

**EQUALITY OF OPPORTUNITY
COMMITTEE**

COMMITTEE REPORT

**ACCESSIBILITY OF POLLING
STATIONS IN WALES**

DECEMBER 2007

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COMMITTEE MEMBERSHIP



Ann Jones AM (Chair)
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Mick Bates AM
Welsh Liberal Democrats
Montgomeryshire



Angela Burns AM
Welsh Conservative Party
Carmarthen West and South
Pembrokeshire



Christine Chapman AM
Labour
Cynon Valley



Mark Isherwood AM
Welsh Conservative Party
North Wales



Bethan Jenkins AM
Plaid Cymru
South Wales West



Helen Mary Jones AM
Plaid Cymru
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Lynne Neagle AM
Labour
Torfaen



Joyce Watson AM
Labour
Mid and West Wales

CHAIR'S INTRODUCTION



As Chair of the Local Government and Public Services Committee in the second Assembly (2003-2007), we undertook a Scrutiny Project looking at Electoral Arrangements in Wales. As part of the findings, we learnt that many people thought access for disabled people at polling stations was improving although it was noted that there was still a long way to go. Following the National Assembly for Wales (the Assembly) elections in May 2007, I was very interested in the findings of Scope Cymru's 2007 Polls Apart Survey which reassessed the accessibility of Welsh polling stations during the 2007 election. When Members of the Equality of Opportunity Committee indicated that they would like to undertake a focused inquiry into the accessibility of polling stations in Wales, I was delighted to do so.

The Inquiry agreed to report and make recommendations in time to enable the maximum impact before the local elections in May 2008. We were encouraged to learn that grants are available for local authorities to purchase specialist equipment to assist disabled people in polling stations and as our recommendations show, we need to have some joined up thinking to ensure there is a take up of the said grants and for disabled people to know that every assistance will be offered to them at the polling station. The Committee recognised that developments in technology would provide alternatives to the traditional visit to the polling station but felt very strongly that every person in Wales should have the right to vote in the way in which they chose.

I am grateful to all those who gave evidence to the Committee and helped us with our deliberations. I would also like to thank Mike German who, although not a Member of the Committee, attended all of our evidence sessions and provided a valuable contribution to this report. We have made a number of recommendations to the Welsh Assembly Government and hope that these will result in further improvements in accessibility for the 2008 local elections.

A handwritten signature in black ink that reads "Ann Jones". The signature is written in a cursive style and is positioned to the left of a vertical red line.

Ann Jones
Chair, Equality of Opportunity Committee

INTRODUCTION AND BACKGROUND

The Local Government and Public Services Committee of the previous Assembly carried out an inquiry into electoral arrangements in December 2006. Their report produced a number of recommendations related to improving accessibility. In addition, Scope, a disability organisation in England and Wales whose aim is to ensure disabled people achieve equality, have been campaigning on the issue of accessible democracy since 1992. The campaign and its associated research have been given the name of Polls Apart.

In 2003 a specifically Welsh dimension was introduced when Polls Apart Cymru was created to assess the accessibility of Welsh elections. Since the 2003 elections for the Assembly, Polls Apart Cymru has looked at every major election held in Wales.

At its meeting on 27 September 2007, the Equality of Opportunity Committee agreed to undertake an inquiry into the accessibility of polling stations, drawing on the findings of the Polls Apart Cymru survey published in May 2007¹.

The Committee wanted to carry out a short, tightly focused piece of work to add influence to Scope's campaign to improve the accessibility of polling stations. The Committee recognised that there are a whole host of other factors which impact on the accessibility of democracy for disabled people, for example, those relating to electoral registration and being able to get to a polling station. However, the Members were keen to issue their recommendations by the beginning of the Christmas recess so that they might have maximum impact before the Local Elections in May 2008 and so they decided to focus on polling station accessibility alone and agreed the following terms of reference:

- to scrutinise the Welsh Assembly Government on its contribution to making polling stations in Wales more accessible; and
- to make recommendations on the action that needs to be taken in order to improve the accessibility of polling stations by the Local Elections in May 2008.

In conducting their inquiry, the Committee took evidence from a range of witnesses including organisations representing those responsible for arranging and implementing elections and organisations representing disabled voters [Annex 2].

¹ http://www.pollsapartcymru.org.uk/2007/docs/Polls_Apart_Cymru_2007.pdf

THE LEGISLATIVE FRAMEWORK

The Assembly does not have wide legislative powers with regard to elections.

The main powers with regard to elections and disability equality rest with the UK Parliament, in primary legislation such as the *Electoral Administration Act 2006*, the *Disability Discrimination Acts 1995 and 2005*, the *Representation of the People Act 1983* as amended and the *Political Parties, Elections and Referendums Act 2000*.

However the *Government of Wales Act 2006* did confer powers on the Assembly to promote public awareness of the election system and devolved government, either directly or by financial support for the Electoral Commission.

The Assembly has also passed secondary legislation: the *National Assembly for Wales (Returning Officers' Charges) Order 2006*, which enables the reimbursement of costs as follows:

- Reimbursement of 50% of the cost of temporary ramps (*)
- Reimbursement of 100% of the cost of tactile voting devices
- Reimbursement of 100% of the cost of large print ballot papers
- Reimbursement of 100% of the cost of polling station furniture, including low level voting booths
- Reimbursement of 100% of the costs (subject to a maximum limit) of training poll clerks and presiding officers.

For the Assembly elections held in May 2007, Returning Officers were able to recover the costs as detailed above. The above provisions in the Order were designed to improve accessibility in polling stations and ensure they were staffed by people aware of their duty to facilitate voting.

In the absence of powers to make election law, the Elections Planning Group is the Welsh Assembly Government's main vehicle for working with others in the electoral community and promoting best practice. The Group was set up in 2005 to provide a strategic overview of electoral issues in Wales. It is made up of people with election responsibilities, organisations interested in the election process and groups representing voters who have specific requirements in election arrangements.

* The other 50% can be claimed from the Ministry of Justice under the secondary legislation governing the fees and charges that can be reimbursed for parliamentary elections.

THEMES AND RECOMMENDATIONS

There was a general agreement amongst witnesses that local authorities have made efforts to improve the physical accessibility of polling stations and that access was better at the last Assembly election in 2007 than at previous elections. However, Committee Members were presented with examples of a range of problems experienced by disabled voters during the election in May 2007.

Members overwhelmingly agreed that disabled people should be able to choose how they vote; postal and electronic voting methods may offer alternatives which some people wish to take, but those who wish to cast their vote in a polling station should be able to do so. Members acknowledged that some access problems are difficult to address, for example, where the only public venue in a village is inaccessible but moving to an alternative venue some miles away could result in significantly lower voter turnout. However, they concluded that many of the access problems reported by the disabled people involved in the Scope Cymru Polls Apart Survey and by disabled witnesses could be addressed through a combination of training, awareness raising, more effective use of resources and behavioural change.

Four key themes emerged during the course of the inquiry:

- The need to improve the evidence base;
- The importance of having specialist equipment in place, where required;
- The impact that electoral staff attitudes and understanding in respect of disability equality issues can have on the voting experience;
- The importance of improved communication and promotion of good practice.

1. Improving the evidence base

A number of organisations, in particular Scope Cymru, have made important contributions to the construction of an evidence base relating to the accessibility of polling stations. As a result, some of the main barriers to accessibility have been identified, some strategic and practical actions have been taken and there has been an acknowledgement by organisations representing disabled people and those responsible for elections that progress has been made.

However, in order to ensure that progress continues across Wales, and to identify particularly inaccessible polling stations and do something about them, the evidence base needs to be strengthened. Both the Association of Electoral Administrators (AEA) and the Welsh Local Government Association (WLGA), whilst supporting the aims of Scope Cymru in conducting the Polls Apart Survey, raised concerns about the limitations of the research methodology on which its findings were based, for example, the sample size was relatively small and different to that used in the previous survey in 2005. The final report did not identify particularly accessible or inaccessible polling stations and did not provide an indication of progress, or otherwise, made in particular local authority areas. Members acknowledged that cost considerations had impacted on the Scope Cymru methodology and were keen to ensure that the development of the evidence base should be properly planned and funded.

Recommendation 1: *The Welsh Assembly Government should support a programme of regular accessibility surveys to identify good practice; where improvements are needed and enable monitoring of progress year on year.*

Recommendation 2: *The Electoral Commission should incorporate a disability equality dimension to a number of the performance indicators for elections and referendums, as contained in the Committee's response to the Electoral Commission's consultation document [Annex 3].*

2. Provision of equipment

The Polls Apart Survey report highlights the role of equipment in ensuring that polling stations are accessible to all. The range of specialist equipment needed will vary from polling station to polling station. For example, whilst all polling stations are legally obliged to have and display large print ballot papers, those located in accessible venues might not require temporary ramps. Additionally, equipment purchased to make polling stations accessible in one election can often be used again in future elections and so the associated costs will not remain at the same level at each election.

The AEA gave evidence to the Committee on 25 October 2007 and displayed an example of a low level voting booth. Members were impressed with the design as the elements that would help people in wheelchairs would not prevent able-bodied people from also using it, and could be beneficial to people who wished to sit down when they voted. The AEA indicated in their paper that the UK Government's Ministry of Justice and Elections Claim Unit would provide 80% grant aid towards the costs of replacing old style booths with better alternatives.

In addition, the Minister for Social Justice and Local Government in his paper to Committee on 22 November 2007 set out the grants available under the provisions of the *National Assembly for Wales (Returning Officers' Charges) Order 2006* (see page 3).

Recommendation 3: *The Welsh Assembly Government should strongly encourage Returning Officers to ensure that all polling stations are equipped with the physical equipment necessary to make them as accessible as possible.*

3. Awareness raising and training

Although equipment has an important role, the attitudes, knowledge and awareness of electoral staff can have a great impact on the accessibility of polling stations. In many cases, disabled people have experienced barriers which could have been easily remedied or minimised had electoral staff had a greater awareness of disability equality issues and been more effectively trained, for example, in the use of specialist equipment. The Committee was concerned to hear of cases where temporary ramps were not properly installed, poorly arranged lighting made voting more difficult for people with visual impairments and large print ballot papers had not been displayed.

The Committee concluded that there is a need for heightened awareness and more effective training for the staff involved in making electoral arrangements and those involved in implementing them on the day of the election. Many of the staff involved in elections are local authority employees who normally work in other roles. Therefore, the quality of the general equality training and awareness raising opportunities undertaken by local authority employees throughout the year will have a bearing on the ability of electoral staff to maximise the accessibility of polling stations. Members felt that equality training should not be a one-off exercise but relevant to people's day-to-day work and possibly linked to performance management. They also saw the involvement of disabled people and those with expertise in equality issues in all aspects of electoral planning and implementation as a key requirement for addressing current problems.

Representatives of Disability Wales told the Committee of the vital role they saw for local authority Access Officers in assessing polling stations before elections due to their expertise and wider understanding of accessibility issues. Members were concerned to hear that only nine of the twenty two local authorities employed a Disability Access Officer and the majority of these were part-time or shared posts. Disability Wales also talked about the importance of access groups working in tandem with Access Officers as their membership tends to include people with a range of impairments and issues and they therefore represent a wide spectrum of experience.

Both Disability Wales and Scope Cymru said that they believed disability equality training was best delivered by a disabled person or group as this was the best way for people to understand the barriers that disabled people face.

Scope Cymru also recommended the inclusion of a section in every local authority's disability equality scheme that looked specifically at access to democracy, as they felt this would reflect their responsibility to promote the political and social engagement of disabled people in a proactive, practical way.

Recommendation 4: *The Welsh Assembly Government should encourage local authorities to draw more effectively on existing resources within their organisations. Staff with expertise in disability equality, for example, those based in HR or planning departments, should be included in the electoral planning process and disabled staff should be given the opportunity to provide advice and suggestions.*

Recommendation 5: *The Welsh Assembly Government should help local authorities develop links with local access groups, disability organisations and local disabled people and explore ways of involving them in disability awareness raising and disability equality training for all local authority staff, ensuring that staff involved in elections are aware of the particular things they need to consider.*

Recommendation 6: *The Welsh Assembly Government should provide guidance to Returning Officers to ensure that all polling station staff are able to make any polling station environment as accessible as possible. This will include knowing how to operate relevant equipment effectively (for example, adjustable booths and temporary ramps), knowing how to maximise lighting and how to best position equipment and large print ballot papers.*

Recommendation 7: *The Welsh Assembly Government should encourage local authorities to provide details of actions being taken to improve the accessibility of polling stations in their disability equality scheme action plans.*

4. Communication and promotion of good practice

The evidence presented to the Committee by all witnesses suggests that good communication has the potential to improve the accessibility of polling stations whilst poor communication has been a key factor in the problems faced by some disabled voters in their local polling station. There is scope for improving the communication between electoral bodies and disabled and non-disabled voters, between those involved in planning and implementing elections when they occur and for better promotion of the commitment to disability equality and the support available to electoral bodies to achieve this within polling stations.

Ruth Scott of Scope Cymru highlighted the need for more effective communication between electoral bodies and disabled people when she explained to the Committee that non-disabled people sometimes find it difficult to identify the barriers experienced by disabled people. She suggested that a simple means of addressing this would be for electoral bodies to encourage more disabled people to volunteer to be polling station staff.

The AEA pointed out the difficulty for electoral staff in balancing voter turn out with accessibility issues. They felt that more could be done to increase public awareness of disability issues and send out positive messages to encourage voters without access issues to be more understanding and accepting of any changes to their polling stations. Similarly, the Committee concluded that electoral bodies could do more to explain the need to balance access and voter turn out issues to disabled people, giving an opportunity to disabled and non-disabled people to suggest possible solutions.

The Committee also identified a need for more effective mechanisms for communicating good practice. The AEA highlighted a number of examples of good practice, such as the appointment of Polling Station Inspectors, but agreed there was currently a lack of consistency in approach across all polling stations. Similarly, the WLGA drew attention to the work of the Welsh Assembly Government's Strategic Equality and Diversity Unit on compiling information on accessible buildings and the need to ensure that staff involved in arranging elections are aware of this.

The Committee agreed that disability equality awareness is a key factor in ensuring that polling stations are as accessible as possible and good communication is a vital component of that. Nearly every witness commented on the lack of consistency, both within and between polling districts and year on year. Kay Jenkins on behalf of Scope Cymru talked about her own experiences, which had initially been very positive but were then spoilt by the lack of a low level polling booth the following year in a polling station that had previously provided one. Kay's experience appeared to be the result of poor communication between those involved in planning and implementing the election this year and in previous years when they had got it right.

Recommendation 8: *The Welsh Assembly Government should co-ordinate the production of a list of existing guidance and advice for electoral staff on equality and access issues (including, for example, the Welsh Assembly Government Strategic Equality and Diversity Unit's list of accessible buildings and the Electoral Commission's guidance material on equality and access). The list and copies of key resources should be sent to Returning Officers and local authority Access Co-ordinators at the beginning of each electoral planning process.*

Recommendation 9: *The Welsh Assembly Government, Electoral Commission and local authorities should work together to promote their commitment to enable disabled and sensory impaired people to vote in their local polling station if they wish. Both disabled and able bodied voters should be better informed about the adaptations available within polling stations and of the issues electoral staff need to consider in choosing a venue which is both central and physically accessible.*

Recommendation 10: *The Welsh Assembly Government should encourage local authorities to promote electoral staff job opportunities more effectively amongst disabled people.*

Recommendation 11: *The Welsh Assembly Government should co-ordinate an effective mechanism for the sharing of good practice between key stakeholders.*

Recommendation 12: *The Welsh Assembly Government should promote the availability of grants for electoral equipment and training.*

Summary of Recommendations

Recommendation 1: *The Welsh Assembly Government should support a programme of regular accessibility surveys to identify good practice; where improvements are needed and enable monitoring of progress year on year.*

Recommendation 2: *The Electoral Commission should incorporate a disability equality dimension to a number of the performance indicators for elections and referendums, as contained in the Committee's response to the Electoral Commission's consultation document [Annex 3].*

Recommendation 3: *The Welsh Assembly Government should strongly encourage Returning Officers to ensure that all polling stations are equipped with the physical equipment necessary to make them as accessible as possible.*

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Recommendation 12: *The Welsh Assembly Government should promote the availability of grants for electoral equipment and training.*

Accessibility of Polling Stations in Wales

The Committee agreed to undertake a review looking at accessibility of polling stations in Wales following Scope Cymru's 2007 Polls Apart Report. At the Committee meeting on 27 September 2007, a scoping paper was received from Members' Research Service and as a result of the discussion the following terms of reference were agreed:

To undertake a focused inquiry into the accessibility of polling stations in Wales, by:

- scrutinising the Welsh Assembly Government on its contribution to making polling stations in Wales more accessible;
- issuing recommendations on the action that needs to be taken so that they might have maximum impact before the Local Elections in May 2008.

Oral evidence was received as follows:

EOC(3)-03-07 11 October 2007

Scope Cymru
The Electoral Commission

EOC(3)-04-07 25 October 2007

Association of Electoral Administrators
Disability Wales
Welsh Local Government Association

EOC(3)-06-07 22 November 2007

Dr Brian Gibbons, Minister for Social Justice and Local Government

Written evidence was received from:

Arfon Access Group
City and County of Swansea
Councillor Christine Priday, Cardiff County Council
Disability Advice Project, Torfaen
Rhondda Cynon Taf County Borough Council
The Vale of Glamorgan Council

**Equality of Opportunity
Committee**

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4 December 2007

Dear Lindsey

At its meeting on 22 November, the Equality of Opportunity Committee considered the consultation on draft performance standards for the administration of elections and referendums. The Committee welcomed the proposed indicators, specifically Indicator 7 and would wish to make the following comments:

- Regarding the debate on specific indicators versus mainstreaming, there are a couple of places in the consultation paper where the Committee suggested that you specifically refer to disabled people. For example, **Table 4: Indicator 3: 1st bullet** – does this need to be specific about what is meant by an “accessibility review” or is the intention to just undertake a disabled access review?
- **Table 7: Indicator 6: 2nd bullet** – does the training include specific disability access training? The Committee would also like to recommend that training be carried out by a disability organisation;
- **Table 13: Indicator 12** – the Returning Officer must ensure that information is accessible, in an easily read format and that coverage is available in a variety of languages. The Committee would also like to recommend that British Sign Language, which the National Assembly for Wales recognises, is also included;
- **Table 14: Indicator 13: last bullet** – the survey to also include asking disabled people about their experience of the election.

I hope these comments are useful.

Yours sincerely

Ann Jones
Chair, Equality of Opportunity Committee