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Member Support Project – impact of Elections Act 2022 on polling station staff roles

1 Introduction

- 1.1 This document is the second in a series of resources we are producing to support electoral administrators with the recruitment of polling station staff.
- 1.2 Electoral administrators have traditionally relied on recruiting polling station staff from their database of experienced staff, or from within their council workforce.
- 1.3 In recent years, members have reported increasing difficulty in recruiting and retaining polling station staff in many authorities.
- 1.4 The [Elections Act 2022](#) will bring further challenges to polling station staffing. It imposes additional responsibilities on polling station staff potentially making the job less attractive. It is also likely more staff will need to be recruited to help with a lengthened voting process.
- 1.5 Please note, Elections Act 2022 provisions will only apply at:
 - UK Parliamentary elections
 - Recall petitions
 - local elections in England
 - local referendums in England
 - Police and Crime Commissioner elections in England and Wales
 - UK-wide national referendums
- 1.6 This document suggests how to use your available staff resources to meet the additional requirements of the Elections Act.

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2 Polling station process – additional duties

- 2.1 The Elections Act will bring several changes to the voting process for polls taking place on 4 May 2023.

Voter Identification

- 2.2 In polling stations, polling station staff will ask for an elector's photographic identification (photo ID) before issuing a ballot paper.
- 2.3 Polling staff will need to understand what constitutes valid photo ID (see [Appendix A](#)) and explain the process to voters.
- 2.4 Where the elector fails to provide:
- photo ID; or
 - an acceptable form of photo ID
- OR**
- a Presiding Officer (PO) is not satisfied the identification bears a good likeness to the elector; or
 - PO believes the document is a forgery; or
 - elector fails to satisfactorily answer the statutory questions

a ballot paper must not be issued.¹ The elector should be advised to leave and return with appropriate photo ID.

- 2.5 Where an elector has an acceptable form of ID but the PO is not satisfied the identification bears a good likeness to the elector, or believes the document is a forgery, or the elector fails to answer the statutory questions satisfactorily, the **ballot paper refusal list (BPRL)** must be completed.²
- 2.6 Polling station staff must enter the elector's elector number (or where a proxy has been refused, the proxy's name and address) and the reason for their refusal on the BPRL. If an elector returns with an acceptable form of photo ID, this must be indicated on the BPRL.
- 2.7 In addition to the BPRL, the **Voter Identification Evaluation Form (VIDEF)** will need to be completed for the first set of scheduled local elections in May 2023 in each local authority in England and first two UK Parliamentary General elections.³

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2.8 The VIDEF will record:

- number of times polling station staff explained the voter identification requirements to an elector;
- number of voters provided with a ballot paper following the production of an anonymous elector's document;
- number of voters provided with a ballot paper following the production of a Voter Authority Certificate or a temporary Voter Authority Certificate;
- number of voters who request to use a private area to produce their ID;
- number of voters refused a ballot paper where the PO is not satisfied the ID bears a good likeness to the elector, or believes the document is a forgery, or the elector fails to answer the statutory questions satisfactorily;
- number of voters refused a ballot paper due to no ID or having an unacceptable form of ID;
- number of voters who were initially refused a ballot paper but later returned with an acceptable form of ID and are able to vote.⁴

2.9 The VIDEF notes sheet will need to be updated throughout the day with tally marks added to relevant categories where they apply to a voter. The tally marks will need to be totalled up at the close of poll by the PO and entered on the VIDEF form.

2.10 In addition, the Returning Officer (RO) must ensure each polling station contains an area in which voters can produce their photo ID in private.⁵ Electors may request to have their photo ID checked in private.⁶

2.11 As a result of the above, it likely the voting process will take longer, electors will require additional information, and queues may form.

2.12 DLUHC have committed to providing New Burdens funding to train polling station staff on the new provisions. This has been costed on the premise staff require an additional thirty minutes training on voter identification.

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Accessibility

- 2.13 The Elections Act 2022 extends election accessibility, requiring ROs to take all reasonable steps to provide support for disabled voters in polling stations.
- 2.14 The Act introduces a duty on the Electoral Commission (EC) to provide guidance to ROs on the requirement to provide reasonable equipment to assist disabled voters in polling stations. ROs must have regard to this guidance, which will support them to make accessibility arrangements for the May 2023 elections and beyond.
- 2.15 The guidance indicates that as a minimum a polling station should have:
- Chair/seating to allow voters to rest who cannot stand for long periods
 - Magnifiers to support visually impaired electors to vote independently
 - Tactile voting device to support voters who are visually impaired to mark their vote on the ballot paper in the correct place
 - Polling booth at wheelchair level to ensure voters who use a wheelchair are able access a lower writing surface
 - Staff name badges to help voters easily identify a person is a member of staff in the polling station
 - Pencil grip to help voters with dexterity impairments
 - Ramps (for buildings with steps)
 - Temporary alerters or doorbells for any doors that are required to remain shut during the day (for example, fire doors)
 - Appropriate lighting – some polling station venues have good lighting, but others may need additional lighting at the desk
 - Reserved parking spaces reserved for voters with disabilities (where parking is available at the venue).
- 2.16 In addition, consideration should also be given to other types of equipment that could support voters to participate. Examples of additional provision include the following:
- **Hearing induction loop** – provide support to voters with hearing loss to communicate in the polling station. Some buildings have an induction loop installed as standard. Where this is not one available then a portable hearing loop could be used.

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- **Audio devices** – audio devices are pieces of equipment that reproduce, record or process sound. An audio device can be used together with the tactile voting device enabling blind and partially sighted voters to listen to candidate lists and then mark their ballot paper independently.
 - **Information available in easy read format** – Easy read refers to the presentation of text in an accessible, easy to understand format. It is often useful for people with learning disabilities and may also be beneficial for people with other conditions affecting how they process information.
 - **Information in large print formats** – large print is defined as being 16pt Arial or bigger and conform with clear print guidelines concerning layout, use of fonts and images. It is often useful for voters who have a visual impairment and may also be beneficial to elderly voters, dyslexic voters and voters who have dementia.
- 2.17 The above requirements and potential use of additional equipment will require training for polling station staff to address the importance of being aware of accessibility needs of voters at the polling station and what steps they should take to support them.
- 2.18 DLUHC have committed to providing New Burdens funding to train polling station staff on the new provisions. This has been costed on the premise staff require an additional ten minutes training on accessibility measures.
- 2.19 The EC's guidance indicates training for polling station staff should cover:
- the barriers faced by voters with disabilities at the polling station and how polling station staff can help reduce them
 - awareness that there are no legal barriers to prevent disabled people from voting, including voters with any learning disability or cognitive impairment
 - awareness that not all disabilities are visible or obvious, and that polling station staff should not make assumptions about what equipment voters might need
 - the importance of considering the needs of the person, not a specific disability
 - awareness that some voters may have more than one disability – for example, a visual impairment and dementia

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- the importance of clear communication about the voting process
- the importance of clearly communicating that assistance is available if required
- awareness of the equipment provided at the polling station to enable and make easier voting in the polling station for voters with disabilities, and how to use it – in particular equipment that polling station staff may be less familiar with, such as hearing loops
- awareness that a companion assisting a voter can be anyone over the age of 18 and if they have completed the declaration, can accompany a voter into the booth to assist them
- awareness that disabled voters may have an assistance animal with them and that assistance animals should not be prevented from entering the polling station
- awareness that voters with sight loss may use apps on their mobile phones or carry pocket-sized assistive equipment, such as video magnifiers, to help them read documents in the polling booth or in conjunction with a tactile voting device
- awareness that the use of text to speech apps are acceptable for use in polling stations
- awareness of alternative methods of communication that voters may use such as Makaton and British Sign Language (BSL) ⁷

3 Polling place review

- 3.1 You will need to assess the suitability of all your polling stations to check they will accommodate the requirements of the Elections Act. For example;
- do they meet accessibility requirements you now require (e.g., hearing loops, appropriate lighting, reserved disabled parking spaces)?
 - is there space to allow for private photo ID checks (either by erecting a screen or in a separate room)?
 - are there too many electors allocated to the station when accounting for the potentially lengthened voting process?¹
- 3.2 As a result of assessing the suitability of your polling stations, it may become apparent that some polling places need to be changed or new ones identified.
- 3.3 A **polling place review** is the legal process for changing polling places for parliamentary elections. In practice, the same polling places are usually used for other elections. The next compulsory review of polling districts and places is not due to commence until October 2023. If changes are required before then, it may be appropriate to undertake an interim review.
- 3.4 To carry out an interim partial review of polling places, you should follow the same process as a compulsory review. However, if you have not already considered this for the May 2023 polls, there may not be sufficient time to undertake the usual amount of consultation and take reports to full council.
- 3.5 The council is responsible for making decisions on polling places, unless there is delegated authority to a committee / sub-committee or officer.⁸
- 3.6 You should check the decision-making process on polling place changes within your council. It would be helpful if there is delegated authority for a committee or officer to make a change to polling places where there is insufficient time to get a decision from full council to allow the local elections to proceed.
- 3.7 We would advise each local authority to ensure decisions taken are documented, transparent and comply with the basic principles of a polling district review in terms of accessibility and having

¹ The EC have revised their recommendation on the number of electors allocated to a polling station to no more than 2,250 (excluding postal voters).

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reasonable facilities for voting. For example, liaising with key stakeholders on your intention to make changes (e.g., local councillors, accessibility groups).

- 3.8 A review might result in dispensing with small polling places and identifying larger polling places which are more suitable. This will impact on how you staff the polling station(s).

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4 Role of the Poll Clerk

- 4.1 The impact of the Elections Act on the poll clerk's role is limited in some respects, especially when contrasted with the presiding officer and polling station inspector.
- 4.2 The main adjustments to a poll clerk role include:
- Asking electors to present their photo ID and understanding what constitutes a valid form of ID;
 - Informing electors who do not have ID or do not have a valid form of ID what documents they need to return with in order to be issued with a ballot paper;
 - Referring electors whose photo ID is not considered a good likeness, a potential forgery or who have failed to answer the photo ID statutory questions satisfactorily to the PO to determine;
 - Where required, checking an elector's ID in private where this has been requested by the elector;
 - Where required by the PO, adding information to the BPRL and VIDEF; and
 - Providing advice and assistance to support the accessibility of the poll.

5 Role of the Presiding Officer

- 5.1 The impact of the Elections Act on a presiding officer is significant. In addition to the extra requirements placed on poll clerks, there are several provisions that only apply to a PO.
- 5.2 Previously there was one act that only the PO can do in a polling station:
- order the arrest, exclusion or removal of any person from the polling station.
- 5.3 The Elections Act will, subject to secondary legislation, bring in further duties which only the PO can do:
- refuse to deliver a ballot paper after asking the statutory questions²⁹
 - resolve doubts over identity.¹⁰
- 5.4 Where a PC:
- has a reasonable doubt as to whether the voter is the elector or proxy they claim to be (e.g., the photo is not a good likeness), or
 - reasonably suspects the document to be forged, or
 - after asking a person the statutory questions and deciding they have failed to answer them satisfactorily
- they must refer the matter to the PO to determine.¹¹
- 5.5 Therefore, the PO is solely responsible for determining whether to issue an elector with a ballot paper based on the photo ID presented. The PO decision to refuse to issue a ballot paper is final and cannot be questioned in any proceeding whatsoever. However, a refusal to deliver a ballot paper to a voter is subject to review on an election petition.

² There are two new statutory questions which a PC or PO can ask. The questions are discretionary and are likely to be used when there is doubt that a person is who they claim to be. The questions are "what is your name?" and "what is your address?"

6 Role of Polling Station Inspector

- 6.1 A Polling Station Inspector (PSI) role is not defined in electoral law but have traditionally been employed to:
- check things are set up correctly and running smoothly
 - collecting returned postal votes
 - supplying the station with any additional equipment or stationery
 - answering any questions polling staff may have.
- 6.2 We believe the Elections Act will dictate the role of a PSI is expanded at future polls. PSIs could have a more **active, troubleshooting role**, and subsequently you may want to employ more PSIs covering fewer polling stations to allow them to do this satisfactorily.
- 6.3 As mentioned in section 5, there is a risk the PO can be taken away from the issuing table to resolve issues with voter ID. PSIs could be deployed to:
- manage the flow of voters and any queues
 - carry out health and safety checks of the polling station
 - advise polling station staff on the new requirements for voter ID and accessibility
 - troubleshooting polling station queries as the first point of contact
 - monitor the activities of tellers
 - keep the Returning Officer informed of any issues at the polling station
- 6.4 You should make clear when appointing PSIs that the role is likely to be more hands on than in previous elections with an expectation for them to have sufficient knowledge of the process to deal with queries as the first point of contact.
- 6.5 For PSIs to have sufficient knowledge to answer queries to prevent all issues being escalated straight to the elections office, more extensive training will be required.
- 6.6 It would also be useful to employ PSIs who are able to **check photo ID** in place of the appointed PO.
- 6.7 The ability for electors to request their ID is checked in private may result in some requesting staff of specific gender conduct this check. This should be met if possible and considered as part of

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your staffing arrangements, however there is no mandatory requirement you employ a female staff member at every polling station.

6.8 A PC can carry out the initial check but will need to escalate to the PO in the case of doubt. Where the PO is not female and the elector is refusing to allow them to conduct this check, using female PSIs could help mitigate the issue.

6.9 It is clear in the legislation the PO must make the final decision on whether a ballot paper is refused. The legislation intends only one PO is appointed at each polling station.¹²

6.10 However, legislation states:

*“The returning officer may, if he thinks fit, preside at a polling station and the provisions of these rules relating to a presiding officer shall apply to a returning officer so presiding with the necessary modifications as to things to be done by the returning officer to the presiding officer or by the presiding officer to the returning officer”.*¹³

Therefore, an RO can do anything that a PO can do within a polling station.

6.11 An RO may appoint deputies with full or limited powers.¹⁴ Therefore, a deputy RO can also do anything a PO can do when granted full powers or limited powers that relate to polling stations.

6.12 So, a DRO could be appointed to undertake the duties of a PO which include refusing to deliver a ballot paper or resolving doubts over identity.

6.13 We strongly recommend you appoint your PSIs as DROs so they can, if need be, carry out the escalated check of photo ID.

6.14 This is particularly helpful for resolving issues where a female member of staff is required to make the final determination to refuse a ballot paper. Where this is required, polling station staff should have details for female PSIs to contact. They would need to inform electors there may be a short wait before they can verify the ID.

6.15 However, it must be noted that a PSI acting in this capacity cannot override a decision already made by the PO. If a ballot paper has already been refused, this decision is final.¹⁵

7 Using your available staff resources effectively

7.1 The legislation states for each polling station, the Returning Officer (RO) must appoint and pay a PO and enough PCs as necessary for the purpose of the election.¹⁶

7.2 It was traditionally common to employ a PO and one or two PCs, using the EC's recommended polling station ratio.

7.3 The EC have recently revised polling station staff ratios to the following:

Electorate (excluding postal voters)	Recommended number of staff
0 – 1,250	1 PO & 2 PCs
1,250 – 2,250	1 PO & 3 PCs

The EC also recommend that a polling station should not have more than 2,250 electors allocated to it due the additional requirements imposed by the Elections Act.

7.4 **The ratios are recommended minimum levels, THEY ARE NOT MANDATORY.** If you decide to allocate electors and staff differently to the recommended level, you should do so on a case-by-case basis. You should be able to explain your decision for varying from the recommended ratio. Potential reasons include:

- previous and projected turnout at the polling station
- the expected number of postal voters (the ratio excludes postal voters)
- local or national issues which might drive up or suppress turnout
- space in the polling station
- contingency to deal with any issues or queues
- ability to recruit enough staff

7.5 As the Elections Act brings new burdens, the UK government has indicated they will fund an additional PC at every polling station.¹⁷

7.6 You may decide the best way to resource your polling stations is to simply allocate another PC at each polling station.

7.7 However, you may not be able to recruit sufficient additional PCs to do this. Furthermore, it may be excessive in stations with small

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electorates or consistently low turnout to warrant an additional clerk.

- 7.8 You may also be concerned additional, inexperienced, poll clerks do not necessarily meet the need for staff to carry out the extended range of duties.
- 7.9 It could be better to create additional support in other ways. For example, you could consider:
- employing **relief PCs** to cover breaks and be deployed flexibly as needed throughout the day to respond to particular issues
 - employ **part-time PCs** to assist in busy periods, such as the evenings
 - appoint **floating PCs** who can work across polling stations where there are multiple stations in a polling place
 - appointing PCs to act as **meeters and greeters** to explain the voter ID requirements to voters before they apply for a ballot paper
- 7.10 Please note, if you use meeters and greeters in this way, they do not form part of the voting procedure. They can ask voters if they have brought Voter ID with them, but they cannot check the Voter ID, as this must be done at the issuing desk.
- 7.11 The VIDEF notes sheet only gets marked when the person is at the issuing desk. Any voters advised to leave and return with Voter ID by the meeter and greeter will not be included in the VIDEF. There is a box on the VIDEF to tick if you have employed a meeter and greeter at the polling station. This will indicate the numbers recorded may be proportionally lower than in a polling station without a meeter and greeter.
- 7.12 The EC's polling station ratios may mean you consider splitting a larger polling station into two smaller ones to accommodate a new maximum number of electors. You could consider employing:
- an experienced PO as a Senior PO with overall control of the polling place (e.g., both polling stations), and
 - a new inexperienced PO in the second station
 - floating PCs to work across the two stations
- 7.13 Another option for larger polling stations (for example, 2,000+ electors) where you only want to appoint one Presiding Officer is to create additional capacity by **splitting the register**.

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- 7.14 If there is sufficient space in the polling station, you could split the polling station register and have two issuing desks. You could appoint PCs at each desk, and your PO could oversee the whole polling station.
- 7.15 This could be appropriate where:
- there is enough space for two sets of polling booths and other equipment, and
 - you are confident the polling staff will be able to deal with issuing from two ballot books and CNLs at a time, and
 - a single ballot paper account can be completed
- 7.16 If you are planning to use the splitting the register mechanism, you should consider how the polling station staff can be supported if any issues arise or the station gets busy, for example by calling on the Polling Station Inspector (see [section 6](#)) or utilising relief poll clerks.
- 7.17 You could consider appointing **Senior Poll Clerks** in some of your larger stations. As mentioned in [Section 5](#) the role of the PO has expanded, and they may be taken away from the issuing desk to resolve voter ID issues.
- 7.18 There are certain acts only the PO can do, but a Senior PC could carry out some of the higher-level duties of a PO, for example:¹⁸
- carry out health and safety checks of the polling station
 - liaise with the caretaker/building manager as necessary
 - assist a disabled voter
 - ask the prescribed questions when necessary or required by a polling agent
 - deal with special procedures, e.g., spoilt ballot papers process and issuing tendered ballot papers
 - supervise other poll clerks
 - receive postal votes handed in at the polling station
 - manage attendance at the polling station
 - monitor the activities of tellers
- 7.19 Appointing Senior PCs should be seen as an opportunity to share responsibilities and promote development. It may also provide a steppingstone for staff to act as POs in future.
- 7.20 This document has been produced to get you thinking the roles you will need to deliver the 2023 polls as impacted by the Elections Act.

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- 7.21 We would like to emphasise that there is not a one size fits all approach, but the sooner you can start to identify the staff roles you need, the sooner you can make appointments and train people.

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Appendix A

Acceptable forms of photographic identification

United Kingdom passport ³
Passport issued by an EEA state or a Commonwealth country
Licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988, or the Road Traffic (Northern Ireland) Order 1981
Driving licence issued by any of the Channel Islands, the Isle of Man or an EEA state
Biometric immigration document issued in accordance with regulations under section 5 of the UK Borders Act 2007
Identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)
Ministry of Defence Form 90 (Defence Identity Card)
Relevant concessionary travel pass (see table below)
A badge of a form prescribed under section 21 of the Chronically Sick and Disabled Persons Act 1970 or section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978 (blue badge scheme)
Electoral identity document issued under section 13BD (Voter Authority Certificate)
Electoral identity card issued under section 13C (electoral identity card: Northern Ireland)
National identity card issued by an EEA state

Please note expired photographic identification is acceptable provided the photo still bears a good likeness to the voter.

³ A "United Kingdom passport" means a passport issued by the Government of the United Kingdom, the Lieutenant-Governor of any of the Channel Islands or the Isle of Man or the Government of any British overseas territory.

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Relevant “concessionary travel pass” means a concessionary travel pass listed in the second column of the following table:

passes funded by the Government of the United Kingdom	an Older Person’s Bus Pass
	a Disabled Person’s Bus Pass
	an Oyster 60+ card
	a Freedom Pass
passes funded by the Scottish Government	the National Entitlement Card
passes funded by the Welsh Government	a 60 and Over Welsh Concessionary Travel Card
	a Disabled Person’s Welsh Concessionary Travel Card
passes issued under the Northern Ireland Concessionary Fares Scheme	a Senior SmartPass
	a Registered Blind SmartPass or Blind Person’s SmartPass
	a War Disablement SmartPass or War Disabled SmartPass
	a 60+ SmartPass
	a Half Fare SmartPass

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Endnotes

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- ¹ Paragraph 18, Sch 1, Elections Act 2022 (EA 2022)
 - ² Regulation 31, The Voter Identification Regulations 2022 (VIDR 2022)
 - ³ Regulation 34 (1), VIDR 2022
 - ⁴ Regulation 34 (2), VIDR 2022
 - ⁵ Paragraph 12, Sch 1, EA 2022
 - ⁶ Paragraph 17, Sch 1, EA 2022
 - ⁷ Electoral Commission - [Guidance for Returning Officers: Assistance with voting for disabled voters](#)
 - ⁸ See Sections 18 – 18E Representation of the People Act 1983 (RPA 1983), and [EC guidance on polling district and polling places reviews](#)
 - ⁹ Paragraph 16, Sch 1, EA 2022
 - ¹⁰ Paragraph 18, Sch 1, EA 2022
 - ¹¹ Paragraph 16 & 18, Sch 1, EA 2022
 - ¹² Rule 26 (1), Sch 1, RPA 1983
 - ¹³ Rule 26 (2), Sch 1, RPA 1983
 - ¹⁴ Sections 28 and 35 RPA 1983
 - ¹⁵ Paragraph 22, Sch 1, EA 2022
 - ¹⁶ Rule 26 (1) Sch 1, RPA 1983; Rule 24(1) Sch 2, Local Elections (Principal Areas) (England and Wales) Rules 2006 (PAR 2006); Rule 24(1) Sch 2, Local Elections (Parishes and Communities) (England and Wales) Rules 2006 (PCR 2006);); Rule 30 (1) Sch 1, Local Elections (Principal Areas) (Wales) Rules 2006 (PAR 2021); Rule 30(1) Sch 1, Local Elections (Communities) (Wales) Rules 2021 (CR 2021); Rule 23 (1) Sch 1, Scottish Local Government Elections Order 2011 (SLGEO 2011)
 - ¹⁷ [DLUHC Elections Act Seminar PowerPoint – Saeed Kidwai Funding](#)
 - ¹⁸ Rule 26 (3), Sch 1, RPA 1983