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The Governance of Britain

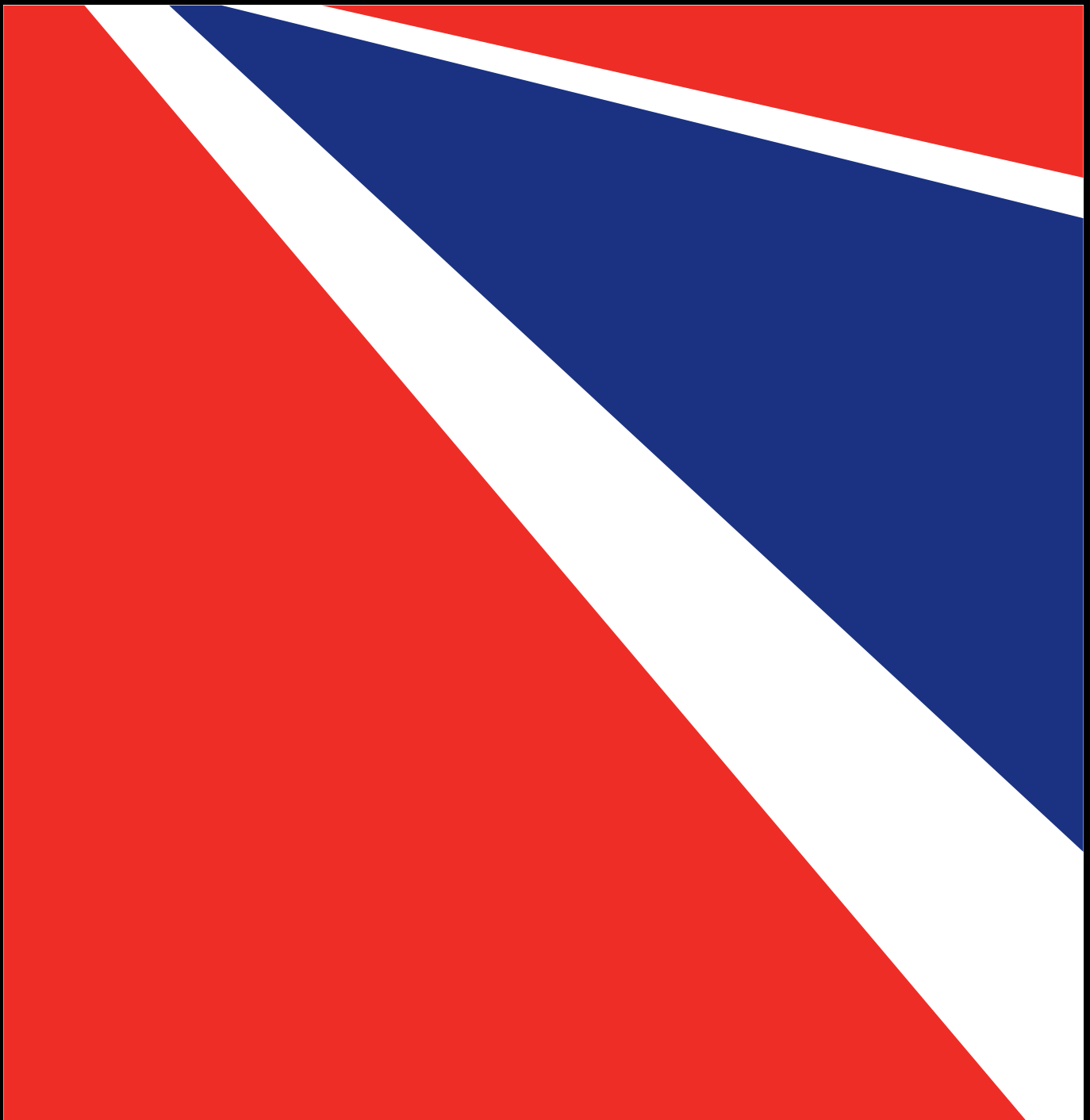
Election Day

Weekend Voting

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Consultation Paper CP 13/08. Published on 24/06/08. This consultation ends 26/09/08.

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Election Day

Weekend Voting

Presented to Parliament
by the Lord Chancellor and Secretary of State for Justice
by command of Her Majesty

June 2008

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Foreword



In the *Governance of Britain* Green Paper published last July, the Government set out an ambitious programme of constitutional renewal, aimed at forging a new relationship between Government and citizen. The act of voting is at the heart of the democratic process and a key part of reinvigorating our democracy is looking at how we can identify and remove barriers to the exercise of that right.

This consultation paper invites your views on whether voting could be made more convenient by changing the timing of Election Day itself, and on whether there are other steps that should be taken alongside that to make it easier for people to cast their vote – for example, greater use of advance or remote voting. The paper sets out some of the key questions that would need to be addressed if these changes were made, such as what the costs of the change might be, and how to take account of the needs of religious groups.

This consultation exercise marks the start of a process of engagement. Your responses will form the basis for a Citizens’ Summit later this year, at which a cross section of the public will be invited to consider the issue in detail and to make a recommendation to Parliament on whether Election Day should be moved to the weekend. I hope that this new form of policymaking will help the Government to engage better with the citizens it serves.

I also want to use that Summit to have a broader discussion about the factors that motivate people to exercise their right to vote. The sense of a civic “duty” to vote has eroded over the last 50 years. It is vital for all of us that we understand the reasons, and what we might be able to do to reverse the trend of falling turnout. The results will feed into the Government’s discussion with citizens on the rights and responsibilities that we all share.

I hope that as wide a range as possible of individuals and groups will let us know their views on Election Day.

A handwritten signature in black ink that reads "Michael Wills". The signature is written in a cursive, slightly informal style.

Michael Wills
Minister of State for Justice

Executive summary

The Government wants to forge a new relationship between Government and the citizen. To mark the start of this process, *The Governance of Britain* Green Paper includes proposals aimed at enhancing the rights and responsibilities of citizens and sets out more clearly the values that underpin British citizenship. The proposals are not a finished blueprint, but instead a route map towards a new constitutional settlement. This consultation document represents another step on that journey.

One of the goals of the programme is to invigorate our democracy and give citizens the means to participate in decision-making at every level. As part of this the Government intends to explore the barriers that currently exist to voting and how these can be overcome. This paper focuses on the physical barriers to voting on Election Day.

There is a perception that Thursday is not the most accessible day for voting, and that changing to weekend voting would improve access and opportunities for voting. In the Green Paper, the Government commits to consulting with local authorities and others on the merits of moving the voting day for general [and/or local] elections from Thursday to the weekend and on the best way to do this. It made clear that the consultation would take into account the needs of religious groups, to ensure that those with religious concerns about voting on a Saturday or Sunday would have an opportunity to vote in a way that is consistent with their belief.

One of the Government's strategic aims is that people should be able to exercise their right to vote with ease and without unnecessary barriers. Its objective is to ensure voting processes are accessible, convenient and easy to use without compromising security. To this end, the Government is also keen to hear views on the following forms of advance voting and whether these would be acceptable alternatives to election days being held on a Thursday or may usefully support election days at the weekend:

- advance voting at polling stations; and
- the use of advance and remote voting over the internet/telephone.

The Government is keeping an open mind on this issue and is interested to hear the views of all those with an interest in the subject.

Introduction

1. This paper aims to promote debate on the merits of moving the Election Day from Thursday to the weekend, and on the best way to do this.
2. The consultation paper considers several questions but in particular looks at:
 - pertinent issues, including religious concerns;
 - whether any such move of day would impact upon the security of elections;
 - the relationship between absent voting (e.g. postal voting) and election day;
 - to what extent other mechanisms for voting, for example “remote” voting through postal votes or over the internet/telephone, or voting in advance of polling day, would be acceptable alternatives to those for whom weekend voting would present difficulties for religious or other reasons;
 - what people perceive as the benefits and drawbacks of remote e-voting;
 - whether changing the election day to the weekend, and/or the other measures aimed at increasing the convenience of voting, would incentivise non-voters to vote; and
 - whether any possible additional costs of weekend voting are outweighed by any potential benefits.
3. The consultation is aimed at the voter in general and at those with a particular interest in the electoral process and the timing of elections, such as political parties, local authorities and electoral administrators in the UK. It is also aimed at religious groups and voluntary sector organisations.
4. This consultation is being conducted in line with the Code of Practice on Consultation issued by the Cabinet Office and falls within the scope of the Code. The Consultation Criteria, which are set out on page 30 of this document, have been followed.
5. An Impact Assessment indicates that local authorities, electoral administrators, religious groups and schools in particular need to think around the impacts of a potential change. A change to polling day could lead to additional costs or savings for public sector and political parties. An Impact Assessment is attached at **Annex A**.

6. An Equality Impact Assessment will also be undertaken to cover any issues surrounding race, disability and gender. A Partial Equality Impact Assessment is attached at **Annex B**.

The Government would welcome views on both the Impact Assessment and Equality Impact Assessment.

7. Copies of the consultation paper are being sent to:
 - The Electoral Commission
 - The Association of Electoral Administrators (AEA)
 - Electoral Registration Officers in England, Wales, Scotland and Northern Ireland
 - Local authorities in England, Wales, Scotland and Northern Ireland
 - National Association of Local Councils
 - The Society of Local Authority Chief Executives (SOLACE)
 - Society of Local Council Clerks
 - The Local Government Association
 - Political parties
 - Members of Parliament
 - Members of the Scottish Parliament
 - Members of the Northern Ireland Assembly
 - Members of the National Assembly for Wales
 - Devolved administrations (Scotland, Northern Ireland and Wales)
 - Faith groups
 - Operation Black Vote
 - Voluntary sector organisations working with those with disabilities
 - Help the Aged
 - Royal Mail
 - The Hansard Society
 - The Electoral Reform Society
 - The HS Chapman Society

8. This list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest in or views on the subject covered by this paper¹.
9. The results from this consultation will be fed into a Citizens' Summit which will consider the physical and non-physical barriers to voting. A cross-section of the public will be invited to consider the issue in detail and to make a recommendation to Parliament on whether Election Day should be moved to the weekend.
10. On 20 May 2008 the Department for Communities and Local Government launched its consultation on moving the date for English local government elections to the date of the European parliamentary elections in 2009. This made reference to this consultation paper.

Funding a move to weekend voting

11. A move to voting at weekends may make running elections more expensive. National elections are centrally funded but local elections are funded from local authority budgets. Estimates of how much more local elections will cost to run at weekends vary because no accurate information is currently available from local authorities on how much it costs to run local elections. The estimates set out in the impact assessment are based on the cost of a General Election for which we do have accurate information and these suggest that the additional cost may range between £38million and £58million per national election depending on if an election day is held on only either a Saturday or a Sunday or both. We expect this consultation to provide the information required for a more accurate assessment of cost to be developed. No resources are currently set aside to support a move to weekend voting and the impact of any new burdens on local authorities would need to be funded appropriately.

¹ The consultation paper has also been sent to other Government departments for their views and consideration.

The proposals

12. The Government is keen to engage the public and interested parties in examining the case for holding the following elections at the weekend:
 - UK parliamentary general elections;
 - Local elections in England and Wales²; and
 - European Parliamentary elections³.
13. The purpose of this consultation paper is to gather information on the implications of such a change, which will form part of the input for consideration at a Citizens' Summit on the issue.
14. The Scotland and Wales Offices have confirmed that weekend voting could also be considered for future Scottish Parliament and National Assembly of Wales elections.

The current system in the UK

15. This section of the consultation paper sets out the current arrangements for the holding of elections across the United Kingdom. This includes the devolved administrations and local elections in Scotland and Northern Ireland.
16. Matters relating to UK parliamentary general elections and local elections in England and Wales are the responsibility of the UK parliament. Under current legislation, voting at all elections in the UK may not extend over more than one day.

² 'Local elections' includes elections to single tier and two tier county councils and district councils (including those with borough or city status) metropolitan and London boroughs in England and to principal councils and community councils in Wales.

³ Although not originally cited in the *Governance of Britain* Green Paper, the Government feels that consideration should also be given to the merits of moving European Parliamentary elections to the weekend because these elections may be combined with local elections.

General Elections

17. Since 1945 every general election in the UK has taken place on a Thursday⁴. Prior to 1945, general elections took place on a variety of days; the last UK general election to take place on a weekend was on Saturday 14 December 1918.

Local Elections in England and Wales

18. The cumulative effect of the provisions in the Local Government Act 1972, Greater London Authority Act 1999 and Section 37 of the Representation of the People Act 1983 provide that local elections are held on the first Thursday in May every four years (although elections may be held in different years depending on the type of authority).

Other elections

Scotland

Scottish Parliament

19. The timing of elections to the Scottish Parliament is set out in the Scotland Act 1998. Section 2 of the Act states that elections shall normally be held on the first Thursday in May, every four years. However, the Scottish Parliament's Presiding Officer has the power to propose a day for holding the poll which is not more than one month earlier or one month later than the first Thursday in May. Her Majesty can then by proclamation under the Scottish Seal require the poll to be held on the day proposed.
20. The date for an extraordinary general election⁵ in Scotland is set by the same process of the Presiding Officer proposing the day and Her Majesty, by proclamation, requiring the poll to be held on the day proposed. This can be held on any day of the week.
21. The Presiding Officer also determines the date of the poll for a Scottish Parliamentary by-election, which can also be held on any day of the week.

⁴ There is no statutory requirement for a parliamentary election to be held on a Thursday. Under Rule 2 of the parliamentary rules, as set out in Schedule 1 of the Representation of the People Act 1983, an election may not be held on a number of designated days: at weekends, on bank holidays or on those days appointed for public thanksgiving or mourning. Such days are specified in the 1983 Act as *dies-non*, that is non-working days, and are therefore excluded for the purposes of the parliamentary election timetable.

⁵ Where the Scottish Parliament resolves that it should be dissolved as set out in the Scotland Act 1998, section 3.

Local elections in Scotland

22. Responsibility for local elections in Scotland is devolved to the Scottish Parliament under the provisions of the Scotland Act 1998. The ordinary date for those elections is set by section 43 of the Representation of the People Act 1983 as the first Thursday in May.

Northern Ireland

The Northern Ireland Assembly

23. The timing of elections to the Northern Ireland Assembly is set out in the Northern Ireland Act 1998. Section 31 (1) of the Act states that the date of the poll for the election of each Assembly shall be the first Thursday in May in the fourth calendar year following that on which its predecessor was elected; and the predecessor shall be dissolved at the beginning of the minimum period which ends with that date.
24. An extraordinary election in Northern Ireland takes place if the Assembly passes a resolution that it should be dissolved. The Secretary of State proposes a date for the poll for the election of the next Assembly⁶.

Local elections in Northern Ireland

25. The date for local elections in Northern Ireland is set by Section 11 (1A) of the Electoral Law Act (Northern Ireland) 1962, which, as amended, provides that the date for ordinary elections is the first Thursday in May.

Wales

National Assembly for Wales

26. The timing of elections to the National Assembly for Wales is determined in accordance with the Government of Wales Act 2006.
27. Section 3 of the 2006 Act provides that ordinary general elections are held on the first Thursday in May. However, Section 4 empowers the Secretary of State, after consultation with the Welsh Ministers, to provide for the poll to be held up to one month earlier or one month later. There is no restriction on such a poll taking place at a weekend.
28. Under Section 5 of the 2006 Act, the Secretary of State determines the date for an extraordinary general election. This can be on any day of the week.

⁶ This is reflected in the provisions under section 32 of the Northern Ireland Act 1998.

29. Under Section 10 of the 2006 Act, the date of a by-election is determined by the Assembly's Presiding Officer. This can also be any day of the week.

European Parliamentary elections

30. The timing of European Parliamentary elections is fixed by unanimous agreement of all member states, and covers an agreed four-day period from Thursday to Sunday to accommodate practice across the European Union. This flexible approach across Europe allows the UK to vote on Thursday whilst other countries vote on other days, albeit in the same poll. The Secretary of State has the power under Section 4 of the European Parliamentary Elections Act 2002 to specify the date of the poll by order. The Secretary of State could set the same date for the poll on a weekend under his current powers. However, the rules for the conduct of European Parliamentary Elections would need to be amended to permit voting on weekends to take place⁷.

Consistency across the United Kingdom

31. Any move of parliamentary general elections or local elections in England and Wales would mean that local elections would be held on different days in the different parts of the United Kingdom⁸.
32. Consideration will also need to be given therefore as to whether it is appropriate for Parliamentary, Local and European by elections to be moved to the weekend.

Experience in other countries

33. In common with the United Kingdom national elections are held on a working weekday in Canada, the US, Denmark, Ireland and the Netherlands. In contrast the great majority of other European countries hold election days either at the weekend or on a public holiday. For those European countries with Election Day at the weekend, Sunday is the most favoured day. The following table shows election days in a number of other countries:

⁷ The rules set out in Schedule 1 to the European Parliamentary Elections Regulations 2004 (S.I. 2004/293) would need to be amended together with the mirror regulations European Parliamentary Elections (Northern Ireland) Regulations 2004 (S.I. 2004/1267).

⁸ On the basis that "Election Day" is not moved to the weekend for local elections in Scotland and Northern Ireland.

Weekday		Weekend	
Monday	Canada	Saturday and Sunday	Switzerland
Tuesday	US and Denmark	Saturday	Australia and New Zealand
Wednesday	Netherlands	Sunday	Austria, Belgium, France, Germany, Greece, Italy, Spain and Sweden
Thursday	The UK and Ireland		

The implications of weekend voting

34. The Government recognises that moving elections to the weekend would entail significant change. Possible reasons for change, issues and possible solutions are outlined below:

Possible reasons for change

Convenience

35. It has been argued that moving polling day to a weekend would be more convenient for the population in general, and that this may result in increased turnout. In particular, given that the majority of people work on weekdays⁹, with many balancing family and childcare commitments with working either full or part-time, Thursday may not be a convenient day for voting. This may be particularly true for women who remain the principal childcare providers¹⁰.
36. In addition, trends in working patterns, including hours worked, shift work and long commutes to and from the work, all place additional pressures on voters and may hinder voting on a weekday.
37. These and other factors have led to concerns that the electoral process does not fit with modern lifestyles because many people, in the course of their working day, spend little or any time in the locality of their polling station.

⁹ Figures compiled by the Office National Statistics (ONS) for April/June 2007 estimate that 74.59% of those in employment work during the weekday compared with 18.73% at the weekends (6.68% unknown). Estimates based on small sample sizes and are therefore subject to a margin of uncertainty.

¹⁰ Figures compiled by ONS for April/June 2007 estimate that 94.93% of childcare providers are female compared with 5.07% male (estimates based on small sample sizes and are therefore subject to a margin of uncertainty).

38. Conversely, it has been argued that moving election days to weekends could present different barriers associated with lifestyle factors. People often have less of a routine at weekends and may prefer to use their time for recreational activity or be away from home. There may also be specific issues for individuals with caring responsibilities who may not have support at the weekend.

Levels of turnout

39. One argument advanced for a move to weekend voting is the potential for a positive effect on turnout. There is some evidence to support this, but the picture is mixed. Countries holding elections on the Sunday generally experience up to 6% higher turnouts than countries that go to the polls on weekdays¹¹. However, in his book on voter turnout¹², Professor Mark N Franklin now notes that in a range of countries which have adopted weekend voting since 1948 turnout did not appear to increase as a consequence, and there is no reliable evidence that weekend voting is an effective cure for low turnout.
40. It is not clear whether those countries where elections are held at the weekend owe their higher average turnouts to that factor; nor is it clear whether weekend voting has contributed to the culture of voting in particular countries.
41. The Electoral Commission in a report on voter engagement and young people noted that the provision of weekend voting was one of the preferred options to address non-voting at elections.¹³

Issues

Religious beliefs and observance

42. As noted earlier, most continental European countries that hold elections at weekends do so on a Sunday. However, both Saturdays and Sundays are days of religious observance for people in the UK as they are across Europe. A change to some voting on either day may therefore raise issues for some people on the grounds of faith.

¹¹ Mark Franklin in *Electoral Participation in Comparing Democracies: Elections and Voting in Global Perspective*, ed. Laurence Leduc, Richard Niemi and Pippa Norris. Thousand Oaks CA: Sage, 214-233, 1996.

¹² *Voter Turnout and the Dynamics of Electoral Competition in Established Democracies since 1945*, Cambridge University Press, 2004.

¹³ The Electoral Commission, *Voter Engagement and Young People*, July 2002.

43. One option that might be explored in order to accommodate such objections is holding polls on both Saturday and Sunday. During the House of Commons debate on the Representation of the People Bill on 30 November 1999 Jack Straw, the then Home Secretary, stated that if weekend voting ever became part of the national arrangements it would be necessary to ensure that it took place on both days in order to accommodate the needs of Jewish and Christian communities¹⁴. There would be cost implications in spreading voting over more than one day.

Resources

44. A move to weekend voting is likely to present administrative and resource challenges to delivering services in a secure and cost-effective manner. It could, however, afford the opportunity for electoral administrators to make adjustments to services to compensate for any problems with logistics, staff allocation or the application of procedures. The Government is interested to receive the views of administrators and others on the resource issues relating to weekend voting. In particular, the Government welcomes views on the degree to which there would be different issues for elections held either on a Saturday or a Sunday, or elections held over a full weekend.
45. Some of the potential resource issues for administrators and others might include:
- The recruitment of polling staff, both at polling stations themselves and at the count, over the weekend when people often have outside leisure and social commitments or may not wish to work.
 - People who work on polling day are often local authority staff drafted in to assist for the day. The potential gain from staff not losing a working day on a Thursday would need to be offset against the cost of employing them at the weekend – perhaps paying overtime or other bonuses in order to retain them for Election Day duties.
 - There is also a question as to whether people would be willing to work long days and counts on a Saturday and/or Sunday. If polling were held over two days, there might be a case for considering shortening the current polling hours from the present 7am to 10pm.
 - The Royal Mail currently sweeps its sorting depots for postal votes to ensure none are missed before the close of poll. If elections are held at weekends this will raise issues for the sweep.
46. Voting at the weekend also has resource implications for political parties, candidates and agents. **The Government would like to hear the views of political parties on this point.**

¹⁴ *Official Report, House of Commons*, 30 November 1999, Vol 340, Column 172.

47. The cost of a general election in the UK is approximately £90 million. If elections (General, Local and European) are moved to the weekend this figure may increase. The Government will be conducting an impact assessment to gather further evidence on the resource and cost issues outlined in paragraphs 42-45.

Polling station venues

48. Weekend voting would raise issues around the availability and accessibility of polling locations. Church halls are often used as polling stations and these may be less likely to be available at weekends, particularly on Sundays. Finding suitable alternative polling locations may be an issue for some authorities, particularly in rural areas. However, it may be more straightforward to use school premises at the weekend without causing disruption to the teaching timetable. There may be costs involved in having caretakers open up and supervise use of schools at the weekend but the impact on the school calendar would be minimal.
49. Less frequent transport in rural areas at the weekend, particularly on Sundays, may impact on voters being able to get to a polling station.

Security

50. Where voting takes place on more than one day, polling station locations and materials within them must be secured between the closing of the voting on one day and the opening of voting on the next. This may lead to extra costs as temporary structures may not be suitable for securing elections material overnight and therefore additional security measures may be needed.

Exit polls

51. At present, there is a bar on polls being published from the start of polling until after the polls have closed. Careful consideration will need to be given to the implications for exit polls and media reporting in the event that polling were spread over both days of the weekend, since exit poll results and political news reports appearing at the “halfway” point has the potential to influence the election result.

The timing of elections

52. If weekend voting were to be introduced for some or all election days then consideration will have to be given to which weekend is most appropriate. Currently, all elections with the exception of the UK and European parliaments take place on the first Thursday in May¹⁵. If weekend voting took place, say on

¹⁵ Section 37 of the Representation of the People Act 1983 and others

the first weekend in May then in most years this would fall on a May day bank holiday weekend. It may therefore be preferable to move the normal time for these elections to the second weekend in May, which would preserve the concept of local elections taking place at the earliest possible date in the month of May whilst avoiding public holidays. However, there may be other weekends which could be more appropriate. **The Government welcomes views on this.**

Potential Solutions

53. There are, however, other ways in which voting could potentially be made accessible to individuals who did not wish to attend a polling station or cast a vote on a particular day. The Representation of the People Act 2000 made provision for every elector in Great Britain (excluding Northern Ireland) to apply to vote by post either at every election (whether Parliamentary or local), for an indeterminate period or at a particular election only.
54. There is, therefore, already some facility for those who would prefer not to vote on a particular day to do so in advance of polling day through the exercise of a postal vote. Other potential methods for delivering this facility are remote voting over the internet/telephone and “advance” voting in person at a polling station. These methods might also have value as a means of making voting more convenient. They are explored in more detail below.

Advance voting in polling stations

55. As part of the Government’s programme of piloting innovative voting methods, 20 local authorities have piloted advance voting in polling stations since 2000¹⁶. Evidence from these pilots has indicated that the availability of advance voting does little to increase turnout. Take up was generally around 2-3% of the votes cast. However, the trials took place in a context where Election Day was on a weekday. Advance voting would carry resource implications as it would require the physical maintenance of a secure polling station for a period of time before the main polling day.

The Government welcomes views on whether greater access to advanced voting should be made available alongside or in addition to weekend voting.

¹⁶ The following local authorities piloted advance voting at their local elections in 2007: Bedford, Broxbourne, Gateshead, Sheffield and Sunderland. Advance voting pilots have also previously been conducted using mobile polling stations.

Remote electronic voting

56. In the *Governance of Britain* Green Paper, the Government committed to investigating the potential benefits of remote electronic voting (using the internet and the telephone).¹⁷ Such remote voting could potentially take place either before or on polling day.
57. Since 2000 the Government has worked with a number of local authorities to pilot innovations such as electronic voting over the internet. This has helped to test potential solutions to assist voters who cannot attend a polling station in person on Election Day¹⁸.

The Government welcomes views on whether remote electronic voting either on or in advance of polling day would be acceptable alternatives for those for whom weekend voting would present difficulties for religious or other reasons.

Perceived advantages and disadvantages of voting in person

58. Some of the perceived advantages and disadvantages of voting in person are:

Perceived advantages

- Voters are familiar with the process of voting in person at their local polling stations;
- It is a visible act of democratic participation;
- The secrecy of the ballot is evidently assured with voting taking place in a screened booth; and
- Voters place their ballot directly in the box and can be assured that their vote will be accounted for.

Perceived disadvantages

- The polling station may be some distance from where some people live and difficult to get to due to a number of reasons. These may include:
 - Lack of transport to the polling station (particularly in rural areas) or lack of parking facilities;
 - Polling station buildings being not as readily accessible as all individuals require.

¹⁷ The Government is in the early stages of looking at the benefits and practicalities of remote e-voting. This will include addressing accessibility, costs, security and usability.

¹⁸ In 2007 remote e-voting pilots took place at local elections in the following areas: Rushmoor, Sheffield, Shrewsbury and Atcham, South Bucks and Swindon.

- Lifestyles have changed significantly in the last few decades with people now more likely to be absent from their home for a range of reasons, including work and holidays;
- Voters can only vote at a polling station in the district in which they reside;
- Work commitments including commuting times may mean that a voter is unable to get to the polling station;
- Family or caring responsibilities may mean that a voter is unable to get to the polling station;
- Schools may have to close for the day to enable the facilities to be used for polling. This may have wider implications for parents/guardians who may have to take time off work to look after their children.

Further considerations

59. Although this paper focuses on the physical barriers to voting, it is clear that there are a number of other reasons for declining voter turnout. These include changing patterns of political expression – for example, evidence points to a fall in identification with collective forms of political expression such as political parties and people feeling that they are not able to influence political decisions.
60. The Government hopes to use the Citizens' Summit on the benefits of moving Election Day to explore how some of these issues influence people's decisions on whether to vote and the concept of voting as a civic duty.

Questionnaire

We would welcome responses to the following questions arising from this consultation paper.

Question 1

Do you think that polling day should be:

- a weekday,
- a Saturday,
- a Sunday, or
- take place over both Saturday and Sunday?

Please tell us why.

Question 2

Who would be affected by changing the voting day to a weekend and how?

Question 3

Do you think that greater access to advance voting in polling stations should be made available alongside weekend voting? Please explain why.

Question 4

Do you think that greater access to remote voting (whether through traditional postal voting or by electronic means) should be made available alongside weekend voting? Should such arrangements be explored even if polling day were not moved to the weekend? Please explain why.

Question 5

What do you perceive to be the benefits and the drawbacks of remote e-voting?

Question 6

Should the Government pilot weekend voting before introducing it across the UK?

Question 7

What other issues may arise if the polling day is moved to the weekend? What are the issues for:

- resources?
- polling station venues?
- security?
- administration of the election?

Question 8

If weekend voting is introduced for local government elections, do you agree that the normal time for holding these elections should be moved from the first Thursday in May to the second weekend in May?

If not, please explain which weekend you believe it would be most appropriate for these elections to be held and why.

Question 9

Are you aware of any barriers which prevent individuals from voting? What are the issues and how can they be overcome?

The Government welcomes any and all contributions which will be used as the basis for the citizens' summit considerations.

Thank you for participating in this consultation exercise

About you

Please use this section to tell us about yourself

Full name	
Job title or capacity in which you are responding to this consultation exercise (eg member of the public etc.)	
Date	
Company name/organisation (if applicable):	
Address	
Postcode	
If you would like us to acknowledge receipt of your response, please tick this box	<input type="checkbox"/> (please tick box)
Address to which the acknowledgement should be sent, if different from above	

If you are a representative of a group, please tell us the name of the group and give a summary of the people or organisations that you represent.

Contact details/How to respond

Please send your response by 26 September 2008 to:

Janice Parker
Ministry of Justice
Elections and Democracy Division
Selborne House
54-60 Victoria Street
London
SW1E 6QW

Tel: 020 7210 8224

Fax: 020 7210 2659

Email: weekendvotingconsultation@justice.gsi.gov.uk

Extra copies

Further paper copies of this consultation can be obtained from this address and it is also available online at: www.justice.gov.uk/index.htm.

Alternative format versions of this publication can be requested from the person named above.

Publication of response

A paper summarising the responses to this consultation will normally be published within three months of the closing date of the consultation. The response paper will be available online at: www.justice.gov.uk/index.htm.

Representative groups

Representative groups are asked to give a summary of the people and organisations they represent when they respond.

Confidentiality

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Ministry.

The Ministry will process your personal data in accordance with the DPA and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Consultation Criteria

The six consultation criteria are as follows:

1. Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
2. Be clear about what your proposals are, who may be affected, what questions are being asked and the time scale for responses.
3. Ensure that your consultation is clear, concise and widely accessible.
4. Give feedback regarding the responses received and how the consultation process influenced the policy.
5. Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
6. Ensure your consultation follows better regulation best practice, including carrying out an Impact Assessment if appropriate.

These criteria must be reproduced within all consultation documents.

Annex A: Impact Assessment

Summary: Intervention & Options		
Department /Agency: Ministry of Justice	Title: Impact Assessment of Weekend Voting Consultation Paper	
Stage: Consultation	Version: 4	Date: 9 April 2008
Related Publications: Consultation Document		

Available to view or download at:

www.justice.gov.uk

Contact for enquiries: Janice Parker

Telephone: 020 7210 8224

What is the problem under consideration? Why is government intervention necessary?

The government wishes to encourage greater voter participation and engagement. The act of voting is at the heart of the democratic process: and a key part of our democracy is looking at how we can identify and remove barriers to the exercise of that right. The government is inviting views on whether voting could be made more convenient by changing the timing of Election Day itself and on whether there are other steps that should be taken alongside this – for example, greater use of advance or remote electronic voting.

What are the policy objectives and the intended effects?

The Government's objectives behind exploring the benefits of changing the timing of Election Day are to:

- Make the voting process universally accessible for all eligible people, reflecting the needs of our diverse and mobile society;
- Ensure that the voting process is convenient and responsive to the needs of people by providing multiple channels to vote, providing choices on how to participate in the voting process.

The intended outcome is to encourage greater participation and ownership of the electoral process.

What policy options have been considered? Please justify any preferred option.

- (1) To keep the election day on a Thursday and not to explore moving it to the weekend;
- (2) To examine the case for moving voting for elections to the weekend and on the best way to do this.

We have chosen the latter option because:

(A) The Government pledged in the Governance of Britain Green Paper to consult on moving election day to the weekend as part of its wider programme on renewing the relationship between government and citizen

(B) There is value in exploring barriers to voting and the public appetite for and potential benefits of moving Election Day to the weekend.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? There is no implementation date as yet for this policy but an implementation review will be carried out following consultation and Parliament may debate timing alongside any policy proposals coming forward from this.

Ministerial Sign-off For consultation stage Impact Assessments:

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible Minister: Michael Wills

Date: 17 June 2008

Summary: Analysis & Evidence			
Policy Option:		Description:	
COSTS	ANNUAL COSTS		Description and scale of key monetised costs by 'main affected groups'. Local authorities responsible for management of election delivery
	One-off (Transition)	Yrs	
	£ Nil		
	Average Annual Cost (excluding one-off)		
	£38m to £58m		
		Total Cost (PV)	£38m to £58m
Other key non-monetised costs by 'main affected groups'. Are there any costs that the government should consider? We would be grateful for consultees comments.			
BENEFITS	ANNUAL BENEFITS		Description and scale of key monetised benefits by 'main affected groups.' While no annual benefits are currently stated, this currently relates to benefits to electoral administration. Weekend voting may produce other benefits however and we would welcome views on possible financial or non-financial benefits outside of this.
	One-off	Yrs	
	£ Nil		
	Average Annual Benefit (excluding one-off)		
	£ Nil		
		Total Benefit (PV)	£ Nil
Other key non-monetised benefits by 'main affected groups'. Greater participation in the electoral process and increased engagement in the political process which affects all individuals eligible to vote in elections in the UK.			
Key Assumptions/Sensitivities/Risks Local authorities bear of the cost of running local elections. General and European Parliamentary elections are paid by central Government. National and local elections are sometimes combined. Returning officers may need to provide advance polling facilities where practical to provide for voters who want to vote in a traditional way (i.e. not by postal or proxy vote) but cannot do for reasons of religious conviction on either a Saturday or Sunday. A further supporting strategy may be to develop a secure system of remote electronic voting. Estimates are based on the costs of a General Election and represent the additional costs per election.			

Price Base Year	Time Period Years	Net Benefit Range (NPV) £ NIL	NET BENEFIT (NPV Best estimate) £ NIL			
What is the geographic coverage of the policy/option?		Whole of UK				
On what date will the policy be implemented?		Not yet known				
Which organisation(s) will enforce the policy?		N/A				
What is the total annual cost of enforcement for these organisations?		£ N/A				
Does enforcement comply with Hampton principles?		N/A				
Will implementation go beyond minimum EU requirements?		N/A				
What is the value of the proposed offsetting measure per year?		£ Nil				
What is the value of changes in greenhouse gas emissions?		£ Nil				
Will the proposal have a significant impact on competition?		No				
Annual cost (£-£) per organisation (excluding one-off)		Micro	Small	Medium	Large	
Are any of these organisations exempt?		N/A	N/A	N/A	N/A	
Impact on Admin Burdens Baseline (2005 Prices)		(Increase – Decrease)				
Increase of £38m to £58m Decrease of £ Nil		Net Impact £38m to £58m				
Key:	Annual costs and benefits: Constant Prices		(Net) Present Value			

Evidence Base (for summary sheets)

Background

'*The Governance of Britain*' announced the Government's intention to forge a new relationship between government and citizen and set out a range of proposals to help achieve this.

The Government wishes to consider further measures to make voting more convenient and therefore proposes to examine the case for moving voting to the weekend for both general and European Parliamentary elections and local elections in England and Wales.

The act of voting is at the heart of the democratic process: and a key part of our democracy is looking at how we can identify and remove barriers to the exercise of that right. The consultation paper invites views on whether voting could be made more convenient by changing the timing of Election Day itself and on whether there are other steps that should be taken alongside this – for example, greater use of advance or remote electronic voting.

The Government is keeping an open mind on these issues and is interested to hear what the public's views are as well as organisations and individuals with a particular interest in the subject to examine the case for moving voting to the weekend supported by advance voting and remote electronic voting. The Government will consult widely with the electorate, devolved administrations, the Electoral Commission, local authorities, electoral administrators, Faith groups, BME groups and other interested stakeholders.

It is vital that citizens of voting age should be able to exercise their vote and not be prevented from doing so through family, work or other commitments. The political process is of vital importance to all and decisions made by local authorities and government affect everyone. The objective is to ensure voting processes are accessible, convenient and easy to use without compromising the security of the ballot.

Benefits:

- Making the electoral process more convenient and responsive to the overall needs of the electorate by providing multiple channels to vote.
- Empowering citizens through providing electoral arrangements that removes barriers to social groups who are currently less likely to vote. Electoral arrangements must accommodate the requirements of the entire community, irrespective of their age, ethnicity, ability, work pattern, domestic circumstances, or other relevant factors;

- Electoral arrangements that acknowledge the realities of modern life. It is the duty of government to ensure electoral systems are available to ensure all citizens can participate – if governments do not take this duty seriously the credibility of democratic institutions risk becoming undermined.

Costs and Risks

All elections present a net cost to the taxpayer. Moving polling to the weekend, extending polling over more than one day, advance voting or remote electronic voting all add to this cost, which will need to be balanced against the societal advantages presented by the degree to which citizens' access to democratic systems is improved.

Weekend voting and its supporting strategies may place extra demands on security, returning officers and election staff. The availability of polling stations and count venues may also be an issue. These issues will need to be considered in determining the practicality of a move to weekend voting.

Specific Impact Tests Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	No	No
Small Firms Impact Test	No	No
Legal Aid	No	No
Sustainable Development	No	No
Carbon Assessment	No	No
Other Environment	No	No
Health Impact Assessment	No	No
Race Equality	Yes	No
Disability Equality	Yes	No
Gender Equality	Yes	No
Human Rights	Yes	No
Rural Proofing	No	No

Annex B: Equality Impact Assessment – Initial Screening

A. Identify objectives and outcomes
<p>1. Name of the legislation, policy or service being assessed:</p> <p>Election Day: Weekend Voting</p>
<p>2a. What is the aim, objective or purpose of the policy, legislation or service and who will benefit from it?</p> <p>To invite views on whether voting could be made more convenient by changing the timing of Election Day and also to elicit views on the use of advance voting and remote voting over the internet and telephone.</p>
<p>2b. What are the intended outcomes?</p> <p>To obtain views on whether a change to Election Day, and/or the other measures aimed at increasing the convenience of voting, would incentivise non-voters to vote. To also obtain views as to whether any possible costs of weekend voting are outweighed by any potential benefits.</p>
<p>3. Do you share responsibility for this legislation, policy or service with another Government Department or organisation (e.g. criminal justice partners). If so, who defines it and who implements it?</p> <p>Not at this stage</p>

4. Who are the key stakeholders in relation to the legislation, policy or service? What outcomes do they want? Does the list of stakeholders include representatives from all relevant/interested groups of people? If not, why not?

The consultation is aimed at everyone with an interest, including the public and at those with a particular interest in the electoral process and the timing of elections, such as political parties, local authorities and electoral administrators in the UK. It is also aimed at religious groups and the voluntary sector. Amongst the equality groups being targeted are Operation Black Vote, voluntary sector organisations working with those with disabilities and Help the Aged. We are keen to hear direct from electors and are looking at ways in which we can facilitate that.

This list is not meant to be exhaustive or exclusive and responses are welcomed from anyone with an interest in or views on the subject covered by the consultation paper. We expect a wide range of views and we have not sought to propose one view or another in the consultation paper.

B. Analyse existing evidence and collect further data

5. Please list the data used to facilitate the initial screening of the legislation, policy or service. For example, statistics, survey results, complaints analysis, consultation documents, comparative policies from internal and external sources and other Government Departments.

We will use data from ONS on weekday/weekend work and travel to work patterns and childcare responsibilities. Responses to the consultation paper will, it is hoped, tease out more evidence on these issues. We are also studying overseas examples of weekend voting.

6. Are there gaps in information which require further research or consultation, or that may require additional information to be collected as part of the monitoring and review process?

Yes. In the consultation paper the Government is specifically asking what are the barriers and issues which prevent individuals from voting and how can they be overcome. It is also seeking views on whether remote electronic voting on or in advance of polling day would be acceptable alternatives for those for whom weekend voting would present difficulties for religious or other reasons and also whether greater access to advanced voting in polling stations should be made available in addition to weekend voting.

C. Assess the impact of the legislation, policy or service							
7. Is there any evidence that different groups of people have different participation rates for the legislation, policy or service (eg men do not access the services provided by the domestic violence courts in the same way that women do)?							
	Yes	No	Not Known		Yes	No	Not Known
Age	X			Racial Group	X		
Caring Responsibilities	X			Religion or Belief			X
Disability	X			Sexual orientation			X
Gender	X						
<p>Please set out the evidence on which you based this conclusion:</p> <p>Reports by bodies including the Electoral Commission, SCOPE, Age Concern, Operation Black Vote. Reports from these organisations and others indicate that there is low take of voting by some minority groups, especially in the 18-25 age group. There is also evidence that those with disabilities may find it difficult to vote in person at a polling station. The consultation paper is therefore asking who would be affected by changing the voting day to the weekend and how. In addition it is also seeking to find out if greater access to remote voting (whether through traditional postal voting or by electronic means) should be made available alongside weekend voting or indeed should such arrangements be explored even if polling day were not moved to the weekend.</p>							
<p>8. Are there barriers that might inhibit access to the benefits of the legislation, policy or service? Consider:</p> <ul style="list-style-type: none"> • Is anyone excluded from enjoying the benefits of the policy? • Will information be available in alternative formats (http://intranet.dda/alt.htm) or languages (e.g. Welsh language)? • Will disabled people be able to access the service? 							

	Yes	No	Not Known		Yes	No	Not Known
Age			X	Racial Group			X
Caring Responsibilities			X	Religion or belief	X		
Disability			X	Sexual Orientation			X
Gender			X				
<p>Please indicate what the barriers may be or if there are no barriers, please set out the evidence on which you based this conclusion?</p> <p>There are possible barriers that have not been quantified at this stage, for example whether religious belief requires certain activity or attendance at religious services or other events over the weekend that would impact on an individual’s ability to vote. There is a need therefore to consult as widely as possible to identify any gaps that may need to be addressed. The consultation paper, in addition to those questions referred to, already seeks to find out the following:</p> <p>Should the Government pilot weekend voting before introducing it across the UK?</p> <p>What other issues may arise if polling day is moved to the weekend?</p>							
<p>9. Is there any evidence that different groups have (or are likely to have) different needs, experiences, issues and priorities in relation to the current or proposed legislation, policy or service. For example, have any equality stakeholders (organisations or individuals) indicated that the legislation, policy or service could (or would) create exclusion or hold specific challenges for them?</p>							
	Yes	No	Not Known		Yes	No	Not Known
Age	X			Racial Group			X
Caring Responsibilities	X			Religion or Belief	X		
Disability	X			Sexual orientation			X
Gender	X						

Please set out the evidence on which you based this conclusion:

Some of the issues of current legislation which may be preventing people voting are, work commitments, lengthy commuting times, family or caring responsibilities and polling stations not being readily accessible to people with disabilities. Schools closing on Thursdays have wider implications for parents/ guardians who may have to take time off work to care for children. Voting on Thursday may therefore no longer be appropriate. There is a need to consult as widely as possible to identify any gaps that may need to be addressed. Faith groups may not feel able to vote at the weekend, but expanding the available channels for voting beyond postal voting to include advance voting and remote electronic voting may be acceptable as alternatives to weekend voting. Representative groups indicate that e-voting would help those with impairments and disabilities. Data from ONS on weekday/weekend work and travel to work patterns and childcare responsibilities suggests that women in particular are predominantly the main childcare providers. Conversely, it may be the case that formal care provision is less available at weekends. There is also some anecdotal evidence that a lack of public transport in rural areas may impact particularly on older voters.

Therefore there are a number of issues and potentially contradictory needs that we need further data on and are seeking to obtain.

10. Is the legislation, policy or service sensitive to the needs and cultures of different groups of people?

	Yes	No	Not Known		Yes	No	Not Known
Age	X			Racial group			X
Caring Responsibilities	X			Religion or Belief	X		
Disability	X			Sexual orientation			X
Gender	X						

<p>Please set out the evidence on which you based this conclusion</p> <p>The aim of this investigation is to identify if people want to change to weekend voting supported, by additional channels as this could be useful for those with disabilities or with family commitments.</p> <p>There are some possible barriers that have not been identified at this stage that a change would overcome. However, both Saturdays and Sundays are days of religious observance for people in the UK and a change to voting on either day may therefore raise issues for some people on the grounds of faith. Responses to the consultation paper will, it is hoped, tease out more evidence on this particular issue, but also others that may be relevant but are not known at this stage.</p>							
<p>11. Is there any evidence that this legislation, policy or service could directly or indirectly discriminate against any group of people?</p>							
	Yes	No	Not Known		Yes	No	Not Known
Age			X	Racial Group			X
Caring Responsibilities			X	Religion or Belief			X
Disability			X	Sexual Orientation			X
Gender			X				
<p>Please set out the evidence on which you base these conclusions</p> <p>This is not known at present but we would invite views as part of the consultation process.</p>							

12. Does the policy result in positive impacts, if so please list them here? For example, does it have a beneficial effect on a group of people or improve equal opportunities and/or relationships between different groups of people?

Unknown at present but will be developed during the consultation period following responses to the Consultation Paper.

13. What measures can be taken to promote equality of opportunity by altering the legislation, policy or service, or by working with others, for examples, partners? Is there any evidence of missed opportunities to promote equality of opportunity, if so please provide details?

As advised earlier, there is some evidence that those with disabilities or caring responsibilities may find it difficult to vote in person at a polling station. The consultation paper is therefore asking who would be affected by changing the voting day to the weekend and how. It will also explore if greater access to remote voting (whether through traditional postal voting or by electronic means) should be made available alongside weekend voting or indeed should such arrangements be explored further even if polling day were not moved to the weekend. Specific organisations and groups who will be encouraged to respond are Help the Aged, Age Concern, SCOPE and voluntary sector organisations working with those with disabilities.

14. Is a full equality impact assessment required?

If not, please explain why not.

This will be developed during and after the closure of the Consultation

15. If a full equality assessment is not required what data is required in the future to ensure effective monitoring? How and when will the policy be monitored and reviewed?

N/A

<p>16. Any other comments on the policy and/or initial screening process:</p> <p>Not at this stage</p>
<p>You should now complete a brief summary (if possible, in less than 50 words)) setting out which policy, legislation or service the EIA relates to, how you assessed it, a summary of the impacts (positive and negative) and any decisions made, actions taken or improvements made as a result of the EIA. The summary will be published on the external MoJ website.</p> <p>The Government intends to explore the barriers which currently exist to voting and how they can be overcome. The Consultation Paper will be focusing on the barriers to voting on election day and if this can be overcome by moving election day to the weekend. One of the Government’s strategic aims is that people should be able to exercise their right to vote with ease and without unnecessary barriers.</p>
<p>Name (must be grade 5 or above): Mark Sweeney</p>
<p>Department: Electoral Policy Division</p>
<p>Date: 4 June 2008</p>
<p>If no adverse impacts have been identified and a full equality impact assessment is not going to be completed, please send a copy of the initial screening plus summary by e-mail to the Equality, Diversity and Human Rights Division. If a full equality impact assessment is required then retain the initial screening until the full impact assessment has been completed and then send both the initial screening and full equality impact assessment together to the Equality, Diversity and Human Rights Division.</p>

Consultation Co-ordinator contact details

If you have any complaints or comments about the consultation **process** rather than about the topic covered by this paper, you should contact Gabrielle Kann, Ministry of Justice Consultation Co-ordinator, on 020 7210 1326, or email her at: consultation@justice.gsi.gov.uk

Alternatively, you may wish to write to the address below:

Gabrielle Kann
Consultation Co-ordinator
Ministry of Justice
5th Floor Selborne House
54-60 Victoria Street
London
SW1E 6QW

If your complaints or comments refer to the topic covered by this paper rather than the consultation process, please direct them to the contact given under **the How to respond** section of this paper at page 23.

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