

11 April 2023**Voter Identification****Ward(s):** All**Portfolios:** All**Purpose:** For Information**1. Aim**

The purpose of this report is to inform Walsall Council's Audit Committee of the implications of the Voter ID requirements which are coming into effect for the Local Elections on the 4 May 2023. The report aims to outline the responsibilities of the Returning Officer (RO) and Electoral Registration Officer (ERO), the legislative changes brought in by the Elections Act 2022 and Voter Identification Regulations 2022, acceptable identification, voter authority certificates, and the responsibility of the Presiding Officer. It also details the actions being taken by the Council to fulfil these responsibilities.

2. Summary

- 2.1 The Elections Act 2022 and Voter Identification Regulations 2022 require electors in England to present an acceptable form of identification to vote in polling stations for all future elections and referendums held in England.
- 2.2 The Returning Officer and Electoral Registration Officer have a responsibility to ensure that electors are aware of these requirements and that they have the necessary identification to vote. Where an elector does not have an acceptable form of ID, the legislation places a requirement on the Registration Officer to provide free Voter ID, known as a Voter Authority Certificate (VAC), to the elector upon receipt of application.
- 2.3 The Presiding Officer at each polling station is responsible for checking electors' identification, and where accepted, issuing a ballot paper to the elector.
- 2.4 Privacy booths will be deployed across Walsall to provide a secure environment for electors to present their identification if they wish to do so. Female members of staff will also be available in every polling station to check the identification of female voters if requested.
- 2.5 Postal votes are not affected for this election.

3. Recommendations

- 3.1 Audit Committee are recommended to note the responsibilities of Returning Officer and the Electoral Registration Officer and of the actions being taken to deliver these responsibilities.

4. Report detail - know

- 4.1 The Elections Act 2022 and Voter Identification Regulations 2022 require electors in England to present an acceptable form of identification to vote in polling stations during the Local Elections.

4.2 Acceptable forms of ID include:

International travel

- Passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country.

Driving and Parking

- Driving licence issued by the UK, any of the Channel Islands, the Isle of Man, or an EEA state (this includes a provisional driving licence),
- A Blue Badge.

Local Travel

- Older Person's Bus Pass funded by the Government of the United Kingdom,
- Disabled Person's Bus Pass funded by the Government of the United Kingdom,
- Oyster 60+ Card funded by the Government of the United Kingdom,
- Freedom Pass,
- Scottish National Entitlement Card,
- 60 and Over Welsh Concessionary Travel Card,
- Disabled Person's Welsh Concessionary Travel Card,
- Senior SmartPass issued in Northern Ireland,
- Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland,
- War Disablement SmartPass issued in Northern Ireland,
- 60+ SmartPass issued in Northern Ireland,
- Half Fare SmartPass issued in Northern Ireland,
- Proof of age,
- Identity card bearing the Proof of Age Standards Scheme hologram (a PASS card).

Other government issued documents

- Biometric immigration document,
- Ministry of Defence Form 90 (Defence Identity Card),
- National identity card issued by an EEA state,
- Electoral Identity Card issued in Northern Ireland,
- Voter Authority Certificate,
- Anonymous Elector's Document.

4.3 If a person does not have any of the acceptable ID listed above they can apply for a free Voter Authority Certificate (VAC). This can be done online via a Government portal; paper applications are also available for download on the Electoral Commission website or can be posted to the elector upon request. In addition to this, electors are able to visit any of the Walsall Connected Hubs or book an appointment with the elections team in the Civic Centre for assistance with their application.

4.4 The election is required to upload paper applications to the government portal, including a scan of the photo provided, for processing. The application form requires an elector to provide their national insurance number, date of birth, address and full legal name, and a suitable photo. These details are first checked against records held by the Department of Work and Pensions (DWP) through an automated system called the Electoral Registration Officer Portal (EROP).

4.5 If the data check against DWP records does not match, the electoral services team will check local council data i.e. council tax and housing benefit, to try and confirm the elector's

identity. Where both national and local data matching are unsuccessful, the elector will be required to provide further documentary evidence which will be explained in an email or paper communication. As of 15/03/2023 only 4 electors have been required to provide such documentary evidence.

- 4.6 Where the information is matched the application is then moved onto the determination process where a member of the core elections team reviews the photo provided, ensures that the elector is registered to vote and that the elector is eligible for a voter authority certificate. The photo provided must meet certain criteria laid out in the legislation and Electoral Commission guidance, in particular the photo must be:

- Of the elector facing forwards and looking directly at the camera;
- A close up of the electors head and shoulders, without any head covering, unless one of worn for religious beliefs or medical reasons. The face must not be covered for any reason;
- With a plain facial expression and with the electors eyes open and clearly visible e.g. without sunglasses and not obscured with hair.

The photo must also:

- Be in colour;
- Be a true likeness of the elector without any modification or filters;
- Be taken against a plain background;
- Be in sharp focus and clear;
- Be free from “red-eye,” shadows which obscure the face, or reflection;
- Not be damaged.

If an elector is unable to meet these requirements due to a disability the Electoral Registration Officer has the discretion to accept a photo that does not meet all of the above specifications.

- 4.7 If the elector’s photo does not meet the requirements listed above they will be notified by email or letter, dependent on the communication method the elector chose during the application stage, to inform them that a new photo must be supplied. Electors are given 28 days to resubmit a new photo, with a reminder sent after 14 days, before the application is rejected. This communication also reminds the elector of the photo requirements and provides the option to visit a Walsall Connected Hub or book an appointment with the elections team if they need assistance in taking a photo.
- 4.8 Where an application is rejected, the legislation requires the ERO to write to the elector with information about why it was rejected, the grounds for appeal, and the process for reapplication. The application is then stored for a period of 12 months by the ERO.
- 4.9 Where then application is accepted, the Voter Authority Certificate is issued through the ERO and sent to a government procured print service who dispatch the certificate via Royal Mail 1st Class post within 2 working days. An explanatory document is sent with the certificate which can be requested in Braille, Easy Read or Large print.
- 4.10 If an application is dispatched close to the election and is unlikely to be delivered in time for the polls, the ERO has limited discretion to issue a temporary VAC which must be collected by the elector in person at the Civic Centre. These temporary documents can only be used for a specified poll and will be forfeited at the polling station upon receiving a ballot paper.
- 4.11 When an elector arrives at the polling station the polling station staff will first ask for their name and address to ensure they are on the electoral register. Once this is confirmed, the

polling station staff will ask the elector for their ID and offer the use of the privacy pod which will be available in all 126 polling stations across Walsall.

- 4.12 The elector will be required to show their ID to the polling station staff either at the staff's desk or inside the privacy pod. An elector who wears a face covering will be required to remove this to verify the ID matches, female members of staff will be available to inspect female electors ID on request.
- 4.13 Where an elector does not have a suitable form of ID or refuses to show their ID the polling station staff will not issue a ballot paper. The electors name and number on the register will be recorded on the Ballot Paper Refusal List and the elector will be invited to return with a suitable ID document. If the elector does return, with acceptable ID, the Ballot Paper Refusal List will be marked to reflect this.
- 4.14 Once the register and ID checks are completed by the staff, the elector will be issued with a ballot paper and will be able to vote in the usual way.
- 4.15 Information from the Ballot Paper Refusal List will be sent to the Electoral Commission and DLUHC who will use the information for further policy and legislative reform.
- 4.16 The RO recognises the significance of ensuring that all voters are aware of the new voter ID provisions and as such the elections team have been working closely with Communications, the Community Cohesion team, Walsall Connected and the Electoral Commission to raise the awareness of the requirements for photo ID and also for how those that need to can apply for a VAC.
- 4.17 The council has utilised a mixture of Electoral Commission materials and ones produced locally to raise the profile of the need for photo ID. Posters were circulated via teams working in the community in December 2022.
- 4.18 A full social media campaign has been ongoing since January 2023, when the ERO Portal was opened by the government for VAC applications. This was timed to co-inside with the Electoral Commissions national campaign which features social media messages, TV and radio advertisements and posters on busses and bus stops.
- 4.19 Printed materials regarding photo ID have been provided to Walsall Connected, libraries and community centres. The distribution of printed materials promoting the need for photo ID is continually growing as requests are received or suggestion made.
- 4.20 With support from the communications team a [short video](#) has been produced and shared on social media that explains the requirement for photo ID and also the proposed use of privacy pods at polling stations. This has been picked up by other councils as best practice. We have encouraged community groups and partners to share this link and social media posts on their platforms and it has, for example, been shared on the Walsall Muslim Noticeboard Facebook page.
- 4.21 Via elected members and community contacts we are inviting community leaders, faith leaders and electors in to see the 'mock-up' polling station we have set up in the Council House. This provides the opportunity to share information regarding how the privacy pods will be deployed. This has provided valuable feedback that is informing how the privacy pods will be used.
- 4.22 In addition to the online media, printed advertisements advertising the photo ID requirements have been placed on 8 bin wagons which deliver across Walsall and are expected to be seen by over 200,000 residents in the 6 weeks they will be displayed.

- 4.23 The deadline for applying for a VAC if you need one for the Local Elections on 4 May 2023, is 5pm on Tuesday 25 April 2023.

5. Financial Information

- 5.1 There are no direct financial implications arising from this report.

6. Reducing Inequalities

- 6.1 The ongoing communication and engagement activity seeks to ensure all eligible electors have the opportunity to participate in the upcoming Local Election, reducing any inequalities and addressing any accessibility issues.

7. Decide

- 7.1 Audit Committee are asked to note this briefing and the actions being taken to ensure electors are aware of the voter ID requirements.

8. Respond

- 8.1 As part of the ongoing implementation of the Elections Act 2022 the elections team under the guidance and direction of the ERO and RO will continually review and revise activity to ensure responsibilities are fulfilled.

9. Review

- 9.1 This briefing sets out the process being taken by the Electoral Registration Officer and Returning Officer in relation to Voter Identification. A report will be prepared after the polls for this committee to review the impact of the new legislation.

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