my vote and as I was unable to get close to the booth it was ridiculous actually. The tables are totally inappropriate due to their design, the v-shaped cubicle. With my square fronted chair, even if it was wide enough, I couldn't get close enough due to footplates hitting the back of the booth."

As this campaigner's experience clearly demonstrates, the physical accessibility of the polling station can have a significant impact on someone's ability to vote in secret. Like this voter, many on Election Day were asked to fill out their ballot outside when, for example, the polling station had neither level access nor an appropriately designed ramp into the building. In cases where the inaccessibility could constitute a serious breach of their right to vote, disabled voters seem unaware that they could make a formal complaint about their experiences and in some cases seek redress. This is worrying as without a greater knowledge of their rights and accessible complaints mechanisms it is unlikely that disabled voters who experienced serious infringements will see any positive change resulting from their experience.

In analysing the comments of our campaigners we found a noticeable increase in the number of references to attitudes and actions of Tellers. Tellers are representatives from political parties who sometimes sit outside

the polling station and ask for voter polling card number to record that they voted. Many campaigners told us that they had felt intimidated or confused by the approaches that the Teller made to voters on their ways into or out of the polling station. As one Polls Apart survey respondent noted:

“I have autism and need someone to accompany me to the polling station as I get very anxious about the experience. There was a woman sitting immediately outside the door asking people for their electoral roll number [a teller]. The people in front of me gave their numbers but she then said it was voluntary. I chose not to give my number and she seemed very put out by that. She made a derisory comment which I found very intimidating. I would not feel comfortable going to the polling station alone [next time].”

The negative attitudes of the tellers were mirrored by our survey results. We found that 84 percent of staff were welcoming and helpful to disabled voters, a reduction from the 96 percent reported in 2005. Previous quotes from campaigners have illustrated how disabled people’s experience of other barriers to voting was confounded by the unnecessarily unhelpful attitudes adopted by staff. Many found these experiences upsetting and said that it would have an influence on how they voted in the future.

These experiences also exposed polling stations where staff did not fully understand their duties nor follow the good practice guidance offered by the Electoral Commission:

“My husband is wheelchair reliant. The staff spoke only to me, and one of them accompanied us to the actual booth, listening in while I told my husband which were which on the ballot paper and insisting that he put the cross on instead of letting me help my husband. He continued to stand there while I voted. He then insisted that my husband put his own ballot paper in the box, offering the box to the right of my husband who has no use in his right hand, which was obvious during the actual voting procedure.”

Our survey highlighted two notable reductions in accessibility; the number of polling stations had a large print ballot papers on display (from 70 percent in 2005 to 49 percent in 2010) and tactile voting devices (from 68 percent in 2005 to 25 percent in 2010). The reduction in polling stations which had these (statutory) access features in part relates to our inclusion of instances where polling station staff did not know where the device or large print ballot were, or could not use the device, as well as those who did not provide them. Despite this slight change in the way that we classified the accessibility, our campaigners told us that the main reason for these features being inaccessible was polling staff’s lack of awareness of the importance of these resources. This caused significant problems for many disabled voters with visual impairments, as these campaigners found:

“I had to ask about the tactile voting device which they had somewhere (in a box?).”

“The tactile voting device did not fit the standard ballot paper – it was much too large. It fitted the large print reference paper, but you cannot use this to cast your vote. The polling staff member phoned the returning officer to ask what to do and was told there was nothing to be done and that I was the first visually impaired person in the area to highlight this. He said he'd had the tactile device for three years but never had to use it. It would not fit on the standard voting paper so initially I was unable to vote. Then he had the idea of cutting up the tactile device to make it fit the ballot paper, which he did, and I was able to cast my vote. But as it had been such a fudge job I had to ask my sighted guide if I had voted for the right person for fear of spoiling the ballot paper, which meant that I did not get a confidential vote. The staff were very helpful and quite exasperated that the tactile device did not work, so I would praise their initiative, but it underlines the absolute cock-up that the voting process can be for someone of visual impairment.”

“Although there was a large print version of the ballot paper, I had to ask where it was and it was among several other papers posted on the wall.”

These quotes illustrate that even when polling staff had a large print ballot or tactile voting device available, many did not know how to use them. Though electoral staff should be congratulated for using their initiative to overcome access problems, they really should not have been put in these situations in the first place. Reports of tactile voting devices that did not fit the ballot paper, or were so sticky that they ripped the ballot when they were removed, highlights the impact poor advance planning can have on a voter's experience.

Other voters who wished to use the tactile voting device told us that staff described them as ‘the first voter to ever request it’ and that ‘they always have the device but never have needed to use it’. Previous Polls Apart reports have shown, and this data suggests, that the low awareness of these access solutions by voters, coupled with the low level of knowledge about how to use them effectively by polling station staff, results in low demand for them.

Importantly, our survey found that there had been very little change to the accessibility of the polling station itself. We found that just 59 percent of polling stations had level access into the building, down from 60 percent at the last general election and only 88 percent had level access inside the building making it easy to move around, up from 87 percent in 2005. This lack of improvement is not a surprise given the results of our Freedom of Information request, which revealed 14 percent of the buildings local authorities who responded intended to use as polling stations would not be accessible to disabled voters.

We believe that the continued inaccessibility of polling stations have three key causes. Firstly, that there was insufficient access planning and staff training in many authorities, which was exacerbated by the higher than expected turnout

in some areas. Secondly, a significant number seem to have not undertaken a review of their polling stations in accordance with Section 16 of the Electoral Administration Act<sup>76</sup> of 2006, or where they had, they did not act on the information they had gathered to make actual access improvements. Finally, some authorities have a limited number of buildings in the right locations available to them, many of which are not ideal for use as polling stations and cannot be improved through temporary access adjustments. If this situation persists we will see ongoing disengagement of disabled voters and the frequent readjustment of inaccessible buildings that inevitably lead to only a small increase in the overall accessibility of the polling station.

Notwithstanding obligations under the Disability Discrimination Act (as amended), as local authorities do not have the budget to spend significant amounts of money on permanent access solutions they tend to invest in temporary solutions (such as ramps) to improve access on polling day. As we have suggested in previous reports, we believe that a more effective solution would be for the local authority to use some of the budget they have for temporary access solutions to fund a grants programme to make permanent access adjustment to community buildings that can then be used as polling stations.

### Postal voting results

In addition to surveying polling stations at the General Election we also looked at the accessibility of postal voting to disabled voters. Our surveys revealed a 16 percent decrease in the inaccessibility of postal votes since the last General Election<sup>77</sup> in 2005. Overall almost half (47 percent) of postal voters reported access problems with postal voting; down from 63 percent in 2005. However if we take a closer look at this trend we can see a different picture emerging.

Of the 47 percent of postal votes that were inaccessible to disabled voters over a third (40 percent) had only missed the basic accessibility criteria by one feature. The table below gives an overview of the postal votes that failed to meet the basic accessibility criteria by one feature and as such were classified as inaccessible (19 percent):

Access feature:	Percentage not met
A simple guide to help voters to complete the declaration of identity and ballot paper	24
Information sent with the ballot pack that told voters that they could get help to vote by post in their home	55
Information that included details of a helpline	21
<b>Total</b>	<b>100</b>

<sup>76</sup> Electoral Administration Act [2006]:

[www.opsi.gov.uk/acts/acts2006/ukpga\\_20060022\\_en\\_5#pt4-l1g16](http://www.opsi.gov.uk/acts/acts2006/ukpga_20060022_en_5#pt4-l1g16)

<sup>77</sup> Scope (2005) *Polls Apart 4: Campaigning for accessible democracy*.

[www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf](http://www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf)

The highest number of polling stations who only just missed the basic accessibility rating failed to send information with the ballot pack that told voters that they could get help to vote by post in their home. This impacted on disabled people's ability to vote in secret (86 percent) and without assistance (77 percent). This is of real concern given the emphasis that voters, electoral staff and elected representatives all put on postal voting as an alternative to polling stations. As these responses from our survey and website comments illustrate:

**Councillor:** "Given that everyone can vote by post – and that about a quarter of voters do so – I don't think that any voter is now disenfranchised by reason of mobility impairment."

**Councillor:** "The entrance is not wheelchair friendly. If you are a wheelchair user and this is your polling station, I suggest requesting a postal vote."

**Disabled voter:** "For many years I have used a postal vote happily. My main reason is not one of physical access but simply that on the day, I cannot be sure where I will be and so do not want to miss the opportunity to vote, so I always have a postal vote. We are talking here about making reasonable adjustments to enable people to vote. In my view, postal voting goes a long way towards this."

The view that postal voting is a panacea to the inaccessibility of polling stations remains unfounded in our findings. Postal voting remains inaccessible to many disabled people, particularly those with visual impairments, dexterity issues, learning difficulties and low literacy. Postal voting should be a choice, not the only option, and we were concerned that some disabled people reported feeling pressured to choose a postal vote as an alternative to their inaccessible polling station. Key access concerns around postal voting included the complexity of the instructions, difficulty in filling in and folding the ballot, and lack of assistance. As these Polls Apart campaigners told us:

"Each election, the postal voting paper system changes. And yet the forms, envelopes, instructions, and ballot, are still not easy or clear to use. This time, the worst thing about it was that you had to tear the ballot paper off the declaration of identity along a perforation, with the risk of damaging one or both. Also there were two different sets of instructions describing the same process. And only one set of instructions mentioned that you had to tear the ballot paper from the declaration."

"Postal voting is quite daunting, in spite of the instructions to help you follow all of the six steps involved. If you can't use your hands well, tearing off bits of paper, transferring labels to relevant envelopes and squashing the whole lot into another envelope isn't easy."

These experiences illustrate the problems with the design of postal votes and the lack of attention given to its accessibility to disabled voters. In order for postal voting to be a viable alternative to voting at a polling station, more needs to be done to ensure that instructions are unambiguous, the method for completing and folding the ballot is simple and accessible to someone with limited dexterity and that help is available. At this election just 69 percent found it easy to fold their ballot paper(s) and put it in the envelope. Beyond this physical access, postal ballots and the instructions on how to use them need to be available in easy read and other alternative formats, and use language and explanations that are understandable to the voter.

Below we have provided a summary of the specific accessibility results from the postal voting survey by Polls Apart campaigners.

<b>The feature of accessibility:</b>	<b>Percentage 2010</b>	<b>Percentage 2005</b>
Polling instructions and information easy to read and understand	80	Not asked previously
Simple guide to completing postal vote	81	73
Information about requesting assistance to vote in your home	61	51
Voting information contains details of a helpline	68	60
Found it easy to fold your ballot paper(s) and put it in the envelope	69	Not asked previously
Able to vote without assistance	77	84*
Able to vote in secret	86	88*
<b>Total accessible postal votes</b>	<b>53</b>	<b>37</b>

### **Key**

\* These results were aggregated with those from polling stations.

### **Voting method preference**

As we have argued previously, postal voting remains the only other channel for voting in the UK in which the disabled voter can cast their own vote. The evidence above, and from our previous Polls Apart reports<sup>78</sup>, suggests that the widely spread assumption that the postal vote is an accessible alternative to voting in polling stations for disabled people is unfounded. It is clear that it enables some groups of disabled people, such as those with certain mobility but not dexterity impairments, but replicates many of the barriers that other groups, such as those with a visual impairment or learning disability, already face.

This situation has driven an appetite amongst disabled voters for the pursuit of alternative channels of non-paper based voting. As this Polls Apart campaigner told us:

<sup>78</sup> Scope (2005) *Polls Apart 4: Campaigning for accessible democracy*. [www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf](http://www.pollsapart.org.uk/docs/reports/Polls%20Apart%20report%20final.pdf)

“I am totally blind so cannot read forms, polling cards etc. I had to tell someone who I was voting for as I couldn’t write the cross or X myself. I’d much prefer something phone based or online, much more secret that way. Accessibility to voting really needs to be improved.”

This sentiment was reflected in our responses to the Polls Apart survey. Voters at the General Election 2010 told us that after voting at a polling station (51 percent), internet voting would be the preferred channel for (21 percent), with postal voting coming third (12 percent). The ComRes Poll result presented a similar picture, however internet voting was the top preference (35 percent), with polling stations a close second (33 percent) and postal voting again the third most popular preference (21 percent).

Further exploration of alternative voting channels has the potential to create new and innovative solutions to the issues of disabled people’s exclusion from the current voting system. Diversification, for example through remote solutions like internet voting, could also help to address the shortage of suitable community buildings by reducing the need for so many polling stations.

As set out in the last section, any reform or further development in the area of e-voting channels needs to be targeted towards addressing the specific systematic barriers that disabled voters currently face. In order to do this, we believe that the Electoral Commission, Association of Electoral Administrators, academics, disability organisations and commercial bodies need to be supported by Government to specify where the priorities for technological solutions should be. In doing so we think that they should include the following key features:

- The exploration of non-paper based ballots
- Introduce greater flexibility of interface in the casting of the ballot
- Ensuring transparency of the process and enabling voters to verify and track their ballot once it has been cast
- Mitigate the risk of coercion within remote voting platforms
- Base new solutions on familiar technologies that people commonly use in their everyday lives
- An increased consideration of remote e-voting options
- Building upon and embedding best practice guidance and standards on accessibility for technologies<sup>79</sup>.

And most importantly we want to restate that these solutions could not currently replace any existing channels, but rather create additional accessible avenues for disabled people who find it difficult to use existing methods.

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<sup>79</sup> For example W3C (2008) *Web Content Accessibility Guidelines 2.0*: [www.w3.org/TR/2008/REC-WCAG20-20081211/](http://www.w3.org/TR/2008/REC-WCAG20-20081211/)

## Conclusion

The ability of electoral administrators to effectively plan and provide accessible solutions, in line with guidance and legislation, is confounded by the financial squeeze that local authorities have been experiencing since the onset of the recession<sup>80</sup>, and this is only set to become heightened with the forthcoming cuts to local Government spending<sup>81</sup>. The introduction of yet more elections and referenda<sup>82</sup> has the potential to increase the cost burden incurred by councils and it is not clear how such changes will be funded given the current financial constraints, or where the funding for publicly initiated referenda would be come from<sup>83</sup>.

This means that many local authorities may find themselves delivering even more for even less on their already stretched resources. This is a worrying position for electoral services to be put in, as many local authorities have suggested that their local budgets have in effect been used to subsidise the costs of running and making accessible national Westminster Parliamentary elections.

In the context of an inherently inaccessible voting system this means on the ground that many electoral staff will find it difficult at forthcoming elections to implement the access solutions in a reactive environment. They will also have a greater imperative to plan for the access issues that may arise in an under-resourced and inaccessible environment. Furthermore, these cuts will mean that local and national Government will need to reconsider the wisdom of investing in temporary rather than permanent access solutions. Investing in permanent or meaningful temporary access solutions requires more time for planning before elections. Currently electoral administrators have extremely short periods of time to turn around their final plans for elections: 17 working days for General and 25 working days for local elections. If the Government were to introduce fixed term parliaments and relax or standardise the election tables that election staff to work to, this would significantly improve environment that returning officers are operating in. As a consequence they could focus their efforts, working closely with presiding officers, in ensuring that best practice guidance and standards are implemented.

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<sup>80</sup> Society Guardian (October 2008) 'How the financial crisis will affect local government': [www.guardian.co.uk/society/2008/oct/08/credit.crunch.councils](http://www.guardian.co.uk/society/2008/oct/08/credit.crunch.councils)

<sup>81</sup> HM Treasury (2010) *The Spending Review Framework*: [www.hm-treasury.gov.uk/d/spending\\_review\\_framework\\_080610.pdf](http://www.hm-treasury.gov.uk/d/spending_review_framework_080610.pdf)

<sup>82</sup> HM Government (2010) *The Coalition: Our programme for government*: [programmeforgovernment.hmg.gov.uk/](http://programmeforgovernment.hmg.gov.uk/)

<sup>83</sup> New Local Government Network (2009) What's the verdict on local referendums? Why local referendums?: [www.nlgn.org.uk/public/wp-content/uploads/whats-the-verdict-on-local-referendums.pdf](http://www.nlgn.org.uk/public/wp-content/uploads/whats-the-verdict-on-local-referendums.pdf)



### **Where are all the disabled election staff?**

Finally, on a wider point, a notable absence at the 2010 General Election, and past elections for that matter, are disabled election staff. We all know that when a particular group is not represented in a particular area of life, at work or in our school, then the needs of the group are not visible and therefore not addressed.

Over the years, disability organisations have talked about the need to have more disabled head teachers in mainstream schools, more disabled bankers in our financial institutions and more disabled doctors in our hospitals. These suggestions have all arisen through the acknowledgement that, historically, access barriers and negative attitudes have stopped disabled people from being involved in these areas of our workforce. Through actively ensuring that disabled people can work in these industries we have seen a transformation of attitudes and practices, which have resulted in disabled people becoming respected colleagues, valued team members, and active members of their local communities. Now seems an apt time to add more disabled electoral staff working at our elections to that list.

This theme has been addressed in part through a parallel debate centred on the difficulty disabled people face in becoming elected representatives<sup>84</sup> in public life, and the solutions that have been proposed to promote more disabled people to stand for office<sup>85</sup>. There is clearly some learning that can be taken here to design solutions for increasing the number of disabled people who are involved in an official capacity in the planning and delivery of elections. The increase, in turn, may lead to greater awareness and understanding amongst electoral services about the access barriers that many disabled voters can face, and most importantly, how to remove them.

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<sup>84</sup> House of Commons (2010) *Speaker's Conference on Parliamentary Representation: Final report (Volume 1)*: [www.publications.parliament.uk/pa/spconf/239/239i.pdf](http://www.publications.parliament.uk/pa/spconf/239/239i.pdf)

House of Commons (2010) *Speaker's Conference on Parliamentary Representation: Written Evidence (Volume 3)*: [www.publications.parliament.uk/pa/spconf/239/239iii.pdf](http://www.publications.parliament.uk/pa/spconf/239/239iii.pdf) Government Equalities Office (2010) *Public Appointments: Awareness, attitudes and experiences*: [www.equalities.gov.uk/pdf/300791\\_GEO\\_PublicAppointments\\_acc.pdf](http://www.equalities.gov.uk/pdf/300791_GEO_PublicAppointments_acc.pdf)

<sup>85</sup> Scope gave both written and oral evidence to the Speakers commission and undertook unpublished work on the candidate assessment procedures of the Labour, Conservative and Liberal Democrats. The Speaker's conference also endorses the idea of a Democracy Diversity Fund (based on Scope's proposed Access to Public Life Fund), which aims to remove the additional financial barriers that minority groups, including disabled people, face in standing for public appointments. This concept has been included recently in the Coalition programme for Government.

### **Section 3: Priorities for the future**

#### **A new context for electoral reform**

As we write this report, the nature of the debate around electoral reform has changed significantly. Our last report was written in an environment that was politically charged, but did not have electoral reform taking centre stage. The 2010 General Election campaign and its associated activities (like the televised leaders' debates) created new platforms for voters to hear about alternative systems for electing representatives. Opinion polls seemed to be suggesting that there was an appetite for more transparent election systems.

Election day (6 May) brought with it a widespread dissatisfaction with the electoral system, which was heightened with continued media focus on the 10pm closures. This was with regard to the differing interpretation of legislation and guidance by electoral staff on polling day, which resulted in some voters being locked in the station to vote, whilst others were denied entry and access to the ballot. This situation was experienced in constituencies throughout the UK; with cases even reported in the Leader of the Liberal Democrats, (Rt Hon Nick Clegg MP) now also Deputy Prime Minister's, constituency.

What was interesting for the Polls Apart campaign was the way in which lack of access to the ballot and unhelpful behaviours and actions by election staff were portrayed as something new. As something that only happens in the fragile democracies of 'third world countries', to borrow the phrase of a number of commentators and broadcasters at the time. We have been reporting for over 18 years about the fact that hundreds if not thousands of disabled people at every election, here in the UK, have experienced significant access barriers or not been able to cast their vote safely or in secret. What we are seeing in these experiences is the more visible articulation of the extent to which our inherently inaccessible voting system is vulnerable to unexpected events, such as an increase in voter registration or turn out, and the serious impact it has on voters' experiences.

Following the fallout from the election, voters, politicians and journalists alike were looking for an agency to blame; for one body that could be fully accountable for the unacceptable positions voters were left in. Too frequently, in our opinion, blame was laid at the feet of the Electoral Commission. Much of the criticism centred on the personality of representatives and seemed unfair and in some cases unfounded. That said, the criticism of Returning Officers by the Commission was unhelpful as it failed to recognise the strain that they had been under trying to desperately keep together an inherently inaccessible system that at the last General Election burst it's seams.

The reports in our Polls Apart series have shown the Electoral Commission to only have limited powers to guide, to observe, to inspect, to report, to request changes, however not substantively to enforce good and accessible practice. Furthermore, having talked to electoral staff who follow the guidance, it is seen as best practice and, if implemented, tends to result in a more accessible experience for disabled voters than would have been the case otherwise.

The criticism that can be made here is that the commission were not given initially, and have continually not been given, the powers they need to ensure electoral staff can effectively navigate the stretched and creaking voting system in the UK and deliver satisfactory experiences for people who vote in their districts.

Soon after the election a Coalition Government (of the Conservatives and Liberal Democrats) was formed that, whilst being necessarily cautious, has created new opportunities for revisiting the barriers disabled and other voters face in the current system. The proposals<sup>86</sup>, for referenda on alternative voting systems and the introduction of new local referenda, offer new avenues for creating a voting system that has the flexibility that voters need to cast their ballot, irrespective of their need or circumstance.

More recently the Coalition Government has published its framework of the forthcoming spending review<sup>87</sup>, and while we do not yet know (at the time of writing) where the axe will fall, there is a tacit public recognition that inevitably these cuts will have an impact on the services of all local authorities; including the budgets of electoral administrators. This poses further challenges in terms of funding and planning for returning officers, meaning that they will be expected to deliver more (elections and referenda) for less; further flexing an already high reactive and stretched system. It does, however, also act as an impetus for local authorities to really think about sustainable access solutions that will give a continued return on the initial investment.

A lot of the detail about the forthcoming referenda and reform remains unknown (at the time of writing). Polls Apart, however, can confidently signal to the Government, local authorities and the Electoral Commission where we think the priorities for future electoral reform are:

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<sup>86</sup> HM Government (2010) *The Coalition: Our programme for government*: [www.cabinetoffice.gov.uk/media/409088/pfg\\_coalition.pdf](http://www.cabinetoffice.gov.uk/media/409088/pfg_coalition.pdf).

<sup>87</sup> HM Treasury (2010) *The Spending Review Framework*: [www.hm-treasury.gov.uk/d/spending\\_review\\_framework\\_080610.pdf](http://www.hm-treasury.gov.uk/d/spending_review_framework_080610.pdf)

### **Priorities for the future**

The discussion and analysis in this Polls Apart report leads to three clear priority areas for future reform:

- **In the interim:** to ensure that we continue to make progress on the accessibility of the inherently inflexible and stretched electoral system we currently have in place through better planning and funding practice and the enforcement or reinforcement of best practice behaviours and action by electoral staff.
- **In the medium to long term:** create viable solutions to the systemic barriers currently faced by disabled people by diversifying voting methods to include non-paper-based methods (such as internet voting).
- **In the medium to long term:** to create wider inclusivity in electoral representation and administration by ensuring that our representative structures are accessible and actively encouraging more disabled candidates and volunteers to participate in public life.

Over the page we make recommendations on the activities we think would best meet these priorities.

## **Section 4: Report Recommendations**

Below we outline the Polls Apart 5 report recommendations to ensure the future accessibility of the electoral system to all disabled voters.

Whilst these recommendations are designed to highlight solutions that could work across the whole of the UK, there are variation in the structures, powers and practices in regards to voting in the different regions. Readers who are interested in the country-specific recommendations should also consult the country specific Polls Apart reports that will supplement this one.

To achieve further improvement in the existing electoral system the priorities should be to:

### **1. Ensure that accessibility is fully embedded in the planning and funding of elections.**

- 1.1** The Government (and devolved administrations) should introduce new, or amend existing, legislation to give local authorities statutory powers to use any accessible (public or private) buildings in the districts that they cover as polling stations.
- 1.2** Local authorities should introduce an accessible grant scheme to deliver long-term, sustainable improvements in the accessibility of polling stations, rather than investing in only temporary solutions (such as ramps). The pooling of local and national election budgets should be used to achieve this as it will be of benefit at all subsequent elections. Recipients of the grant should have an enforceable agreement with the local authority that their building will remain accessible in between election dates, that they will report back regularly to the local authority about any changes to the physical structure or use of the polling station and that their building would be available for use at elections.
- 1.3** Building on their statutory responsibilities under Section 16 of the Electoral Administration Act 2006, local authorities should annually review the accessibility of polling stations, ensuring that any possible action to improve the accessibility is taken. Local authorities should be mandated to make these results widely available in the public domain, allowing for feedback and comments from the local electorate and, where necessary, acting on any concerns that arise. Furthermore the returning officer should work closely with disabled people and their organisations when designating polling places and in setting them up, to ensure community engagement, as well as bring in expertise on disability which already exists within the local authorities.
- 1.4** The Government should introduce a statutory duty on returning officers to publish a list of buildings and their access features in advance of the election so voters can make fully informed decisions about which channels of voting they want to use. Furthermore, new provisions should be introduced that enable disabled voters to use alternative polling stations where their assigned one has been deemed inaccessible. If these provisions are introduced returning officers should write to all voters informing them of the inaccessibility of their polling station and listing local accessible polling stations that the voter can choose to vote at (following the example set in Northern Ireland).

- 1.5** The Government should ensure the standardisation of the electoral timetable for all elections to 25 working days, enabling access issues to be better incorporated into the planning for elections.
- 1.6** Local authorities should invest in up-skilling electoral administration staff to ensure that they are able to effectively plan for, and take into account, the needs of disabled people in every aspect of the elections process. This should build upon the existing good practice 'National Occupational Standards for Electoral Services Staff', which could be further developed by the Association of Electoral Administrators (AEA).
- 1.7** Local authorities should work with returning officers to identify where relevant access expertise lies within the authority structure (for example in the planning department) and create joint working protocols which explain how the parties can work together to ensure the planning for elections meaningfully considers the impact that decisions will have on disabled voters.

**2. Improve the delivery of elections, through implementing good practice guidance and enforcing positive behaviours and actions by electoral staff.**

- 2.1** All electoral administration staff should be mandated to follow the good practice guidance issued by the Electoral Commission and contained in the National Occupational Standards for Electoral Services Staff. This can be achieved through local authorities investing in better Disability Equality Training (DET), or embedded meaningfully into existing training programmes, for election staff and volunteers working at polling stations. This training needs to cover: promoting positive attitudes towards disabled people (and people they are accompanied by); how to make features of voting accessible and learn how to use devices to support disabled people. Local authorities should take a proactive approach in ensuring that this training is carried out efficiently and to the highest standard, as part of demonstrating their compliance with the Disability Equality Duty (DED), soon to be superseded in England, Wales and Scotland by the Public Sector Equality Duty under the Equality Act.
- 2.2** Local Disabled People's Organisations (DPOs) should undertake mystery shopper access audits on the accessibility of polling stations. Local authorities should then work with DPO to resolve any concerns raised by these audits. Where local or regional structures are in place this could be achieved through a formal presentation to the relevant scrutiny committee.
- 2.3** Local authorities should develop activities to educate disabled people about their voting rights in accessible and useable formats. At the same time disabled people need to ensure that there is a systematic recording of comments and complaints about polling stations in place, with the authorities actively raising awareness among voters of the existence of such a mechanism. Information about rights and complaints mechanisms should be distributed to disabled voters in conjunction with the information and instructions they receive on how to vote.

**2.4** The Government needs to ensure that there is clearer accountability for the conduct of elections and consider how returning officers need to be better held to account for poor services. It will be important to get the balance right between local accountability and national or regional enforcement. We propose that the forthcoming referenda<sup>88</sup> on: the introduction of elected mayors, electoral reform and further additional powers for the National Assembly for Wales, and proposed new powers for residents to instigate local referendum, be used to explore different ways of increasing local accountability of the delivery of elections.

**2.5** The Electoral Commission should refer cases where serious breaches of compliance or discrimination have taken place to the appropriate regional Human Rights statutory body (the Equality and Human Rights Commission, Scottish Human Rights Commission and the Equality Commission for Northern Ireland or the Northern Ireland Human Rights Commission).

To create viable solutions to the systemic barriers currently faced by disabled voter the priority should be to:

**3. Ensure disabled people can vote independently and in secret by diversifying voting methods to include non-paper-based methods, such as internet voting.**

**3.1** Local authorities should ensure all information that is sent out to disabled voters before any elections clearly explains to them in an accessible way the options they have for voting. Furthermore, it should avoid advocating one channel above another (such as postal voting over voting at a polling station), whilst still ensuring it accurately describes the likely accessibility to the voter.

**3.2** The Government and devolved administrations should work closely with the Electoral Commission, the AEA and local authorities to consider the most effective and accessible routes for educating the disabled electorate about new systems that they will be using to vote (the Single Transferable Vote); including a consideration of how to embed it into schools curriculum or public awareness campaigns.

**3.3** Capitalising on lessons learned from past pilots, and taking into account new technological developments, the Government should support expertise to come together to design a series of e-voting pilots, to be tested at forthcoming elections, that are targeted towards addressing the specific systematic barriers that disabled voters currently face. This should be embedded as a core part of forthcoming electoral reform<sup>89</sup>.

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<sup>88</sup> HM Government (2010) *The Coalition: Our programme for government*: [www.cabinetoffice.gov.uk/media/409088/pfg\\_coalition.pdf](http://www.cabinetoffice.gov.uk/media/409088/pfg_coalition.pdf).

<sup>89</sup> *ibid*

To create wider inclusivity in electoral representation and administration, the priority should be to:

**4. Ensure that our representative structures are accessible, and actively encourage more disabled candidates and volunteers to participate in public life.**

**4.1** Local authorities, public bodies and political parties should proactively encourage participation, and create opportunities, for disabled people to take up public appointments.

**4.2** Local authorities should proactively seek to recruit more disabled electoral administrators and volunteers, drawing on peer-to-peer support, making the voting process more accessible to disabled people.



## Annex A: Electoral systems in use across the UK

This annex outlines and describes the different electoral systems that are in current use throughout the UK<sup>90</sup>.

Levels of jurisdiction	Type of electoral system	Brief explanation
Westminster Parliament, Local elections (England and Wales)	Single Member Plurality System (SMPS) or First Past the Post (FPTP)	Voters fill in a ballot by marking an 'X' against a single candidate. The candidate who receives the most votes in the constituency is elected.
Scottish Parliament, National Assembly for Wales, Greater London Assembly	Additional Member System (AMS)	Voters cast two votes: one for their constituency representative and one for a party list. The percentage of list votes obtained by each party determines their overall number of representatives and is used to ensure the required proportionality is achieved. FPTP is used to elect the constituency representative.
Northern Ireland Assembly, Local elections (Scotland and Northern Ireland), London Mayoralty	Single Transferable Vote (STV)	Voters rank their preferred candidates by writing a number next to their name. The lower the number, the more favoured a candidate is. Winning candidates must receive a prescribed quota of support. If all candidates fail to reach the required quota of votes after the first count, the electors' next highest preferences are added until a candidate accumulates the proportion of votes necessary to win.
European elections	Regional List system (STV in Northern Ireland)	Candidates are elected from regional lists in proportion with their party's votes in that region. Voters choose their preferred party, rather than candidate.

<sup>90</sup> Ministry of Justice (2008) 'Review of Voting Systems: the experience of new voting systems in the United Kingdom since 1997': [www.justice.gov.uk/publications/voting-systems-review.htm](http://www.justice.gov.uk/publications/voting-systems-review.htm)

## **Annex B: Overview of Accessibility Criteria**

This annex gives an overview of the accessibility criteria used to judge whether a polling station or postal ballot was considered accessible.

### **1. Polling stations**

In Polls Apart 5 we decided to create two criteria for classifying accessible polling stations: basic and comprehensive.

#### **Basic criteria**

The basic criteria describes the elements of a polling station that previous Polls Apart reports have used to judge whether it is accessible to disabled voters or not. Polling stations that meet the basic criteria are meeting their statutory obligations, but in a very minimal way and in many cases may leave some groups of disabled voters disenfranchised.

The seven key elements used were:

1. Were the registration documents and polling card you received before voting easy to read and understand?
2. Is there level access into the polling station?
  - a. or, if there is a ramp to improve access, is it appropriately designed (for example, in your opinion is it the right height, is it too steep, is it close to the front entrance of the building)?
3. Is there level access inside the polling station and can a disabled person move around easily and safely?
4. Is there a low-level polling booth that, for example, would be suitable for people of restricted height or for wheelchair users?
5. Is there a large print version of the ballot paper on display?
6. Is there a tactile voting device to help visually impaired voters vote independently?
7. Are polling station staff helpful and friendly?

Polling stations had to get a positive (Yes) response to all of these questions in order to be classified as basic.

#### **Comprehensive criteria:**

The comprehensive criterion describes the level of accessibility outlined in the Electoral Commission Guidance to Electoral Administrators<sup>91</sup>. Polling stations classified as comprehensive had to first satisfy the basic criteria before meeting the additional elements.

In addition to the basic criteria, polling stations had to meet five further elements:

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<sup>91</sup> Electoral Commission (2010) *Handbook for polling station staff Supporting a UK Parliamentary election*:  
[www.electoralcommission.org.uk/data/assets/electoral\\_commission\\_pdf\\_file/0009/55836/UKPGE-PSH-web-FINAL.pdf](http://www.electoralcommission.org.uk/data/assets/electoral_commission_pdf_file/0009/55836/UKPGE-PSH-web-FINAL.pdf)

1. Is there designated parking for disabled voters close to the polling station?
2. Are there seats available for people to rest if they need to?
3. Is the polling station well lit?
4. Were you able to vote in secret?
5. Did anyone question your ability to vote?

Polling stations had to get a positive (Yes) response to questions 1 through 4 and a negative response (No) to question five in order to be classified as comprehensive.

**Note**

In cases where a station did not meet either the basic or comprehensive criteria they were considered inaccessible.

**2. Postal**

For postal voting we used the basic accessibility criteria that had been used by previous Polls Apart reports. Postal votes that meet the basic criteria are meeting their statutory obligations, but in a very minimal way and in many cases may leave some groups of disabled voters disenfranchised

The three key elements used were:

1. Was there a simple guide to help you complete the declaration of identity and ballot paper?
2. Did any information sent with the ballot pack tell you that you could get help to vote by post in your home?
3. Did the information include details of a helpline?

Polling stations had to get a positive (Yes) response to all of these questions in order to be classified as basic.

**Note**

Please note that Polls Apart surveys are based on data collected by volunteers. Whilst we have done everything possible to check the reliability of the data we have received, there is a possibility that a small number of responses may inaccurately reflect the situation at a polling station. Taking this into account we do not believe that it would have a significant impact on the overall trend that is presented in the data, analysis and discussion within this report.

# Polls Apart

At every election thousands of disabled people are denied the right to vote independently and in secret. Scope has been working to end this exclusion through our Polls Apart campaign since 1992.

For more information, or to request this report in an alternative format, please contact us.

020 7619 7370

[www.scope.org.uk/campaigns](http://www.scope.org.uk/campaigns)

## Scope

Scope is a charity that supports disabled people to enjoy the same rights as everyone else. We offer a range of services and create opportunities that enable people to live independent lives. Together with disabled people, we also inform key decision makers and influence government policy on disability issues.

Visit [www.scope.org.uk](http://www.scope.org.uk) or call free on 0808 800 333 to find out more.

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About cerebral palsy.  
For disabled people achieving equality.

## Notes

## Notes

## Notes