

Statutory consultation on guidance for Returning Officers: Assistance with voting for disabled people | Electoral Commission Search Statutory consultation on guidance for Returning Officers: Assistance with voting for disabled people You are in the Our consultations section Home Our consultations Draft guidance for Returning Officers: Assistance with voting for disabled voters (statutory consultation) On this page How to respond How we developed the guidance What the guidance covers Themes raised through consultation Background First published: 5 December 2022 Last updated: 17 January 2023 Consultation has now closed The consultation has now closed. Once we have considered the responses to this statutory consultation, we will publish the guidance to assist ROs in preparing and delivering the May 2023 elections as soon as we can. Summary Summary There should be no barriers to voting for disabled people. Everyone should have the right to vote on their own and in secret. The Elections Act 2022 includes provisions requiring Returning Officers (ROs) to provide such equipment as is reasonable to enable, or make it easier for, disabled people to vote independently and secretly. Now that the legislation that enacts these provisions is in place, the Electoral Commission is conducting a statutory consultation on our guidance for ROs on the new provisions for assistance with voting for disabled people. We ran an initial six-week public consultation on the draft guidance, which received 67 responses from members of the public, electoral administrators, and a wide range of charity, civil society and third sector organisations. We have now updated the guidance building on the feedback we received as part of the initial consultation. We want to hear your views on our updated guidance to support ROs in making accessibility arrangements that can have a real and positive impact for disabled voters for the May 2023 elections and beyond. Once we have considered the responses to this statutory consultation, we will publish the guidance to assist ROs in preparing and delivering the May 2023 elections as soon as we can. Alongside this guidance for ROs, we will also be providing additional support as part of our wider guidance and resources for electoral administrators and for voters to help make voting accessible for all. This consultation is also available in easy read and BSL formats . How to respond This consultation is open from 5 December 2022 until 16 January 2023. You can respond by: filling in our online form emailing your views to EAConsultation@electoralcommission.org.uk or writing to us at: Electoral Administration Guidance Team The Electoral Commission 3 Bunhill Row London EC1Y 8YZ If you have any questions or require any help to be able to respond, please get in touch on 0333 103 1928. How we developed the guidance To help inform the initial guidance, we engaged with a range of civil society, charity and third-sector organisations across the whole of the UK. These represented people with physical and learning disabilities, mental health conditions, and invisible disabilities. We also discussed the changes with a range of representatives from the electoral administration sector. The pre-consultation work allowed us to understand and identify the barriers faced by disabled people at the polling station; possible solutions to make voting more accessible; and how the changes made by the Elections Act could be used to improve the accessibility of elections. We then ran an initial six-week public consultation from 5 September until 17 October 2022 asking for feedback on the draft guidance. Overall, we received 67 responses to our initial public consultation from members of the public, Electoral Registration Officers (EROs), ROs, and a range of civil society and third sector organisations. We also engaged with electoral administrators from across the UK at a national seminar. We have considered the feedback received in these initial stages to inform the further development of the guidance. What the guidance covers Our guidance covers:

Understanding and identifying the barriers that make it difficult or impossible for disabled people to vote The legal framework of rights and protections for disabled people within which the guidance sits Providing accessible information about what to expect in a polling station, how to vote in a polling station and what support is available The equipment that should be made available as a minimum at the polling station, and what other equipment or support might also be helpful Providing specific accessibility training for polling station staff, and what that training should cover Working with civil society, third sector and charity organisations to raise awareness of and communicate the support and equipment that is available to disabled voters The guidance also identifies the polling station equipment that could have a significant impact in enabling or making it easier for disabled people to vote independently and in secret. ROs should provide this equipment as a minimum. It also identifies additional equipment and support that ROs should consider making available. This guidance will support ROs to perform their statutory duties under the Elections Act. [Opens in new window View our guidance](#) You can also [Opens in new window read a guide to our guidance in easy read](#) . ROs will be required to have regard to the guidance when deciding what polling station equipment to provide locally but they are not required to follow our recommendations. The law does not give us the power to prescribe a list of items or equipment that ROs must make available in each polling station. It is for each RO to decide the appropriate arrangements and equipment that might enable disabled voters in their area to cast their vote independently and secretly. The equipment identified in our guidance aims to assist ROs in meeting this duty. Factors that are unique to a local area – including the size and scale of polling stations or specific requirements of the local electorate – may shape the approach ROs decide to take. ROs should regularly review and assess the needs of people in their local areas and on this basis determine what may be reasonable to provide in individual polling stations. We will continue to monitor how useful this guidance has been in helping ROs and EROs to support disabled voters. We will be able to update the guidance for future elections, including if new information or equipment becomes available. Themes raised through consultation Below we set out a summary of the main themes and issues raised in the consultation responses we received, and how we have considered them in updating the guidance and in our wider work to support making elections accessible to all. Barriers to voting We have made the following changes to our guidance as a result of comments received on barriers to voting: We expanded the guidance to include awareness of neurodivergence and hidden disabilities We expanded on areas to be covered in training for polling station staff to reference: that disabled voters may have an assistance animal with them that they can bring into the polling station awareness that voters with sight loss may use apps on their mobile phones or carry other 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 is acceptable in polling stations Support and resources for ROs to help make voting accessible A number of responses asked for additional resources to be provided to ROs to support them in delivering accessible elections. Some also raised points on how to help ROs in making decisions about what additional equipment and support it would be reasonable to provide. Related to this, we received requests for more guidance on ROs' statutory duties under the Elections Act and the wider framework of equalities legislation. We made the following changes to our guidance as a result: We referenced and linked to our existing polling district review guidance, which supports ROs to consider a range of factors, including accessibility needs, when reviewing polling districts, places

and stations, more clearly We provided additional information on how the guidance could be used and adapted to local circumstances We clarified how the requirements in the Elections Act interact with the wider legal framework of rights and protections for disabled people to ensure that reasonable adjustments are made to remove any substantial disadvantage that disabled voters might otherwise experience We clarified and expanded guidance for ROs on equipment to be provided in polling stations, such as suggested wording for badges for polling station staff and practical advice for the use of temporary alerters or doorbells We added Makaton as an alternative format in which information could be provided about what to expect when voting at the polling station In addition to the changes to the guidance itself, we will also produce a range of additional supporting resources for ROs including: Updated template training materials for polling station staff A checklist for equipment to be provided in polling stations We also received feedback asking for clarity on how the new requirement to provide equipment in polling stations will be funded. Officials from the Department for Levelling Up, Housing and Communities have confirmed that funding to support the delivery of accessible elections will be provided to ROs. The UK Government will announce further details and guidance on how the funding will be made available, including for national polls, in due course. Equipment to be provided in polling stations Some points were raised with regards to the suggested minimum requirements for equipment at the polling station and around the additional types of equipment that could support voters to participate. Some respondents raised points that related to specific or local needs, such as the lack of dropped kerbs near polling stations and the provision of cycle parking for non-standard cycles. The guidance is intended to cover all polling stations across the UK and it would not be suitable for it to include such specific individual and local factors. These should be considered by local ROs so that they can be addressed locally, and we have clarified this in the updated guidance. Several respondents called on us to mandate, rather than suggest, provisions and equipment in the guidance, updating our terminology accordingly. Based on the legislation, we cannot prescribe a list of items or equipment that ROs must make available in each polling station. This is something for the RO to decide based on ongoing review of local needs. We received some suggestions that audio devices should be included on our list of equipment that all ROs should provide as a minimum. We have recommended that ROs consider providing audio devices at polling stations where they identify or are made aware that an audio device would be required to support a voter in a specific polling station. We have not yet seen evidence to suggest that audio devices would be needed by voters in every polling station, or that it would be feasible for ROs to procure the number of devices needed to be able to provide one in every polling station. We have recommended that ROs should ensure that magnifiers and appropriate lighting are provided in all polling stations as a minimum to support blind and partially sighted voters, as well as the tactile voting device. Some respondents asked us to provide a list of criteria that ROs should use when considering reasonable adjustments and requests for additional equipment or support. Under the Equality Act 2010, ROs have an anticipatory duty to make reasonable adjustments. This means they have to anticipate, think about and try to predict what adjustments could be needed by voters with different types of disability, support and access requirements. Such adjustments will necessarily reflect local circumstances and approaches, which means that a standardised list would not be appropriate. We will review and update our guidance year-on-year, including in relation to the equipment that should be provided as a minimum and any additional equipment and support. We will ask for feedback from

voters and electoral administrators on the equipment provided to support disabled voters as part of our reporting on elections and to support the identification and sharing of good practice. Supporting ROs with public awareness and partnerships work Overall, respondents thought that the draft guidance provided sufficient information for ROs to engage with voters and raise awareness. However, a number of points were raised on how we could further support ROs and electors through public awareness, partnership working with charity and civil society groups, and voter information. Many also called for additional resources or links to partners to support them with accessibility locally. To further support the delivery of accessible elections we will work to provide the following resources and support ahead of the May 2023 elections: Social media assets and web copy to assist ROs to engage and raise awareness with voters A resource for ROs to use to communicate with local disability groups and to provide information to voters in their local authority, which we will develop in consultation with relevant national representative bodies Signpost to good practice guidance on how to make communications accessible Work with local authorities to point electors to the range of resources and information we host on our website Work with relevant national representative bodies to provide training resources for ROs Supporting the design of prescribed polling station notices in an accessible format Work in partnership with disability organisations nationally to communicate directly with their members We will also explore with partners the possibility of providing a list of organisations that ROs may contact for advice, including on the provision and sourcing of equipment. We will build on our offering year-on-year and will consider providing additional resources highlighted through consultation responses, such as videos to support voters to understand the voting process, for future elections. Reviewing our use of language We received feedback on our use of language in the draft guidance. Some recommended that we use 'disabled persons', rather than 'persons with disabilities', as people are disabled by their environment not by their condition, and their disability should not define them. Respondents also recommended that we use the definition of disability used in the Equality Act 2010 as a way of ensuring consistency with ROs' obligations under this and other legislation. We have taken advice on our use of language and we have updated this throughout the guidance to align with the Social Model of Disability. We have also updated the definition of disability used to be in line with that set out in the Equality Act 2010. Evaluation and sharing of good practice Several responses suggested that we should provide additional information and resources to assist ROs with evaluating the poll and learning lessons for future polls. Some also called on us to gather good practice in relation to accessibility of elections and produce good practice guidance to accompany our guidance for ROs. To help with ROs' evaluation activities, we will provide a template survey for use with polling station voters that require additional assistance when voting. The survey can be used to gather their feedback on their experience of voting and the support that was made available. The Elections Act requires the Commission to report on the implementation of the new accessibility provisions. In order to meet that requirement, we will be asking ROs for data and information on the provision of equipment and support in polling stations. We will provide full information on what data and information we expect to collect alongside the publication of the final version of the guidance. We will also use our engagement and reporting to highlight examples of good practice that emerge, which we can then share with other local authorities to help inform their local arrangements. We will also share these directly with those who we have identified as needing support and that may benefit from the experience of other teams who have

faced similar challenges. We will explore further how we can use existing networks to share experiences and examples more widely. Our new performance standards for ROs, which are due to be finalised and published by the end of the year, will also be used to support engagement with ROs around the accessibility of elections, and to monitor and report on the support and equipment provided. Comments received which were out of scope

Some responses raised issues outside the scope of the consultation and the draft guidance, some of which would require legislative change in order to be actioned. These include issues such as:

- Barriers to voting due to religion
- Barriers due to not speaking
- Making postal voting more accessible
- The availability of phone or online voting
- Providing the annual canvass form, the invitation to register letter, or poll cards in alternative formats
- Upskilling voters' political literacy in the run-up to and during an election

While we have not addressed these in our consultation response, we will continue to consider how we can take these into account in our wider guidance, research and public awareness work.

Background

Who we are

We provide comprehensive guidance for ROs, which covers information about what they should be doing to help support disabled voters to participate. It includes specific resources to help and support disabled voters at polling stations. For example, we produce a polling station accessibility checklist to highlight practical accessibility considerations, and a handbook for polling station staff with information on how to ensure voting at the polling station is accessible. We have also worked with RNIB and Mencap to create videos for use during polling station staff training, to help staff better understand the challenges disabled voters may face when going to a polling station. You can find out more about our role and responsibilities on our website.

Elections Act 2022

The Elections Act 2022 includes amendments to the Representation of the People Act 1983 which introduce a new requirement for ROs to provide such equipment as is reasonable for the purposes of enabling, or making it easier for, relevant persons to vote independently and in secret. Relevant persons are defined in the legislation as those who find it difficult or impossible to vote due to blindness, partial sight or another disability. Independently refers to voting without assistance from another person, not without any form of assistive device. These provisions will apply to:

- UK parliamentary general elections
- Police and Crime Commissioner elections in England and Wales
- Northern Ireland Assembly and local elections
- Local elections in England

ROs are personally responsible for the conduct of elections. In Northern Ireland, the Chief Electoral Officer (CEO) is the RO, so references to 'ROs' throughout this document and the guidance should be read to include the CEO.

Our initial consultation

We ran an initial consultation on our draft guidance from 5 September until 17 October 2022. We received 67 responses from members of the public, electoral administrators and a range of organisations. View our initial consultation

Overview of consultation responses by question

Question	Yes (total and %)	No	Don't know	Total responses
Question 1: Are there any other barriers that voters may experience when voting at the polling station that the draft guidance does not cover?	27 (45%)	23 (38%)	10 (17%)	60
Question 2: Do you think the suggested minimum requirements for equipment to be provided at the polling station are sufficient and reasonable?	33 (56%)	18 (31%)	8 (14%)	59
Question 3: The guidance highlights other types of equipment that could support voters to participate and provides support to help Returning Officers make decisions about what additional equipment and support to provide. Are there any changes you would want made to this guidance?	27 (47%)	25 (44%)	5 (9%)	57
Question 4: Does the draft guidance give enough information to support Returning Officers with providing training to support making voting				

accessible for all? 32 (55%) 23 (40%) 3 (5%) 58 Question 5: Does the draft guidance give enough information for Returning Officers on how they can engage with voters and publicise information about elections and the support available to them? 31 (54%) 20 (35%) 6 (11%) 57 Question 6: Does the draft guidance effectively support Returning Officers to evaluate, learn lessons and build on their approach to supporting the needs of disabled voters for future polls? 34 (62%) 16 (29%) 5 (9%) 55 Related content Draft guidance for Returning Officers: Assistance with voting for disabled voters (statutory consultation) Consultation on draft guidance for Returning Officers: Assistance with voting for persons with disabilities Tell us your views on the draft guidance for Returning Officers about assisting disabled people to vote Draft guidance for Returning Officers: Assistance with voting for persons with disabilities Read our draft guidance for Returning Officers