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Report on the May 2021 elections in Wales You are in the Senedd elections  
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Summary In July 2020, during a time of rising concern about the coronavirus pandemic,  
discussions began around the management and administration of the Senedd elections in  
a pandemic environment. Whilst there had been speculation that the elections might be  
postponed, in February 2021, the Welsh Government announced its firm intention that  
the elections would go ahead as planned on 6 May 2021. The UK Government also  
confirmed that the Police and Crime Commissioner elections postponed from May 2020  
would take place on the same date. Rules for the Senedd election were made by Welsh  
Government while rules for the Police and Crime Commissioner election were made by  
the UK Government. This combination, which included the difference in voter  
eligibility between the two sets of elections, together with the pandemic, resulted  
in a high level of complexity for those administering the polls. However, people were  
able to register to vote and take part in the elections. There were 51,500  
applications to register made from 26 March to 27 April, and a total of 2.3 million  
were registered to vote in the elections in Wales. For the first time 16 and 17 year  
olds and foreign citizens resident in Wales were able to register to vote at the  
Senedd elections. Turnout across the elections was similar to previous years,  
suggesting Covid-19 did not stop voters from taking part. Voting by post or  
appointing a proxy were highlighted as options for those who did not feel  
comfortable, or safe, voting in person, and there was a small increase in the number  
of people who applied to vote by post at these polls. Alongside the usual challenges  
for Returning Officers and electoral administrators in running and overseeing  
successful elections, there were a number of extra requirements imposed by Covid-19  
to comply with public health guidance and regulations and ensure that everyone could  
participate safely. The experience of these polls has again highlighted concerns  
about the resilience and capacity of electoral administration structures in Wales,  
which are coupled with the challenges of delivering elections within an outdated and  
increasingly complex electoral law framework. For campaigners, the changing public  
health regulations and restrictions caused uncertainty, and they had to adapt their  
plans as official guidance changed before and during the campaign period. s were able  
to communicate with voters using a number of methods including online, through  
printed material and eventually face-to-face. However, feedback from candidates shows  
that campaigning ahead of these elections was challenging. Digital campaigning was  
particularly important to campaigners for the May polls and this trend is likely to  
continue in future years. Transparency around who is responsible for producing  
campaign material online remains of critical importance, and lessons from elsewhere  
in the UK about digital imprint rules should be a consideration for future devolved  
elections taking place in Wales. Overall, the evidence and feedback we have collected  
indicates that the 2021 elections in Wales on 6 May 2021 were well-run and voters and  
campaigners had confidence in the management of the polls, despite the difficulties  
they encountered as a result of the Covid-19 restrictions Voting at the elections The  
experience of voters at the May 2021 elections Most people were confident that the  
elections were well-run, even though they took place in unprecedented and challenging  
circumstances. People were highly satisfied with the process of registering to vote  
and casting their vote. Changes that were put in place helped to support and reassure  
voters. People were confident that they could vote safely at the elections, and the  
overwhelming majority were able to vote using their preferred method. New rules

allowed people who were required to isolate to appoint a proxy to vote on their behalf as late as 5pm on polling day. This positive change helped to provide a safeguard for anyone whose circumstances changed close to the polls. Overview On 6 May 2021 an election took place to elect 60 members of the Senedd, 40 representing the constituencies of Wales and 20 representing the regions. The election was combined with the Police and Crime Commissioner elections, postponed from May 2020 due to the Covid-19 pandemic. In some constituencies, local authorities also held by-elections. The franchise for each election was different with 16 and 17 year olds and foreign citizens legally resident in Wales able to vote in the Senedd election for the first time. Two different voting systems were used: the Additional Member System in the Senedd election, and the Supplementary Vote for the Police and Crime Commissioner election. Returning Officers, consistent with Electoral Commission guidance, put in place new procedures in polling stations to comply with public health guidelines and to ensure that voters were confident that they could vote safely. To make sure everyone knew about the different voting options available to them and the safety measures in place, the Commission, along with local authorities, took a lead role in communicating these messages before the elections. Voters continue to have positive views about how elections are run Notwithstanding the challenges of a complex set of polls held during the Covid-19 pandemic, people had high levels of satisfaction with the process of registering to vote and voting, and thought they had enough information about the elections to enable them to take part. Our research showed that: 86% of people were satisfied with the process of registering to vote 95% of people who voted at the election were satisfied with the process of voting the vast majority (94%) of voters in Wales said it was easy to fill in their ballot papers for the Senedd election whereas only 83% of those who voted at the Police Crime Commissioner said the same first time voters were more likely to say they were dissatisfied with the process of voting (10%) and were significantly more likely to find the electoral system confusing compared to repeat voters (55% compared to 22%) Three-quarters of people said they were confident that the elections were well-run; however, at least one in 10 were not. This figure is lower than the proportion of people in 2016 who thought the elections were well run (83%). Reasons given by those who said they were not confident the election was well-run were: there wasn't enough information about the candidates (25%) did not think it was safe for people to vote at polling stations because of Covid-19 (22%) did not feel it was appropriate for the election to take place during the pandemic (20%) there wasn't enough information about the elections (20%) The pandemic does not appear to have stopped people from turning out to vote Turnout, at 46.8%, was slightly higher than at the 2016 elections (45.6%). Turnout among 16 and 17 year olds seems largely in line with other younger age groups and notably lower than turnout among the over 55s. Postal and proxy voting were highlighted as alternative ways of voting due to the pandemic and the number of voters choosing these methods did increase, although perhaps not as highly as some had anticipated in a pandemic environment, with 458,928 issued with a postal vote in 2021 compared to 395,878 in 2016 (19.2% compared with 17.6%). Turnout compared with other elections 2016 2021 Senedd election 45.6% 46.8% PCC election 45.2% 45.7% People were confident that they could vote using their preferred method Although public health restrictions were in place at the time of the elections, people had a choice of how to cast their vote. They could choose to vote in person at their polling station, by post, or by asking someone to do so on their behalf (proxy voting). 94% of people who voted said they were able to use their preferred method of voting. Voters using polling stations were confident that they

were safe places to vote Voters using polling stations were confident that they were safe places to vote overview Across Wales, measures were in place to make sure that voting at polling stations was as safe possible during the pandemic. To support and advise on what changes should be made to voting in polling stations, the Electoral Commission worked with public health experts across the UK to provide guidance for electoral administrators . The Wales Electoral Coordination Board also worked closely with the AEA Wales to set out a minimum safety standard which constituency Returning Officers should put in place at polling stations. The Commission also provided resources to local authorities designed to reassure voters that polling stations would be safe places to vote, including highlighting the other ways to vote, for those vulnerable or concerned and encouraging voters to start thinking about their preferred voting option early. Resources included material for use on social media, animated videos, posters and template press releases. Polling stations were set up and managed to minimise public health risks Almost all of the respondents to our research who voted in person said that they felt safe at a polling station with the provisions in place: 95% of electors who voted in person say that they felt safe at a polling station with Covid-19 safety provisions in place – with almost two thirds feeling very safe. Only a very small proportion of voters said that they felt unsafe nearly three-quarters of electors aged 35-54 and 55+ felt it was very safe compared to just over half (57%) of those aged 16-34 almost all (99%) polling station voters said that they noticed at least one of the various safety provisions that had been put in place People were most likely to notice People were least likely to notice Hand sanitiser provided on exit and entry Cleaning of pencils Staff wearing face coverings Cleaning of booths A one-way system with floor markings Polling station staff also felt that polling stations were safe places to work (90% of staff responding to our survey agreed) and that the safety of voters was adequately provided for by the changes introduced (91%). Candidates were also satisfied with Covid-19 safety measures in polling places, with three-quarters saying they were fairly or very satisfied. The new safety measures, including the limits on the number of people who could enter the polling station, meant that voting took longer for some people. The combination of polls, where voters had more than one ballot paper to complete, may also have contributed to this. Our research showed that: half of those people questioned said that voting in these elections took about the same time as usual despite the Covid-19 safety provisions being in place. However, 42% said it took longer 48% of electors who voted in person said they waited less than five minutes, 34% waited five to 10 minutes and 16% said they waited more than 10 minutes before they were able to vote There were reports of queues at some polling stations There were reports in the media on polling day of queues at certain polling stations and instances where voters felt unable to cast their vote as a result. To better understand the situation across Wales, we asked Returning Officers and electoral administrators to provide detail on the voter experience in their areas. All authorities responded and 10 reported receiving some complaints about queuing including: a small number (21) of people across Wales complained about being disenfranchised (11 in one authority area) the last polling stations to close were in Cardiff at 23:40, in Rhondda Cynon Taf at 23:20, and Newport at 00:45 the reasons cited for why queues formed were: adhering to Covid-19 guidance, and less availability of suitable buildings for use as polling station because of requirements relating to the pandemic This showed that while there were instances of queuing, it was not perceived by voters as a widespread problem in Wales. Generally, voters understood that Covid-19 procedures were being followed, and in most instances people

were prepared to queue. Electors appreciated the steps being taken to ensure their safety. Returning Officers felt that having polling station 'marshals' or 'greeters' worked well, and that these staff were able to direct and help voters, making the experience more 'welcoming', particularly for young and new voters. The Wales Electoral Coordination Board have concluded that this arrangement should be continued at future polls, resource permitting. People who didn't want to go to a polling station had options for voting remotely. People who don't want to vote in person at the polling station can apply to cast their vote by post or appoint someone to vote on their behalf, known as a proxy. If their situation changes close to an election due to work or disability, people can appoint an emergency proxy up to 5pm on polling day to vote on their behalf. The law was changed ahead of these elections so that so that anyone who had to self-isolate close to polling day because they had tested positive for Covid-19, or had been in close contact to someone who had tested positive, could also appoint a proxy. Most people knew what options they had if they didn't want to vote in a polling station. Our research showed that: 75% of people said that they found it easy to get information about the different methods of voting that they could choose from older voters were more likely than younger voters to say it was easy to get this information one in five first time postal voters said they chose to vote that way because they were prompted by information sent by their local authority. A similar number (21%) said that they chose to vote by post because they saw advertising from the Electoral Commission over three-quarters (78%) of those electoral administrators that replied to our survey said that they had run a campaign about postal voting in their area. The majority of calls from the public to the Electoral Commission's public information helpline in Wales related to the postal voting process, with callers not having access to a printer in order to print off and complete the form, or being unclear about where to return their postal vote application form. Remote voting continued. People found postal voting straightforward. At these elections we saw a small increase in the proportion of voters choosing to vote by post, but the number of proxy voters remained at the same level: 2021 2016 % of postal voters 19.2% 17.6% % of proxy voters 0.14% 0.13%. Of those who were first-time postal voters, half said they voted this way because of Covid-19 safety concerns, while 25% say it is more convenient. A third of electors who voted by post did so for the first time. An overwhelming majority (96%) said that it was easy to understand what to do in order to return their postal vote. First time voters (15%) and those aged 16-34 (14%) were more likely to say it was difficult. The most common reasons for saying it was difficult were receiving more ballot papers than they were expecting, not being clear which envelopes they should return the completed ballot(s) in and not being clear on what information they had to provide. Rates of postal vote rejections rose slightly. When a postal ballot pack is returned to the Returning Officer, the signature and date of birth (known as the personal identifiers) provided on the postal vote statement (PVS) are checked against those previously provided by the elector. Where either or both the signature and date of birth are missing or do not match, the postal vote is rejected and is not included in the count. This is a security measure to ensure that the ballot paper has been returned by the elector it was sent to. Data from electoral administrators shows that 13,695 (3.9%) of returned postal votes were not included in the count after the required checks on voters' personal identifiers. The rate of rejection is slightly higher than at the 2016 Senedd election where 9,291 (3.24%) postal votes were rejected as invalid. The most common reasons for rejection were mismatched identifiers (signature/date of birth), these account for 46% of rejections. Postal vote rejection rates. Most common reasons

for rejection % of postal votes rejected Mismatched date of birth Mismatched signature 2016 3.2% 20% 16% 2021 3.9% 28% 12% While the percentage of postal votes not included in the count is relatively small, it remains a matter of concern that some postal votes are not counted because voters do not complete the PVS correctly. The Electoral Commission will continue to work with Returning Officers and Electoral Registration Officers to support voter understanding of how to complete and return their postal ballot pack correctly. The postal vote stationery used plays an important role in aiding voter understanding with the application and voting process, and they should continue to review the information they provide to make sure it is as clear and helpful as it can be to voters. People who needed to isolate because of Covid-19 could appoint a proxy to vote on their behalf. Voters whose situation changes close to an election due to work or disability can appoint an emergency proxy up to 5pm on polling day to vote on their behalf. Changes to these rules in March 2021 gave voters the option to apply for an emergency proxy if they tested positive for Covid-19 close to polling day, or had to self-isolate due to someone close to them testing positive. Of all proxies appointed, 5% were emergency proxies and 2% were due to Covid-19. Recommendation 1: Retain an emergency proxy option for isolating voters. Legislation introduced for these elections to allow emergency proxy votes for anyone who tested positive for Covid-19, or had to self-isolate, helped provide a safeguard for anyone whose circumstances changed close to the polls and ensure that they were not prevented from participating. Although the provision was not widely relied upon in practice, it was nevertheless an important change to ensure that no one lost their ability to vote. We recommend that Welsh Government should ensure this option continues to be available if people are required to self-isolate as part of the public health response to Covid-19. Further education and engagement is required to support new voters to understand and participate in Welsh elections. The Senedd and Elections Wales Act 2020 extended the voting franchise for Welsh elections to 16-17 year olds and qualifying foreign citizens. This meant that approximately 100,000 new voters were eligible to vote for the first time in the Senedd election. To ensure new voters understood this change and knew how to register, the Electoral Commission worked with the Welsh Government, the Senedd Commission and partners across Wales including NUS Wales, the Welsh Refugee Council and the Trussell Trust to encourage registration and educate new voters about their vote. Further education and engagement is required to support new voters to understand and participate in Welsh elections. breakdown Welcome to Your Vote - a new voter registration campaign. In the run up to the election we ran a new voter registration campaign targeted at the newly enfranchised, titled 'Welcome to your vote'. This ran alongside our 'Got 5?' registration campaign, which targeted the whole of the electorate in Wales, but was more heavily weighted towards known under-registered audiences, such as private renters and those under 35. Alongside the campaigns, we sent a voter information booklet to all households in Wales containing key election messages including how to register, how to vote by post or proxy and what to expect when voting at a polling station. Earned press and media activity also helped us to spread these messages. During the campaign period a total of 71,562 people in Wales applied to register to vote, including 7,704 16-17 year olds and 935 qualifying foreign citizens. The foreign nationalities with the most applications were USA, Syria, China and Turkey. We worked with partners to reach under-registered groups. We also supplemented our campaigns with partnership work to fully explain the complexities of the election to new voters, and other groups who are typically under-registered or disengaged. We worked with local authorities and 33 different third sector and democratic

organisations on a number of initiatives. These included the provision of bespoke resources and 'train the trainer' sessions, and working with the Senedd Commission on joint activities for 16-17 year old voters during 'Welcome to your Vote Week'. A sub-group of the Wales Electoral Coordination Board was also established to specifically look at communication with these new audiences. This group will continue to operate moving forward towards next year's local government elections in Wales.

**Partnerships case study: The Democracy Box** In January 2021, as part of our partnership working ahead of the May elections the Commission became a collaborator on the Democracy Box project – a non-partisan research and development project looking at how young people can creatively inform and engage all generations in our UK democracy. The project's research found that many people do not have a sound basic understanding of UK democracy and how local, devolved and UK Governments all work together and why. The project's goal of informing and educating people about the different administrations, voting systems and democratic participation aligned closely to the goals of our own education work. 32 young people aged 16-30 from across Wales led the project as paid content creators, identifying how and where they want to see the educational content. To date they have produced a podcast, Instagram, TikTok and YouTube channels all exploring key themes like how to get in touch with your MP, how to vote and devolution. "It's a great opportunity to use my skill set in politics, technology, software, design and video editing. It's a fantastic chance to just do something completely positive, and help other people engage in democracy." Young Co-Creator aged 16

We supported the project via our education resources and attended feedback and brainstorming sessions with the young co-creators. This allowed us to gain valuable insight into the effectiveness of the resources and our 'Welcome to Your Vote' campaign. Further education and engagement is required to support new voters to understand and participate in Welsh elections continued

Some new voters found taking part more difficult than returning voters

Our research found that the majority of people were satisfied with the processes of registering to vote and voting. However, first time voters were more likely to say they were dissatisfied with the process of voting (10% compared to 3% of repeat voters) and were significantly more likely to find the multiple electoral systems confusing compared to repeat voters (55% compared to 22%). First time voters were also less likely than repeat voters to say that it was easy to get information on how to register (82% compared to 94%) and cast their vote (75% compared to 88%). Approximately 50% (32,121, of an estimated 70,000) of eligible newly enfranchised 16-17 year olds registered to vote in this election.

There is insufficient data available to enable us to report on qualifying foreign nationals. More focus on political education is needed

Last year the Commission published a new set of online resources to educate young people about the democratic process. The resources aimed to support young people, including those who were voting for the first time at the Senedd elections, and prepare educators to teach political literacy with confidence. We worked with our partners to promote and gain feedback on the resources, which were also published on the Hwb platform alongside resources from the Welsh Government and Senedd Commission. Covid-19 did impact both schools and colleges in being able to deliver political literacy training to students ahead of the Senedd elections in May. We plan to extend the reach and impact of our education programme ahead of the local government elections in 2022 and Senedd election in 2026. We want to build on the work already achieved by engaging further with young people and educators across Wales to identify more themes and topics our resources can address. We will work with all relevant partners in Wales, including the Welsh Government and Senedd Commission, to ensure that the Commission's focus in this area

is appropriate and effective. This could mean not only enhancing existing resources but also developing support programmes for those working with these groups as well as expanding networks with the groups themselves. Campaigning at the elections The experience of campaigning at the May 2021 elections s communicated with voters using a number of methods including online, through printed material, and eventually face-to-face. However, feedback from candidates shows that a sizeable amount said they could not campaign effectively with the Covid- 19 restrictions in place. Communication about legislative changes and new restrictions was generally good; however, there was a sizeable minority of candidates who remained unclear about the changes. Transparency about who is responsible for producing campaign material online remains important for voters, and lessons from elsewhere in the UK about digital imprint rules should be considered for future elections in Wales. Campaigning at the elections overview Campaigning is an essential element of a healthy democracy. This includes publishing and distributing campaign material, sending election communications to electors, displaying advertising hoardings and banners, canvassing door to door, and speaking to voters on polling day. s had to adapt their activities due to the pandemic and there was a lack of certainty when planning for the elections which meant it was not straight forward for campaigners to plan and deliver their activities. Parties and candidates did not appear to be deterred from participating in the poll A total of 308 candidates stood for election across the 40 Senedd constituencies in 2021. The number of constituency candidates represents an increase from the 248 candidates who stood at the National Assembly for Wales election in 2016. In May 2021, a total of 326 candidates stood on a regional list at the Senedd elections. This again, was an increase from the 305 candidates that stood on a regional list in 2016. For the Police and Crime Commissioner elections, 21 candidates stood in May 2021, which was an increase from 19 candidates in 2016. The changing public health context caused uncertainty for campaigners Some changes to legislation were made close to the start of the election period Given the changing context of the pandemic, it was understandably more difficult for Welsh Government to ensure changes to legislation were in place at least six-months before campaigners or electoral administrators needed to comply with them. However some changes to help the nomination process were made very close to when they would affect campaigners, and this added to the uncertainty and risk for candidates and electoral administrators. Just over half of the candidates who responded to our survey (56%) agreed that they were well informed about legislative changes made as a result of the pandemic, however a sizeable minority (24%) disagreed. Official guidance on campaigning activities changed during the election period Under the public health restrictions during the campaign period, leafletting activities could not begin in Wales until 15 March 2021. Prior to this date, campaigning took place primarily online. Door-to-door canvassing was only a permitted campaign activity in Wales after 12 April and campaigners had to follow specific Covid-19 guidelines. Some changes to campaign-related rules came after the start of the regulated period, particularly the updates to Covid-19 restrictions for campaigning. Four in five (79%) candidates who responded to our survey said their concerns about the restrictions placed on campaigning impacted their campaign 'a lot'. Only 3% said it had no impact. It was very difficult to run a campaign. I had a lot of anxiety because of the uncertainty. We published guidance to support candidates and agents in these Covid-19 safe elections, informed by the latest expert advice from public health bodies. Of those who used it, 73% found the guidance clear and helpful. From December 2020, and on a rolling basis after each three week review by the First Minister, we also circulated to political

parties the latest guidance from Welsh Government that reflected changes to methods of campaigning allowed under the 'stay local' and social distancing Covid-19 rules. s were able to engage with voters while following public health regulations and guidance s used a range of digital, print and in-person campaigning to communicate with voters Despite the initial restrictions on in-person campaign activities in early 2021, people continued to receive information about candidates and parties at the elections from a range of different sources, and in a variety of formats. The most common ways voters reported seeing information on parties and candidates are shown in the following table: Campaigning methods On a leaflet or flyer, either from a candidate/political party (52%) or another source (29%) Party leaders debate on TV (21%) On news websites (17%) In newspapers (16%) Posters or billboards (15%) TV advert or message (14%) On social media (14%) By word of mouth (14%) Party leaders debate on TV (21%)

After the elections, we surveyed candidates about their campaigning activities. Some candidates told us that digital campaigning was particularly important during early 2021, when in-person activities were less manageable and they were unsure how voters would react to door-knocking and face-to-face campaigning. However, other candidates told us that relying on social media to campaign as a result of the pandemic restricted opportunities to get their views across to voters: Fewer hustings events with all candidates, and being mostly restricted to broadcasting our messages meant that there was little opportunity to listen to voters rather than just tell them what we think. Digital campaigning was an important activity for some candidates who responded to our survey. One in 10 (12%) estimated that over 75% of their campaign was digital activity, and 15% said digital made up 51-75% of their campaign. However, the largest segment of candidates who responded said that digital activity was not such an important part of their campaign: two-fifths of candidates (40%) said it made up less than 25% of their campaign and nearly a quarter (23%) estimated it was between 25-50% of their campaigning activity. Candidates told us they used more unpaid social media messaging on various platforms compared to paid-for adverts. Two-thirds (68%) of candidates who responded put posts about their campaign on social media and over half (53%) asked supporters to share their posts. Other popular methods were uploading videos to social media (44%), and emailing supporters (38%). Paying for ads on social media was the most popular method of paid digital campaigning (32%). Although campaigners used a variety of methods to put their message to voters prior to the election, our research shows that 57% of people responded saying that they had enough information to make an informed decision, which is down from 75% in 2016. Some candidates said they were not able to campaign effectively Over half (55%) of candidates who responded to our survey said that they were unable to campaign effectively due to the impact of the Covid-19 pandemic. A third (32%) said they were able to campaign 'fairly effectively' and only 5% said they could do so 'very effectively'. The biggest impact on campaigning due to Covid-19 related to the opportunities for face-to-face campaigning. Almost nine in 10 (87%) said concerns about face-to-face campaigning impacted their campaign 'a lot'. The election should have been deferred. We were not permitted to leaflet until far too late. By the time we were permitted to canvass it wasn't a viable option as my campaign team was me. Every door knocked takes ten to twenty times as long as leafleting. I believe that failing to defer the election has benefited incumbent candidates and hamstrung the rest of us. We were unable to do full door to door canvassing because of time constraint/ limited number of volunteers due to anxieties regarding Covid-19. Transparency about who is responsible for producing campaign material online remains important During the last



10 years, digital campaigning has become commonplace, and voters are now subjected to many political adverts on social media and via other methods online. Digital campaigning accounts for an increasingly large proportion of spending reported by campaigners after elections. An imprint on printed material, which includes details showing who has produced and paid for the material, is a legal requirement. We have long recommended that digital campaigning could be further improved for voters if the imprint rules were extended to cover all material from campaigners. This would help improve public trust and confidence in digital campaigns. Our research after the election confirmed that people continue to value transparency about who is responsible for political campaign activity online at elections with: a majority (69%) of people agreeing that it is important for them to know who has produced the political information they see online three in five agree (59%) they would trust digital campaigning material more if they knew who produced it At the 2021 Scottish Parliament elections, the requirement for imprints on digital campaign material was introduced for the first time in any election in the UK. The UK Government has also published a Bill that would introduce digital imprint rules for both UK Parliamentary general elections, and Police and Crime Commissioner elections taking place in Wales.

Recommendation 2: We recommend that the Welsh Government should legislate on a digital imprint law We recommend that Welsh Government should legislate to ensure that a digital imprint is required for online campaign material for future Senedd and Welsh local government elections. Processes for submitting nominations prioritised access and safety Changes to nomination processes to minimise public health risks were welcomed and candidates agreed the process was well-run The publication of notice of election took place a week earlier than usual to allow for a longer period of time for candidates and parties to submit their nomination forms. Extended hours for submission were also introduced to help with the process of informally checking nomination forms and then formally submitting the paperwork. While completed nomination forms were still required to be submitted by hand, electoral administrators made changes to their processes to minimise the risk to those involved: a legislative change was made to allow the consent to nomination form to be signed and submitted electronically instead of by hand informal checking of nomination forms prior to submission was offered more frequently using email arrangements for safe hand delivery of nomination forms ensuring social distancing measures were in place candidate and agent briefing sessions were generally held via video conferencing Of the candidates who responded to our election survey, nine in 10 (90%) agreed that the nomination process was well run. Nearly three in five (58%) agreed that longer hours for delivery of nomination forms was useful. Four in five (80%) agreed that the electronic submission of consent forms was useful. Feedback from stakeholder groups in Wales was that digitisation worked well at these elections, improving the nomination process through online checks and increasing attendance by moving briefing sessions online. Embedding these changes for future elections has the potential to benefit both candidates and electoral administrators, as would further consideration of how electronic methods could improve the nomination process. Codes of practice provided clarity on spending New codes of practice on election spending were introduced to support candidates and parties Under electoral legislation, the Commission can prepare guidance on what is, and is not, included in the categories of campaign spending that appear on the spending returns for parties and candidates. For the Senedd elections, the Commission developed statutory codes of practice on election spending for both candidates and political parties taking part in the Senedd elections. The codes are the first statutory codes of their kind in the

UK. The codes help parties, candidates and agents meet their legal obligations and improve transparency for voters. The codes provide: clarity on campaign spending how this campaign activity should be reported whether the spending should appear in a candidate or party spending return give people confidence that election spending is reported correctly Of those who used them, two-thirds (66%) found the Commission's codes of practice clear and helpful. Regulators strengthened collaboration during the election period For the May 2021 elections, we worked with regulator partners to run an online public awareness campaign and encourage voters to find more information from a new section of our website . The campaign aimed to encourage people to think more carefully about political campaign adverts they see online, and it provided information about which regulators or other organisations they could contact if they had concerns. Evaluation of the campaign showed that over 7.6 million people across Britain saw our adverts on websites and social media platforms. The number of people who clicked through to find more information from the adverts was encouraging, and provides a good foundation for further awareness-raising activity at future elections. Delivering the elections The experience of electoral administration at the May 2021 elections The elections were well run, notwithstanding their complexities and challenges, due to the significant efforts of electoral administrators and Returning Officers over a prolonged planning period. Voters and campaigners reported high levels of satisfaction and confidence and there were only a small number of issues that had an impact on their experience in some areas. The particular circumstances that led to the development and introduction of legislative changes in February and March 2021 were unprecedented, but the timing of these changes close to the start of the election period created additional challenges and risks for the delivery of the elections. The experience of these polls has highlighted concerns about the resilience and capacity of electoral administration structures in the UK, coupled with the challenges of delivering elections within an outdated and increasingly complex electoral law framework. We will work in partnership with members of the Wales Electoral Coordination Board, the wider electoral community, Welsh Government, and local authorities to identify and implement solutions to develop and deliver more resilient electoral services. Delivering the elections overview Overall, our evidence shows that the polls were well-run. Voters and campaigners reported high levels of satisfaction and confidence, and there were only a small number of issues that had an impact on their experience. For Returning Officers and electoral administrators, however, these elections presented unique and difficult challenges and it was only thanks to their considerable effort and commitment that the polls were delivered successfully. Early planning helped in managing the elections Planning groups helped in decision making The elections that were postponed from May 2020 meant that the Senedd and Police and Crime Commissioner elections were combined across Wales. The establishment of the First Minister's Elections Planning Group in June 2020 provided a useful forum for discussion and early decision making. The group, which brought together political parties, Regional Returning Officers (RROs), Welsh and UK Government officials, the AEA and the Commission met regularly to consider the required changes to legislation to maximise democratic participation whilst also protecting public health. Welsh Government also established a Senedd Elections Operations Group which again provided a high level forum to discuss the management and operation of the elections during the pre-election period. The Wales Electoral Coordination Board played a valuable role supporting administrators and promoting consistency The Wales Electoral Coordination Board was established in 2017. The Board co-ordinates the planning for all Wales

electoral events, as well as activity related to electoral modernisation and reform, and helps collaboration between Regional and Local Returning Officers, Electoral Registration Officers and key partners in Wales. The Board played a significant and important role in the planning and preparation for these elections, and in ensuring that the safety requirements could be effectively and consistently delivered across Wales. The Board was represented on the First Minister's Elections Planning Group and participated in the Senedd Elections Operations Group, providing a link between government and Returning Officers throughout the extended pre-election period. Key examples of the importance of this group included: The introduction of minimum safety requirements for polling stations and the count agreed through effective joint working between the Wales Electoral Coordination Board and AEA Wales advice given to Ministers and Welsh Government officials about proposed changes to the rules, including those aiming to ensure the elections were Covid-secure agreement on daytime counting across Wales the colour of the ballot papers We recommended in our May 2017 report on the local government elections that Welsh Government should consider how the role of the Board could be developed to support Welsh Government's overarching electoral modernisation programme. We also recommended that the Government give consideration to the Board becoming a statutory group, as is the case in Scotland. Four years on, this recommendation is now even more relevant, given that Welsh Government is responsible for legislating for elections in Wales and intends to bring forward a range electoral reforms in the coming years. Recommendation 3: Statutory role for the Wales Electoral Coordination Board The Wales Electoral Coordination Board is in a unique position to provide a link between governments and Returning Officers in Wales and to provide advice on the delivery of elections and introduction of electoral reforms. We continue to recommend that the Board should be strengthened and that it should have a statutory role, similar to the role of the Electoral Management Board in Scotland. The capacity and resilience of electoral administration teams and suppliers are significant risks for future polls The challenging circumstances of these elections exposed pressures on the capacity of local electoral services teams Electoral administrators' ability to plan and deliver their work for these elections was impacted by Covid-19 restrictions in the months leading up to them: 88% said that the Covid-19 restrictions had made their job more difficult, with 75% of respondents saying that their workload had increased because of the Covid-19 restrictions during the elections 63% said that they were concerned for their own health because of Covid-19 Some electoral administrators told us they had seen a significant impact on the capacity and wellbeing of their teams. Others told us that delivering the election had left them feeling totally overwhelmed and that they felt they had no choice but to put their work life before their family life. Support that would have been relied on at previous election from other parts of the local authority was unavailable due to Covid-19. ...well-run elections come at a cost and I think you will see a lot of elections officers leaving this role because we are worried about our health. Administrators also highlighted the difficulty they had finding suitable venues to use as polling stations. Covid-19 restrictions meant it was harder to contact people to make bookings, and in some venues there were issues with the facilities as they had been shut down for long periods in advance due to lockdowns. Temporary porta cabins were also difficult to secure as many were being used as vaccination centres. Lots of polling stations had been shut up in the last year – we had to carry out six chlorination processes as they had not checked water – all this had to be checked out. Finding staff to work on polling day was a key challenge for Returning Officers and their staff. The complexity of these elections

and the extra requirements that were needed in terms of Covid-19 restrictions placed added pressure on Returning Officers and electoral teams during the pre-election period and on polling day and throughout the counts. 76% of those who responded to our survey said they had difficulty recruiting polling station staff. Concerns were also expressed about the reduction in the number of experienced Presiding Officers and it was noted that poll clerks with several years' experience were reluctant to step-up. Recommendation 4: Build resilience and capacity for electoral administration

We have repeatedly highlighted concerns about the resilience and capacity of electoral administration structures in the UK, which are coupled with the challenges of delivering elections within an outdated and increasingly complex electoral law framework. We will work in partnership with the Wales Electoral Coordination Board and the wider electoral community to develop and deliver proposals to support resilient electoral services for the future but this approach will need to be supported through appropriate resourcing. Late confirmation of legislation and interventions made it harder for Returning Officers to plan in some areas

On 26 February 2021, Welsh Government confirmed that the Senedd election would go ahead on 6 May and provided £1.5 million to support Returning Officers to secure venues, staffing and run Covid-19 secure elections. Cabinet Office provided additional funds to support the running of the Police and Crime Commissioner election. The Coronavirus Act 2020 (Emergency Bill) was introduced on 16 March giving the Llywydd powers to postpone the election, in the event this was required in the interests of public health. The conduct order setting out the rules for the election did not receive royal assent until 18 March, only four days before the date for publishing the notice of election and seven weeks before polling day. In addition to our usual core suite of guidance and resources to support administrators with the delivery of elections, we also worked with public health bodies, the UK and Welsh Governments and the electoral community to develop and publish supplementary guidance to support the delivery of Covid-19 safe elections. This was issued on a rolling basis from September 2020, and was informed by both the requirements of administrators and the latest expert advice from public health bodies. It was kept under review throughout the election period, and was updated to reflect the legislative changes to the nominations and proxy voting process as a result of Covid-19. Many electoral administrators said they found that uncertainty about the elections made it difficult for them to plan effectively. Three-quarters of administrators (75%) who responded to our survey after the elections said that they felt the initial uncertainty about whether the elections would go ahead made it difficult for them to plan. The particular circumstances that led to the development and introduction of changes to electoral law ahead of the May 2021 polls were unprecedented. While the legislative changes due to Covid-19 were understandable they demonstrated, in practice, the risks and challenges of introducing late legislation. The timing of these changes created additional challenges and risks for the delivery of the elections. It affected when Electoral Commission guidance and resources to support the delivery of the polls, such as amended nomination forms, could be provided and when electoral administrators could implement them. Late confirmation of legislation and interventions made it harder for Returning Officers to plan in some areas

breakdown New electoral reforms being considered very close to the election created additional pressures and uncertainty Welsh Government also considered introducing significant electoral reform for the Senedd elections in the final months before the poll. Potential changes included the introduction of early voting centres, and changes to the postal voting statement. Neither of these options were in the end introduced for May 2021, but the

discussions around these proposals resulted in confusion and introduced uncertainty and speculation during the election planning process, in what was already a highly pressured environment. This approach must be avoided for future national elections, and the agreed six month principle should continue to be applied when developing any new legislation. Early clarity of legislation, together with good communication and engagement, supports the effective preparation and the delivery of well-run polls. It also ensures that guidance and resources can be made available to electoral administrators and candidates and agents well in advance of the elections, and that complex planning is not disrupted by unforeseen change. It will also support the provision of early, clear information to voters, to help them understand what to expect and how they can take part in the elections. We call on Welsh Government to ensure that any legislation related to electoral reform or changes to the voting process is in place six months before the election and that Ministerial intent should be shared with the electoral community well before this time. Broad agreement reached on the timing of the count A national consensus on the timing of the count was reached by the Wales Electoral Coordination Board in early January resulting in a decision that the Senedd election count should take place the day after polling day and not overnight. This was necessary as the verification and count processes would require more staff and take longer to perform because of Covid-19 restrictions. Whilst there was positive feedback from Returning Officers and electoral administrators on the approach to the timing of the count, we did gather some feedback from the political parties that suggested there were some reservations about adopting this approach at all future Welsh elections. Some political parties suggested that elections taking place outside of a pandemic situation should revert back to overnight counts rather than counting the next day, as candidates would prefer to know the outcome of the election as soon as possible. Also, there was a concern that not enough counting agents would be available to scrutinise the verification and count processes efficiently if polling day and the count were carried out across multiple days. The Wales Electoral Coordination Board should carefully consider all views, including those of political parties and candidates, ahead of any decision on timing for the 2026 elections. Voting processes generally ran smoothly despite challenging conditions The planning and preparation before the elections was shown to be worthwhile by the limited number of issues with the delivery of voting processes on polling day. Voting processes generally ran smoothly despite challenging conditions breakdown An error with the regional ballot paper in parts of North Wales affected the experience of voters In the North Wales region there was a local printing error which led to the name of an independent candidate not being included on the regional ballot paper issued in two North Wales constituencies. The error affected ballot papers issued both by post and at polling stations. It was detected during the second hour of polling and immediate action was taken to address the problem. While recognising the pressures faced by Returning Officers and their teams and the challenging circumstances of the elections, it is important that voters, candidates and political parties can have confidence in the election process and that the ballot papers they receive are accurate. After the polls, we considered the issue in line with our performance standards for Returning Officers and concluded that in both cases the Returning Officers did not fully meet those standards 1 . Both Returning Officers have agreed to surrender a part of the fee they receive for carrying out their role. Further work is also being undertaken by the Wales Electoral Coordination Board to develop a protocol and guidance to assist Returning Officers when ballot paper proofing in future elections. Election

teams updated count processes to support social distancing while maintaining transparency. Some authorities' usual count centres were in use as mass vaccination centres so alternative venues needed to be found which would be large enough to allow for social distancing of both count staff and observers. The minimum PPE requirements agreed upon by the Wales Electoral Coordination Board were implemented across all count centres in Wales. Count centres adhered to all social distancing measures set out in Welsh Government guidance and reflected the supplementary guidance published by the Commission. This included: prominent signage reminding people to keep a two metre distance apart ensuring everyone at the count wore a face covering at all times (unless exempt) one way systems and a separate entrance and exit using perspex screens to separate count staff from observer. Overall, new innovations introduced at count venues to address the need for social distancing were largely seen as a welcome addition to the process. For example, in Ceredigion County Council 2 in order to address the fact that a limited number of candidates and agents were able to be in the count centre, activities were live streamed to them in an adjacent hall within the count venue. A camera above each count table allowed attendees in an adjacent hall to have full sight of the verification and count process for each table. The candidates and agents were able to request that the angles be changed as required, and this was done remotely. Doubtful ballot papers were also placed on a visualiser and the images shown on screens for the candidates and agents to see. These measures helped ensure social distancing could be maintained, while also ensuring that the count remained open and transparent. Election teams updated count processes to support social distancing while maintaining transparency breakdown Observation and scrutiny of the count by candidates was affected by social distancing measures Positive feedback has been received from candidates and agents regarding the arrangements that were put in place to ensure the integrity of the elections but also to keep all present as safe as possible. However, while the majority of candidates were confident that the elections were well run, fewer were satisfied with their ability to observe and scrutinise the count. Whilst 72% of candidates agreed that election staff made it clear what was happening throughout the count process and 75% agreed that the delayed/daytime count was acceptable for Covid-19 safety, only half (51%) agreed that it was possible to observe and scrutinise the count effectively, and over a third (38%) disagreed. Some parties have reported that due to the Covid-19 safety provisions in place at count venues, they were not permitted to appoint as many counting agents as they considered were needed to enable full scrutiny, and that layouts at some of the count centres were not clear and impeded proper observation of the verification and count processes. Positive work was delivered nationally and locally through good dialogue between the political parties and election managers and, whilst not always what we would expect in normal times, the arrangements were broadly effective in ensuring transparency in the circumstances. Regular and effective communication between Returning Officers and political parties and candidates through established forums such as the Wales Electoral Coordination Board should continue to ensure that any concerns of parties and candidates can be properly considered and acted upon. Supporting Evidence Supporting Evidence Welsh Public Opinion Tables 2021 Senedd Elections Administrative data 2021 PCC 2021 electoral data including Wales 1. Gwynedd County Council and Isle of Anglesey County Council ■ Back to content at footnote 1 2. Count centre for the regional Senedd election in Mid and West Wales and the Police and Crime Commissioner election for the Dyfed-Powys police area. ■ Back to content at footnote 2 Page history First published: 13 September 2021 Last updated: 20 September 2021 Related content Report: How the 2016 National

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