

DEMOCRACY VOLUNTEERS

WALES

Senedd Elections Report



Final Report on Welsh Senedd (Parliamentary) & Police and Crime Commissioner Elections 06/05/21

Objectives of the Observation

1. To objectively observe the electoral process across the Welsh Senedd (Parliamentary) & Police and Crime Commissioner elections before and during the election held on 6th May 2021.
2. To advise the local councils and national electoral bodies on the results of the observation for the improvement of electoral practice in these geographies.
3. To support local councils and national election bodies with constructive feedback on areas of concern so that they may consider legislative change and/or remedial action.
4. To provide feedback to local councils and national election bodies on the successes/shortcomings of ameliorations put in place to hold the elections safely during the Covid-19 pandemic.

Executive Summary

These elections were very well run by staff who were faced by an extraordinary situation. The Covid security put in place for the elections was impressive and generally followed the recommendations of Public Health Bodies and the UK's Electoral Commission.

The nature of many polling places, especially in smaller communities, can mean that the social distancing expected was difficult to deliver at times, but elections teams used local resources well to either combine polling stations or to manage access in as Covid secure manner as possible. This was especially difficult in mobile polling stations such as portacabins, where distancing was challenging. This was usually overcome by limiting the number of voters allowed in polling stations at any one time, which did lead to significant queues in some circumstances. At times these restrictions also limited access to some polling stations for observer teams, a crucial part of the electoral process.

Observers did note that quite often Covid security seemed to take precedence over electoral regulations. Our observer teams regularly see family voting in polling stations, where one member of a family influences or guides another on the way to cast their

vote. Our teams also observed a notable number of voters being turned away because they had attended the wrong polling station, were unregistered, or had a postal vote which precluded them from voting in person. In addition, in some instances Covid security measures such as distancing stickers on the floor, Perspex screens and posters were taken down before the close of polls at 10pm. It was also noted that on some occasions polling staff's attempts to distance from voters exacerbated confusions over the multiple elections being contested, their relevant ballot papers and how voters were to correctly mark their preferences.

We also note that several of our observer teams deemed polling, at a significant number of polling stations, to be unsuitable for disabled access. This, of course, includes wheelchair access, but also the location of polling booths and how they can be reached by voters with limited mobility.

Finally, our observer teams in Ynys Môn and Arfon observed that one candidate, Ms Michelle Brown (Independent), was not included on the ballot papers for the North Wales regional list. Polling staff asked voters to write Ms Brown's name at the bottom of their ballot paper and mark an X next to this if they wished to vote for her. However, our teams observed that this did not always happen.

Methodology

The observation took two forms: we invited Welsh council staff, responsible for running elections, to interlocutor meetings ahead of polling day, (a full list of which can be seen in Appendix A) and conducted in-person observations in polling stations. We also attended several counting sessions in the days following polling day.

We observed 248 polling stations across all forty Welsh parliamentary constituencies. A full list of the constituencies observed can be seen in Appendix B. Due to this, the data presented in this report comes from all constituencies, and as such, represents an overview of the state of the electoral process across the 40 constituencies observed. Only general conclusions about how the polls were run in localised areas can be extrapolated.

Each observation was conducted with two observers to allow for objective observation and the observers then agreed their opinions of the electoral process before submitting data to the central team. The observations generally took between twenty

and thirty minutes per polling station as the observers were asked to ensure that they attempted to see the entire process, which included staff greeting electors on arrival at the polling station.

In Wales, we deployed 27 observers. Because of the impacts of the pandemic, we provided online training for all observers, a follow up seminar and a series of online briefing sessions during the runup to the election. On polling day observers had a dedicated helpdesk for any questions they had concerning the election.

Elections staff across the council areas observed in Wales have been sent a copy of this report, and Democracy Volunteers will offer to conduct individual meetings, if requested, to discuss individual area's data to help improve the electoral process on a local level.

The Observation Team



Dr John Ault FRSA FRGS is the Director of Democracy Volunteers and was Head of Mission for the Welsh Parliamentary elections 2021.

John has worked in elections throughout the UK and the United States since the 1980s. He has observed on behalf of the OSCE/ODIHR in parliamentary elections as far afield as Kazakhstan and is a former chair of the UK's Electoral Reform Society.

He has served as Head of Mission on numerous elections for Democracy Volunteers including the UK general elections in 2017 and 2019, and the Finnish presidential and Dutch elections in 2017, 2018 and 2019. He has also been a consultant on the subject of electoral and parliamentary reform in Moldova and has worked as an elections expert for the Commonwealth Parliamentary Association. He is an Honorary Research Fellow at the University of Exeter and has previously lectured at Canterbury Christ Church University and the University of Manchester.



Harry Busz is Democracy Volunteers' Head of Operations and has worked for the organisation since October 2019. He is a graduate, having gained a BSc in Human Geography at Cardiff University and an MA in International Relations from Exeter University.

He has participated in numerous domestic and international observations such as the 2019 local elections in Northern Ireland, the provincial and Water Board elections in The Netherlands, and national elections in Austria, Slovakia, Ireland, and Gibraltar. He was also the general election coordinator for the 2019 UK general election for Democracy Volunteers.



Alison Ellison recently joined Democracy Volunteers as an expert, with her first mission being the virtual observation of the USA elections in November 2020. She began her career as a teacher after graduating from Keele University. She obtained her LLB (Hons) from the University of Northumbria and practised as a solicitor, firstly in private practice, and then as a senior solicitor with Cheshire County Council, specialising in governance, mental health, and education law.

After retiring she worked as an adviser to local charities on governance and funding. She is Vice Chair of myCWA, a charity supporting survivors of domestic abuse, and acts as a presiding officer in elections for her local area.

Credits

We would like to thank the councils and staff who welcomed our observers and held meetings with our team, providing information on the practical running of the election during the pandemic and the ameliorations that had been put in place to protect the safety of voters. We would also like to thank the UK's Electoral Commission for their assistance in accrediting our observers.

Funding Declaration

Democracy Volunteers observers deployed for the observations during the Welsh Parliamentary elections with the support of a grant from the Joseph Rowntree Reform Trust Ltd. This was arranged by Democracy Volunteers, and this covered observers' travel and any accommodation, if appropriate at the time. This funding covered travel expenses, some accommodation and subsistence for our volunteer observers.

Observer Training

To prepare our observers for their roles on election day, comprehensive training was given through a variety of methods. As we were unable to meet most of our new observers in person prior to the election, due to the pandemic, our training was adapted and delivered through an online training platform called Teachable, seminars and follow up Q&A sessions.

Each new observer completed our 'Short Term Observer' training course which covers a variety of topics such as what to take with you on the day, how to observe the process in an impartial manner, how to report findings and other key aspects of observation. Following this, observers were given several options on when to attend a follow up seminar with our Head of Training, Max Wheeler, where he fielded any questions, observers had about the course and presented walkthroughs of how to observe inside polling stations and how to work logistically on polling day.

Closer to polling day a shorter course was taken by observers, which focussed on how to observe safely during the pandemic and how to report on voters that were excluded in polling stations. All new observers completed both courses and the seminar.

For those observers who attended counting, an additional online course was given. This course explained how to observe and report on the counting process and gave more information on how counting would be conducted under the Welsh Parliament's Additional Member System.

In the final deployment briefings, conducted in the days prior to the election, observers were all given an opportunity to ask any questions about the day's proceedings in Q&A sessions. This gave them the chance to gain clarity on any issues they had and how to carry out their observations to our high standards.

Covid-19 Testing

We asked all our observers to conduct a Covid-19 testing regime before and after the election. Using tests provided by the UK government each observer was issued with lateral flow tests to take in advance of polling day and on the Sunday after. All tests for all observers were negative.

Evidence Collection

As well as our normal in-person observations of polling stations, we also conducted a series of interviews with local council officials charged with running the elections. These included councils which we could not visit as well as those we planned to observe. We advised all councils ahead of our observations that we intended to conduct observations.

A great deal of thought had gone into the planning of the elections, in terms of where polling could take place and how ameliorations could be deployed to ensure the safety of both voters and elections staff. We identified three clear areas for discussion. These were:

- Before the polls (nominations, postal voting etc.)
- Polling Day
- The Count

Our discussions were semi-structured to enquire on these three areas and to give our interviewees the capacity to also add anything they wished to in an open conversation.

We conducted all these meetings under Chatham House Rules informing interviewees that we would say who was in attendance but would not quote anyone directly.

Candidates and their party agents had been more than happy to comply with new rules concerning access to staff for the nomination process. Nominations is a point in the process where staff must potentially interact with numerous party officials and they, in turn, must interact with signatories for the election, as well as party representatives. This can be quite a large number. This year councils extended the informal process of checking nomination papers by allowing this online, and this proved to be an effective way of limiting interaction between staff and party representatives. All the councils we spoke to thought online remote training for staff had been an effective innovation as staff can review the training, allowing them to plan their timing within their own schedule.

As can be seen from our questions, polling day now has aspects which indicate that the election space is now more akin to what can be seen in a retail setting. There are markers on the ground for queuing, screens between voter and staff, hand sanitiser on entrance and exit, as well as extensive cleaning protocols being used, including giving every voter their own pencil to vote with, although this was not always observed. These protocols, put in place by the councils made the polling stations look much more secure from the perspective of Covid 19, and created a strong sense that those conducting the elections had conducted extensive risk assessments and done as much as possible to ensure public safety. Halls were invariably larger than normal polling stations we see. In some cases, multiple ballot boxes were used in several parts of the building, essentially becoming super-polling stations to combat Covid-19. Councils had conducted risk assessments for these locations and some Presiding Officers were given bespoke advice for how to best layout their station.

However, some polling locations were found to not be suitable for conducting the elections during the pandemic. Although mobile polling stations (often small portacabins) were more difficult to source due to them being used for vaccination centres and testing sites, those that were used did occasionally cause crowding and queues. These locations and other similarly small venues were also not able to suitably accommodate independent election observers.



Figure 1. Left: A small queue observed outside one polling station. Right: The entrance to a polling station with floor markings and signage.

Councils did report some evidence that some small number of staff had been concerned about being involved due to the possibility of infection, but this was overcome by staff and there appeared to be little concern that polling would not be well staffed. Indeed, staffing was higher than usual due to the use of ‘information officers’ at the entrance to polling stations to show voters how to vote in a safe manner.

Despite expectations that there would be a substantial increase in the take up of postal voting this did not fully transpire, despite there being some increase. The extension of this form of unsupervised voting can lead to some concern about the process being open to influence from family members in the home. Councils told us they generally coped very well with the increases, and some had big social media drives to get more postal voters.

Social media was also one of the key tools used, alongside collaboration with local schools and colleges, for councils to convey election information to newly enfranchised 16 & 17 year olds regarding the parliamentary elections. Guidance and information were also disseminated through the ‘Welcome to your vote’ campaign, run by the Electoral Commission¹ and through organisations such as Urdd’s Vote 16/17 project².

¹ <http://www.electoralcommission.org.uk/welcome-your-vote-campaign>

² <https://www.urdd.cymru/en/youth-and-community/youth-work/pleidlais-1617/>

There were some concerns that the extension of the use of emergency proxies was a novel answer to solving the challenge of those being asked to self-isolate not to lose their franchise. It was pointed out that proxies are usually a family member so that this might not be a perfect solution to this challenge created by the pandemic, especially in some areas with more limited communications on polling day. However, as the pandemic had peaked in January/February, staff generally believed that emergency proxies would not be extensively requested in May due to lower numbers of infections. Councils had put measures in place to ameliorate this problem if there was a sudden increase in applications for emergency proxy votes, with more seamless communication between EROs and Presiding Officers ('cutting out the middleman'). Some had also taken on additional staff for this reason/ had plans to draft staff in from other areas of the council.

Recommendations

1. Presently, nominations require a so-called 'wet signature'. We would encourage legislators to allow nominations to be conducted digitally, as councils are accepting bank transfers for deposits for the May elections. Many documents are signed digitally today, and it seems a reasonable use of modern technology to allow parties and individuals seeking election to be nominated using a digital signature sent from a known email contact.
2. We would encourage polling staff to take longer explaining the process to first time voters including 16-17-year-olds, especially concerning the voting system. We identified some confusion with this group which led to the opportunity for, and evidence of, family voting when these young people often asked their parent or relative for advice on how to cast their ballot once they had entered the polling booth.

These voters often received guidance on how to complete their ballot paper, often unsolicited, and this is an area we would encourage voters and staff to have more awareness of as to not limit the secrecy of the ballot for this group.

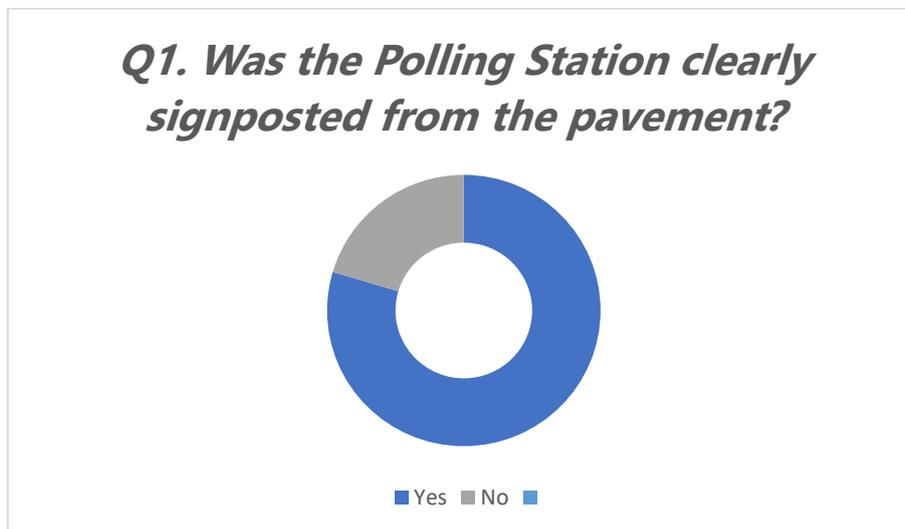
3. Family voting, where one voter guides or oversees the vote of another person, continues to be a challenge and we recommend that staff are trained to identify it and to deal with it. We believe there is even more inhibition to interrupt this practice, at the moment, as it could require staff to physically intervene at a polling booth which could conflict with social distancing. As staff have been

encouraged to stay behind their Perspex screen they have not intervened when they have seen the practice. But we also believe, because staff have been occupied with more duties than usual, that they have not identified family voting as they have not been focusing on the voters' behaviour with a more constant stream of voters.

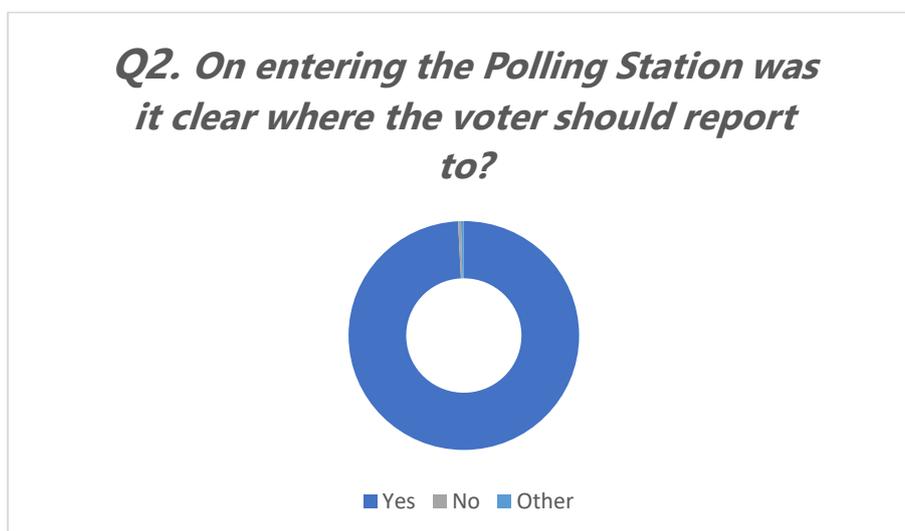
4. Whilst information officers have been brought in specifically to advise voters presenting themselves at polling stations during the pandemic, we believe they would be an asset in all future elections, to assist voters in understanding the process from the moment they arrive. This additional member of staff could also be used to help prevent cases of Family Voting and ensure votes are placed into the correct ballot box, in polling stations with multiple boxes. This would be especially useful when multiple polls are being held on the same day as was the case at these elections.
5. We would recommend that Returning Officers remind polling staff that observers are legally allowed to enter the polling place and safe mechanisms for them to do so should be in place. In some council areas designated safe areas were set out for observation, distanced from others whereas in other councils our presence was very much questioned. Suitable venues should be used as polling stations to make this safe in the current context and moving forwards.
6. As things stand those who complete their postal vote incorrectly receive notification of this up to three months after the election. With increased use of postal votes in this election we believe there will be a significant increase in those that are disqualified due to incorrectly completed personal identifiers. We would encourage legislators to enact legislation to allow those who have not complied, and become effectively disenfranchised, to require returning officers to reissue postal votes to this group of voters to allow them, before polling day, to have their vote again.
7. Overnight counting was not used in this election, and we believe, with the necessary security in place, that council staff and counting staff found this a much more conducive working environment than potentially exceptionally long counts through the night. We would recommend that next day counting, for Welsh elections, should be used in future elections as well.

Results of the in-person Polling Station Observations

The observers answered the following questions in order as they progressed with each observation at each polling station:

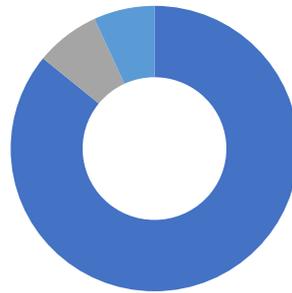


QUESTION 1: Signposting of the polling stations was generally very good. In addition to signage, most stations had an array of party representatives and the public outside also making them visible. (N.245)



QUESTION 2: Observers identified that in all but two polling stations it was clear where the voter should report to. They were aided by both correctly presented signage and the 'Information Officer'. (N.248)

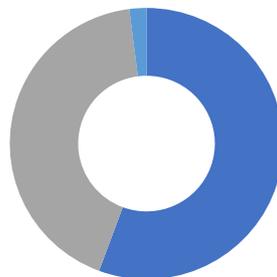
Q3. Was it clear how disabled voters would access the Polling Station?



■ Yes ■ No ■ Other

QUESTION 3: Disabled access was generally very good with around 85% of polling stations being easily entered by disabled citizens. This was done through wheelchair ramps and the selection of accessible buildings. However, a few buildings did have limited access due to step hazards on the entrance and exit from buildings and a lack of power assisted doors. (N.248)

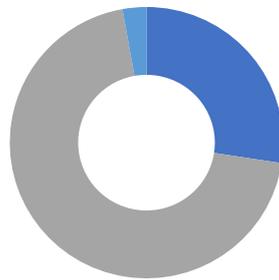
Q4. Did the polling staff ask to see your accreditation on arrival?



■ Yes ■ No ■ Other

QUESTION 4: Polling staff did seem aware that observers would be attending on polling day. Generally, the ID provided by the Electoral Commission was not routinely checked on arrival, but some presiding officers did so at some point in the observation. (N.248)

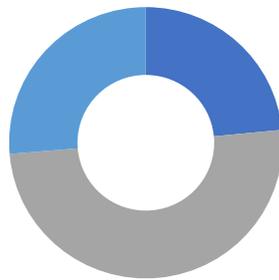
Q5. Did they record your ID number on an official form?



■ Yes ■ No ■ Other

QUESTION 5: Some councils were prepared for the process and recorded them diligently on arrival. Some councils did note names but not the official accreditation details. Generally, our attendance was not recorded. (N.248)

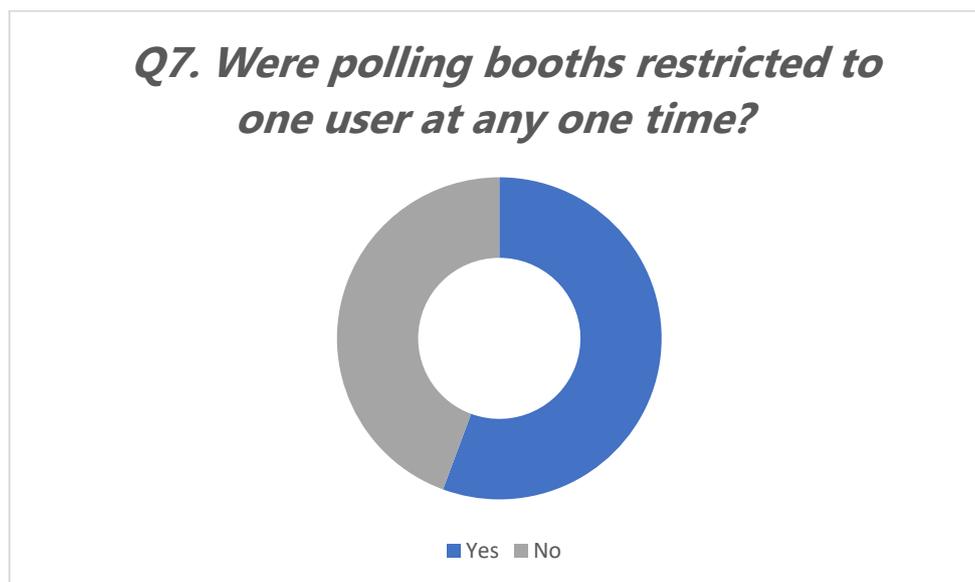
Q6. How many staff were on duty in the polling station?



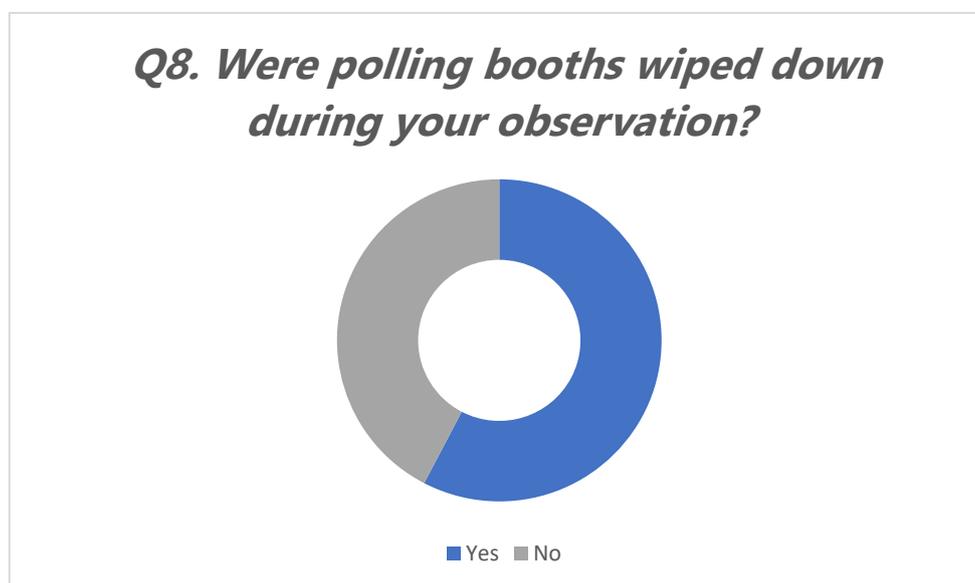
■ 2 ■ 3 ■ 4+

QUESTION 6: Most polling stations observed had 2 (23%) or 3 (50%) members of staff on duty, with many having four or more staff on duty (27%). No polling stations did not have at least two members of staff when we observed the polling stations. This number generally included one presiding officer with one poll clerk at a desk, as well as an 'information officer' who informed voters of the process on entry and asked them to follow Covid procedures. If there was more than one ballot box in the polling station, they also gave guidance on which to proceed to. (N.247)

Questions about Covid ameliorations

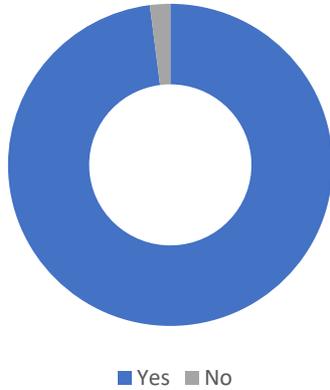


QUESTION 7: Different polling stations had differing configurations of polling booths. Some used the traditional polling booth (like a cubicle) and others used the cross formed plastic pop-up versions which allow four people to vote at once. In 44% of cases polling booths were not limited to just one user at a time. (N.248)



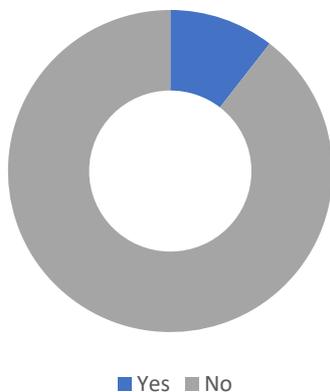
QUESTION 8: During the pandemic, the maintenance of cleaning of polling booths is considered a high priority to avoid the transmission of the virus between voters using polling booths. This was most commonly done through wiping surfaces with cleaning sprays. However, bearing in mind our observations are now restricted to approximately 20 to 30 minutes, we saw no cleaning at all in 42% of the polling stations we observed. In others, the cleaning was extremely diligent. (N.248)

Q9. Were plastic screens in place between voters and staff?



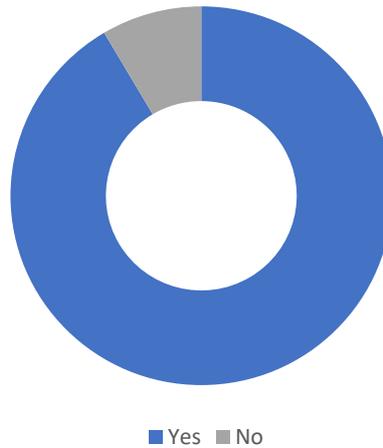
QUESTION 9: Our observer teams generally saw screens between polling staff and those voters attending the polling station. These varied from pop-up stands similar to conference banners to bespoke barriers which had been manufactured for the purpose, similar to those seen increasingly in retail contexts. However, because of the decreased sound quality, especially in larger venues, we noticed that a great deal of these barriers were often circumvented by both staff and voter so that they could hear each other when they communicate, whether when the voter is giving their name and address, or when the polling staff are explaining the voting methodology, both of which are required as part of the process of issuing a ballot paper. (N.248)

Q10. Were plastic screens in place between staff?



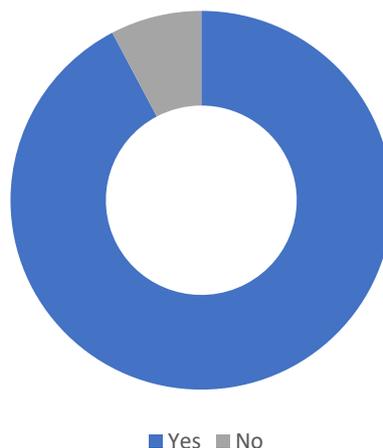
QUESTION 10: In 90% of polling stations observed no screens were in place between staff members. (N.248)

Q11. Were the staff wearing masks?



QUESTION 11: As mask wearing is becoming an increasingly accepted part of indoor interaction, such as in retail settings, we also asked our observers to assess if staff were wearing masks during their duties. We exclude any staff sitting out of the process for lunch etc. 91% of staff were wearing masks during our observations and 9% were not. NB. We are aware that staff, sitting at a desk in whilst at work are often not formally required to wear facemasks. However, we feel in this context of a polling station, this description of the context could be arguable. (N.247)

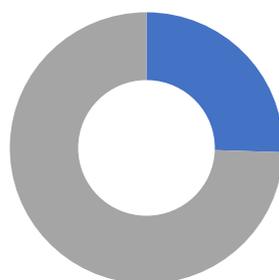
Q12. Did any voters not wear masks?



QUESTION 12: Similarly, we asked our observers to assess if any members of the public did not wear masks, which is of course, lawful if they have a medical reason to do so. We saw voters not wearing masks in 7% of polling stations. (N.246)

Election Security

Q13. Was there evidence of 'family voting' in the polling station?



■ Yes ■ No

QUESTION 13: In 26% of polling stations (63 of the 247), our observer team identified so-called 'family voting'. We regularly check for family voting as part of our routine checks at polling stations and had discussed whether we would still see it bearing in mind the physical limitations caused by social distancing. We observed 2,887 voters enter a polling station and we observed 98 cases of family voting (which involves a minimum of two people). This meant that approximately 6.8% of individuals we observed voting were involved in family voting. Family voting occurs when one member of a family oversees the voting of another or directs them how to vote.

In these cases, we observed:

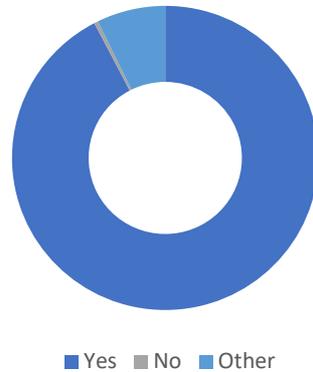
- 21% - Clear direction by one member of the family to another
- 28% - Two or more family members in the booth colluding on voting intention
- 23% - One family member overseeing how another family member was voting
- 16% - Casual oversight of another person's vote
- 13% - Other³.

The OSCE/ODIHR describes 'family voting' as an 'unacceptable practice'.⁴ (N.247)

³ All figures accurate to 1 decimal place.

⁴ <http://www.osce.org/>

Q14. Was the Ballot Box completely sealed?

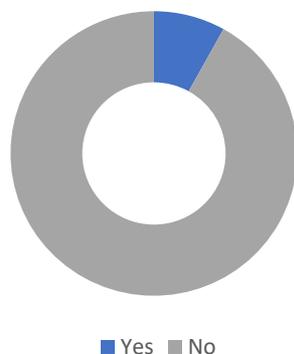


Question 14: An important aspect of the electoral process is that the ballot should be secret and maintained as such, allowing no one access to the ballot papers. The process for closing and sealing a ballot box, from the opening of the polls at 7am and closing at 10pm, is an integral part of the electoral process.

In just one polling station (0.4% of polling stations observed) the ballot box was not completely sealed. Ensuring ballot boxes are sealed correctly is vital to the security of the election.⁵ (N.248)

⁵ The original question was: The Ballot Box should be completely sealed with the required number of cable ties. Is it? (This can be 2 or 4 dependent on the type of ballot box. In some cases, it can also be a small plug which may not be immediately visible).

Q15. During your time in the polling station did you see any voters turned away or excluded?

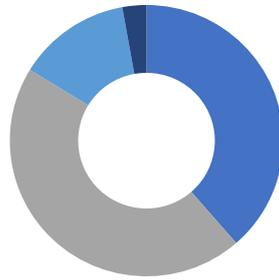


Question 15: Throughout our observations we saw cases of voters being excluded from the process in 20 polling stations. It is important to note that exclusions can happen for many different reasons, both legitimate and illegitimate.

Observers were asked to record when this was the case for reasons such as a voter not being registered to vote, attending the wrong polling station, not being eligible to vote, having already voted or due to human errors, such as 16- & 17-year-olds being wrongly denied their vote in the parliamentary election. 16- & 17-year-olds were allowed to vote in the parliamentary election, but not the PCC election due to the differing franchises. In all cases this was correctly explained to these voters by polling staff.

In the vast majority of cases observed, voters were turned away due to being at the wrong polling station or not being on the electoral register. Some were excluded as they attempted to vote despite being issued with postal votes. (N.248)

Q16. Overall how would you rate this polling station?



■ Very Good ■ Good ■ Bad ■ Very Bad

QUESTION 16: 84% of polling stations were judged to be Very Good or Good, with 33 being described as Bad, with 7 being Very Bad. (N.246)

We are often asked how we define this test. We use the same system as the OSCE/ODIHR, where our observers are asked to consider their overall view of a polling station and how it was managed. There are two aspects of the process which should be considered in this judgment, the role played by the staff and that of the public. Family voting in a polling station is something that will lead to a negative result but, if prevented by the staff, this would not be considered negative. A ballot box being completely unsealed would lead to a 'Very Bad' rating as this is an integral part of the process of electoral integrity.

Appendix A – List of Interlocutors

COMMITTEE ON STANDARDS IN PUBLIC LIFE

Lord Jonathan Evans KCB DL (Chair)

THE ELECTORAL COMMISSION

Rhydian Thomas (Head of the Electoral Commission in Wales)

Tom Hawthorn (Head of Electoral Policy)

Mairaid McMahon (Manager, Election Observers Programme)

THE ASSOCIATION OF ELECTORAL ADMINISTRATORS

Peter Stanyon (Chief Executive)

ACADEMICS

Dr Alistair Clark (Newcastle University)

Professor Roger Scully (Cardiff University)

Election Awareness Campaigners

Grug Muse (Urdd's Vote 16/17 project)

COUNCILS

Cardiff Council

Rebecca Light (Electoral Services Manager)

Neath Port Talbot Council

Rhys George (Elections Manager)

Denbighshire County Council

Steve Price (Democratic Services Manager)

Appendix B – List of Constituencies Observed

Aberavon
Aberconwy
Alyn & Deeside
Arfon
Blaenau Gwent
Brecon & Radnorshire
Bridgend
Caerphilly
Cardiff Central
Cardiff North
Cardiff South & Penarth
Cardiff West
Carmarthen East & Dinefwr
Carmarthen West & South Pembrokeshire
Ceredigion
Clwyd South
Clwyd West
Cynon Valley
Delyn
Dwyfor Meirionnydd
Gower
Islwyn
Llanelli
Merthyr Tydfil & Rhymney
Monmouth
Montgomeryshire
Neath
Newport East
Newport West
Ogmore
Pontypridd
Preseli Pembrokeshire
Rhondda
Swansea East
Swansea West
Torfaen
Vale of Clwyd
Vale of Glamorgan
Wrexham
Ynys Môn