

WELSH GOVERNMENT

DRAFT INTEGRATED IMPACT ASSESSMENT

Title of proposal:	Electoral Administration and Reform White Paper
Official(s) completing the Integrated Impact Assessment (name(s) and name of team):	Mathew Xerri Electoral Reform Policy
Department:	Covid Recovery & Local Government Group Elections Division
Head of Division/SRO (name):	Michael Kay
Cabinet Secretary/Minister responsible:	Counsel General & Minister for the Constitution Minister for Finance & Local Government

Start Date:

October 2022

CONTENTS

Section 1. What action is the Welsh Government considering and why?.....	4
Section 8. Conclusion.....	8
Section 9. Declaration.....	15

SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

The Electoral Administration and Reform White Paper sets out a range of proposals building on the Welsh Government's framework for electoral reform published in July 2021. The principles of that framework are:

- Equity:
- Accessibility:
- Participation:
- Improving citizen experience:
- Simplicity:
- Integrity:

The proposals will help to deliver on the Programme for Government commitments to:

- Reform local government elections to reduce the democratic deficit
- Expand our Access to Elected Office programme.

They include a mixture of non-legislative propositions to promote engagement in elections and make standing for election safer and more straight forward, proposals for legislation to consolidate and modernise electoral law which we would look to introduce during this Senedd, and longer-term propositions for electoral reform to support Welsh democracy in the future.

Long term

The White Paper consults on specific proposals for the short to medium term, within the context of a longer term vision. This also takes into accounts trends in the longer term such as a divergence in the way reserved and devolved elections are run. Some of the areas for consideration in the longer term include:

- Enfranchising some prisoners from Wales
- Consolidating the law for accessibility and simplicity
- Electronic remote voting / online absent voting
- Continuing to promote diversity in democracy
- An all-Wales database of electoral registration data
- Monitoring the impact of existing legislation, including coincidence or combination of elections, digital imprints for digital campaigning material and online nominations

Prevention

The proposals in the White Paper seek to support social-community cohesion by enabling more people to be engaged in democracy, as both voters and candidates. Proposals to strengthen democratic health will help address the democratic deficit and reduce existing inequalities in democratic participation and seek to prevent any widening of inequalities.

Integration

The proposals in the White Paper are intended to deliver the Programme for Government commitment to reform local government elections to reduce the democratic deficit and make improvements to Senedd elections. There are a number of interdependencies with the Senedd Reform Bill and officials are working together in an integrated way on those areas.

The overall aim to improve democracy and address the democratic deficit and many specific proposals within the White Paper are clearly aligned with four of the seven wellbeing goals:

- A prosperous Wales – For example the creation of a small number of jobs through the Electoral Management Board and alignment with aims of the new national curriculum, in particular helping learners to consider the impact of their actions when exercising their democratic rights and responsibilities. Also developing learners as self-aware, informed, ethical global citizens.
- A more equal Wales – For example proposals to improve accessibility and diversity, both for voters and for candidates
- A Wales of Cohesive communities - Many of the proposals will support improved participation in democracy and people's engagement with their local communities
- A Wales of vibrant culture and thriving Welsh language – including consideration of Welsh language requirements for Returning Officers at elections

Collaboration

We have engaged extensively with colleagues across the Welsh Government and relevant external partners and stakeholders in order to develop these proposals. We will continue to work closely with Key partners, including local authorities, the Association of Electoral Administrators, the Electoral Commission, other UK governments and third sector organisations.

Involvement

The proposals in the White Paper have been shaped by extensive engagement with the electoral sector, stakeholders and the public. They also build on previous engagement over many years,

including our consultation in 2017, “Electoral Reform in Local Government Wales” and the subsequent implementation of the Senedd and Elections (Wales) Act 2020 and the Local Government and Elections (Wales) Act 2021.

The White Paper consultation offers an opportunity to continue the conversation with the people of Wales about the future of elections. To ensure wide engagement we will be publishing an Easy Read version and a young person’s version of the White Paper.

As well as the formal consultation process, we will continue to work closely with key stakeholders to develop the proposals further, including through specific working and reference groups.

Engagement will be needed with political parties where policies will affect the way in which candidates are treated or where changes are made to the rules governing political parties and their campaign activities. We will also work with electoral administrators in designing and testing changes to electoral processes. The Electoral Commission and Association of Electoral Administrators will be key partners in supporting this work and we have a good working relationship with them.

Impact

The proposals in the White Paper will deliver the Programme for Government commitment to reform local government elections to reduce the democratic deficit. They also support the Future Generations goal of a more equal Wales, with the intention of making democracy and voting more accessible to all members of our society and encouraging active participation in democratic life in Wales. Our reforms will help people become more active, engaged citizens and in doing so can contribute to better socio-economic outcomes. The White Paper gives a strong message about our commitment to electoral reform and modernising the administration of elections in Wales. The proposals show the electoral community in Wales the foundation of our electoral reform programme, as well as the ethos we expect to underpin electoral work at a local level. It would send a direct message that the Welsh Government has an extensive, coherent and ambitious agenda we want to deliver in partnership with local government.

Specific proposals will improve the administration of devolved elections, make use of new technology and make it easier for voters and candidates to participate in democracy. There will be transitional impacts so communications and awareness campaigns will be needed to keep electors informed of changes to processes about the way in which they vote or are represented.

The purpose of the White Paper consultation is to explore the impacts of proposals further with a wide range of stakeholders to inform their development.

Costs and Savings

Costs and savings of legislative proposals within the White Paper are set out in the draft Regulatory Impact Assessment. It is only possible to estimate monetised costs and benefits for some of the proposals at this stage. The consultation will help to identify additional and alternative sources of information and evidence to support the assessment of costs and benefits as the proposals are developed further.

Mechanism

The White Paper sets out a range of legislative and non-legislative proposals and more open questions to support longer-term policy development to reduce the democratic deficit in Wales.

SECTION 8. CONCLUSION

8.1 How have people most likely to be affected by the proposal been involved in developing it?

The White Paper has been informed by extensive previous engagement, consultation and collaborative working on the development of previous legislation.

We have met a range of key stakeholders, which has helped to inform the proposals, including:

- Local authorities
- Welsh Local Government Association
- Association of Electoral Administrators
- The Electoral Commission
- Other UK governments
- RNIB
- One Voice Wales
- Wales Electoral Co-ordination Board (WECB)
- Third sector organisations
- Local Democracy and Boundary Commission for Wales
- Independent Remuneration Panel for Wales.

The White Paper consultation offers an opportunity to continue the conversation with the people of Wales about the future of elections. To ensure wide engagement we will be publishing an Easy Read version and a young person's version of the White Paper.

As well as the formal consultation process, we will continue to work closely with key stakeholders to develop the proposals further, including through specific working groups and reference groups.

We have engaged and will continue to engage with the following:

- Children and young people and their representatives

We will continue to engage with the partnership set up in 2021 to encourage young people to register to vote. This partnership provides an opportunity to work with a large number of groups across Wales and aims to support young people in engaging with democracy and building confidence to take part in elections.

- People with protected characteristics under the Equality Act 2010

We have engaged with RNIB and other disability groups to develop proposals in relation to accessibility. We will continue this and engage directly with disabled people, via the Disability Rights Taskforce to ensure we engage with disabled.

Access to Elected Office Fund - we have engaged with a number of groups representing people with protected characteristics in our evidence gathering and research to develop proposals to extend the Fund.

- Welsh speakers and Welsh language specialist groups

We will engage the Welsh Language Commissioner and take their advice on other Welsh language groups to engage with.

- Other people who may be affected by the proposal.

We will use communications tools and networks to spread the consultation as widely as possible to get a broad range of views from people who may be affected.

8.2 What are the most significant impacts, positive and negative?

The most significant positive impacts of the proposals broadly fit into the following key themes:

- making democracy and voting more accessible to all members of our society and encouraging active participation in democratic life in Wales
- helping people become more active, engaged citizens and in doing so contribute to better socio-economic outcomes
- modernising the administration of elections in Wales
- improving the use of technology to make it easier for voters and candidates to participate in democracy

The most significant negative impacts will be administrative and compliance costs, particularly for the Welsh Government and local authorities. The Welsh Government will provide additional funding to local government for any new burden resulting from proposals taken forward from the White Paper. Financial costs and benefits are set out in a separate Regulatory Impact Assessment.

Social well-being

We expect the proposals to have a positive impact on people and communities, through supporting people to participate fully in our vibrant democracy.

Proposals will ensure more accessible information for voters and help to remove barriers that disabled people face to being able to vote independently and in secret. These proposals will be developed in line with the Social Model of Disability.

The fundamental purpose of the automatic registration proposal is to make it as easy as possible for an elector to be on the electoral register. We propose to put mitigations in place to ensure that those groups that are not always captured in routinely collected data sets, are identified and registered using tailored methods (community engagement officers for instance).

The foundation of any democracy includes fair and independently drawn electoral boundaries, creating electoral wards, so each community has fair and equal representation. The White Paper proposes a number of improvements to the electoral and community review process that better support the aim of effective and convenient local government.

Proposals for digital innovations could have a positive impact on voters and on democratic inclusion in Wales by supporting greater flexibility for voting and improving public confidence in the postal voting process.

Children's Rights

Ensuring young people are on the electoral register is an important development to realise the potential of the extension of the franchise to 16 and 17 year olds. Provisions to mandate automatic registration will require local authorities to use local data (including education data) to ensure as many young people as possible are registered to vote in devolved elections and enabled to exercise their right to vote.

Equality

As well as the accessibility proposals already mentioned above, the White Paper proposes a range of measures to protect candidate safety which would help to ensure a wider and more diverse range of candidates standing for elections, including people with protected characteristics. The proposals to strengthen the Access to Elected Office Fund would also support this aim.

Rural Proofing

The proposals are not likely to have a significant impact on rural people and communities specifically, however proposals in the following areas may have a slight positive impact on rural communities:

- Changes to the arrangements for electoral and community reviews
- Flexible voting
- Consideration of Welsh language requirements for Returning Officers

Privacy

There are likely to be impacts on privacy from many of the proposals, particularly in relation to proposals around voter registration, the candidate survey and digital innovations.

Cultural well-being and the Welsh language

One particular area of the White Paper likely to have a positive impact on the Welsh language is the proposal to explore requirements relating to the Welsh language for Returning Officers. This is likely to have a positive impact on Welsh speaking people engaging in elections.

Another area where there could be a positive impact on the Welsh language are the proposals to reform the conduct of electoral and community reviews to give specific and earlier consideration and consultation with the public and stakeholders on the Welsh and English names of wards and communities.

Economic well-being

We have made an initial assessment of the economic costs and benefits of legislative proposals in the White Paper in a separate Regulatory Impact Assessment. This will be refined as the proposals are developed following consultation. This will include a competition assessment.

Business, the general public and individuals

Many of the White Paper proposals will have positive impacts.

The proposals to improve the Access to Elected Office Fund will support individuals from underrepresented groups to stand in local government elections.

As part of the modernisation of Welsh election processes, the Welsh Government is seeking stakeholder views on the introduction of a range of digital innovations.

There will be impacts on business suppliers involved in these areas. We will consider the impacts with stakeholders as potential delivery options become further developed following the consultation.

The proposals in relation to campaign finance, expenses and political party spending will have an impact on political parties and individual candidates and we will consider the impacts fully as the proposals are developed following consultation.

The consideration of restating the franchise and updating the franchise and candidacy rights for EU citizens now that the UK has left the EU will have a positive impact of ensuring clarity for individuals as well as for public sector bodies.

Public Sector including local government and other public bodies

Most proposals in the White Paper are likely to have an effect on the public sector, particularly local authorities. Also, the Electoral Commission, the Local Democracy and Boundary Commission for Wales and the Independent Remuneration Panel. Some of the main impacts are set out here. Economic costs and benefits of legislative proposals are assessed separately in the draft Regulatory Impact Assessment.

Automatic registration will have a significant impact on local government with an increased need for electoral administration and engagement with electors. While this would likely require additional resources in the short term, the policy should result in better data collection and improve the completeness of the electoral register.

We expect the proposals for an Electoral Management Board would have a positive impact on local government through improved coordination of elections, greater collaboration between key partners and through peer support for administrators and practical advice on the implementation of guidance and legislation. There could potentially be cost savings for the Electoral Commission, which currently operates the Wales Electoral Co-ordination Board (WECB) on a voluntary basis. The introduction of digital solutions will have an impact on local authorities. Many of the digital innovations under consideration may reduce the administrative burden of delivering an election for Local Authorities. If introduced, flexible voting could deliver positive impacts for voters and there would be negative impacts for local authorities including additional cost and complexity of administration. There would be additional complexities for elections teams if different arrangements were in place for devolved and reserved elections, for example in relation to Senedd and Police and Crime Commissioner elections which are often combined.

The proposals for changes to the arrangements for electoral and community reviews and transfer of functions from the Independent Remuneration Panel will impact on the Local Democracy and Boundary Commission for Wales and the Independent Remuneration Panel.

Third Sector

The proposals in the White Paper are not likely to have significant impacts on third sector organisations.

Justice

We will complete a Justice Impact Assessment for any primary legislation taken forward from the white paper consultation.

Environmental well-being

There is not likely to be any significant environmental impact from these proposals.

Natural Resources

Many of the proposals in chapter 4 of the White Paper – Strengthening Electoral Administration - will help to support the National Priority within the Natural Resources Policy of *Taking a place-based approach*. This will be through supporting community cohesion and secure and stable employment. In particular, accessibility proposals, in line with the Social Model of Disability, will support community cohesion. The proposal to establish an Electoral Management Board as a public body would create a small number of jobs, helping to support secure and stable employment.

Biodiversity

We will consider a Biodiversity Impact Assessment for any firm proposals taken forward from the consultation. One particular potential area would be the proposal for establishing an Electoral Management Board, in terms of procuring premises and ensuring there are no negative impacts on biodiversity.

Socio-economic disadvantage

We expect that a number of proposals within the White Paper will support the socio-economic duty, by tackling inequalities, include the following:

Changes to electoral and community reviews

As part of the improvements to this process, it is proposed that the Commission considers, amongst other things, socio economic aspects of the make- up of communities. It is important to ensure communities can access their local representatives regardless of their economic circumstances.

Accessible voter information and Improving accessibility of electoral process for underrepresented people

The White Paper consults on proposals to provide more accessible information and to consider ways to remove barriers to disabled people voting independently and in secret. This is expected to help to improve understanding of and participation in elections for disabled people and other people with socio-economic disadvantages.

Access to Elected Office Fund

The proposals to improve the operation of the fund could help to improve diversity amongst elected officials, particularly from underrepresented groups, which would include people with socio-economic disadvantages.

Specific impact assessments

We expect that as proposals are developed further, following the consultation, we will undertake the following full specific assessments:

Children's rights
Equality
Socio-economic Duty
Rural Proofing
Privacy
Welsh Language
Economic / RIA
Justice
Biodiversity

The wellbeing goals

Alignment with the wellbeing goals is set out in section 1.

8.3 In light of the impacts identified, how will the proposal:

- **maximise contribution to our well-being objectives and the seven well-being goals; and/or,**
- **avoid, reduce or mitigate any negative impacts?**

The consultation offers an opportunity to test the assumptions of the impacts set out in this assessment. We hope to identify other impacts which we can consider further as we develop the proposals and form mitigations for negative impacts.

We will use the assessments set out here and further assessments to help ensure that proposals taken forward from the consultation can be delivered in the best way to maximise the social, cultural, environmental and economic wellbeing of Wales.

We have set out above the key impacts of the proposals, which are mostly positive, including alignment with the wellbeing goals. For the main negative impacts in terms of cost, we will work closely with stakeholders to take forward proposals in the most cost-effective way. For example, we propose pilots to determine the most effective way of delivering automatic registration before rolling this out nationally.

There are a number of interdependencies with the Senedd Reform Bill and officials are working together on those areas. We will work closely to ensure that any legislation taken forward from the White Paper can be delivered in an integrated way with that Bill, including providing support in joined-up way for local authorities and other partners for new functions and requirements.

8.4 How will the impact of the proposal be monitored and evaluated as it progresses and when it concludes?

The Welsh Government will work closely with all key stakeholders to design and develop an approach to monitoring the impact of proposals, as they are developed further, including a post implementation review, as legislation is developed, following the White Paper consultation. This will be informed by the approach taken to reviewing the implementation of other recent electoral legislation, such as the Local Government and Elections (Wales) Act 2021.

SECTION 9. DECLARATION

Declaration

I am satisfied that the impact of the proposed action has been adequately assessed and recorded.

Name of Senior Responsible Officer / Deputy Director:

Michael Kay

Elections Division

Department:

Covid Recovery & Local Government Group

Date:

02/09/2022