

## Agenda – Llywydd’s Committee

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Meeting Venue:	For further information contact:
Committee Room 4 – Tŷ Hywel	Huw Gapper
Meeting date: 6 November 2020	Committee Clerk
Meeting time: 09.30	0300 200 6565
	<a href="mailto:seneddlc@senedd.wales">seneddlc@senedd.wales</a>

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In accordance with Standing Order 34.19, the Chair has determined that the public are excluded from the Committee's meeting in order to protect public health. This meeting will be broadcast live on [www.senedd.tv](http://www.senedd.tv)

- 1 Introductions, apologies, substitutions and declarations of interest**  
(9.30)
  
- 2 Scrutiny of the Electoral Commission's financial estimate 2021/22 and five-year plan**  
(9.35 – 10.30) (Pages 1 – 84)
  - Paper 1 – Financial Estimate of the Electoral Commission
  - Paper 1, Annex A – Financial Estimate of the Electoral Commission
  - Paper 2 – Electoral Commission five-year plan
  - Paper 3 – Advice from the Welsh Ministers on the Electoral Commission’s financial estimates and five year plan
  - Paper 4 – Report from The Comptroller and Auditor General on the Electoral Commission’s estimates 21/22
  - Paper 5 – Additional information from the Electoral Commission

Dame Elan Closs Stephens CBE – Electoral Commissioner, Wales

Bob Posner – Chief Executive, Electoral Commission

Kieran Rix – Director, Finance and Corporate Services, Electoral Commission

Rhydian Thomas – Head of Electoral Commission, Wales, Electoral Commission

Attached Documents:

Paper 1 – Financial Estimate of the Electoral Commission

Paper 1 Annex A – Financial Estimate of the Electoral Commission

Paper 2 – Electoral Commission five-year plan

Paper 3 – Advice from the Welsh Ministers on the Electoral Commission's financial estimates and five year plan

Paper 4 – Report from The Comptroller and Auditor General on the Electoral Commission's estimate 21 /22

Paper 5 – Additional information from the Electoral Commission

**3 Motion under Standing Order 17.42(ix) to resolve to exclude the public from the remainder of the meeting**

**4 Scrutiny of the Electoral Commission's financial estimate 2021/22 and five year plan: Consideration of evidence**  
(10.30 – 11.00)

**5 Paper to note**

(Pages 85 – 87)

Paper 5 – Letter from the Chair of the Legislation, Justice and Constitution Committee

Attached Documents:

Paper 5 – Letter from the Chair of the Legislation, Justice and Constitution Committee

Ann Jones, MS  
Chair, Llywydd's Committee  
Senedd Cymru  
Cardiff  
CF99 1NA

1 October 2020

Dear Chair,

### **Estimate Submission to the Senedd**

I am very pleased to be able to present, for the first time, the Electoral Commission's Estimate for its work on devolved elections in Wales during the financial year 2021-22.

As you will be aware the submission of this Estimate marks the beginning of our formal accountability to the Senedd, and I am grateful to staff at the Senedd Commission for their contributions to the development of the reporting and accounting processes which we now have in place, and to you, and the Llywydd, for your input in ensuring we have reached this significant milestone.

Accompanying the Estimate is the Commission's [Corporate Plan](#) which sets out our goals and objectives for the period including the next financial year. We are currently consulting with stakeholders to inform our objectives for the next five years. We expect to present you with this new Corporate Plan, for the period up to 2025-26, in the coming months. We would welcome the opportunity to discuss the detail of that plan with you at that time.

In the year ahead the Commission stands ready to support the delivery and effective regulation of elections in Wales. This includes the effective implementation of any electoral law changes legislated for by the Senedd and enhancing information for voters about digital campaigning. We will also commence work on a programme of activity to strengthen the capacity of the electoral administration community in Wales, to ensure it is able to continue to meet the needs of voters and provide continuing trust in our democracy.

### **Funding arrangements**

While the Commission team in Wales leads on work related to devolved Welsh elections it also draws on regulatory and guidance expertise from across the whole organisation, enabling us to operate in the most efficient and cost effective way. Our work in Wales derives benefit from this expertise, and in return our staff here also contribute to work on UK-wide issues.

Consequently, our Estimate for the costs attributable to the Senedd are divided into the following two streams:

- I. Costs that are directly attributable to the Senedd, such as the costs of our activity in relation to Senedd and local government elections and activity related to the register used for Senedd and local government elections in Wales.

In the year 2021-22, these costs will be largely electoral event related and focussed on supporting the delivery and oversight of the 2021 Senedd elections and preparations for the 2022 local government elections.

These costs for 2021-22 is £1,422k.

- II. Indirect costs relating to the share of Commission-wide costs which work on devolved electoral matters, such as corporate costs (including depreciation) that underpin the Commission's general functions.

As agreed with you and HM Treasury officials these costs have been apportioned by percentage of population from ONS data (Mid 2019) with a 5% share for Wales.

These costs for 2021-22 amount to £328k.

The relative balance of these two streams will vary over time, with direct costs increasing in years with busy electoral cycles and reducing in quieter years.

Further information about the activity which will be funded via both streams is provided below and is included in the Memorandum of Understanding which has been previously provided.

Approved funding by the Senedd to meet the costs of the Commission's work under the proposals in this letter and the Estimate will be drawn down by Welsh Ministers from the Welsh Consolidated Fund. This is for reason of agreed effective administration as S129 of the Government of Wales Act 2006 does not presently include the Commission - an independent non-governmental body that is accountable to the Senedd - as a payee body. This anomaly can be rectified by amendment of the Act at the earliest suitable opportunity.

## Directly attributable costs: Supporting the delivery of devolved Welsh elections and the electoral reform agenda in Wales

In the next 12 months the Commission's work to support the delivery of the 2021 Senedd election and preparations for the 2022 council elections will be central to our goals of enabling the continued delivery of free and fair elections and on ensuring an increasingly trusted and transparent system of regulation in political finance.

The Senedd election in 2021 will be taking place against the backdrop of the Covid-19 pandemic. Key to our work in supporting the poll will be ensuring that the electoral community has the resilience to cope with the changing situation, keeping the needs of voters at the forefront of planning so that they are able to vote with confidence using their preferred method of voting. We will continue to work with the Welsh Government and the electoral community to plan for this.

In 2019-2020 the Senedd enacted to extend the franchise in Wales to sixteen and seventeen year olds and qualifying foreign nationals. The practical implementation of these reforms will provide a focus to our work in the coming year and we will work closely with the electoral community to ensure that the newly enfranchised voters are aware of their right to vote at Welsh elections and have access to clear information about how to exercise their right. We are also working to enhance transparency for voters through the development of Codes of Practice on campaign spending at devolved Senedd elections.

Our detailed programme of work to support the delivery of the devolved Welsh elections in 2021-22 is summarised in the annexe to this letter.

While there have been a number of welcome GB wide reforms to the annual household canvass in 2020-21, there are further reforms required to make the current system of electoral registration more joined up with other public services. There is still considerable potential to explore how existing public data could be utilised to support further reform. In the year ahead we will continue to work with the Welsh Government and other stakeholders to progress this work.

In 2021-22, the Commission will be finalising new performance standards for Electoral Registration Officers and we intend to lay those standards before the Senedd in 2021. Together with a variety of tools that have also been developed, the standards will be used by both EROs and the Commission throughout the year, to support understanding and improve performance, ensuring ultimately that registers are as accurate and complete as possible.

## Indirect costs: Supporting the Commissions wider activity

The indirect costs to which the Senedd will be contributing underpins the Commission's wider work to ensure fairness, trust and confidence in our democratic processes. This work is delivered by regulatory, legal, policy, communications and guidance teams based across the UK. It includes ensuring high standards in electoral registration and administration across the UK, and giving voters transparency over money spent and received by campaigners and parties.

The Senedd's share of these costs also supports investment in programmes of work to support confidence in our electoral processes. This includes work to increase voter confidence in the transparency of digital campaigning; strengthening the resilience of electoral administrators to deliver elections in an increasingly pressurised environment and providing enhanced support to parties and campaigners to ensure that they can comply with their obligations under electoral law. Further information about these programmes of work can be found in the accompanying Corporate Plan.

## Impact of Covid-19

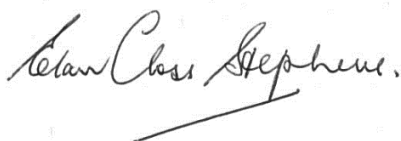
As noted above, the Commission is working closely with the Welsh Government, the Wales Electoral Coordination Board and Public Health Wales to consider and mitigate the impact of Covid-19 on devolved Welsh elections. This work is being met within current budgets.

However, we are conscious that Covid-19 policy and guidance is subject to change based on the developing epidemiology and the emerging evidence base. In the event that there is a significant shift in the pandemic, or the policy approach to the pandemic, ahead of the 2021 and 2022 polls then it is possible that additional measures will be required which are not provided for within the Estimates that we are submitting. If that is the case, we may be required to submit a Supplementary Estimate on which possibility we would liaise closely with your officials before taking this step.

I hope you agree that these proposals are appropriate in meeting the challenges facing the electoral community and voters over the next financial year. We will of course measure the impact of our work throughout the year to ensure that our activities address these challenges.

I commend this budget and plan for 2020/21 to the Llywydd's Committee and look forward to discussing it with you when appropriate.

Yours sincerely,



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Dame Elan Closs Stephens CBE,

Electoral Commissioner - Wales

Bob Posner

Chief Executive, Electoral Commission,

Accounting Officer

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## Annual Estimate 2021-22

<b>Senedd Costs</b>	<b>2021-22</b> <b>£000s</b>
<b>Direct Costs</b>	
Electoral Administration	
Wales	230
Support	5
Guidance	92
Support & Improvement	80
	407
Legal	
Legal	97
Regulation	109
	206
Communication, policy & research	
Campaigns & Corp Identity	559
Digital communication & learning	64
External communications	34
Research	63
Policy	89
	809
<b>Total direct Costs</b>	<b>1,422</b>
<b>Indirect Costs</b>	
Resource	255
Depreciation	73
	328
<b>Total indirect Costs</b>	<b>328</b>
<b>Total contribution</b>	<b>1,750</b>

## Annexe: Activity in support of the 2021 Senedd election and 2022 local government elections

### **Supporting voter participation**

We want to ensure that all eligible electors know how to register and cast their vote in the 2021 Senedd election and the 2022 local government elections in Wales. This will include having information well in advance of the poll to enable them to make an informed choice about their method of voting.

During the spring of 2021 we will run a public awareness campaign which will aim to increase voter registration ahead of the Senedd elections focussing on reaching under-registered groups, those who experience additional barriers to participation and those people who are newly enfranchised and who will be voting for the first time. This campaign in 2021 will include a voter information mailing to all households in Wales containing information on how to register and vote. We will also continue to provide a public information service for all electors in Wales providing online, email, telephone and written contact options. Working with the Senedd Commission and Welsh Government we are also developing education resources for Welsh schools to support political literacy ahead of the 2021 Senedd election.

We will run a similar public awareness campaign ahead of the local government elections in 2022 and that work will commence in the 2021-22 financial year.

### **Supporting the delivery of the election**

The Commission will provide support to Returning Officers at both constituency and regional level and to electoral administrators. We will provide written and oral guidance and resources, facilitate training/briefing sessions on the administration of the election working alongside the Wales Electoral Coordination Board (WECB) and Wales Electoral Practitioners Working Group (WEPWG), and provide an advice service on electoral matters. In the coming financial year we will also be developing our suite of guidance materials to support the delivery of the 2022 council elections.

Ahead of the election, the Commission will also work with the WECB and WEPWG to identify the key risks and challenges in place for these complex elections, including the implications of Covid-19 for the electoral process, The Commission will also manage the performance of ROs against the statutory performance standards through our performance monitoring process as well as provide of additional targeted support to specific areas where required.

### **Work with candidates and agents, parties and campaigners**

The Commission will provide guidance to parties, candidates and campaigners ahead of the elections. We will give additional support through tailored training sessions where required to ensure that these regulated entities are aware of the rules in place for those



standing and campaigning in elections, including the new rules regarding disqualification. We will have quarterly meetings with the Senedd Parties Panel meetings, which I Chair, on a quarterly basis and attend local authority led briefing sessions for candidates and agents which will give us a direct opportunity to provide advice and guidance to those standing for election. We will also provide an advice service throughout the regulated period to provide guidance on campaigning and also post-poll reporting obligations.

Following the election we will publish details of spending by parties and campaigners. Where we have reason to suspect that the campaign rules we regulate have been breached then we will appropriate steps to bring people into compliance and to enforce the rules.

Our aim is to ensure voters have transparency over money spent and received by candidates, parties and campaigners and to ensure that all candidates, parties and campaigners are clear about their obligations in respect of the campaigning rules in force at the relevant election.

### **Electoral Integrity**

In order to ensure continued trust in our elections we will continue to work closely with the four Police forces in Wales and the appointed integrity leads at each. We will facilitate meetings of the Wales Integrity Network and provide relevant guidance to ensure others who have roles in the regulation of elections, are fully briefed on electoral matters which will avoid duplication of effort so we can all effectively fulfil our roles.

### **Reporting on elections**

We have a statutory duty to report on the administration of the Senedd In order to inform our report we will carry out research into voters' experience at the election and we will also draw on the views of other electoral participants, including candidates, political parties and administrators.

As part of reporting process we will also continue to consider the accessibility of the voting process for disabled people. This will include carrying out research both directly with disabled people and also via organisations such as RNIB Wales.

Our report on the election will be laid before the Senedd and, where appropriate, may include recommendations for improving the delivery of future polls in the best interest of voters. We will continue to welcome opportunities to discuss our findings with Members of the Senedd, whether individually, or through the established Wales Advisory Board and relevant Committees.

## **Electoral Observers**

Independent observation is a crucial part of the electoral process. It helps to ensure that elections and relevant referendums are carried out in a way which is transparent, accessible, impartial and secure.

The Commission will continue to administer the observer's accreditation scheme for elections in Wales ahead of both the 2021 and 2022 elections.

*End.*

## The Llywydd's Committee

*The Electoral Commission have provided the following additional information on 15 October 2020 to assist the Committee with its scrutiny of the financial estimate:*

**1. What percentages of indirect costs will be charged to each of the Welsh, UK and Scottish Consolidated Funds and do those percentages relate to full population sizes or populations of voting age only?**

The percentages of overheads are Scottish Parliament 8.18%, Senedd 4.72%, and Speaker's Committee 87.1%.

Following discussions with Scottish and Welsh officials, we are using total population. We chose this basis, rather than 18+ or some other basis, as published ONS age bands cut across voting ages. In practice it made less than 0.1% difference to the relative shares of population, so the effect is immaterial.

Detail:

- relevant age bands are 15-19 and 20-24; thus impossible to identify younger voters (or even just 'adults') accurately as those categories cross the published demographic categories
- NB that shares of overheads differ from the overall funding shares, which also includes estimates of work attributable to specific funders.

**2. How is the Speaker's Committee's responsibility for English elections and UK elections factored into the apportionment of indirect costs?**

Speakers Committee has responsibility for UK-wide and reserved powers. This includes Northern Ireland elections, which are a reserved power. The cost to the Commission of specific reserved elections is directly allocated; operational staff time is allocated according to estimates of where there time will be spent, in line with methodology for other funders. Speaker's Committee's share of the overheads is the share of population for England and Northern Ireland – in total 87%.

**3. Please provide rationale for depreciation being included in the estimate**

The UK public sector budgeting system (also used by the devolved authorities), includes elements of double counting. For example capital expenditure appears first in capital budgets and subsequently in current budgets as depreciation. To avoid funding the same item twice a choice has to be made whether to fund capital expenditure directly or depreciation. In developing the proposed approach we, along with officials from both Scotland and Wales, had been working on the assumption that the system would fund capital expenditure and exclude depreciation. However another, very important, consideration for devolved colleagues was that the funding

system should line up as closely as possible with the transfer from Westminster to devolved funding blocks to fund the transfer of responsibilities from Westminster. The clear advice from colleagues in HM Treasury was that this would be much more easily achieved if the funding formula was based on current expenditure including depreciation. We have therefore chosen to go that route.

**4. Are translation costs included in the figures?**

The cost of day to day translation of material into Welsh is factored into the Wales budget line. This covers the salary of a full-time Welsh translator. Some translation costs for specific projects, such as improving the provision of online guidance, is also included in the budget lines related to the relevant activity.

**5. Please provide additional detail explaining what each budget line relates to and whether there are multiple types of costs below these budget lines**

Included in table that follows.

**Additional detail explaining each budget line**

Direct costs	Amount in 2021-22	Additional detail explaining what budget line relates to	Explanation of costs below these budget lines	Budget line breakdown further details
	£000s			
<b>Electoral Administration</b>				
Wales	230	<p>Activities undertaken by the Electoral Commission, Wales office in relation to electoral activity and events in Wales.</p> <p>This includes :</p> <p>Preparing for the 2021 Senedd and 2022 local government elections in Wales</p> <p>Developing and delivering guidance, resources and support for candidates, agents and ROs/EROs, and electoral administrators for specific elections and regular electoral activities such as electoral registration.</p> <p>Engaging with local authorities and Returning Officers to support and challenge their delivery of electoral events using our performance standards.</p>	<p>This represents the Committee's share of the pay and non-pay costs for the Commission's Wales office, based on our estimate that staff will spend approximately two-thirds of their time on specifically Welsh activity and the remainder on other (UK-wide or Commission corporate activity). Note that some non-pay costs (e.g. IT infrastructure) are included in the indirect cost category.</p>	<p>Of which attributable pay £215k; attributable non-pay £15k</p>

		<p>Working with the electoral community in Wales through the various stakeholder groups that we manage or are involved in.</p> <p>Providing advice to governments on electoral matters including electoral reform processes and associated legislation.</p> <p>Working with partners to communicate our message to voters.</p>		
Support	5	<p>This would primarily be the handling of applications for accreditation of electoral observers. The process is managed by the NI team who check applications and make recommendations for approval.</p> <p>Additional support can also be provided to the Wales office through the provision of staff to help with public information queries and electoral administration queries.</p> <p>Staff from the NI team also are available to observe electoral events in Wales as Commission representatives.</p>	<p>This represents a small share of the costs of the NI Team in providing support to the Commission's work in Wales.</p>	Immaterial
Guidance	92	<p>This involves the drafting and publication of guidance to support the May 2022 polls for Returning Officers, as well as the drafting of guidance to support Electoral Registration Officers with the delivery of the canvass in 2022.</p> <p>Additionally, this covers the provision of advice to the Wales Office in response to individual electoral practice queries from administrators in Wales, and any expert advice required as part of</p>	<p>This represents the Committee's share of the costs of the Commission's Guidance Team based on our estimate of how their time will be spent. Note that this reflects the work of that team in support our Wales Office in producing guidance that is specific to Wales.</p>	<p>Of which attributable pay £66k; attributable non-pay £26k</p>

		consultation work in response to draft legislation from Welsh Government.		
Support & Improvement	80	This involves the development, implementation and ongoing management and support of the Electoral Registration Officer and Returning Officer Performance standards frameworks. This includes the development and coordination of monitoring systems and resources for ROs and EROs, which are then delivered by the Wales Office, and the reporting of relevant performance by ROs and EROs.	This represents the Committee's share of the costs of the Commission's Support and Improvement team based on our estimate of how their time will be spent. Note that the Support & Improvement Team mainly operates in England, with the equivalent functions in Wales discharged by our Wales Office. This therefore represents the contribution of expertise to support our Wales Office, when required.	Of which attributable pay £79k; attributable non-pay £1k
<b>TOTAL</b>	<b>407</b>			
Legal				
Legal	97	This will include providing legal support to the Commission's advice, guidance and regulation functions and real-time legal advice during the May 2021 poll. Supporting post-poll regulation and the development of any policy recommendations. General and on-going legal advice on Welsh legislation and support of the Commission's functions as they relate to Wales (including registration, regulation, policy,	This represents the Committee's share of the costs of the Commission's Legal team based on our estimate of how their time will be spent.	Of which attributable pay £97k

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		electoral administration, governance, and compliance with Welsh Language Standards).		
Regulation	109	Developing guidance for the relevant Welsh elections for candidates and agents. Providing advice to integrity leads (police) campaigners and candidates in Wales Publishing financial data in Wales and any compliance and enforcement work arising from relevant activity in Wales.	This represents the Committee's share of the costs of the Commission's Regulation directorate based on our estimate of how their time will be spent. This includes time spent advising and supporting the Wales Office team on regulatory matters.	Of which attributable pay £108k; attributable non-pay £1k
<b>TOTAL</b>	<b>206</b>			
<b>Communication, policy &amp; research</b>				
Campaigns & Corp Identity	559	This includes: <ul style="list-style-type: none"> <li>• media creative and media planning and buying for relevant voter registration campaign</li> <li>• media creative and media planning and buying for any franchise campaign</li> <li>• Partnership work across Wales encouraging a range of stakeholders to engage with the voter registration materials</li> </ul>	This represents the Committee's share of the costs of the Commission's campaigns team based on our estimate of how their time will be spent. It also includes the costs of the early phase of the Commission's public awareness campaigns for the May 2022 elections.	Of which attributable pay £87k; attributable non-pay £472k (predominantly public awareness).



<p>Digital communication &amp; learning</p>	<p>64</p>	<p>This represents the Committee's share of the costs of the Commission's Digital Communication and Learning team based on our estimate of how their time will be spent. It includes cost relating to the development of website functionality and content for our stakeholders in Wales, including voters, electoral administrators and our regulated community. Recent functional improvements which are available for Welsh stakeholders include:</p> <ul style="list-style-type: none"> <li>• A postcode lookup tool to enable voters to locate their polling station, and contact details for postal and proxy vote applications</li> <li>• An eligibility tool to enable voters of all ages and nationalities to determine which elections they can vote in</li> <li>• A data visualisation tool to enable users to compare and contrast the amount candidates spent at the general election in 2019 – this tool will be updated for Welsh elections.</li> </ul> <p>This budget line also includes costs relating to the development of learning resources (educators' handbooks, student workbooks, and digital assets) for those eligible and soon to be eligible to vote in Wales. These resources supplement political literacy resources</p>	<p>This represents the Committee's share of the costs of the Commission's Digital communication &amp; learning team based on our estimate of how their time will be spent. It includes the costs of the Commission's website.</p>	<p>Of which attributable pay £39k; attributable non-pay £25k</p>
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		developed by the Welsh Government and Senedd.		
External communications	34	For press this covers handling reactive enquiries and carrying out proactive media engagement through routine regulatory publications for instance, and the publication of reports and other Commission work. While some of this is picked up by the team in Wales, this represents a share of the UK-wide work. For public affairs it includes responding to relevant enquiries.	This represents the Committee's share of the costs of the Commission's External communications (press office and public affairs) team, based on our estimate of how their time will be spent.	Of which attributable pay £14k; attributable non-pay 20k
Research	63	The research programme around the 2021 Senedd elections is likely to include surveying of candidates, the collection of electoral administration data (eg volumes of postal votes) and gathering of feedback from Returning Officers and others. It also includes the costs of research into public attitudes to voting and elections.	This represents the Committee's share of the costs of the Commission's Research team, based on our estimate of how their time will be spent. It includes the costs of research into public attitudes to voting and elections.	Of which attributable pay £58k; attributable non-pay £5k
Policy	89	This will include analysis and reporting on the May 2021 Senedd elections to identify trends and issues for consideration by policymakers. It will also include support to the Welsh government and Senedd in developing policy for the local government elections in May 2022, including reviewing draft secondary legislation before it is laid by Ministers for approval.	This represents the Committee's share of the costs of the Commission's Policy team, based on our estimate of how their time will be spent.	Of which attributable pay £89k; attributable non-pay £0
<b>TOTAL</b>	<b>809</b>			
<b>Total direct Costs</b>	<b>1,422</b>			

<b>Indirect Costs</b>				
<b>Resource</b>	255	This includes: <ul style="list-style-type: none"> <li>• information technology and security;</li> <li>• Executive team and central administrative support;</li> <li>• facilities and accommodation;</li> <li>• governance planning and assurance;</li> <li>• human resources and training;</li> <li>• finance and procurement.</li> </ul>	This represents the Committee's share of the Commission's overheads and other costs that cannot be directly attributed to specific funders. The share is based on population.	Of which Information technology & security £64k; executive team & central admin support £53k; facilities & accommodation £44k; governance planning & assurance £35k; human resources & training £30k; finance & procurement £26k; other £3k
<b>Depreciation</b>	73		This represents the Committee's share of the Commission's annual depreciation charge. The share is based on population.	-
<b>Total indirect Costs</b>	328			
<b>Total contribution</b>	1,750			

The  
Electoral  
Commission

# Interim Corporate Plan

2020/21 – 2024/25

Presented to the House of Commons pursuant to Paragraph 15(4) of Schedule 1 of the Political Parties, Elections and Referendums Act 2000.

Ordered by the House of Commons to be printed on 29 April 2020.

HC 323

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Any enquiries regarding this publication should be sent to us at:  
The Electoral Commission, 3 Bunhill Row, London, EC1Y 8YZ  
or via our website at:  
[electoralcommission.org.uk/contact-us/contact-us-online](https://electoralcommission.org.uk/contact-us/contact-us-online)

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# Foreword

Welcome to our 2020-25 interim Corporate Plan – a new one, as required by the legislation, even though our previous plan covering 2018-2023 was only published 18 months ago. This Plan sets out our early priorities for this period and how we plan to fulfil our responsibilities, particularly in the first year, ahead of a fuller five year plan to be published later this year in line with legislative requirements.

The period since the Commission's last Corporate Plan has seen significant change, challenge and turbulence in UK politics. I believe that the electoral community have risen to these challenges and have delivered effectively for the voter, as is our primary responsibility.

The impact of the Covid-19 pandemic is only beginning to be felt, most immediately in the postponement of the polls scheduled for May 2020; this step, though welcome, means a significantly greater challenge for the delivery of polls due in May 2021.

We have continued to see well-run elections, despite unscheduled national polls making considerable demands on the strengths and resourcefulness of administrators across the country. The processes of registering voters, and casting votes, have been carried out rigorously and transparently, and still attract high levels of public satisfaction. And our regulatory system on political finance has continued to prove its worth.

But undeniably our system is showing strain, particularly in the context of continuing pressure on local authorities' resources and capacity, and there are challenges which need to be faced. For the public, the system depends on trust, accumulated over many years, and trust can be lost quickly if doubt begins to set in. While our research with the public shows that a majority of people were confident the May 2019 elections were well-run, and most voters were satisfied with the voting process, overall levels of voter confidence in the running of the May local and European Parliamentary Election were lower than at previous such polls

With a majority Government now in place at Westminster, and continuing appetite in Scotland and Wales to push forward with change, the next five years will be critical to investing in reforms to support the continuing delivery of well-run elections, the effectiveness and transparency of campaigning, and the bolstering of voter confidence. The Commission has a vital role in helping governments and others to deliver.

A key challenge, perhaps the most fundamental, is the outdated legislation under which the sector is straining to deliver its services. There are more than 50 Acts and over 170 Statutory Instruments relating to the delivery of elections. In 2018, in parts of England where mayoral elections were held on the same day as local elections, electoral administrators had to refer to 11 pieces of primary legislation and six pieces of secondary legislation. This is not just a technical problem - there are real costs, consequences and risks for voters, candidates and campaigners, regulators and governments. Existing proposals from the UK's Law Commissions have provided a well-researched and widely supported basis for further work and we continue to call on the UK's governments and parliaments to take these forward.

This is ever more pressing as the relationships between laws for UK and devolved elections become more complex. Devolution from Westminster to the legislatures and governments in Scotland and Wales offers opportunities to enable and support policy diversity between elections for different bodies within the UK. However, legislation dealing with the underlying technical or administrative detail should not need to vary significantly between elections in different parts of the UK. The aim should be to provide the strongest possible common foundation for delivering well run polls in different scenarios, without unnecessary complexity for administrators or voters.

The registration system too needs modernisation, to make it fit for purpose in today's world. Canvass reform is a welcome start in the right direction, but the existence of more than 370 separate registers which do not communicate with each other leaves the system vulnerable, while the lack of ability of voters to check online whether they are already registered leads to many wasteful duplicate applications every time a new election comes round. Moves towards more automated and connected registration are long overdue.

Meanwhile the nature of political campaigning continues to change. Digital advertising spend by parties increased from 24% to 43% of advertising budgets between the UK General Elections of 2015 and 2017. We wait to see what the spending returns for the 2019 election tell us about this trend, but it is clear that regulation – and the law – needs to keep up with advances in campaign techniques. The UK has had one of the most transparent systems of political finance in the world, and voters should be able to see clearly who is spending money online to influence them at elections and referendums.

As campaigning changes, we must also ensure that the Commission has the right powers and tools to continue to be effective in regulating political finance. We are making a major effort to encourage compliance and working with all concerned to help make this happen. Nevertheless we need to be ready to take action with those who do not comply where necessary. For example, to conduct faster assessments of wrongdoing, our powers to require information should be extended; and better deterrence requires the threat of larger penalties.

None of these issues are new. They are all questions which the Commission and others have raised repeatedly. But they have not gone away and, in most cases, are increasing in risk and urgency. I believe we need a wider, more intensive and more ambitious debate about electoral reform than we have had in recent years, on issues which are after all fundamental to our democracy.

The plan below indicates how the Commission aims to play its part in addressing these challenges, ahead of the fuller plan next year, and to work with all the governments of the UK to help them take forward their own reform plans. We look forward to working constructively with all concerned – governments, parliaments, parties and campaigners, electoral administrators and other interested groups – to maintain the confidence of voters and the credibility of our elections.

**Sir John Holmes, Chair**



# Introduction

The Electoral Commission is now in its twentieth year since being formed, by the UK Parliament, as the independent body which oversees elections and regulates political finance in the UK. Since that time the Commission has developed a substantial body of expertise and experience and its functions have become an integral part of the robustness and legitimacy of our UK democracy, both as a whole and in the nations of the UK. Voter confidence and trust in elections are high but, as outlined in the Chair's foreword, there are some key challenges to our electoral system that need addressing. This interim plan sets out how we will make progress towards meeting those challenges.

We have produced this five year Interim Corporate Plan in line with our statutory duty following December's UK Parliamentary General Election (UKPGE), and in that context it is presented at short notice. It carries forward aspects of the preceding Plan and focusses with more certainty on the coming 2020/21 year. The decision to postpone the May 2020 polls until May 2021 was made as the plan was being finalised, and so we have been able to reflect our initial understanding of the impacts of that decision. Drawing on the emerging priorities of a new UK Government and Parliament, as well as ongoing developments in Scotland, Wales and Northern Ireland, we will be preparing a fully developed five year Corporate Plan in the coming months building on this interim plan. We look forward to working with our stakeholders to develop this new strategy and to presenting it next financial year.

In this Corporate Plan the Commission takes forward its four goals with the aim of continuing to ensure that we balance our roles in supporting the delivery of elections, as a regulator, and as a thought leader whilst also being a modern, well-run organisation. We are building on a strong base: the later pages of this document include an overview of the key things we have delivered in the 2018-20 period. This plan sets out our proposals for investing in better support for our stakeholders, better information for voters and better systems to support our delivery. We will continue to work to support reform in the delivery of elections, to improve the service offered to voters and address the resource pressures being felt so keenly at a local level.

Our statutory responsibilities give us a unique position in the sector to coordinate, to guide, and to provide leadership. In many ways the Commission plays a vital supporting role to its stakeholders, and it is in these areas where this Corporate Plan seeks to most visibly strengthen our approach to address the challenges outlined in the previous pages.

We will enhance our support to electoral administrators across the UK. While we already provide guidance and support which is well-received and widely relied upon, we intend to strengthen our focus on support to help address the challenges local authorities are facing with delivering well-run electoral services, such as through increased work to identify and share good practice in electoral services and the development and roll-out of resources to help local authorities design and manage their electoral services functions.

In the UK there is a culture of compliance with and support for the regulatory regime; in the coming years, we will put renewed effort into supporting political parties, candidates and campaigners in complying with the rules before breaches happen. Most political parties, candidates, agents and established campaigners work hard and genuinely try to

comply with the political finance rules, and we want enforcement action to not normally be needed - the exception, not the rule.

As our democratic process, campaigning and the context in which we operate changes, we want to support voters to understand this, to help them to engage in, and to increase their confidence in elections. In the life of this plan we will enhance our public awareness activity to increase understanding of the rules and systems that operate around elections and referendums, and voters' abilities to raise concerns and get involved.

And finally we will undertake a broader base of activity to support the delivery of government priorities. This five year period will see the Commission respond to Government priorities on electoral reforms and developments; these include the introduction of voter ID requirements in polling stations, announced by the new UK Government, and the implementation of electoral reform legislation in Scotland and Wales which will extend the franchise to younger age groups or new categories of residents. In some areas the Commission's role is to feed directly into delivering change, such as in our work to support reforms in the electoral registration annual canvass process. In other areas we can play a role through convening and informing debate.

Through development of our work, particularly in these four areas, we can continue to play a central role in supporting well-run elections and deliver tangible improvements to the system. We will continue to build and make the case for key changes to our democratic processes, changes that will make tangible and positive differences for administrators, for campaigners and for voters.

In undertaking all of our work, we are responsive to the changing relationships we have with the administrations in the nations of the UK. As a UK-wide Commission, we continue to be proud of the role that we have played to date, working with each elected body to deliver an effective service to voters across the UK. We look forward to putting in place arrangements reflecting our increased accountability to the Scottish Parliament and National Assembly for Wales and working with them as they develop their electoral plans.

Our service to the UK electorate will continue to be underpinned by resolute focus on providing value for money. This Plan highlights the structures we have in place to increase our efficiency and to be able to respond quickly to changes in our external environment which affect our priorities, including unscheduled polls. The Commission needs to maintain itself as a modern well-run organisation and ensure it has the technology required to support our ways of working. We will enhance collaboration across teams and locations and allow higher-density and more flexible occupation of our offices.

We must also ensure the Commission has the skilled and experienced staff necessary to deliver. We will continue to promote a culture where staff members are able to perform their roles effectively, actively managing performance in line with the Commission's goals and providing development opportunities and training to develop our unique skill sets in-house and improve our effectiveness.

This is an ambitious plan. It sets out how we will continue to meet the challenges of ensuring we realise our vision of being a world-class public sector organisation – investing and improving, innovative, delivering great value and getting right what matters most to voters and legislators.

**Bob Posner**, Chief Executive

# Our role

The Electoral Commission is the independent body which oversees elections and regulates political finance in the United Kingdom. We work to promote public confidence in the democratic process and ensure its integrity.

## Our vision and goals

Our vision is to be a world-class public sector organisation – innovative, delivering great value and getting right what matters most to voters and legislators.

We plan to achieve this vision through a five year work programme with four goals:

- 1. To enable the continued delivery of free and fair elections and referendums**, focusing on the needs of electors and addressing the changing environment to ensure every vote remains secure and accessible
- 2. To ensure an increasingly trusted and transparent system of regulation** in political finance, overseeing compliance, promoting understanding amongst those regulated and proactively pursuing breaches
- 3. To be an independent and respected centre of expertise**, using knowledge and insight to further the transparency, fairness and efficiency of our democratic system, and help adapt it to the modern, digital age
- 4. To provide value for money**, making best use of our resources and expertise to deliver services that are attuned to what matters most to voters. This goal underpins and supports all of our work

## Scheduled elections over the period of the Corporate Plan

All of our work is set against the backdrop of planned electoral events. As part of the development of our plans and budgets, we have included event expenditure on the preparation of, delivery of and reporting on electoral events. The table below sets out those currently scheduled over the next five years.

<b>2020</b>	Scheduled polls postponed, as a result of the Covid-19 pandemic, to May 2021.
<b>2021</b>	Mayor of London and London Assembly English local government Police and Crime Commissioners (England and Wales) Senedd Scottish Parliament Combined Authority Mayoral Local Mayoral
<b>2022</b>	Northern Ireland Assembly English local government (including London) Welsh local Scottish Council Combined Authority Mayoral Local Mayoral
<b>2023</b>	English local government Northern Ireland local government Combined Authority Mayoral Local Mayoral
<b>2024</b>	UK Parliamentary Mayor of London and London Assembly English local government Police and Crime Commissioners (England and Wales) Combined Authority Mayoral Local Mayoral

# Our goals and priorities

## 1. The continued delivery of free and fair elections

To enable the continued delivery of free and fair elections and referendums, focusing on the needs of electors and addressing the changing environment to ensure every vote remains secure and accessible.

### Our role

This goal captures our central role in overseeing the delivery of elections and referendums across the UK's nations. We support electoral administrators, candidates and parties across the United Kingdom by providing guidance and tailored advice, as well as information for voters on registration and voting.

There are 23 scheduled electoral events during the period of this corporate plan and in the lead up to those events, we will invest in supporting electoral administrators, candidates and parties across the United Kingdom. In addition, we will ensure we are fully prepared to respond to any unscheduled electoral events during the period of this plan.

The UK Government announced on 12 March 2020 that the elections due to take place in May 2020 would be postponed until May 2021. While this welcome decision means we are not now facing the delivery of polls in an exceptionally challenging environment in May 2020, it does mean that the elections to be held in May 2021 will be more than previously expected, with events now scheduled to take place across the whole of Great Britain, and with more significant combinations of polls. We are already working to help the electoral community understand the implications of the postponement and to put in place arrangements to support the effective delivery of these polls, and this will continue throughout 2020-21.

### Our plans

We will continue to **provide expert advice and guidance to local authorities, candidates and agents** to support the delivery of well-run electoral events, and propose to invest in an enhanced guidance support service including advice, challenge and further tools and resources. We will prepare guidance and resources for specific electoral events, and will continue with our transition towards providing our guidance in a new modern, more accessible format.

We will **support the scheduled electoral events** during the life of this corporate plan and work with partners to develop and deliver proposals for improving the accessibility of elections so that everyone has equal access to election information and processes.

We will **undertake voter registration campaigns** ahead of all major polls, to raise awareness of the need to register amongst all eligible electors but targeting in particular the under-registered groups.

Work to **support the UK's governments' electoral registration annual canvass reforms in Great Britain** continues. We will provide advice, guidance and resource materials for Electoral Registration Officers to support them with implementing these changes effectively. We will also work to **support the 2021 canvass in Northern Ireland**, including through a public awareness campaign to highlight what people need to do to ensure they are registered to vote.

We will also take forward work to **develop and implement a strategy to support increased resilience in the delivery of electoral services at a local level**. Working with key partners in the electoral community, we will explore initiatives such as the introduction of an induction and mentoring programme for new Returning Officers and the development of an effective electoral services toolkit.

Additionally, we will publish **new performance standards for Electoral Registration Officers (EROs)**, which will be used by the Commission and EROs to understand and improve their performance, ensuring ultimately that registers are as accurate and complete as possible and that everyone who is eligible and wants to vote is able to do so.

We will respond to and engage with the Scottish and Welsh governments' policy and legislative agendas for **changes to the franchise** to ensure they are workable for the public and EROs, and will invest in campaigns to raise public awareness of these changes.

Our **electoral fraud work** will continue to include close engagement with the police and with local authorities, and will be supported by public-facing activity such as our 'Your Vote is Yours Alone' campaign.

## What impacts and benefits will this achieve?

This work will enable us to deliver enhanced support for local authorities in the delivery of electoral services and improve engagement with key partners in the electoral community such as Solace and the Association of Electoral Administrators (AEA). This will contribute to the provision of high quality services for voters and the delivery of well-run elections and registration systems.

Our work will help to ensure that the results of elections will be increasingly trusted and accepted and the number of successful legal challenges will be as close to zero as possible.

## 2. An increasingly trusted and transparent system of regulation

To ensure an increasingly trusted and transparent system of regulation in political finance, overseeing compliance, promoting understanding amongst those regulated and proactively pursuing breaches.

### Our role

This goal captures our regulatory role, and is vital to ensuring the transparency which sits at the heart of any healthy democracy. Our work in this area is already wide-ranging, and increasingly proactive, securing compliance by supporting parties and campaigners, by real-time intervention and – when needed – by enforcement action.

We maintain published online political parties registers, giving confidence that only parties that meet the legal registration tests can appear on ballot papers. We also maintain a register of campaigners which spend substantial sums campaigning in elections. We deliver transparency of UK political finance by publishing details of donations and loans, annual accounts from registered parties, and campaign spending which parties and others are required to report to us.

We provide high quality advice and guidance to support parties, candidates and campaigners in complying with the rules. And we take action, where appropriate imposing sanctions, when the rules are broken, in accordance with the Commission's statutory Enforcement Policy.

We believe it is far better to work to ensure compliance before an electoral event rather than have to take enforcement action afterwards. So we propose to invest in supporting compliance through a user-friendly online tool and a more responsive regulatory service.

### Our plans

We will **continue to maintain the registers of political parties and campaigners**, ensuring voters have clarity about registered parties and campaigners on the ballot paper. This includes completing a review of registered descriptions to make sure only those meeting the legal tests are included, and looking at how the constitutions and financial schemes of parties are formulated.

We will continue to promote transparency of political finance by **publishing financial data from parties and campaigners, including that related to elections**. Alongside this, we will deliver a new **Political Finance Online system** to support parties and campaigners to deliver their financial returns efficiently.

To promote high rates of compliance with the rules and thus transparency for voters, we will continue to provide **timely and high quality advice and guidance** to parties and

campaigners to support them in meeting their legal requirements. This will include publishing guidance for the major elections in 2021, reflecting the impacts of the complex combination of polls as appropriate, and developing codes of practice to underpin the law on reporting election spending.

Working with parties and campaigners, we will develop a new strategic framework to ensure **effective and impactful proactive support**.

We will deliver **effective enforcement of the political finance rules**, ensuring voters, parties and campaigners have confidence that the rules are enforced proportionately and with impact, within our current powers. We will continue to publish the outcome of each investigation, including in full reports where that is warranted, so voters, parties and campaigners can see the way we act to enforce the rules. To deter people from committing offences, and to make sure we can respond proportionally if they do, we will continue to build the capacity to prosecute suspected offences. We will consult on the way we approach the use of prosecutions.

We will also respond to the changing environment as more money is spent on **digital campaigning** by responding to and engaging with government policy and legislative agendas for political finance to ensure they increase transparency for the public and are workable for campaigners. We will strengthen our engagement with social media companies and other providers of digital advertising to ensure their services and policies support transparency for election and referendum campaign activity.

We will administer the **policy development grants** scheme and ensure it operates effectively by making timely recommendations to the UK Government for any necessary changes.

## What impacts and benefits will we achieve?

This work will provide a faster and more responsive engagement with stakeholders and guidance that is increasingly forward looking and gets ahead of potential regulatory issues. We should achieve a deeper and wider understanding of the campaign finance laws amongst parties and campaigners, leading to higher compliance rates.

We will deliver an expanded range of tools that directly support parties and campaigners and are flexible enough to work for different structures and sizes, and that support targeted areas of the campaign finance rules, driven by strategic intelligence and horizon scanning. Together, this should result in improvement in the quality and reliability of the financial data parties and campaigners provide and we publish.

The public will see and can have confidence that the spending and funding of political parties and candidates at UK elections is and transparent, and that we will take proportionate action if anyone breaks the rules on campaign funding.



## 3. Be an independent and respected centre of expertise

To be an independent and respected centre of expertise, using knowledge and insight to further the transparency, fairness and efficiency of our democratic system, and help adapt it to the modern, digital age.

### Our role

This goal captures our role in guiding the sector through the challenges it faces. We will provide the evidence, analysis and insight needed by us and others working in the field, to identify and address the most important issues facing the UK's democratic system.

We will also monitor changes to the system of electoral registration and use post-election opinion surveys and our annual UK-wide survey to monitor the public's view on electoral issues and their experiences when taking part in elections. This data informs our decisions and policy recommendations, helps us to influence developments in legislation, policy and practice, and supports us in ensuring we are getting right what matters most to voters. We will continue to undertake research and report on the accuracy and completeness of the UK's electoral registers.

The Commission has a statutory duty to report on elections and referendums and keep electoral law under review. We will also continue to scrutinise new electoral legislation and provide expert briefings to governments and legislatures on legislative proposals.

Voter confidence in our electoral system is crucial, and hinges on belief in the information offered. So we propose to invest in building voter awareness and education with a particular focus on digital campaigning.

### Our plans

We will **provide expert advice and support** to political parties, campaigners, governments and the public to inform policy change, educate and inform the public and promote partnership working across the electoral sector. This will include public relations and public affairs support for the Government's political finance policies and electoral law reform, a press office function to manage media and public enquiries and the provision of expert advice and evidence to inform policy consultations and reviews.

We will continue to **report on the administration of elections** to ensure we utilise learning to improve the delivery of future events.

We will continue to **promote and build support for changes to our democratic processes** through dedicated campaigns and collaborative working with key partners and

stakeholders. We will work with partners to consider options for improving the accessibility of elections and the modernisation of registration through the better use of existing public data records.

We will **develop our evidence base** to enable greater understanding of the electoral environment, emerging issues, risks and opportunities that could affect the work of the Commission in the medium to long term and enable us to plan accordingly. We will gather data and information after elections, including on public attitudes as well as the experiences of electoral administrators and candidates, to deepen our understanding of the issues faced by our customers including the public and local authorities.

We will **enhance our public awareness activity** to support the voter in understanding the rules and systems that operate around elections and referendums, and their abilities to raise concerns and get involved. This will include activity around elections, related to the digital campaigning techniques increasingly used to reach voters, and the production of longer-term education materials to be used in formal and informal settings.

Promoting transparency is one of our corporate values and we will look to improve the **accessibility of our information** to partners and the public by developing our new corporate website further by updating and revising the research content it contains. This will include a project to use open data and digital tools to improve accessibility and to present the information in accessible visual formats.

We will proceed with our **research and data analysis of cases of electoral fraud** to identify any changes that could help tackle the issue and to support engagement with the UK's governments and their legislative agendas, such as the UK Government's proposal to introduce voter identity across Great Britain.

Through the development of our full Corporate Plan, and in consultation with our stakeholders, we will **develop a new work programme** to cover the next five year period. This will seek to make the greatest possible contribution to helping the sector to identify and plan for the most significant opportunities and challenges it faces.

## What impacts and benefits will we achieve?

Our expert evidence and views are referenced in public debate about our democratic system and processes, and government proposals reflect our priorities and recommendations for change.

## 4. Provide value for money

To provide value for money, making the best use of our resources and expertise to deliver services that are attuned to what matters most to voters. This goal underpins and supports all of our work.

### Our role

As a body directly accountable to Parliament the Commission is subject to the same expectations of Parliament for regularity, propriety and value for money as other public bodies. Meeting or exceeding these standards is integral to the way the Commission manages itself day-to-day. Our financial accountability to Parliament is exercised through the Speaker's Committee on the Electoral Commission, a House of Commons committee, chaired by the Speaker and comprising ministers serving ex-officio and back-benchers appointed by the Speaker.

Key to our success over the next five years and beyond is ensuring we have the right resources in place to support the delivery of this plan, including the initial need for resilience to ensure we are able to respond appropriately to the COVID-19 pandemic. This underpinning goal provides a focus to activities that support the organisation and ensure we have the appropriate skilled people and systems; that the delivery of services is efficient, effective and economical; and that we invest in modernising our infrastructure and systems to deliver consistent and improving value for money. This includes providing consistently high quality human resources, finance, planning, legal, support and information & communication technology (ICT) functions.

### Our plans

We will **implement our new People Strategy** to promote a culture where staff teams are best able to perform their roles effectively.

We will continue to deliver our Ways of Working project **to deliver digitally enabled business change** to reflect the expectations on a modern employer and ensure the core ICT offering can support those changes. Planned new investment in line-of-business systems over the coming years include the new regulatory case management system to support moving to undertake prosecutions, a replacement Client Case Management System to track public and stakeholder contact, and post-poll reporting tools.

We have successfully implemented a new corporate planning and performance system that enables the organisation to have a single, integrated picture of strategic and operational business activity, project delivery, risk and performance. This now enables us to focus on developing **improved capability and understanding of the delivery of our strategic goals** and the impact we are delivering for our customers.

We will continue to work with the Scottish Parliament and National Assembly for Wales to **implement our new accountability arrangements**, including a new funding formula and business plans for Scotland and Wales.

Our ability to meet the needs of voters, legislatures, political parties and all of our other stakeholders is indirectly reliant on the Commission having a specialist legal service. We will **review and refresh how we deliver legal services** that effectively and efficiently meet the changing and increasing requirements on the Commission, and reduce use of expensive outside expertise. This initiative will establish a more stable core base of lawyers in re-orientated working arrangements that are underpinned by strong quality management processes and case management systems.

We will **embed quality management processes** across all our services and functions, building on the sound practice in place in our regulatory teams. This will drive the development of our systems and processes and embed quality and continuous improvement in our culture.

## What impacts and benefits will we achieve?

Improving our planning and performance reporting will enable improved monitoring and management across all our goals, thereby driving improved impact on the things that matter most directly to electors.

Our Ways of Working project combines real technological improvements and changes in working practices and conditions. We expect this to lead to real improvements in productivity through improved across-team working and greater flexibility. Our people strategy is designed to ensure we have the engaged and empowered staff to deliver our ambitious agenda. We aim to see this reflected in higher staff engagement scores and higher staff retention rates.

The real impact of these changes, however, will be felt in the performance and impact measures in this and other goals as we translate these internal goals into improved delivery.

# Focus on Northern Ireland

The restoration of the Northern Ireland Assembly and the formation of an Executive in January 2020 has provided some stability after three years and this is to be welcomed. Even during the long period of uncertainty there continued to be an emphasis on improving the delivery of electoral services for voters in Northern Ireland. For example, would-be voters can now register easily and quickly online following the introduction of digital registration in June 2018. The impact of this is clear to see with almost a quarter of a million applications made to register during 2019.

In addition to this, since July 2017, we are now publishing quarterly information on donations and loans reported to us by political parties and other regulated donees. Transparency is essential to ensuring public confidence in our democracy so it is important that this information is now available to see and subject to public scrutiny.

However we cannot be complacent. We continue to be of the view that the information we hold on donations and loans reported to us between January 2014 and July 2017 should be published. A commitment to review the donations and loans regime had previously been made by the Northern Ireland Office (NIO) and we would urge the UK Government to carry this forward. For our part we want to engage with and listen to the public across Northern Ireland on this issue to ensure that their views are fully considered as part of this process.

Our most recent assessment of electoral registration in Northern Ireland has found that more needs to be done to make registering to vote easier for everyone. Our research found that that 1 in 4 eligible electors in Northern Ireland were not correctly registered at their current address, representing somewhere between 360,000 to 430,000 people. Of particular concern is the fact young people continue to be less likely to be registered with only 51% of 18-34 year old correctly registered.

A full canvass of electors was due to take place in 2020, but is now being postponed to 2021 as a consequence of the Covid-19 pandemic. Regardless, this will nevertheless provide a timely opportunity to address the decline in the accuracy and completeness of the electoral registers, and we look forward to working with the Chief Electoral Officer for Northern Ireland this year to support her preparations for this exercise. However it alone is not a quick fix solution and more must be done to modernise our electoral registration processes. For example, making better use of public data could be key to improving and reforming the electoral registration process, making it easier for the Electoral Office for Northern Ireland to keep the registers up to date throughout the year.

We will continue to work closely with the Chief Electoral Officer for Northern Ireland, the UK Government and our stakeholders across Northern Ireland to bring about these important changes.

# Focus on Scotland

The period covered by this corporate plan will be a challenging time for the Electoral Commission and wider electoral community in Scotland as we work to implement legislative changes brought forward by both the UK and Scottish Parliaments. Some of these changes highlight the ability of legislatures to collaborate in coordinating change in relation to registration matters where consistency is important for voters, but we are also seeing some divergence of electoral law relating to Scottish elections.

The Scottish Parliament has passed a bill setting the ground rules for future referendums in Scotland. The Referendums (Scotland) Bill provides a framework for all future referendums called by the Scottish Parliament. During the passage of the Bill, the Parliament amended the draft legislation to give effect to our recommendations for a significant increase in the level of fines available to us; wider powers to obtain information outside of formal investigations; and effective rules to require imprints on digital campaign material.

Two further bills are going through the legislative process. The Scottish Elections (Franchise and Representation) Bill extends the franchise for devolved Scottish elections to include all foreign nationals legally resident in Scotland, in addition to prisoners serving a sentence up to one year. Ensuring that those who are newly enfranchised understand that they are eligible to register and vote and know how to do so will be a significant area of work for us in the run up to both the Scottish Parliament election in 2021 and the council elections in 2022 and will run alongside our wider public awareness work.

The Scottish Elections (Reform) Bill also has implications for our work during the lifespan of this corporate plan. It makes changes to the regulation of candidates at Scottish council elections to bring them in line with the controls for all other elections in the UK. It also proposes Codes of Practice for spending at Scottish Parliament and council elections. Updated guidance and technical advice will be needed for both. The Bill also proposes changes to the role and accountability of both the EMB for Scotland and the Electoral Commission: in future the Board's remit will be extended to Scottish Parliament elections, a change we have been calling for since 2009. We will be formally accountable to and financed directly by the Scottish Parliament for the work we do in relation to Scottish devolved elections.

We will continue to work closely with colleagues in the Scottish Parliament, the EMB and others in Scotland to give effect to this agenda.

# Focus on Wales

In 2020 we will see work commence on the implementation of a major programme of electoral reform in Wales which will not only have a significant impact on future Senedd (Welsh parliament) and local government elections, but also on the way the Electoral Commission itself operates in Wales.

We now have a Senedd and Elections (Wales) Act 2020 which, amongst other things, will allow two new groups to take part in the Senedd elections of 2021: 16 and 17 year olds, and foreign nationals resident in Wales.

We are already working with the wider electoral community and special interest groups to ensure that these new voters are made aware of the changes introduced by this Act so that they can participate effectively during the next canvass period in 2020 and at the 2021 Welsh general election.

We are also committed to working with the Welsh Government and the Senedd on the Local Government and Elections (Wales) Bill as it goes through the legislative process. The provisions included in the Bill could result in major changes at future local government elections and our focus here will be on ensuring that these reforms are implemented in a way which places the voters' interest at their heart.

In addition to this electoral change, from September 2020, we will also for the first time be accountable to the Senedd for our work on Welsh elections. We look forward to working with the Welsh Parliament and Government in ensuring that these new reporting and financial arrangements are timely, appropriate and effective.

We will continue to work closely with all our partners in Wales - from the Wales Electoral Coordination Board to political parties, Governments to the Senedd, the public to the police – during a busy but rewarding period for our democracy in Wales. Diolch yn fawr iawn!

# Key activities 2018-20

Our previous plan covered the period 2018-23. It set out an ambitious agenda for changing and improving the electoral system. We have set out above our plans to continue pursuing this agenda, investing in supporting our stakeholders and modernising our delivery. In this section we set out some of the steps we have already taken to build a firm foundation for future change.

## The continued delivery of free and fair elections

- Supported the delivery of a range of electoral events including local government elections in England and Northern Ireland, local Mayoral and Combined Authority Mayoral elections in parts of England, 5 UK parliamentary by-elections, a European Parliamentary Election and a UK Parliamentary General Election
- Delivered successful public awareness campaigns ahead of each major poll, increasing voter registration with a particular focus on under-registered groups
- Completed the observation of recall petitions in North Antrim, Peterborough and Brecon and Radnorshire, and published our recommendations for improving the petition process
- Published our views on the UK's governments' proposals to reform the annual electoral registration canvass, to inform the legislation that will enable the changes to be in place from the 2020 canvass
- Worked with the Chief Electoral Officer for Northern Ireland and the Northern Ireland Office to support the launch of online electoral registration there, making registering to vote as simple and accessible as in the rest of the UK
- Published a revised Code of Practice for Electoral Observers and modernised the observer application process

## An increasingly transparent and trusted system of regulation

- Maintained the registers of political parties and of campaigners in elections, including adding updating and removing entries as needed, and ensuring voters can have confidence that only parties meeting the legal tests are registered
- Published financial data on political party donations and loans, annual accounts and spending in the European Parliamentary Election
- Delivered robust and effective enforcement of the political finance laws in the UK, using our legal powers to investigate potential offences and publishing the outcome of each investigation
- Published guidance on the spending rules for the European Parliamentary Election and UK Parliamentary General Election, and backed this through bespoke advice to, and engagement with, parties and campaigners



- Delivered draft spending codes for candidates and parties to the UK Government, having developed them following consultation and engagement with parties, candidates and other experts
- Made significant progress on the redevelopment of our Political Finance Online system to improve the efficiency of the way parties and campaigners register and deliver financial returns

## Be an independent and respected centre of expertise

- Evaluated the UK Government's pilot schemes, which tested polling station voter identification in a number of local authorities in England at the May 2018 and 2019 local elections
- Completed a series of feasibility studies exploring options for moving towards a more efficient, secure and data-driven voter registration system in the UK. The studies are now helping to inform debate on the future of electoral registration
- Reported in detail on the accuracy and completeness of the electoral registers in the UK, highlighting those groups of people who remain less likely to be registered
- Published a report on digital campaigning, setting out a package of recommendations for improving transparency for voters, as well as for the social media platforms themselves. Our recommendations have been discussed widely in the UK's legislatures and beyond, and have attracted support from a broad range of parliamentary bodies, fellow regulators, think tanks and commentators
- Convened a group of regulators to discuss and inform government of issues of common regulatory interest, including digital campaigning and the truthfulness of campaign content. This has enabled a shared understanding of each organisation's relevant activity, to aid cooperation and best use of public resources
- Held detailed discussions with Facebook, Twitter and Google about their policies for online election adverts, to inform their proposals and our own policy positions about how best to ensure transparency

## Provide value for money

- Launched our new corporate website, which significantly improves our digital services, meets user needs more effectively and provides information in easy-to-use and fully accessible ways
- Refreshed our corporate identity, ensuring our work is presented in a consistent, accessible and recognisable way, in line with our organisational values
- Implemented new systems to deliver efficiencies and enhanced transparency for key corporate functions such as procurement, project management, performance and governance
- Developed a new People Strategy to support the best use of our resources
- Benchmarked and updated our Records Policies in preparation for the organisation's twenty year anniversary

- Delivered the objectives of the Ways of Working project by developing our working practices to reflect the expectations of a modern employer and ensured that the core ICT offering supported these changes
- Enhanced our skills base across the organisation through a comprehensive learning and development programme for employees and investment in specialised technical resources

# Managing our costs

Our budget includes expenditure on preparing for, supporting the delivery of and reporting on scheduled electoral events.

Over the course of the period covered by this plan, we will support the delivery of all local government, UK Parliament, devolved Parliament and Assembly, Mayoral, London Assembly and Police and Crime Commissioner elections. The table below includes our forecast resource requirements in support of these planned events. This includes our initial estimates reflecting the impact of the postponement of the May 2020 polls to May 2021. Our resource plans will be updated further if events or government legislation change.

The Commission's budget for electoral events funds the costs of producing and distributing guidance to Returning Officers and their staff, and providing ad hoc guidance to them and to parties, candidates, campaigners and members of the public. It also funds public information campaigns on voter registration and electoral integrity, our observation of the election, post-poll research into how it was conducted, and related reports. Financial regulation costs directly related to the specific event are also included.

The cancellation of the polls scheduled for May 2020 means a reduction in our scheduled events spend. In particular the canvass scheduled for Northern Ireland is delayed to 2021, and campaign spending which would have taken place ahead of the polls is no longer required other than provision for possible abortive costs arising from the postponement of the May 2020 elections. However work arising out of the December 2019 UK Parliamentary General Election needs to be completed. And other scheduled work to support and enhance the democratic process such as the canvasses in Scotland and Wales and spend on digital literacy and voter education continues. May 2021 will now see more electoral events than originally scheduled and some complex combinations of polls. This requires significant preparatory work, and a raised campaign spend in the spring of 2021.

Core costs fund the activities we will undertake regardless of the electoral cycle; this includes registering and monitoring the funding of political parties, supporting electoral administration and analysing performance standards, and some elements of our research work. Core costs also include administrative expenditure on Commission support functions including accommodation, and ICT.

Planned capital expenditure includes investment in the Commission's online Political Finance and Regulation online portal, which is used by our stakeholders to maintain their organisational details and report their financial returns to the Commission. There are also investments to update and deliver digital tools across the Commission in order to implement more flexible working practices. The Commission leases its properties; from 2021/22 we will be adopting International Financial Reporting Standard 16 (IFRS16), in line with Treasury rules. From that year, we are required to show the full value of a new lease in capital budgets when the lease begins. This means the budgets shown from 2021/22 are not directly comparable with the budgets for 2019/20 or 2020/21.

In addition to the Commission's operational costs, we are also responsible for administering policy development grants to eligible political parties, in line with the Political Parties, Elections and Referendums Act 2000 (PPERA). This provides for £2 million of grants to be paid to eligible political parties to assist in developing policies for inclusion in their manifestos. We will continue to ensure there are appropriate controls over the distribution and use of these public funds.

The Commission's spending plans for 2020/21 – 2024/25 are summarised in the table below. The figures in the table below are forecast outturn price base. When preparing this plan we have made a number of assumptions to ensure we are setting realistic plans and delivering value for money. Key amongst these is the number and type of electoral events that are planned for the period covered by this plan. The second key determinant is the level of inflation experienced by the Commission. As we develop a more robust long term corporate plan over the coming months forecast expenditure may change.

### **Electoral Commission** forecast expenditure 2020-21 to 2024-25

Electoral £ million	2019/20*	2020/21	2021/22	2022/23	2023/24	2024/25
Core expenditure	12.333	13.873	13.183	12.996	13.289	13.609
Provisions #	0.400	0.400	0.400	0.400	0.400	0.400
Depreciation	0.494	0.642	1.631	1.893	1.202	1.410
<b>Core subtotal</b>	<b>13.227</b>	<b>14.915</b>	<b>15.214</b>	<b>15.289</b>	<b>14.890</b>	<b>15.419</b>
Event	5.998	5.037	4.867	3.970	3.972	5.378
Capital	0.990	1.301	0.966	0.485	0.468	1.555
Policy Development Grants	2.000	2.000	2.000	2.000	2.000	2.000
<b>Total</b>	<b>22.215</b>	<b>23.253</b>	<b>23.048</b>	<b>21.744</b>	<b>21.331</b>	<b>24.351</b>

Further expenditure in the region of £0.200 million in Commissioner fees and related expenses does not require annual Parliamentary authority and is instead funded directly from the Consolidated Fund. This amount is not included in the figures above.

\* 2019-20 figures show budget after the Supplementary Estimate, including additional budget for UK Parliamentary General Election (reference purposes only).

# £0.400 million for provisions covers potential legal risks, building dilapidation and impairments for leases.

# Our governance arrangements

The Commission is led by a Board of Commissioners, who set the strategic direction and are responsible for the work of the organisation.

The Board comprises ten Commissioners, one of whom is the Chair. Three of the Commissioners are appointed to represent Northern Ireland, Scotland and Wales respectively. These Commissioners provide advice and support in relation to their country. They also advise on the impact of the Commission's work and are consulted by the Commission Board on matters in Northern Ireland, Scotland and Wales.

Four of the Commissioners are nominated by the leaders of political parties: one by the party with the largest number of MPs in Parliament, two more by the second and third largest parties respectively, and one by the other political parties with two or more MPs elected to and having taken their seats in Parliament. The remaining two Commissioners have no specific brief. All Commissioners are appointed by Her Majesty the Queen, on a motion of Parliament.

As part of the Corporate Framework the Board has two sub-committees: the Audit Committee and the Remuneration and Human Resources Committee. Both are chaired by Commissioners.

Alongside the Board of Commissioners, we also consult regularly with a Parliamentary Parties' Panel, Parliamentary Advisory Group and with equivalent Panels for Northern Ireland, Scotland and Wales. These were set up to allow political parties to give us feedback about matters affecting them.

The Chief Executive is the Accounting Officer.

We are accountable to the UK Parliament, specifically the Speaker's Committee, which is chaired by the Speaker of the House of MPs. A member of the Speaker's Committee is nominated by the Committee to answer questions in the House of Commons about the Electoral Commission.

The Commission has since its establishment in 2001 also welcomed policy scrutiny from committees of the Scottish Parliament and the National Assembly for Wales. The Scotland Act 2016 and Wales Act 2017 make provision for our functions relating to devolved electoral matters in Scotland and Wales to be funded by those legislatures and early in the life of this Plan that will almost certainly be implemented. The Commission is currently working closely and positively with those legislatures to ensure these new funding arrangements will work well, and to ensure corresponding accountability.

Every year we submit an estimate of our income and expenditure, together with our work plan, to the Speaker's Committee for examination and approval. In the life of this Plan we anticipate, once statutorily required, also making appropriate estimate submissions to equivalent Committees of the Scottish Parliament and the National Assembly for Wales.

The Electoral Commission is the independent body which oversees elections and regulates political finance in the UK. We work to promote public confidence in the democratic process and ensure its integrity.

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Llywodraeth Cymru  
Welsh Government

Ein cyf/Our ref FM -/01626/20

Ann Jones MS  
Chair  
Llywydd's Committee  
Senedd Cymru

[seneddllc@senedd.wales](mailto:seneddllc@senedd.wales)

2 November 2020

Dear Chair

I am writing in response to your letters of 9 October to myself and the Minister for Housing and Local Government, about the Electoral Commission's financial estimate for 2021-22 relating to its work on devolved Welsh elections and its five-year plan for 2020-21 to 2024-25.

While we are yet to confirm the level of funding, which will be transferred to Wales by HM Treasury in relation to these costs, we anticipate it will be broadly in line with the estimate. Any sums not covered by the transfer would have to be found from elsewhere within the resources available to Wales, thereby reducing the sums available for other activities covered by the Annual Budget Motion.

I can also confirm that the activities described by the Electoral Commission in the estimate and five-year plan are in line with the Welsh Government's expectations about what will be required during the periods these cover. I would highlight to the committee however, that expenditure for the 2021 Senedd election is likely to fall within the current financial year and the 2021-22 financial year.

My officials are working with the Electoral Commission to conclude a payment agreement, which will set out how the Welsh Government will pay it from the Welsh Consolidated Fund, according to the budget agreed by the Senedd. I will share that agreement with you in due course.

Best wishes

**MARK DRAKEFORD**

Bae Caerdydd • Cardiff Bay  
Caerdydd • Cardiff  
CF99 1SN

Canolfan Cyswllt Cyntaf / First Point of Contact Centre:  
0300 0604400  
[YP.PrifWeinidog@llyw.cymru](mailto:YP.PrifWeinidog@llyw.cymru) • [ps.firstminister@gov.wales](mailto:ps.firstminister@gov.wales)

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

A Short Guide to

# The Electoral Commission



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## About this guide

This Short Guide summarises the work of the Electoral Commission (the Commission) including what it does, how much it costs, and recent and planned changes. This report was prepared by the National Audit Office during February and early March 2020 and submitted to the Speaker's Committee on 13 March 2020.



If you would like to know more about the National Audit Office's (NAO's) work on the Electoral Commission, please contact:

### Damian Brewitt

Director – Parliament, EU Agricultural Funds and International Financial Audit

✉ [damian.brewitt@nao.org.uk](mailto:damian.brewitt@nao.org.uk)

☎ 020 7798 7256

If you are interested in the NAO's work and support for Parliament more widely, please contact:

✉ [parliament@nao.org.uk](mailto:parliament@nao.org.uk)

☎ 020 7798 7665

The National Audit Office (NAO) helps Parliament hold government to account for the way it spends public money. It is independent of government and the civil service. The Comptroller and Auditor General (C&AG), Gareth Davies, is an Officer of the House of Commons and leads the NAO. The C&AG certifies the accounts of all government departments and many other public sector bodies. He has statutory authority to examine and report to Parliament on whether government is delivering value for money on behalf of the public, concluding on whether resources have been used efficiently, effectively and with economy. The NAO identifies ways that government can make better use of public money to improve people's lives. It measures this impact annually. In 2018 the NAO's work led to a positive financial impact through reduced costs, improved service delivery, or other benefits to citizens, of £539 million.

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## Requirement for this report

- The Comptroller and Auditor General is required under the Political Parties, Elections and Referendums Act 2000 (PPERA), as amended by the Deregulation Act 2015, to produce a report to the Speaker's Committee (the Committee) on the Electoral Commission's (the Commission's) production of a Corporate Plan, which is due when an Estimate is provided to the Speaker's Committee following a General Election. With the introduction of the Fixed Term Parliament Act in 2011 this was anticipated to be every five years, but with additional elections, the Commission has produced a total of three plans since 2015.

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## History of our reporting duties

- In 2018, following the 2017 General Election, we produced a report which summarised the key elements of the Commission's work. Given the limited time since the Election and the interim nature of the Commission's Corporate Plan, we are following a similar methodology with our report to the Committee this year. We have also summarised in Appendix Two other observations from previous NAO reports issued since 2011.

## Aim of this report

- The Speaker's Committee, as a statutory body established under the PPERA, examines the resource estimates and the Five-Year Plans proposed by the Commission on behalf of Parliament. In this role it holds the Commission to account and fulfils a vital role in the governance of the Commission.
- To support the Committee in its work, our report highlights the key elements of the Commission's work, the main elements of its plan and describes how it uses its resources. We have, where appropriate, highlighted areas which we feel the Commission can further develop to enhance its planning and reporting processes, and to enhance transparency and accountability. The Committee may wish to use this report as a means of providing additional information to the public, in addition to supporting its scrutiny of the Commission.

The Electoral Commission is the independent body that oversees elections and regulates political finance in the UK. The Commission seeks to promote public confidence in the democratic process and ensure its integrity. It was set up under the PPERA to be independent of government and political parties and is directly accountable to the UK Parliament. The Commission's main office is in London, and it has devolved offices in Northern Ireland (Belfast), Scotland (Edinburgh) and Wales (Cardiff).

### 1) Overseeing elections and referendums

The Commission monitors elections and referendums to make sure they are fair and run well, promoting public confidence in the democratic process. The Commission provides the guidance and advice that enables the delivery of elections as well as setting performance standards for how they should be delivered.

As part of this role, the Commission runs public awareness campaigns ahead of elections to encourage people to register to vote. The Commission does not run the polling stations, count the votes or announce the results at elections. Its role in referendums is different, as it does run national referendums held under the PPERA, or has other responsibilities, depending on the legislation. As part of this role, the Commission works to make sure that referendum questions are worded in a way that voters cannot misinterpret and issues guidance for voters and campaigners.

The Commission publishes reports following elections and referendums detailing costs, turnout and how well these events were run.

### 2) Regulation of political finance

Political parties must submit to the Commission annual statements of accounts, reports of all larger donations and loans they receive and campaign spending returns. The Commission maintains a publicly available and searchable register of these returns and accounts on its website ([www.electoralcommission.org.uk/who-we-are-and-what-we-do/financial-reporting](http://www.electoralcommission.org.uk/who-we-are-and-what-we-do/financial-reporting)). The Commission may impose financial civil penalties on political parties and others if they fail to submit donation and loans returns, campaign spending returns or statements of account. The Commission also has the power to seek forfeiture of impermissible donations accepted by political parties or other regulated individuals or entities.



### Governance

The Commission has a mature and well-established governance structure and its accountability framework meets the NAO's four essentials of accountability. It has a mature approach to risk management, and it has not disclosed any significant control or other governance weaknesses over the past five years.

In managing the impact of legislative changes to increase accountability and transparency to the Scottish Parliament and the Welsh Parliament, it is important that the Commission establishes equitable, clear and transparent costing mechanisms to allocate expenditure to the devolved administrations. It will also be important to consider any necessary adaptations of governance to ensure that the new accountabilities are effectively overseen.



### Planning and performance

In 2018-19 the Commission achieved 17 of its 22 corporate performance indicators. The interim Corporate Plan 2020-21 to 2024-25 does not include any performance measures, but we understand these will be incorporated in its full plan later this year. It will be important to ensure the measures it introduces are part of a balanced scorecard covering the range of Commission activities and cover issues such as quality and use of resources to better measure its value for money.

The Corporate Plan would be enhanced by providing more granular detail on the costs, timetable and milestones for major projects during the plan period. These have been missing in previous plans.



### Use of resources

The Commission has a good track record of financial management, remaining within its estimates, despite a period of intense and unpredictable electoral activity. Its financial statements have been reliable, confirming that its accounts have been materially true and fair and that resources have been used in accordance with Parliament's intentions.

The Commission has undertaken sound work to evaluate the effectiveness of some of its activities, such as Section 13 expenditure on public awareness.

The Commission undertakes projects to further its objectives. We have highlighted that the Commission does not have a consistent approach to the inclusion of indirect costs in its project activity, meaning that the costs of projects could be understated. The Commission considers its current approach to be proportionate.



### People

The Commission's staff engagement scores have fallen in its last two staff surveys to 65% (civil service benchmark was 62% in 2018) and it has experienced high turnover of 31.7% during 2018-19. Recognising these issues the Commission is introducing a new People Strategy in 2020 and aims to achieve higher staff engagement scores in its staff survey and improve staff retention. Staff also highlighted a need to improve the approach to programme and project management, to improve coordination and timely delivery.

The Commission has not set out this strategy in its interim Corporate Plan but it expects to do so in its final version later this year.



Key facts



Governance



Planning and performance



Use of resources



Project management



People



Appendix One: Designing performance measures



Appendix Two: Key themes from previous NAO reports



Appendix Three: Past NAO recommendations

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**£16.2m**

Resources used by the Commission in 2018-19 including £616,000 capital spend (£16.2m in 2017-18).



**£19.4m**

The Commission's net resources approved by Parliament for 2019-20, including £990,000 capital spend (£17.8m in 2018-19).



**£130m**

The total cost, including electoral returning officers, incurred by the Commission up to 31 March 2019 for its role in conducting the 2016 EU Referendum.



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**26**

Number of separate scheduled electoral events, covered by the Electoral Commission's interim Corporate Plan 2020-21 to 2024-25.



**50%**

of the Commission's operating expenditure was staff costs in 2018-19; £7.7 million.



**65%**

The Electoral Commission's 2018 employee engagement index score (68% in 2017).



**270,000**

Additions to the electoral register the Electoral Commission contributed to in 2018-19, following its voter registration campaigns.



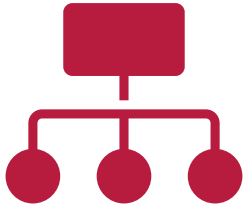
**£242,610**

In its role as regulator, the Commission imposed civil sanctions in 2018-19 (£143,300 in 2017-18).



**112**

Investigations completed in 2018-19 (187 in 2017-18).



- Effective governance is important in providing transparent and accountable management and oversight of any entity. The Commission's role within the UK democratic system means that it must uphold the highest standards of governance and of accountability for the way in which it uses its resources and delivers against its plans.

- The Commission has specific arrangements for the appointment of Commissioners, who are approved through the Speaker's Committee. It is accountable to Parliament, through resource requests and submission of plans through the Speaker's Committee.

- Effective governance measures enable the Commissioners to demonstrate their role in oversight of the Commission and to provide the evidence to the Speaker's Committee in support of their request for resources through the Estimates process.

- In this section we highlight:
  - the role of the Commissioners and overall organisational structure;
  - the accountability framework;
  - how the Commissioners manage organisational risks; and
  - the impact of devolution of electoral responsibilities.

### The Commissioners (January 2020)

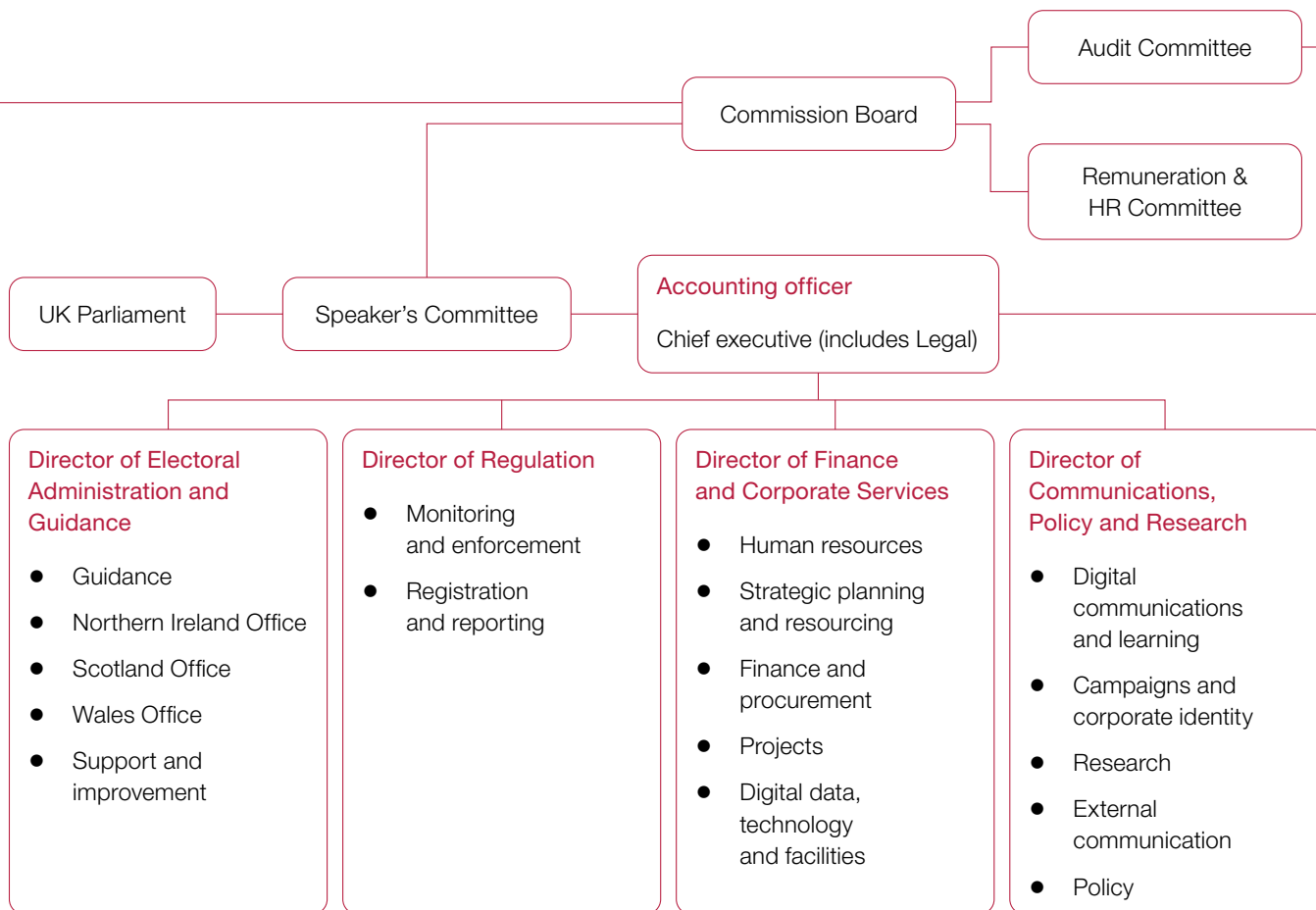
- Sir John Holmes (Chair)
- Dame Sue Bruce
- Anna Carragher
- Sarah Chambers
- Alasdair Morgan
- Professor Dame Elan Closs Stephens CBE
- Rob Vincent CBE
- Lord Gilbert of Panteg
- Joan Walley
- Alastair Ross

There are 10 Commissioners who are appointed by Her Majesty the Queen on the recommendation of the House of Commons for a period of up to 10 years. Three are appointed by the Board to the Audit Committee and three to the Remuneration & HR Committee. There are three Commissioners who represent Scotland, Wales and Northern Ireland. Three of the Commissioners represent the three largest qualifying political parties, and another represents all of the other parties.

Commissioners act collectively and do not have individual authority. They are responsible for enabling the Commission to effectively discharge its functions, ensuring high standards of corporate governance and overseeing risk management and are held to a strict code of conduct.

### Organisational structure

The current organisation structure is presented on this page. A change was made in late 2019 to bring the Legal team directly within the chief executive's office.



Effective governance is important in providing transparent and accountable management and oversight of any entity. Given the Commission's role, it is particularly essential in demonstrating accountable and objective decision-making. The Commission has a mature and well-established governance structure.

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The NAO's report on [Accountability to Parliament for taxpayers' money](#) highlighted the four essentials of accountability. We have used this to describe the accountability framework within the Commission:

## 1. A clear expression of spending commitments and objectives



Each financial year the Commission is required to submit to the Speaker's Committee an Estimate of its income and expenditure. After its examination, the Speaker's Committee lay the Estimate before the House of Commons.

This is part of Parliament's supply procedure through which the Commission's resource requirements are approved. The Commission reports on outturn against the Estimate in the Annual Report and Accounts, which is audited by the Comptroller and Auditor General.

The Commission conducted a strategic review in 2016-17 with the aim of "being a world class public sector organisation – innovative, delivering great value and getting right what matters most to voters and legislators". This resulted in stated goals against the Commission's three core areas of activity: delivery of elections, regulation of political finance and improving the democratic process, and has informed the projects which have been taken forward by the Commission.

*The Commission has remained within its Parliamentary Control Totals and Estimates in recent years, and has maintained robust financial stewardship of its resources, evidenced by unqualified audit opinions on its Annual Report and Accounts.*

## 2. A mechanism or forum to hold to account



The Commission is accountable to Parliament, and specifically to the Speaker's Committee of the House of Commons. The Committee was established by the PPERA 2000 and is required to report to the House annually on the exercise of its functions, which include examining the Commission's plans, objectives, estimate and annual report and overseeing the selection of Commissioners.

Changes to accountability are expected following introduction of legislation within devolved nations (see page 14).

Commissioners are appointed by Royal Warrant on the recommendation of the House of Commons to the Commission Board, which monitors the Commission's performance, sets strategic direction and is responsible for ensuring it acts within its statutory remit. The Board met nine times in 2018-19.

In April 2019 the Commission Board undertook a review of its effectiveness, which resulted in changes to the forward plan, commissioning of papers and the executive summary to ensure papers were focused and met the strategic agenda of the Board. The Commission is tendering for external facilitation of Board effectiveness in 2020 and a procurement is under way to enhance and automate reporting to the Board.

The Board is supported by the Audit Committee and the Remuneration & HR Committee.

*Board structures have operated effectively, no significant governance issues have been reported in the Commission's governance statement and none have come to our attention.*

### 3. Clear roles and someone to hold to account



The Chief Executive (Bob Posner, from January 2019) has delegated authority from the Board for day to day management of the Commission. The Chief Executive in turn is authorised to delegate matters to Commission staff, and these are set out in the Executive Scheme of Delegation.

The Chief Executive is also appointed by the Speaker's Committee as the Electoral Commission's Accounting Officer. The Accounting Officer is personally responsible and accountable to Parliament for managing the Commission, its use of public money and its stewardship of assets as set out in [Managing public money](#).

Sir John Holmes was appointed Chair of the Commission from January 2017. The appointment term of six Commissioners' are coming to an end during the 2020-21 financial year, with five being eligible for reappointment.

*The Commission has not made any losses or special payment disclosures or had cause to disclose any failure to comply with [Managing public money](#) in recent years.*

### 4. Robust performance and cost data



The Commission's performance measures are agreed annually by the Commission Board and are reported to it on a quarterly basis.

The Commission's achieved performance against these measures is published in its Annual Report and Accounts.

In 2018-19 the Commission fully achieved 17 of 22 annual performance indicators (pages 20–21).

The Commission has not included any performance indicators in its interim Corporate Plan 2020-21 to 2024-25. It plans to develop these by September 2020. We consider a balanced scorecard of measures is important in demonstrating the efficient and effective delivery of its outputs. The Corporate Plan could also further develop a more granular plan for key project costs and time schedules against which progress over the Plan Period can be measured.

*We believe there is scope to enhance the range and rigour of the performance measures the Commission could use to monitor its performance, and we have noted the Commission's ambition to develop these in its next full Corporate Plan.*

The Commission's accountability framework meets the NAO's four essentials of accountability, but there remains scope to further develop performance measurement, to ensure performance indicators are challenging and cover the breadth and depth of the Commission's activities, and to include these in future Corporate Plans.

The Commission reports its key governance arrangements within its Governance Statement, demonstrating how the accounting officer has carried out their duties over the financial year. The key feature of a governance statement is the risk assessment.

### Strategic risks identified and managed by the Commission in 2019-20

Risk	How it is managed
The Commission does not deliver all or a significant part of its Corporate Plan.	The Executive Team, Board and Audit Committee regularly monitor corporate activities and risks. The Commission maintains high cyber and information security standards. The Board and Executive Team use business planning, and in-year budget and activity management to direct resources to priorities.
Part or all of an election poll is not well run.	An internal management group oversees the Commission's work on electoral events and emerging issues, including liaison with governments on issues such as civil contingencies; its activities increase during pre-election periods. The Commission undertakes wide but targeted consultation on its core guidance. Public awareness activities encourage voter registration and provide knowledge of electoral fraud. The devolved offices and English Regional Teams support and challenge returning officers to deliver successful polls.
Ineffective regulation of political finance rules.	An internal management group provides oversight of key issues and trends in campaigning. The Commission produces reports on case summaries and decisions, and works with UK public prosecutor bodies and other regulators and law enforcement partners. All regulation procedures are documented in the Quality Management System.
The Commission fails to respond adequately to increased devolution.	A Project Board oversees changes to accountability resulting from UK Parliament legislation affecting its relationship with the Scottish Parliament and the Senedd. They engage with officials across parliaments and governments to ensure the Commission understands and addresses devolution issues that affect it. Advisory Boards operate in Scotland and Wales.
The Commission is not sufficiently prepared for the implications of departure from the European Union for its work	This risk was removed from the Commission's organisational risk register after the UK's departure from the EU. The Commission maintains an impact log for departure from the EU to ensure preparedness. It regularly engages with governments throughout the UK, to understand their plans for voting and candidacy rights for EU member state citizens.

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### Assurances provided by a Governance Statement

The Governance Statement provides a number of other assurances, including:

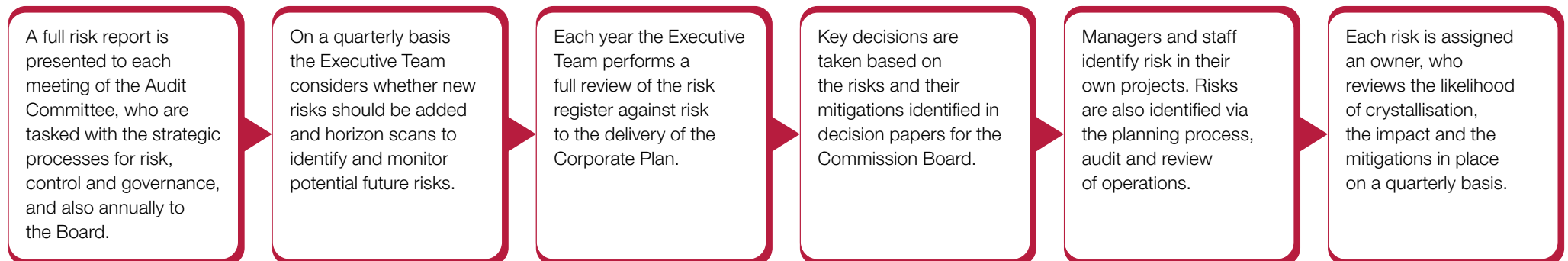
- **Chief executive's statement** – "the frameworks, control environment, processes and scrutiny set out in the Governance Statement were effective since my appointment".
- **Work of the Committees** – the Audit Committee met three times in 2018-19 and monitored the approved programme of audit and reviews and management's response to these, including five internal audit reports.
- **Review of Board performance** – the Governance Statement includes the Board's assessment of its own effectiveness, which is an integral part of the Commission's governance arrangements.
- **Information governance and data incidents** – There were two information governance-related issues in 2018-19. One incident was the data breach reported in the 2017-18 report and the only incident that required a report to the Information Commissioner's Office (ICO).

### Risk management

The Commission's risk management processes are designed to:

- maintain a clear framework across the organisation within which risks are identified, assessed, managed and regularly reviewed;
  - assign specific responsibility for managing risks in their areas of responsibility to individual Executive Team members (including managing risks to significant projects in their capacity as project directors);
  - ensure that the significance and impact of risks are assessed on a consistent basis;
  - ensure that existing risks are regularly reviewed, and that new risks are identified and managed; and
- provide the chief executive, the Audit Committee and the Commission Board with assurance that the risks are being managed appropriately.

In 2019, the Commission updated its risk management framework. One of the key changes was to move from using a 3x3 matrix to a 5x5 matrix for assessing risk ratings. The new matrix allows for more granular risk assessment and therefore more nuanced decisions about risk appetite and internal controls.



Commissioners ensure that there are systematic processes to identify, monitor and mitigate risks within the Commission. The Commission has an established risk management and governance framework.

In 2019 draft legislation was introduced to increase accountability and transparency to the devolved nations.

Responsibility for Scottish Parliament elections is transferring to the Scottish Parliament from 2021-22. The Wales Act 2017 provides the legislative basis for local government and Assembly elections to be transferred to the Welsh Parliament. The Commission aims to work with all stakeholders to support these transitions and ensure any resulting changes to electoral processes are effective. In 2017 the Commission established an advisory group in Scotland and another one in 2018 in Wales to support this work.

## Legislation



- The Scottish Elections (Reform) Bill was introduced to the Scottish Parliament on 2 September 2019.
- The Senedd and Elections (Wales) Act 2019 became law in Wales on 15 January 2020.

## Funding and accountability



- Currently the Commission receives all its resources through the Estimates approved by the UK Parliament, from 2021-22 the Electoral Commission is due to be funded jointly by the UK Parliament, the Scottish Parliament and the Welsh Parliament.
- Each funder will pay the direct cost of electoral events held under their powers each year, plus a share of indirect costs (UK-wide operating costs and overheads). Between 80% and 90% of cost each year will be funded by the Estimates scrutinised by the Speaker's Committee.
- The Electoral Commission will continue to receive small amounts of fee income and may continue to provide rechargeable services to devolved governments.
- The Electoral Commission will be accountable to each of the bodies which fund it, and will be required to report and be held accountable to committees of each of the parliaments. The Speaker's Committee may want to consider how these changes will impact and how it might liaise with other scrutiny bodies in reviewing Corporate Plans.

### Implications for the Electoral Commission in 2020

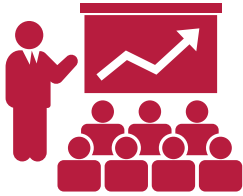


- Working with other stakeholders, the Commission will need to determine the apportionment of UK operating costs and overheads. It is important that there is confidence in the allocation and apportionment of these costs to its other funding bodies. We would encourage the Commission to ensure that key principles of cost allocation are followed to ensure:
  - costs are fair and equitable;
  - transparent and auditable;
  - they provide a stable basis for estimate processes for all parties to enable effective budgeting and monitoring of costs; and
  - costing and allocation methods are proportionate and efficient, reflecting the values involved.
- The Commission will need to clarify and agree relevant accounting policies to ensure that each stakeholder can obtain the assurance and disclosure needed through the Annual Report and Accounts, including the presentation of the use of Parliamentary Estimates. This will avoid duplication of reporting and the additional costs that might arise from this. These decisions may need to be made by September 2020, in time for any planned Estimates for 2021-22.

The Commission is in ongoing dialogue with its main funding stakeholders, HM Treasury, the Welsh and Scottish governments, to ensure all the reporting requirements of stakeholders are met.

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**It will be important for the Commission to establish equitable, clear and transparent costing mechanisms to ensure that costs are allocated across the devolved administrations, and that these costs are reported efficiently and accurately in future financial statements.**



- In producing three five-year plans over the past four years the Commission has not completed a full cycle of corporate planning against which its effectiveness can be measured. The Commission's latest interim Corporate Plan does not provide specific measurable indicators or benchmarks for performance over time, despite its goals remaining the same as for its previous Corporate Plan. We would encourage the Commission to develop challenging figures to benchmark performance and the outputs which it anticipates within its four key goals.

- Effective organisations will produce plans to provide clarity on key strategic aims and the resources which will be required to deliver them. Organisations use longer-term plans to provide strategic direction and shorter-term plans to monitor and deliver these objectives on an annual basis. Organisations can demonstrate their value for money by ensuring a balanced scorecard of measures across their activities, linking these to their core objectives and the resources used. These measures are reported in the Annual Report and Accounts each year.

- Under the requirements of PPERA the Commission is required to produce Corporate Plans covering five years following a General Election. The Commission has had the challenge of being required to produce three versions of its five-year plan over the past five years, to meet the legislative requirements following each General Election. In March 2020 the Commission will submit an interim plan, pending a fuller version in the autumn of 2020, covering the period 2021–2026.

- In this section we consider:
  - a summary of the Commission's interim plan for 2020–2025, covering its goals and plans;
  - how the Commission measures its performance;
  - reported performance measures; and
  - our observations on the Commission's planning and performance reporting.

This page summarises the key elements of the Commission's current proposed Corporate Plan.

### Vision

To be a world-class public sector organisation – innovative, delivering great value and getting right what matters most to voters and legislators.

### Goals

**1**

**To enable the continued delivery of free and fair elections and referendums,** focusing on the needs of electors and addressing the changing environment to ensure every vote remains secure and accessible.

**2**

**To ensure an increasingly trusted and transparent system of regulation** in political finance, overseeing compliance, promoting understanding among those regulated and proactively pursuing breaches.

**3**

**To be an independent and respected centre of expertise,** using knowledge and insight to further the transparency, fairness and efficiency of our democratic system, and help adapt it to the modern, digital age.

**4**

**To provide value for money,** making best use of our resources and expertise to deliver services that are attuned to what matters most to voters. This goal underpins and supports all of our work.



Plans for the next five years

**1**

● Continue to provide expert advice and guidance to local authorities, candidates and agents to support the delivery of well-run electoral events.

● Support the scheduled electoral events during the life of the Corporate Plan and work with partners to develop and deliver proposals for improving the accessibility of elections.

● Undertake voter registration campaigns ahead of all major polls, to raise awareness of the need.

Continue to support the UK's governments' electoral registration annual canvass reforms in Great Britain and the 2020 annual canvass in Northern Ireland.

● Develop and implement a strategy to support increased resilience in the delivery of electoral services at local level.

● Publish new performance standards for electoral registration officers (EROs).

● Respond to and engage with the Scottish and Welsh governments' policy and legislative agendas for changes to the franchise.

● Undertake electoral fraud work, including close engagement with the police and local authorities.

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**2**

● Continue to maintain the registers of political parties and campaigners, ensuring voters have clarity about registered parties and campaigns on the ballot paper.

● Continue to promote transparency of political finance by publishing financial data from parties and campaigners, including that related to elections, alongside delivering a new Political Finance Online system.

● Promote high rates of compliance with the rules and thus transparency for voters.

● Working with parties and campaigners, develop a new strategic framework to ensure effective and impactful proactive support.

● Deliver effective enforcement of the political finance rules, ensuring votes, parties and campaigners have confidence that the rules are enforced proportionately and with impact, within its current powers.

● Respond to the changing environment as more money is spent on digital campaigning.

● Administer the policy developments grants scheme and ensure it operates effectively.

**3**

● Provide expert advice and support to political parties, campaigners and government and the public.

● Report on the administration of elections.

● Continue to promote and build support for changes to the Commission's democratic processes.

● Develop its evidence base to enable greater understanding of the electoral environment, emerging issues, risks and opportunities that could affect the work of the Commission in the medium to long term and enable it to plan accordingly.

● Enhance its public awareness activity.

● Improve the accessibility of information to partners and the public by developing new corporate website further.

● Proceed with research and data analysis of cases of electoral fraud and support engagement with the UK governments and their legislative agendas.

● Develop a new work programme to cover the next five-year programme.

**4**

● Implement its new People Strategy.

● Deliver its Ways of Working project to deliver digitally enabled business change to reflect the expectations on a modern employer and ensure the core ICT offering can support those changes.

● Using the Commission's new corporate planning and performance system, focus on developing improved capability and understanding of the delivery of its strategic goals and the impact it is delivering for its customers.

● Continue to work with the Scottish Parliament and the Welsh Parliament to implement its new accountability arrangements.

● Review and refresh how it delivers legal services that effectively and efficiently meet the changing and increasing requirements on the Commission, and reduce use of expensive outside expertise.

● Embed quality management processes across all the Commission's services and functions.

The Commission uses the framework below to measure its performance. This aligns the Commission's vision, goals and activities with performance measurement and wider impact indicators. We see this as an appropriate response to the issues we have raised in our previous reports. The Commission measures its performance against the strategic goals set out in its annual Business Plans.

For each goal it has identified activities which contribute towards its delivery and corresponding performance measures. The Commission has also developed impact indicators to enable it to understand the wider environment in which it works. Many of these are measured through its annual public opinion survey, which tracks voter opinion on key issues such as the perception of electoral fraud and confidence in spending rules. The performance measures are agreed annually by the Commission Board and are reported to the Board on a quarterly basis.

Appendix One highlights the aspects which we consider to be important in the effective measurement of performance, we would encourage the Commission to critically review its measures against these criteria to ensure they provide a sound basis for demonstrating the Commission's effectiveness.

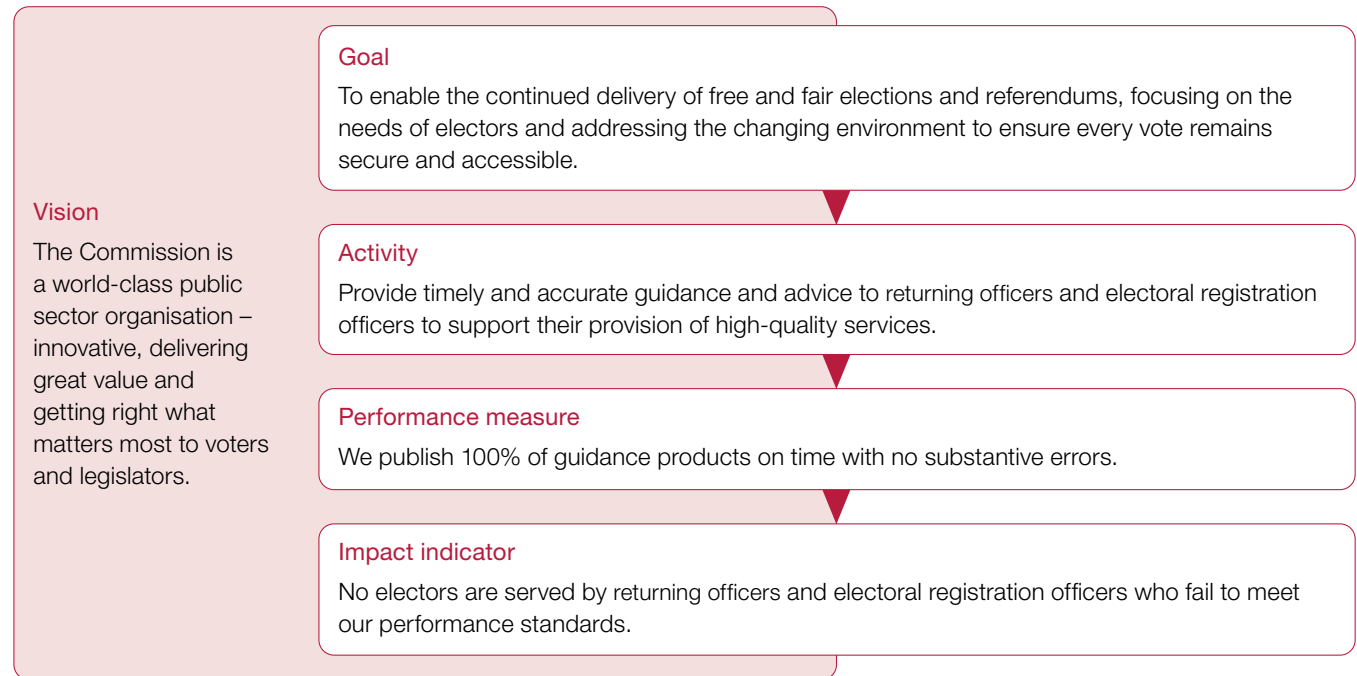
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A key element of the Commission's measurement of performance is the annual public opinion survey, known as the Winter Tracker Survey.

The most recent survey published in July 2019 surveyed some 1,731 people about their confidence in the electoral system and processes.

While the Commission sets standards, produces guidance and acts as regulator, it does not directly deliver electoral processes or maintain and manage the electoral registers.

The confidence in the democratic processes can be influenced by a significant number of other stakeholders, in particular the public experience of the electoral registration officers in their own local authority area. This can make it difficult to directly identify the Commission's impact on public opinion.



We would encourage the Commission to critically review its performance measures to ensure they provide a sound basis for demonstrating and measuring the Commission's effectiveness.

In 2018-19 the Commission fully met 17 of its 22 corporate performance measures (achieved targets are shown in green). Its comparative performance for 2017-18 is shown as an indication of the Commission's progress on the previous year.

From 2018-19 the Commission introduced a target tolerance of +/- 2.5% for assessing a performance measure as having been achieved.

Goal 1: Free and fair elections	2018-19	2017-18	Change 2017-18 to 2018-19
Publish 100% of guidance products relating to electoral registration on time with no substantive errors.	100%	100%	No change
Provide accurate advice to returning officers and electoral regional officers within three working days of receipt of the request (target 100%).	100%	99%	▲
Additions to electoral registers during Electoral Commission public awareness campaigns met or exceed its targets (specific targets agreed ahead of each poll).	100%	May 2018 local government polls: 75%	▲
		June 2017 General Election: 160%	
Review 100% of integrity plans from local authorities identified to be at a higher risk of fraud.	100%	100%	No change
Publish 100% of our reports to planned deadlines.	100%	100%	No change
Comment on 100% of relevant legislation and policy proposals.	100%	100%	No change
Goal 2: Regulating political finance	2018-19	2017-18	Change 2017-18 to 2018-19
Publish routine financial returns from parties and campaigners, including statements of accounts, within 30 working days of receiving them (target 100%).	30%	91%	▼
Check a minimum of 25% of all financial returns for accuracy and compliance each year.	50%	84%	▼
Publish 100% of guidance products on time with no substantive errors.	100%	100%	No change
Provide accurate advice within five to 20 days of receipt of the request, depending on the complexity of the advice (target 90%).	97%	97%	No change
Notify applicants of the outcome of their registration applications within 30 days of a complete application 75% of the time. (In 2017-18 the target was 90%).	84%	84%	No change

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Goal 2: Regulating political finance	2018-19	2017-18	Change 2017-18 to 2018-19
Conduct timely and proportionate investigations of which 90% are completed within 180 days.	88%	96%	▼
Issue 90% of final notices setting out its sanctions within 21 days of the deadline for representations. Publish the outcomes of all its investigations.	83%	81%	▲
Make timely regulatory recommendations that reflect the principle guiding its approach to effective regulatory framework.	100%	100%	No change

Goal 3: Independent and respected centre of expertise	2018-19	2017-18	Change 2017-18 to 2018-19
Deliver a scoping project identifying how registering and voting can be modernised to meet voters' expectations in our digital society, including the opportunities and risks involved.	On track	Not achieved (Project in progress)	▲
Publish its evaluation and response to the 2016 and 2017 annual canvass pilot programme.	Published in June	n/a	n/a
Deliver a project to understand the landscape of public democratic engagement in the UK.	On track	n/a	n/a
Publish our evaluation and response to the 2018 voter ID pilots.	Published in July	n/a	n/a
Work in support of the electoral law reform recommendations from the England and Wales, Scotland and the Northern Ireland Law Commissions.	Ongoing	n/a	n/a

Goal 4: Provide value for money	2018-19	2017-18	Change 2017-18 to 2018-19
Learn practical lessons from current home and remote working practices and design future accommodation accordingly.	Working hours pilot successfully concluded and review completed	n/a	n/a
Identify options, costs and benefits of e-procurement and implement a new system accordingly.	New system is due for launch in the spring of 2020	n/a	n/a
Maintaining high staff engagement scores in the annual staff survey and ensuring indicators such as staff turnover are at appropriate levels (civil service average staff engagement score: 62%). NB. The Commission did not report its staff turnover in its annual report.	Staff engagement score: 65%	68%	▼

The Commission's interim Corporate Plan 2020-21 to 2024-25 does not include performance measures against its goals. The Commission plans to develop these by September 2020, based on existing performance measures (see previous pages for details of its performance framework and performance against its key performance indicators (KPIs)). It has set out the impacts and benefits it plans to achieve through its activities against each goal. The Commission's 2020–2025 Corporate Plan is an interim plan, to be superseded by a more developed plan for 2021–2026. We understand this second plan will include a new indicator set which will be developed in early 2020. In the meantime, for 2020-21 the Commission has assessed that it is practical to continue to use the existing KPIs in the Corporate Plan (2018–2023). We have set out our assessment of the interim Corporate Plan against good practice in corporate reporting and KPIs below, drawn from the NAO's work on annual reporting.

The Commission reports its performance annually through the Annual Report and Accounts. Its KPIs, are clearly aligned to the four corporate priorities within its Corporate Plans (pages 20–21 shows these KPIs over time). However, not all of the indicators are quantifiable, and there are several areas where the approach to measuring performance could be further developed:

- **Quality** – indicators could look at opportunities to measure the quality of outputs/ decision-making, drawing upon internal and external quality assurance processes.
- **Costs** – there is scope to benchmark or develop other cost metrics, to provide more information to measure the Commission's efficiency and use of resources, more granular reporting of key project costs and how they have been delivered to time and budget would also provide more measurable value-for-money data.

Good-practice corporate reporting includes:	The Commission's 2020-21 to 2024-25 Corporate Plan
Clarity around purpose, strategic objectives and key programmes/projects.	<ul style="list-style-type: none"> <li>● The Corporate Plan sets out the vision and goals for the Commission.</li> <li>● The plan refers to key programmes/projects in the main body of the Plan, but further emphasis could be given to detailing the intended aims and benefits of these projects, together with some cost and time metrics.</li> </ul>
Details of future plans to implement priorities.	<ul style="list-style-type: none"> <li>● While the Corporate Plan sets out future activities to achieve its priorities greater emphasis could be given to establishing timelines for the key deliverables which support the achievement of the Commission's objectives.</li> </ul>
Strategy clearly linked to performance measures and risks.	<ul style="list-style-type: none"> <li>● The Commission included performance measures in its previous Corporate Plan, it has not included them in the interim plan presented to the Speaker's Committee, due to the time constraints. However, it plans to do so by September 2020. The Commission should ensure that these are clearly linked to its corporate risks.</li> </ul>

### Proposals for the 2021–2026 Corporate Plan



We have noted that previous Corporate Plans have not included the range of KPIs and proposed targets, setting out the Commission's ambitions. We understand the Commission may consider publishing these details in a separate document. This on the basis that it would give the Commission the flexibility to respond to the devolved administrations in Scotland and Wales, and any indicators or targets they may seek during the life of the Corporate Plan. The Commission will seek to focus future KPIs on the impacts on its stakeholders.

The Commission's performance against the indicator set will continue to be published in its annual report.

Future Corporate Plans will be supported by a new cloud-based planning and performance system, called Pentana. This will provide a more comprehensive view of the management and performance of the Commission across its plans and performance measures. Work to develop the 2021–2026 Corporate Plan is under way, including the revisions to its KPIs, and will be in place for the period 2021-22, the first year of the five-year plan. The plan will reflect previous audit recommendations for a balanced scorecard approach to cover the full range of Commission activities, with greater focus on the impacts it has as a result of its work and interventions. The Commission has attempted to benchmark its performance in its 2018–2023 Corporate Plan but could not identify useful comparators for operational elements, even with other regulators, due to differences in role and approach.

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There is scope for the Commission to develop its approach in its Corporate Plan to provide more granularity in respect of the costs of key projects and the anticipated timelines for their completion. Additionally, the KPIs could focus on more measurable quality and cost metrics to better demonstrate value for money, and should provide a degree of challenge for the Commission.



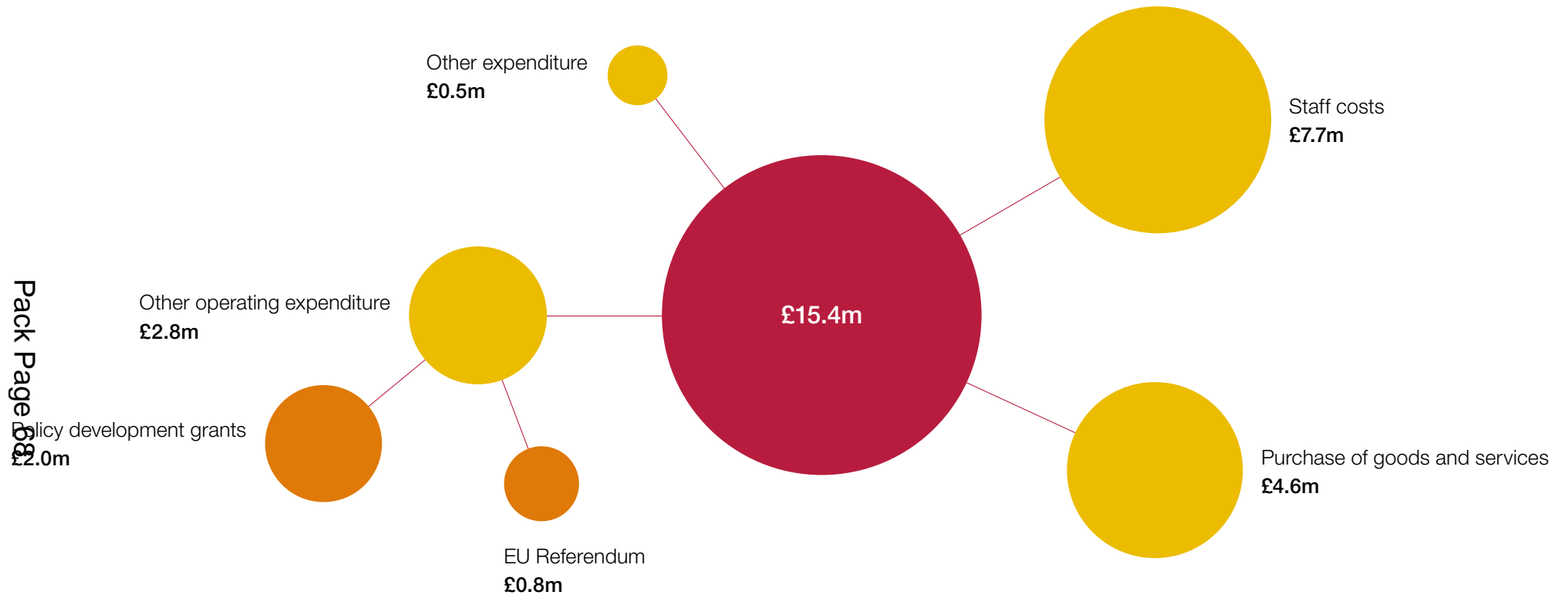
- In reporting the outcomes it is important to demonstrate transparency in the funds that have been used to deliver these. Providing assurance over the use of resources is a key component of the accountability process, confirming that financial resources are used for the purposes intended by Parliament.

- The Commission has a solid track record of sound financial management, it has stayed within its Estimates over the past five years, despite this being a period of intense and unpredictable electoral activity. It has also provided financial statements which have been reliable and which have received clean unqualified audit opinions, confirming that the accounts have been materially true and fair and that resources have been used in accordance with Parliament's intentions.

- Governance Statements contained within the Commission's Annual Report and Accounts have described how effective control frameworks have operated in recent years, and these have been supported by a programme of internal audit, overseen by the Commission's Audit Committee. These arrangements have not highlighted any significant weaknesses or instances where key controls have failed to operate or where the use of resources have been put at risk.

- This section highlights:
  - where the Commission spends its money;
  - the Commission's spending trends;
  - the impact of the EU Referendum on Electoral Commission expenditure; and
  - the allocation of Policy Grants to political parties.

Electoral Commission total operating expenditure of £15.4 million comprised:



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**Notes**

- 1 Figures are taken from the Statement of Comprehensive Net Expenditure and related notes within the Commission's 2018-19 Annual Report and Accounts.
- 2 Other expenditure includes depreciation, amortisation and provision expense.
- 3 Totals do not sum exactly due to rounding.

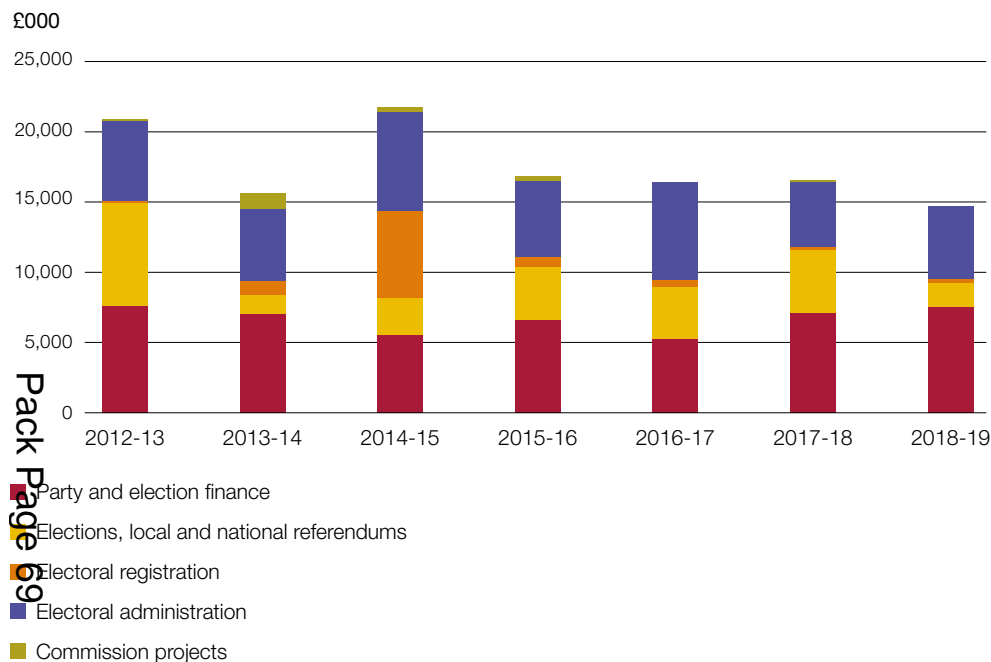
Source: National Audit Office

The Commission's total expenditure in 2018-19 was £15.4m (excludes capital). The Commission spent half of this amount (£7.7 million) on staff costs.



The Commission's expenditure fluctuates depending on election cycle and significant projects the entity undertakes. The expenditure has stayed within a £15 million to £25 million range for the past seven years.

### Trend in expenditure by operating segment

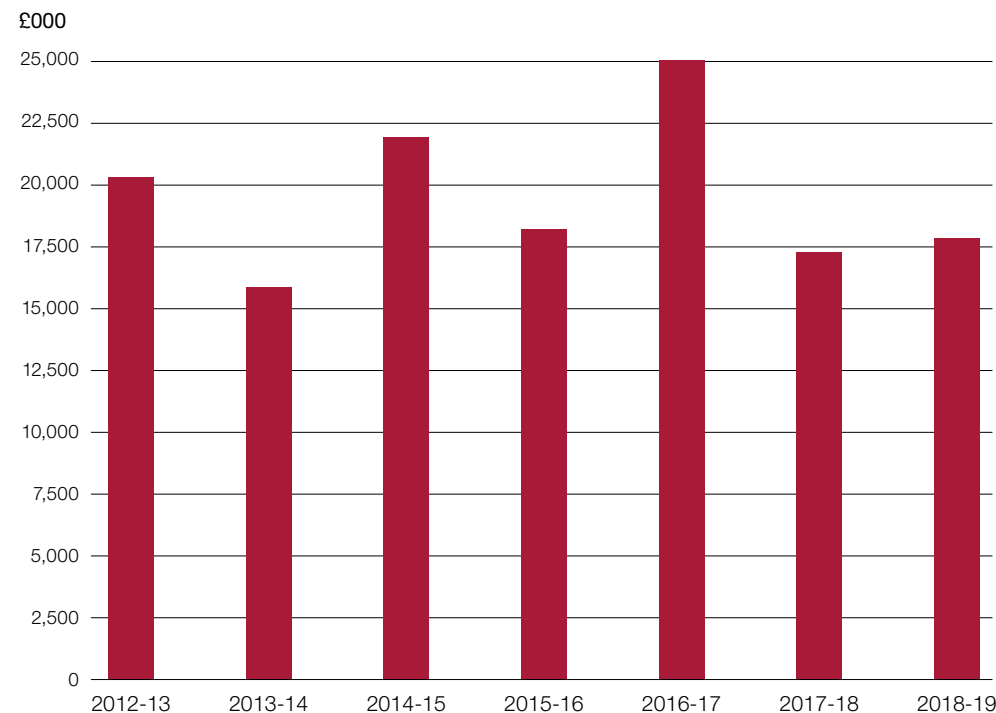


**Notes**

- 1 Expenditure comprises Staff Costs, Expenditure per note 2 of the financial statements and Policy Development Grant expenditure. Commission staff costs and corporate overheads are not attributed to programme or project activity, but for the purposes of segmental reporting they are either directly allocated or apportioned as appropriate between Party & Election Finance and Electoral Administration activity.
- 2 In 2014-15, the Commission's Electoral Registration programme focused on work to maximise registration levels as well as supporting the transition to the Individual Electoral Registration (IER).
- 3 The non-voted 2016-17 EU Referendum spend is excluded for the sake of comparability.

Source: National Audit Office

### Trend in spending of voted resources 2012-13 to 2018-19



**Notes**

- 1 The amounts include Commissioners' fees, but the non-voted 2016-17 EU Referendum spend is excluded from non-voted resource for comparability.
- 2 Voted expenditure is authorised through the Parliamentary supply process. Non-voted expenditure has separate legislative authority and includes the Commissioners' fees, as they are constitutionally independent of the Executive.

Source: National Audit Office

The Commission's expenditure has remained relatively stable, although it has been impacted by electoral events and the impact of its significant Individual Electoral Registration project.

On 23 June 2016 the UK held a referendum on whether to leave the EU. The Commission engaged the Elections Claims Unit (ECU) in the Cabinet Office to receive and process claims from counting officers (CO) for reimbursements of their costs. Queries were sent from the ECU to the Commission for decision before a final settlement was made. Claims over the maximum recoverable amount were agreed initially by the Commission and then approved by HM Treasury before a settlement was made. As a result of the impact of the UK Parliamentary General

Election in June 2017 the claims process was delayed and they were not processed until October 2018. The total cost of the Referendum to the Commission was £130.1 million as shown below. These costs were classified as non-voted expenditure and were directly charged to the Consolidated Fund, rather than included in the Commission's Estimate. Other costs were incurred by the Cabinet Office in respect of the Referendum.

**Cost borne by the Electoral Commission in conducting the 2016 EU Referendum, by year, 2015-16 to 2018-19 (£ million)**

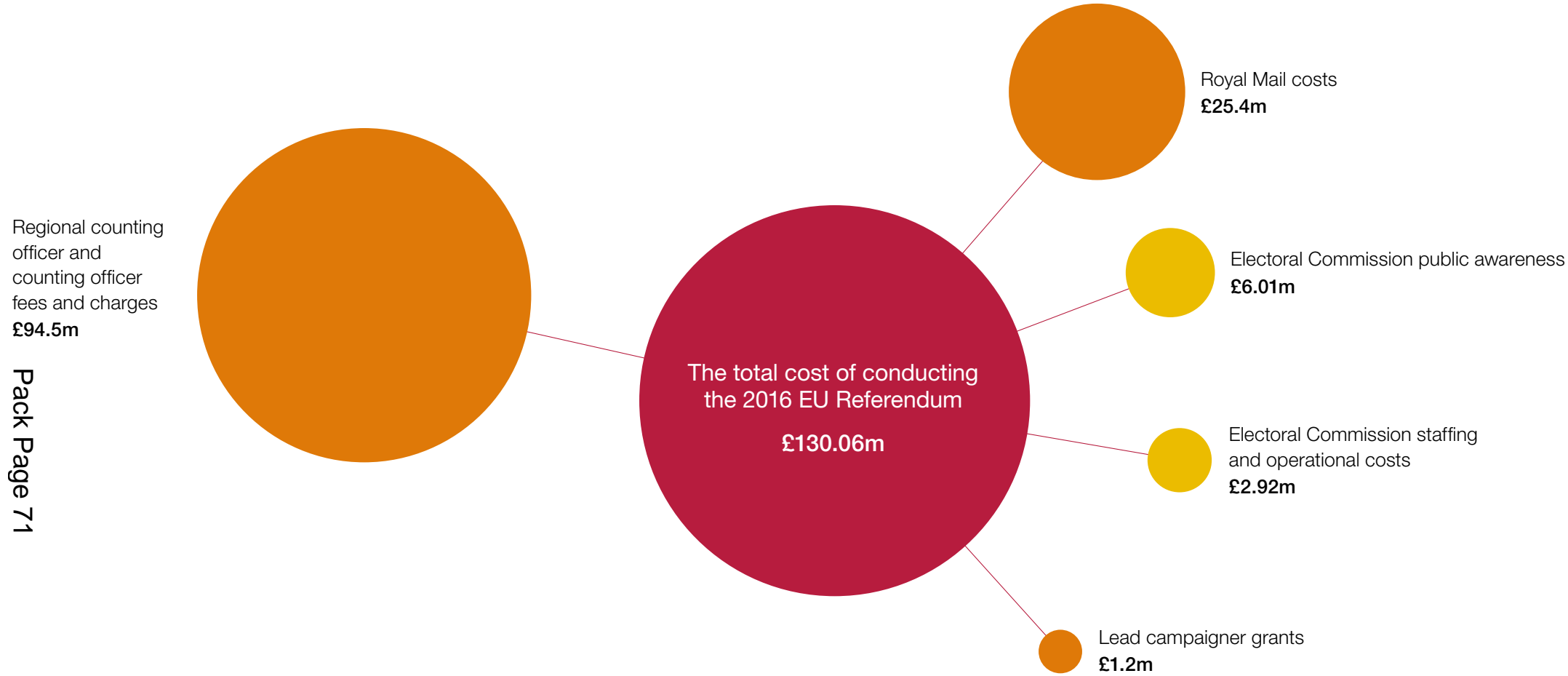
£m	2015-16	2016-17	2017-18	2018-19	Total
<b>Non-voted</b>					
Head campaigner grants		1.20			1.20
Regional counting officers and counting officers fees and charges		78.44	11.44	4.66	94.54
Royal Mail costs		25.39			25.39
<b>Voted</b>					
Electoral Commission public awareness	0.80	5.25	-0.03	-0.01	6.01
Electoral Commission staffing and operational costs	0.58	1.46	0.06	0.82	2.92
<b>Total</b>	<b>1.38</b>	<b>111.74</b>	<b>11.47</b>	<b>5.47</b>	<b>130.06</b>

**Note**

1 Figures are rounded to two decimal places.

# The cost of conducting the 2016 EU Referendum *continued*

## Total cost to the Electoral Commission of conducting the EU Referendum (£ million)



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- Voted expenditure
- Non-voted expenditure

### Notes

- 1 Voted expenditure is authorised through the Parliamentary supply process. Non-voted expenditure has separate legislative authority and includes the Commissioners' fees, as they are constitutionally independent of the Executive.
- 2 Totals do not sum exactly due to rounding.

Source: National Audit Office

# Where the Commission spends its money: Section 13 and policy development grants

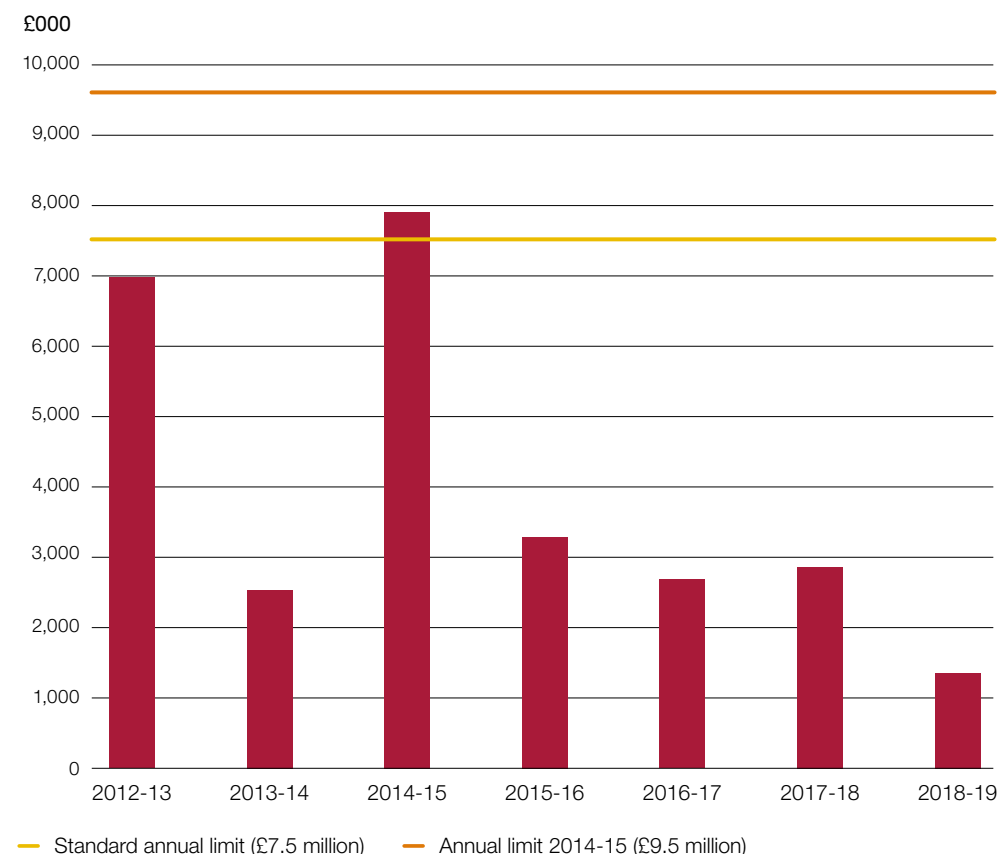
## Section 13 expenditure

Section 13 of the PPERA requires the Commission to promote public awareness of current and pending electoral systems in the UK (it excluded the EU Referendum campaign). The Commission does this via programmes of education and information or by making grants to others to enable them to carry out such programmes.

Section 13 expenditure is capped by statutory instrument at £7.5 million per financial year. Typically the Commission's expenditure on Section 13 activities is significantly lower than this annual limit. It spent £1.35 million on this work in 2018-19; the previous year was impacted by the snap election in June 2017. Expenditure in 2014-15 was dominated by the Commission's work to support the transition from household to individual electoral registration (IER); the limit was raised to accommodate this.

The Commission has demonstrated to us that it undertakes significant work to evaluate the use of these funds, seeking audience feedback on new advertising and undertaking formal evaluations using the Government Communication Service Evaluation Framework. It also uses other partners and NGOs to direct audiences to its own media platforms, reducing costs and helping it target harder-to-reach groups. It monitors effectiveness of its campaigns by recording audience 'hits' and will tailor its campaigns accordingly. It does all of this within an approach which seeks to scrutinise and challenge the costs of awareness campaigns to ensure spend is cost-effective.

Section 13 expenditure 2012-13 to 2018-19



**Note**

1 Figures based on public awareness expenditure subject to the Section 13 cap only, taken from Electoral Commission annual accounts.

Source: National Audit Office

The £7.5 million limit on Section 13 public awareness expenditure is much higher than the Commission typically requires, but it has good arrangements in place to review the value for money of this activity. On policy grants, the formula for distribution is set under legislation, and expenditure is subject to validation by the Commission to confirm that grant conditions have been met.

# Where the Commission spends its money: Section 13 and policy development grants *continued*

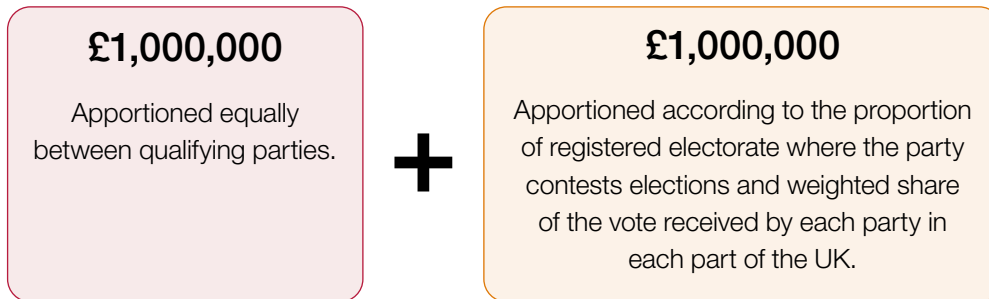
## Policy development grants

Under Section 12 of PPERA the Commission administers a scheme that pays policy development grants to registered political parties. The Commission must allocate £2 million each year to qualifying parties to assist with the cost of developing manifesto policies for: local government, the National Assembly for Wales, the Northern Ireland Assembly, or Scottish, Westminster or European Parliamentary elections. To qualify, a party must:

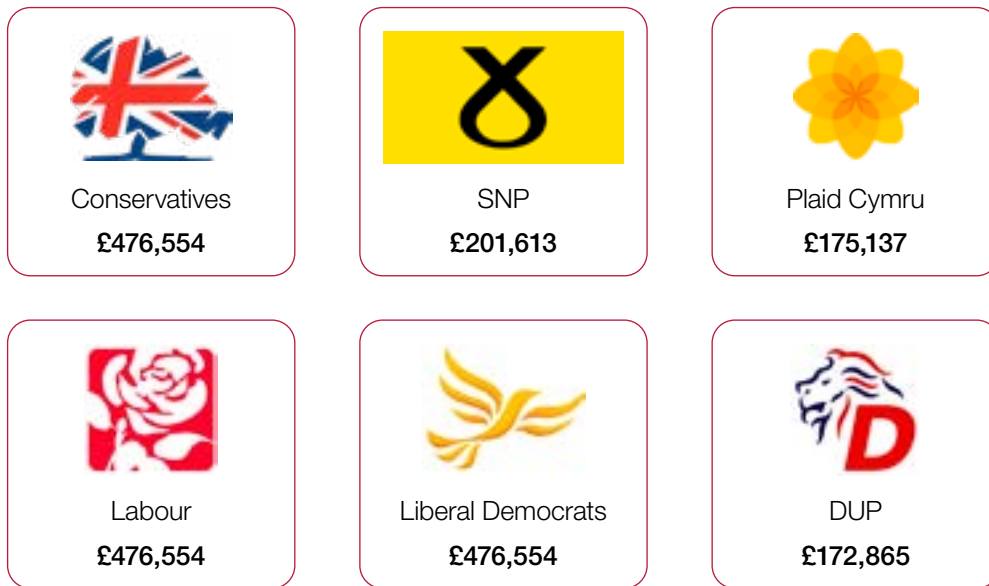
- be registered with the Commission;
- have at least two sitting MPs in the House of Commons on 7 March prior to the year in question; and
- both of whom must have taken the oath of allegiance provided by the Parliamentary Oaths Act 1866.

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The grant available to each qualifying party is determined by a formula approved by Parliament and the expenditure is subject to audit and scrutiny by the Commission to determine if the funds have been expended for the purposes intended.



In 2018-19 the grant expenditure by qualifying parties was as follows:



The Commission's Five-Year Plan signposts the delivery of a number of corporate projects, although it does not include details of the timings and milestones for their delivery. We highlight below some of the key corporate projects referred to in the Plan. The NAO has looked at other projects in previous years, a summary of key reports is included in Appendix Two.

### Website redevelopment

**Commission's goal:** To be an independent and respected centre of expertise.



**Project description:** The Commission undertook a project to review (Phase 1) and develop (Phase 2) its corporate website, the previous version of which had been launched in September 2013.

**Expected benefits:** To provide a website that is designed and built based on the needs of stakeholders and provides a much improved user experience.

**Budget:** Phase 1: £60,000 and Phase 2: £70,000. Spend at December 2019 on Phase 2: £26,000. Budget does not include staff costs.

**Planned completion date:** March 2018 (Phase 1) October 2019 (Phase 2).

**Completion:** The Commission launched its new corporate website in July 2019. The project is currently awaiting closure, subject to a lessons learned exercise, which was postponed due to the General Election in December 2019.

**Further plans:** The Commission set out in its interim Corporate Plan for 2020-21 to 2024-25 that it plans to develop its corporate website further by updating and revising the research content it contains, including a project to use open data and digital tools to improve accessibility and to present information in accessible visual formats.

Source: Information was taken from most recent project-related documentation and management reports used by the Electoral Commission. This information is unaudited.

### Canvass reform



**Commission's goal:** To enable the continued delivery of free and fair elections and referendums.

**Project description:** The project covers five broad areas. The first four are focused on canvass reform changes in Great Britain – providing a revised suite of voter materials, a refreshed set of electoral registration officers (ERO) guidance, a new framework for ERO performance standards and a programme to monitor the impact of the changes. The final workstream is focused on the Commission's work to support the delivery of the Northern Ireland canvass.

**Expected benefits:** EROs will have more streamlined canvassing leading to greater efficiency and ability to ensure effective registration.

**Budget:** Total budget for 2019-20 is £435,427. Actual spend as at December 2019 was £499,960. The Scottish Parliament and the Welsh Parliament are expected to fund franchise change elements of the project, a proportion of user testing and some design costs – this is to be confirmed. The budget for 2020-21 is £36,000.

**Planned completion date:** 2020. The Commission anticipates that the passing of UK legislation and the 2019 General Election mean it is likely to need to re-plan its timetable.

**Update on progress:** The Commission completed its consultation and user testing of draft materials at the end of 2019 and intends for them to be signed off by ministers in February 2020. ERO guidance is currently being updated. It is currently consulting on a new set of performance standards for EROs. It is finalising its plans for monitoring, including data collection and research with selected EROs. It is developing a full timetable for the delivery of its work to support the Electoral Office for Northern Ireland. The Commission has identified risks in relation to the project from the tight timescales, impact of the 2019 General Election and timing of reforms in Scotland and Wales.

**Key activities:** The Commission is re-planning key deliverables as a result of the impact of the General Election in 2019. It has discussed changes with key external stakeholders.

In November 2019 the Commission decided to postpone non-essential project work until after the UK General Election in December 2019. As at November 2019 seven of the 11 corporate projects were subject to delays as a result of the General Election, as operational work took priority.

### Ways of Working project

**Commission's goal:** To provide value for money.

**Project description:** The project aims to deliver digitally enabled business change to reflect the expectations on a modern employer and ensure the core ICT offering can support those changes.

**Expected benefits:** Refurbished premises, better technology and more flexible working practices.

**Budget:** As at January 2020 the budget was £1,528,465 (includes £258,000 staff costs) with year to date spend of £41,312 as at December 2019.

**Planned completion date:** by 2022.

**Update on progress:** As at December 2019 the laptop contract had been signed off; Local Area Network (LAN) equipment and Wide Area Network (WAN) circuit had been installed at the Commission's premises on Bunhill Row.

**Key activities:** As at December 2019 the Commission's upcoming activities on the project were to complete the lease arrangements for the Bunhill Row accommodation, completing the WAN and Wi-Fi surveys and laptop development work.



### Political finance system (Political Finance Online)

**Commission's goal:** To ensure an increasingly trusted and transparent system of regulation.

**Project description:** Delivery of a new Political Finance Online system to support parties and campaigners to deliver their financial returns efficiently. The system is used by Commission stakeholders to maintain their organisational details and report their financial returns to the Commission.

**Expected benefits:** A new and more efficient system.

**Budget:** £966,571. The revised forecast to complete was £1,067,500 in November 2019. The project spend to date is £502,931. These figures include staff costs.

**Planned completion date:** Go-live date of January to March 2020, previously agreed with the Speaker's Committee. Revised in November 2019 to January 2021.

**Update on progress:** The go-live date was revised after consultation with the parties and to also reflect the best implementation timing for the users. This means that staff costs related to this project will increase. The Commission considers that the case for continuing the project is strong despite rising costs. It judges that maintaining the existing system is challenging and would become very risky during the project to upgrade it, which would now be substantially longer than the time estimated to complete the new system.

**Key activities:** As at November 2019 testing continued on the project and the Commission was in commercial discussions with the supplier to agree contract variation.



Source: Information was taken from most recent project-related documentation and management reports used by the Electoral Commission. This information is unaudited.

The Commission does not have a consistent approach to the allocation of indirect and overhead costs to its projects; this may understate the overall costs of project delivery. The Commission considers its approach to be pragmatic in its circumstances. Staff feedback has highlighted the potential to improve the overall approach to managing project activity within the Commission.

Around half of the Commission's costs are incurred on the employment of its staff. Delivery of the Commission's objectives is dependent upon the skills and capacity of its workforce. In this section we:

- explore the key staff metrics;
- present results from the Commission's latest staff survey; and
- look at the Commission's People Strategy.

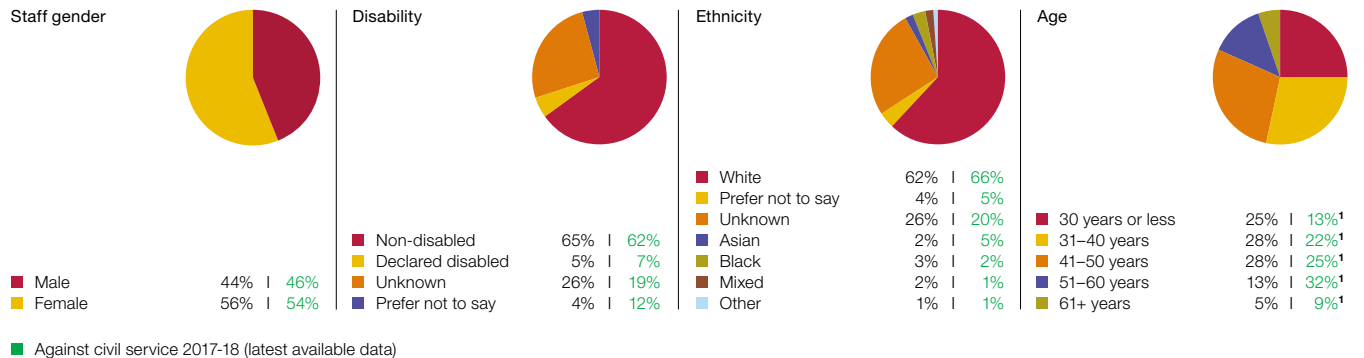
The Commission has a generally younger workforce compared with the civil service and a higher proportion of female staff but a slightly smaller proportion of disabled staff. Where declared, the mix of ethnicity at the Commission is broadly comparable with the civil service.

The Commission is a small organisation and in January 2020 had a total of 159 staff. Staff are relatively evenly spread between communications policy and research, electoral administration and guidance, finance and corporate services and regulation.

The Commission is developing a new People Strategy, which sets out the Commission's approach and ambitions for its people. The plan includes actions to facilitate a culture where employees are able to perform their roles effectively and achieve a continued pipeline of high-calibre people.

The Commission plans to launch this strategy soon and implement it over the next five years of its Corporate Plan.

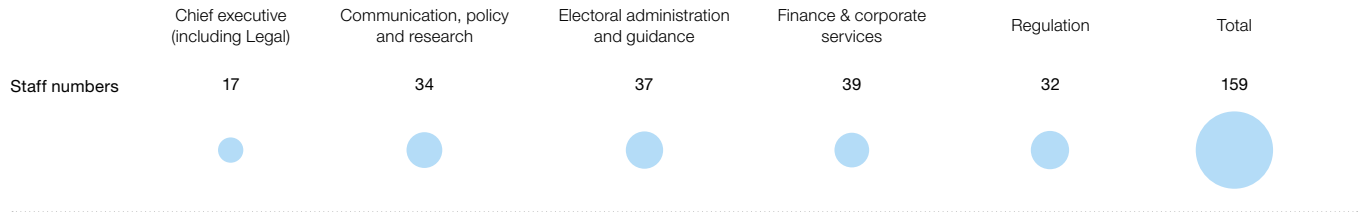
**Workforce in the Electoral Commission as at 31 December 2019**



**Notes**

- <sup>1</sup> The civil service age bands are 16-19; 20-29; 30-39; 40-49; 50-59; 60-64; 65 and overs so are not exact comparisons for the Commission's data. It does not include Commissioners.
- <sup>2</sup> The above data do not include Commissioners.

**Staff breakdown January 2020**



The Commission is a small organisation; its workforce has a younger age profile than the civil service. Its diversity is broadly in line with these benchmarks.



The Commission is not part of the Civil Service People Survey, but conducts its own annual Employee Engagement Survey. The most recent survey was conducted in October 2018 and achieved a 95% response rate, compared with the civil service overall response rate of 66%.

The overall engagement score of employees in 2018 was 65%, which is lower than the 68% scored in 2017 and the 73% in 2016. This is higher than the civil service benchmark of 62% in 2018. The single best response was for the Commission's flexible working arrangements, such as compressed hours and home working, where 89% of staff agreed that it brought benefits to them and their work. This has been the case for the previous four Employee Engagement Surveys.

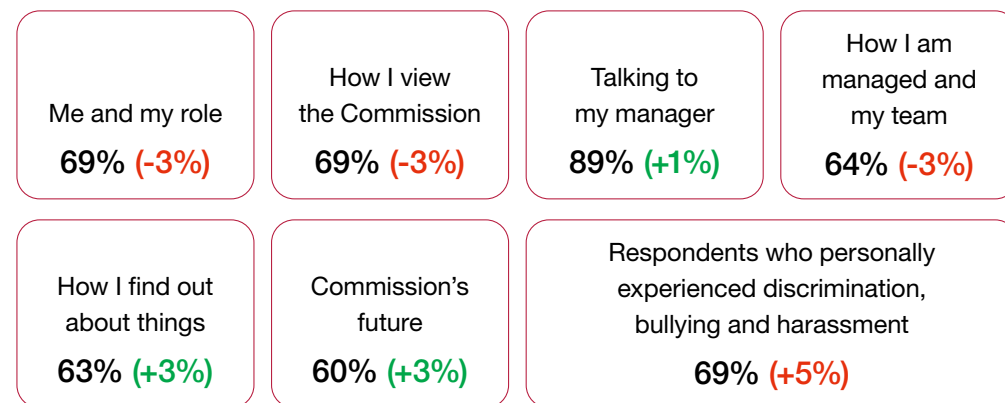
Commission staff were least satisfied with the programme and project management approach, with only 52% of staff agreeing that the programme and project management approach improves coordination and timely delivery of activities.

The percentage of staff experiencing bullying or harassment rose from 7% in 2017 to 11% in 2018, with 24% of staff stating they had seen behaviour towards another person that they considered bullying or harassment, compared with 11% in 2017.

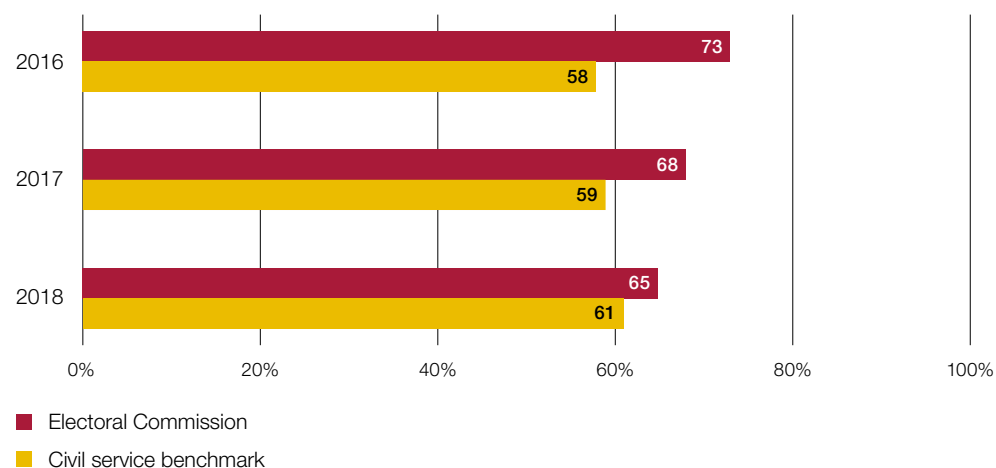
One of the Commission's most improved themes in 2018 was in response to questions about the Commission's future. However, the results were still below those achieved in 2016. The percentage of staff saying they were confident in the Senior Leadership Group's ability to position the Commission well for future challenges was 61% (2017: 58%; 2016: 69%) and the percentage of staff saying over the last year they had had the opportunity to contribute their views on the future direction of the Commission was 62% (2017: 62%; 2016: 78%).

However, staff turnover rates were significant, with total staff turnover in 2018-19 of 31.7%. The Commission recognises these issues and the importance of its people in delivering its aims, and will launch a new People Strategy during 2020, which will link with the Corporate Plan and seek to address the issues emerging from the staff survey results.

**Attitudes of staff in 2018 compared with 2017, who felt positive about:**



**Engagement index 2016 to 2018**



Source: National Audit Office

The Commission's staff engagement score has fallen in its last two staff surveys to 65%. The Commission is launching a new People Strategy during 2020 and aims to improve staff engagement scores and staff retention rates as a result. The Commission has not set out in its Corporate Plan the timescale for implementing its People Strategy.

The guidance [published on the NAO website](#) sets out the general principles behind producing high-quality performance information. This information should be used to measure an organisation's progress towards its objectives. The below principles are a good starting point to consider what policies and processes work and why, while also allowing for an effective accountability process.

In developing a performance measurement framework, 'FABRIC' provides a prompt for the elements of a good framework:

**Focused:**

on the organisation's aims and objectives; any performance measures used should map clearly onto objectives and priorities.

**Appropriate:**

to, and useful for, decision-makers within the organisation, and meeting the needs of stakeholders outside the organisation.

**Balanced:**

giving a picture of what the organisation is doing, covering all significant areas of work.

**Robust:**

for example, to withstand organisational or personnel changes.

**Integrated:**

with the organisation's business planning and management processes.

**Cost-effective:**

balancing the benefits of performance information against the costs.

To be effective, the framework requires good performance measures. These are ones that are:

**Relevant:**

to the purpose of the performance framework and to what the organisation is aiming to achieve.

**Able to avoid perverse incentives:**

and should not encourage unwanted or wasteful behaviour.

**Attributable:**

the activity measured must be capable of being influenced by actions that can be attributed to the organisation; with clarity about where accountability lies.

**Well defined:**

with a clear, unambiguous definition so that data will be collected consistently, and the measure is easy to understand and use.

**Timely:**

producing data quickly and frequently enough for the intended purposes, and informing timely decision-making.

**Reliable:**

reflecting stable and consistent data collection processes across collection points and over time.

**Comparable:**

with either past periods or similar programmes elsewhere.

**Verifiable:**

with clear documentation behind it, so that the processes that produce the measure can be validated.

Our reports have highlighted areas for improvement for the Commission and this slide highlights key themes. In general our conclusions about the Commission's arrangements have been positive. Subsequent pages highlight progress the Commission has made in implementing our recommendations.



### Understanding the relative value of different activities



Our 2016 report *Oversight of Electoral Registration Officers (EROs)* during the Individual Electoral Registration project found that the Commission did not routinely seek feedback from EROs about the usefulness of its guidance or keep a consistent record of the extent to which EROs used the Commission's resources. This made it difficult for the Commission to know which of its activities had the most impact or to identify and disseminate best practice to EROs.

Similarly our 2012 report *Regulation of Party and Election Finance* recommended that the Commission should obtain further feedback from stakeholders on what advice and guidance is most useful to them, in order to further reduce the volume of guidance and increase its cost-effectiveness. We also reported that by understanding where it is exerting the most influence and where there are areas which need further attention, the Commission could develop more outcome-focused performance measures.

A review of the *Electoral Commission's Cost Reduction Work* (2011) recommended that the Commission consult with key stakeholders to understand what Commission outputs they value, allowing the Commission to re-prioritise its workload while targeting further savings. The Commission consulted with stakeholders regarding the Commission's future direction as part of the 2016-17 strategic review.

### Performance measurement and reporting



Our 2016 report *Oversight of Electoral Registration Officers* (EROs) during the Individual Electoral Registration project found that although the Commission used relevant and appropriate performance standards to assess the work of EROs, the Commission could not evidence the completeness or consistency of its reviews of ERO performance.



Our report *The Electoral Commission's role in the Individual Electoral Registration project* (2015) found that project management had strengthened, but a lack of specific objectives made it hard to demonstrate whether the Commission's aims had been achieved and increased the risk that the Commission is held to account for events outside its control. In addition, we identified the absence of costing mechanisms to fully identify the full costs of delivering projects.

A review of the *Electoral Commission's Cost Reduction Work* (2011) recommended that the Commission should examine new ways of measuring and reporting the cost reductions it is achieving in event-related spending and distinguish between where the Commission is simply doing less and where it is operating more efficiently.

Report	Conclusion
<i>Oversight of Electoral Registration Officers</i> during the Individual Electoral Registration project.	The Commission had insufficient information to assess the value for money of its support to EROs.
<i>The Electoral Commission's role in the Individual Electoral Registration project.</i>	The Commission was effectively managing the risks of a high-profile project and was on target to deliver the work on time, within budget.
The Electoral Commission's analysis of the cost of the Parliamentary voting system (AV) referendum.	The Commission's cost analysis was high quality, based on accurate data and good value.
<i>Regulation of Party and Election Finance.</i>	Against a background of diminishing resources, the Commission has become a more proportionate, effective and accessible regulator.
<i>A review of the Electoral Commission's Cost Reduction Work.</i>	We assessed the Commission had delivered good value for money in its structured cost-reduction work.





Our reports since 2011 have found the Commission achieves value for money, but has sometimes struggled with performance measurement, the full costs of its projects and in understanding the relative value for money of its different activities. In addition our reports have highlighted the benefits of obtaining regular stakeholder feedback about the effectiveness of its outputs.

**Oversight of Electoral Registration Officers during the Individual Electoral Registration project (2016)**






We recommended the Commission should:	The Commission responded by:	Status
Implement more effective monitoring of its reviews of EROs' activities by: <ul style="list-style-type: none"> <li>● confirming checks are complete and that reviewers have sufficient evidence to support their decisions;</li> <li>● ensuring decisions are consistent across the Commission; and</li> <li>● identifying EROs who are delivering good practice relative to others, so that others can learn from them.</li> </ul>	Following a review of lessons learned from the last focused period of ERO monitoring, the Commission implemented an improved process, in time for monitoring of the 2016 canvass.	
Develop a way to evaluate the value for money of its different activities by: <ul style="list-style-type: none"> <li>● routinely gathering feedback from EROs on the usefulness of the Commission's support and guidance activities; and</li> <li>● assessing the relative costs of its different activities.</li> </ul>	In October 2016, the Commission implemented the methodology for reviewing our ERO guidance in the same way that it reviews election guidance for returning officers, with regular feedback from those using it.  Update from the Commission confirmed that it now gathers feedback regularly from EROs on the usefulness of Commission support and guidance activities as part of standard business delivery work.  As part of the construction of the 2017-18 Business Plan, the Commission constructed a budget that apportioned time and costs to activities for all staff within the Commission. This provided an opportunity for senior management to review activities, their outcomes and whether they contributed to the Commission's business. However, the resource required to produce this information was significant. Balanced against the value of the data produced, it was agreed this was not beneficial in 2018-19. The Commission subsequently decided not to continue to report on staff time in this way.	

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**The Electoral Commission's role in the Individual Electoral Registration project (2015)**




We recommended the Commission should:	The Commission responded by:	Status
<p>Ensure its role within projects is clearly defined to avoid confusion about responsibilities or accountability, including agreeing responsibility for risk management with its delivery partners.</p>	<p>The Commission has put this recommendation into practice as part of its work in planning for the creation of the new Modern Electoral Registration Programme, which was established by the Cabinet Office. The Commission has worked to ensure that the Programme Definition Document provides clarity over the scope of the programme as a whole and has established a Terms of Reference document with the Cabinet Office to clarify roles and responsibilities of all involved. The Commission will be reviewing this at regular intervals to ensure it remains appropriate throughout the programme.</p>	
<p>Strengthen project management by formalising reporting requirements for key projects to the Commissioners and ensuring accountability for managing risks is clearly documented in the risk register.</p>	<p>The Commission has established reporting requirements for key projects. The Commissioners will be informed of the progress and significant risks of key projects via the monthly chief executive update and the quarterly performance report. All projects maintain a risk register with clear accountability and action timescales. Project boards are required to regularly review the projects' risk register. Compliance is monitored by the Commission's PMO function.</p>	
<p>Review the way it develops its performance measures to ensure they are directly relevant, measurable and based on elements within the Commission's control.</p>	<p>This recommendation has been implemented as part of the completion of the Corporate Plan 2016-17 to 2020-21. The Commission's corporate measures are now split into two categories:</p> <ul style="list-style-type: none"> <li>• Key performance measures and targets (these are under the Commission's control and it has developed them to track activity and progress).</li> <li>• Indicators of the Commission's operating environment (these are measures that concern activities where the Commission seeks to influence, but has limited control over the outcomes).</li> </ul> <p>The Commission monitors these measures to give it an indication of the overall health of the democracy, and to help it to understand where the Commission need to focus its efforts.</p>	
<p>Ensure that it reviews what worked well on this project to identify lessons learned for its wider project management approach.</p>	<p>A lessons learned report was drafted and approved by the Programme Board in September 2016, approved by the PMO and was provided to the Executive Team in early October 2016.</p>	

**The Electoral Commission's analysis of the cost of the Parliamentary voting system referendum (2014)**

We recommended the Commission should:	The Commission responded by:	Status
<p>Continue to advocate strongly for detailed cost analyses to be performed after all national polls in the United Kingdom and consider whether, given access to the necessary data and resources, it can perform them itself.</p>	<p>The Commission wrote in October 2014 to relevant bodies outlining the contents of the NAO review and emphasising the value of public reporting of cost data. Both the Scottish Parliament and the Welsh Parliament have subsequently agreed to make such data available. In addition, the Cabinet Office has committed to publish its data when resources permit.</p> <p>The challenge going forward is to establish a wider analysis of the various available data to identify trends and to seek opportunities for efficiencies. The Cabinet Office has indicated its support for such work but does not currently have the resources available to lead. There are some linkages with wider monitoring of the costs of electoral activity within local authorities.</p>	
<p>Agree with the Cabinet Office a way for the costs of elections between 2009 and 2011 to be analysed and published, so that stakeholders can have timely access to trend data.</p>	<p>Cabinet Office has published the costs of the elections between 2009 and 2011 and has also published the costs of elections since then.</p>	
<p>Agree with the Cabinet Office who will analyse the costs of forthcoming elections in May 2014.</p>	<p>The Commission worked with the Cabinet Office to agree that the Cabinet Office would publish the costs of the 2014 European elections in December 2016.</p>	
<p>Assess the merits of targeting further comparative data at groupings of similar local authorities for the purpose of improving efficiency.</p>	<p>The Commission believes that this level of analysis is for local authorities to pursue based on their own needs and appropriate comparators. The Commission will aim to ensure data are made available in media that will support such analysis where required.</p>	
<p>Work with the Cabinet Office to develop a way of categorising expenditure on elections, so that there is more consistency in claimants' returns in future and less misclassification, and consideration should be given to the costs and benefits of introducing an electronic submission process.</p>	<p>The Commission has worked closely with Cabinet Office to ensure costs are classified in a consistent and meaningful basis that supports effective reporting and comparison. Claims are currently completed and submitted electronically although evidence supporting expenditure is currently held in hard copy form.</p>	

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**The Electoral Commission's analysis of the cost of the Parliamentary voting system referendum (2014)**

We recommended the Commission should:	The Commission responded by:	Status
Include specific questions on which advice and guidance formats users and stakeholders find most helpful, and should reduce further the volume and cost of the guidance it produces.	There was extensive consultation undertaken as part of the development of the delivering modern guidance project. The new approach to delivering guidance was developed using this feedback and implementation began in 2019 as planned.	
Develop a 'spheres of influence' model to assess where it is exerting most influence and whether there are areas that need further attention, which would also help it develop more outcome-focused performance measures.	The Commission's communications teams have developed detailed plans for stakeholder engagement since this recommendation was made, based on stakeholder mapping and a focus on priority issues. This work will continue to be developed and strengthened in the coming period.	
Keep its processes for checking the permissibility of donations under review, to ensure that they accurately reflect the risks involved. The Commission undertakes a full check of all such donations but should keep under review the risks and benefits moving to a sample-based approach.	The Commission considered this recommendation and has implemented a sample-based approach.	

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Elin Jones MS  
Y Llywydd and Chair of the Business Committee

22 October 2020

Dear Elin

### Scrutiny of Covid-19 regulations

Thank you for your letter of 8 October 2020, which we considered at our meetings on 12 and 19 October 2020.

Your letter sought to ascertain whether it would be appropriate for “the Welsh Government to flag new Regulations where the underlying principle had already been scrutinised, to enable a decision to be taken by the Business Committee about the level of further scrutiny which might be required before the debate.” As a consequence, you asked for our views on whether there was a possibility of enabling certain Covid-related Regulations to be prioritised for debate in such circumstances.

We do not believe the option suggested by the Business Committee to be appropriate for several reasons. In our view, approval for any form of legislation should not be on an ‘in principle’ basis. We do not therefore see ourselves having a role in endorsing (or rejecting) any assessment by the Welsh Government that a particular set of regulations were in principle the same as a previous set. Moreover, the value of such an assessment would in our view be questionable, given that while a new set of regulations may follow a similar policy objective, they could still be subject to reporting points under Standing Orders 21.2 or 21.3.



We believe our scrutiny of all Covid-19 regulations has been efficient and timely. We have reported on most regulations subject to the made affirmative procedure within 14 days of the instrument having been laid. In the majority of cases, this has enabled the Senedd to vote on whether the regulations should remain in force well before the 28 days permitted by the *Public Health (Control of Disease) Act 1984* and the 40 days permitted by the *Coronavirus Act 2020* (which the Senedd consented to in March this year). We



**Senedd Cymru**  
Bae Caerdydd, Caerdydd, CF99 1SN

 [SeneddDCC@senedd.cymru](mailto:SeneddDCC@senedd.cymru)  
 0300 200 6565

**Welsh Parliament**  
Cardiff Bay, Cardiff, CF99 1SN

 [SeneddLJC@senedd.wales](mailto:SeneddLJC@senedd.wales)  
 0300 200 6565

would also wish to highlight that the majority of made affirmative regulations have been laid on a Friday; this coupled with our Monday morning meeting slot means that there has inevitably been a week's gap between laying and committee scrutiny, irrespective of the work needed to prepare reports for committee consideration. We also draw attention to the comments of the Minister for Health and Social Services, Vaughan Gething MS, in Plenary on 6 October 2020, which we welcome:

“I also welcome the fact that the committee has, from time to time, helped us with consistency in legislative provisions. That's part of the point of the scrutiny. We're making these regulations in a rapid manner because of the fast-changing picture with coronavirus, and I think there's value in having the committee undertaking its scrutiny function before the legislature is then able to exercise its function in determining whether these regulations can continue or not.”

Nevertheless, we have considered a range of options to facilitate an even quicker scrutiny process. We discussed whether meeting more than once a week would facilitate the scrutiny of regulations laid by the Welsh Government at different points during the previous working week. Given the Welsh Government's practice of laying the majority of made affirmative regulations on a Friday, we also considered whether it would be feasible to move our Committee's regular meeting slot to a Wednesday morning, in order to consider regulations made on the previous Friday and to lay a report in time for a debate that afternoon. We also discussed whether we could give a formal commitment to report on made affirmative regulations within a 14-day deadline.

However, we concluded that such approaches are very likely to give rise to significant timetabling issues for the Welsh Government and Senedd Members. Furthermore, given the complexity of this legislation, any formalisation of our existing arrangements for the scrutiny of Covid-related legislation needs to be considered alongside the backdrop of an increasing volume of legislation to deal with the UK's exit from the EU, not least because such formalisation could potentially require additional resource or different working patterns. This latter point is particularly relevant given that our remit means that our work programme is currently heavily constrained by the necessary and important scrutiny of subordinate legislation related to EU exit and legislative consent memoranda for UK EU exit related Bills, including the constitutionally significant UK Internal Market Bill.

We recognise that matters related to the pandemic have been prioritised in government time during plenary sessions. We also considered whether the Welsh Government could consider using the draft affirmative procedure if at all possible when making Covid-related legislation under section 45C of the 1984 Act. Although we appreciate that this may not be feasible, we would encourage the Welsh Government to consider whether opportunities do exist for its use.



We will continue to do whatever we can to ensure the scrutiny of Covid-related regulations is conducted in a timely manner. However, we do not believe that our scrutiny function should be compromised in any circumstances.

I am copying this letter to the Chairs of all committees.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mick Antoniw', with a horizontal line underneath the name.

**Mick Antoniw AM**

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg  
We welcome correspondence in Welsh or English

