

Performance standards for Returning Officers

December 2022

**Presented to Senedd Cymru pursuant to section 9AA of the Political
Parties, Elections and Referendums Act 2000, added by schedule 2 para
10 of the Senedd and Elections (Wales) Act 2020**

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1 Overview

Background

The Electoral Administration Act 2006 gave the Electoral Commission powers to set and monitor performance standards for electoral services. Under these provisions, the Commission may:

- determine and publish standards of performance for relevant electoral officers in Great Britain (Electoral Registration Officers (EROs), Returning Officers and Counting Officers)
- direct relevant officers to provide the Commission with reports regarding their performance against the published standards
- publish its assessment of the level of performance by relevant officers against the published standards

Under changes introduced by the Senedd and Elections (Wales) Act 2020, after determining standards which relate to devolved Welsh elections, the Commission is required to send a copy to the Welsh Ministers, who must lay them before the Senedd.

Along with the guidance and resources provided by the Commission, the performance standards form part of a package which supports ROs in the planning for and delivery of elections across Great Britain.

The performance standards

The standards are focussed on the outcomes that should be delivered, rather than the processes that are followed, with the objective of helping ROs and their teams to understand the impact of their election activities. This should help ROs to make informed decisions on what activities are undertaken, how these activities are carried out and how their limited resources can be deployed efficiently and effectively.

What do the standards comprise of?

An outcome

This states the broad goal that ROs should be seeking to achieve. The performance standards set out three broad goals that EROs should be seeking to achieve:

- Electoral services are robust and support the delivery of well-run elections
- Everybody who is eligible and wants to vote is able to do so and has confidence in the voting process

- Everybody who is eligible and wants to stand for election is able to do so and has confidence in the process
- Everyone can have confidence that the election process is well managed and in the accuracy of the results

What inputs are needed?

This sets out the resources that will need to be put into the service to enable the necessary activities to be delivered.

What activities are being undertaken?

This does not provide an exhaustive list of activities, but instead summarises the headline activities that ROs are likely to need to undertake to be able to meet the outcome. Our guidance and resources for ROs will support them in determining the specific activities that will need to be carried out.

What information is needed to understand the impact of our activities?

This highlights the data and qualitative information which will help to demonstrate the impact of the activities and which should form the basis of how ROs and the Commission can determine the success of their work. Again this is not an exhaustive list and the information listed may be supplemented by additional data or information that is relevant to their performance.

What difference is being made?

This summarises the combined effects that the activities should have and which, taken together, would contribute to the delivery of the overall outcome.

How can we determine the success of our work?

This sets out measures that will help to demonstrate what difference the work is making. In some cases the difference will not be straightforward to quantify or otherwise measure, and so an aggregation of several measures may be relied upon to demonstrate what the work is achieving.

The following pages set out the performance standards for ROs, which apply to all devolved elections in Wales. A separate version which applies to other elections in Great Britain has been laid in the UK Parliament.

2 Performance standards for ROs

Outcome 1: <i>Electoral services are robust and support the delivery of well-run elections</i>					
What inputs are needed?	What activities are being undertaken?		What information is needed to understand the impact of our activities?	What difference is being made?	How can we determine the success of our work?
<p>RO understanding and delivery of role and responsibilities – management and oversight of the delivery of elections, including the range of statutory functions of the RO, and an understanding of the strategic landscape, including any legislative changes that will impact on delivery</p> <p>Stakeholder engagement – establish and maintain strong relationships with key stakeholders</p> <p>Planning – maintain plans for the delivery of elections, scheduled and unscheduled, ensuring they are kept under review</p> <p>Resources – identification and allocation of budget and permanent staffing; and</p>	<p><i>Understanding of statutory responsibilities</i></p>	<p><i>Polls are delivered in accordance with legislation, guidance and directions (where issued)</i></p> <p><i>RO knowledge and understanding of role and responsibilities is developed and maintained, including through training</i></p> <p><i>Formal appointment of deputies, ensuring clear delegations in place and roles are allocated and understood</i></p>	<ul style="list-style-type: none"> • Awareness of guidance and legislation • Records of training/meetings attended • Evidence of quality assurance of the whole electoral process • Notification of appointment of deputies 	<p><i>A consistent high-quality experience for electors, candidates and agents</i></p>	<p><i>Events are delivered in accordance with legislation</i></p>
	<p><i>Development and maintenance of robust delivery plans</i></p>	<p><i>Establish project team to support preparations for and delivery of elections</i></p> <p><i>Clear plans in place, with objectives and success measures</i></p> <p><i>Contingency planning to ensure readiness for unscheduled events</i></p> <p><i>Business continuity planning</i></p> <p><i>Risk register in place, with risks monitored and mitigations identified and implemented</i></p> <p><i>Recruitment of all necessary staff and identification of training needs</i></p> <p><i>Robust arrangements in place for managing issues</i></p> <p><i>Access appropriate funding</i></p>	<ul style="list-style-type: none"> • Clear agendas for and records of project team meetings, to support focus on outcomes • Project planning documentation which is kept under regular review • Evaluation of previous events and identification of lessons learned • Analysis of wider context within which polls are being conducted • Succession plans which are regularly monitored • Training needs analysis and records of training • Reconciliation of project costs against available budget 	<p><i>Public confidence in and satisfaction with election processes</i></p> <p><i>Teams delivering electoral services are supported to effectively deliver electoral processes</i></p>	<p><i>Elections delivered without legal challenge to the administration of the poll</i></p> <p><i>Analysis of team resilience, capability and capacity</i></p>
	<p><i>Working with contractors and suppliers, both internal and external</i></p>	<p><i>Identification of external services required</i></p> <p><i>Procurement of services</i></p> <p><i>Contract development and management of delivery</i></p>	<ul style="list-style-type: none"> • Records of formal procurement decisions • Contracts in place with all suppliers, with mechanisms to manage and monitor performance • Contract monitoring tools and escalation mechanisms, including supplier issues logs, risk registers and assurances of supplier business continuity plans • Service level agreements 	<p><i>The RO has the right skills, knowledge and influence to support the effective delivery of the polls</i></p>	<p><i>Analysis of feedback on the delivery of polls and any complaints received</i></p>
	<p><i>Maintaining effective relationships with key stakeholders</i></p>	<p><i>Engagement with key stakeholders on plans</i></p> <p><i>Ongoing engagement with stakeholders throughout the delivery of the polls</i></p>	<ul style="list-style-type: none"> • Minutes of meetings with stakeholders • Consultation with and feedback from local stakeholders on plans and election arrangements • Assessment of local accessibility requirements and demonstrated understanding of needs • Records of issues or concerns raised by stakeholders and resolutions implemented • Evaluation of feedback from key stakeholders 		<p><i>Performance against measures and objectives set out in your project plans</i></p>

Outcome 1:				
<i>Electoral services are robust and support the delivery of well-run elections</i>				
management of contractors and suppliers	<i>Coordination and management of the poll (by ROs with a power of direction)</i>	<i>Work across local authority boundaries with other ROs to develop guidance and issue directions where necessary to support consistent delivery of polls</i> <i>Engage with local Returning Officers on the arrangements they have in place to deliver the elections in their area</i>	<ul style="list-style-type: none"> • Plans for communication with local ROs • Plans for coordinating and delivering public awareness activity and engaging with electors across the electoral area • Arrangements for the collation of results • Records of any guidance issued and whether and how the power to issue directions has been used • Analysis of post-election feedback 	

Outcome 2:					
<i>Everybody who is eligible and wants to vote is able to do so and has confidence in the voting process</i>					
What inputs are needed?	What activities are being undertaken?		What information is needed to understand the impact of our activities?	What difference is being made?	How can we determine the success of our work?
RO understanding and delivery of role and responsibilities - management and oversight of the delivery of elections, including the range of statutory functions of the RO	Providing information to ensure voters understand how they can take part	<i>Develop and deliver a public awareness strategy, ensuring that electors are provided with the information they need to understand how they can take part</i> <i>Ensure all required election materials are accurate, accessible and made available as soon as practicable</i>	<ul style="list-style-type: none"> • Analysis of different communication methods, to support targeting of messaging • Evidence of working with partners to deliver public awareness • Ballot paper rejection rates and postal vote rejection rates, contributing to an understanding of whether voters have been able to follow the instructions • Plans in place to ensure all information for electors is provided equally in English and Welsh, including all election materials 	<i>Voters understand the different ways in which they can cast their vote</i>	<i>Evaluation of public awareness activities</i>
	Production of election materials	<i>Production and publication of election notices</i> <i>Production and delivery of poll cards</i> <i>Proof-checking of election materials</i> <i>Production of ballot papers</i>	<ul style="list-style-type: none"> • Accuracy of statutory notices • Information on method and timing of delivery of poll cards and postal ballot packs • Accuracy and timeliness of election materials: <ul style="list-style-type: none"> ○ Record of arrangements for any outsourcing of production and delivery of poll cards, postal votes and ballot papers ○ Record of proof checking processes ○ Examples of election materials ○ Record of data protection processes 	<i>Voters are able to cast their vote using their preferred method</i>	
Planning – maintain plans for the delivery of elections, ensuring they are kept under review and	Managing absent voting	<i>Production and delivery of postal ballot packs</i> <i>Opening and processing returned postal votes</i>	<ul style="list-style-type: none"> • Accuracy and timeliness of postal ballot packs: <ul style="list-style-type: none"> ○ Record of arrangements for any outsourcing of production and delivery of postal ballot papers ○ Audit trail of issuing of postal votes ○ Record of checking processes ○ Records of postal votes delivered by hand to council offices ○ Accurate records of postal vote openings including audit trails of postal votes opened, verified and rejected 	<i>Voters are able to cast their vote in secret at polling stations</i>	<i>Analysis of available data relating to voters who have not been able to cast their vote</i>

Outcome3:
Everybody who is eligible and wants to stand for election is able to do so and has confidence in the process

What inputs are needed?	What activities are being undertaken?		What information is needed to understand the impact of our activities?	What difference is being made?	How can we determine the success of our work?
<p>RO understanding and delivery of role and responsibilities - management and oversight of the delivery of elections, including the range of statutory functions of the RO</p>	<p><i>Providing information to support anyone wishing to stand as a candidate in understanding what they need to do</i></p>	<p><i>Ensuring accessibility and awareness of electoral processes</i></p> <p><i>Provision of information and guidance to parties, candidates and agents</i></p> <p><i>Briefings offered to candidates & agents</i></p> <p><i>Gathering feedback from attendees to inform continuous improvement</i></p>	<ul style="list-style-type: none"> Records of attendance at briefings Evaluation of feedback from candidates and agents on the information/briefings provided to those wanting to stand for election Analysis of process queries from candidates and agents to support provision of relevant information Number of nomination papers rejected by the RO, by reason 	<p><i>Candidates are aware of the process they need to follow to stand for election</i></p>	<p><i>No errors on the statement of persons nominated or ballot papers</i></p>
<p>Planning - maintain plans for the delivery of elections, ensuring they are kept under review and actively used to support delivery</p> <p>Stakeholder engagement – establish and maintain strong relationships with key stakeholders</p>	<p><i>Administration of the nominations process</i></p>	<p><i>Provision of informal checks</i></p> <p><i>Determination of nomination papers</i></p> <p><i>Close of nomination processes</i></p> <p><i>Ensuring accurate ballot papers</i></p>	<ul style="list-style-type: none"> Records of arrangements in place for candidates to have their nominations informally checked Timeliness and accuracy of publication of the statement of persons nominated Accuracy of the ballot paper Assessment of GDPR requirements and records of management of personal data received as part of the nominations process 	<p><i>Nominations are accurately processed and everyone who is validly nominated is included on the ballot paper</i></p>	<p><i>Analysis of feedback and complaints from candidates, agents or parties</i></p>
<p>Training – staff understand their responsibilities in relation to the processes to be followed for candidates seeking to stand for election</p>	<p><i>Management of access to electoral processes to ensure transparency and enable scrutiny</i></p>	<p><i>Receipt of notifications of appointment of polling, postal voting and counting agents</i></p> <p><i>Provision of information relating to polling stations, postal vote opening sessions and the count (layout plan, process documents, etc.)</i></p>	<ul style="list-style-type: none"> Records of those entitled to access electoral processes Information provided to attendees 	<p><i>Candidates and appointed agents are aware of their entitlement to attend electoral processes and are able to carry out their scrutiny role effectively</i></p>	

Outcome 4:

Everyone can have confidence that the election process is well managed and in the accuracy of the results

What inputs are needed?	What activities are being undertaken?		What information is needed to understand the impact of our activities?	What difference is being made?	How can we determine the success of our work?
<p>RO understanding and delivery of role and responsibilities - management and oversight of the delivery of elections, including the range of statutory functions of the RO</p> <p>Planning - maintain plans for the delivery of elections, ensuring they are kept under review and actively used to support delivery</p> <p>Stakeholder engagement – establish and maintain strong relationships and manage communications with key stakeholders</p> <p>Resources – identification and allocation of budget and staffing</p> <p>Training – identification and delivery of training to meet the needs of both permanent and temporary staff</p>	<p><i>Postal vote opening</i></p>	<p><i>Accurate processing of returned postal votes</i></p> <p><i>Verification of postal vote identifiers</i></p>	<ul style="list-style-type: none"> • Audit trail of receipt and opening of postal ballot packs • Arrangements for the secure storage and transportation of returned postal votes • Number of postal vote rejections, by reason • Postal vote opening venue layout information • Records of those entitled to attend 	<p><i>Voters have confidence their vote will be counted in the way they intended</i></p>	<p><i>Elections delivered without legal challenge to the administration of the poll</i></p>
	<p><i>Managing the verification and count</i></p>	<p><i>Development of venue layout and processes to ensure an accessible and transparent count</i></p> <p><i>Managing attendance at the verification and count</i></p> <p><i>Managing the verification and count processes</i></p> <p><i>Managing media liaison</i></p>	<ul style="list-style-type: none"> • Evaluation of previous count venues and processes • Assessment of access needs, with actions taken to address any issues • Count venue layout information • Audit trail of receipt and opening of ballot boxes • Audit trails of count processes • Number of rejected ballots for each contest, by reason • Strategy for dealing with both proactive and reactive communication with the media 	<p><i>Candidates and agents have confidence in the accuracy of the result</i></p>	<p><i>Analysis of feedback and complaints from candidates, agents and other observers</i></p>
	<p><i>Managing the declaration of results</i></p>	<p><i>Declarations are accurate and accessible</i></p> <p><i>Publication of results is timely and accurate</i></p>	<ul style="list-style-type: none"> • Processes in place to quality assure results • Accurate declarations of results (in both English and Welsh) • Audit trails of verification and count paperwork • Statement of results (in both English and Welsh) and where they are published 	<p><i>All those who have observed the election have confidence in the conduct of the election</i></p>	<p><i>Election results are accurate and readily available</i></p>
	<p><i>Maintaining electoral integrity</i></p>	<p><i>Ensuring the security of election materials</i></p> <p><i>Engagement with local SPOC</i></p> <p><i>Develop a fraud/integrity plan and work with the appropriate authorities to support the investigation of any allegations of electoral fraud/integrity issues</i></p>	<ul style="list-style-type: none"> • Risk register showing security risks and associated mitigations • Fraud/integrity plan, including risk assessments and mitigations • Allegations of electoral fraud/integrity issues referred to the police 	<p><i>Voters can easily access the results of the election</i></p> <p><i>Voters have confidence their vote is secure</i></p>	<p><i>Analysis of police data relating to allegations of electoral fraud/integrity issues</i></p>