

Senedd Electoral Reform Research Briefing

November 2021



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Senedd Electoral Reform

Research Briefing

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1. Senedd Electoral Reform: Background

The Senedd established a **Special Purpose Committee on Senedd Reform** on 6 October 2021. The Committee is tasked with making recommendations by 31 May 2022 for policy instructions to inform a Welsh Government Bill on Senedd reform.

Work on Senedd reform has been ongoing for a number of years. In 2018, the **Expert Panel on Assembly Electoral Reform** (“Expert Panel”) made **recommendations** about the size of the Senedd and how members should be elected. Its recommendations were subsequently considered by the **Committee on Senedd Electoral Reform** (“CSER”), which **reported** in September 2020.

The Special Purpose Committee will now consider the conclusions previously reached by CSER as part of its **remit**. This paper contains a summary of the reports and recommendations of the **Expert Panel** and **CSER**. It also looks in detail at the Single Transferable Vote (STV) electoral system, which was **recommended by CSER** as its preferred system to elect Members of the Senedd from the 2026 elections.

At its **first meeting on 3 November**, the Special Purpose Committee **agreed** to structure its work around three broad phases:

- Identifying areas where there is common ground between the policy positions of political parties on Senedd reform, or the potential to establish common ground;
- Gathering further information as necessary in relation to those areas of common ground to assist the Committee develop policy instructions; and
- Developing recommendations for policy instructions.

2. Expert Panel on Electoral Reform

Background to Expert Panel's work

The Fourth Assembly Commission considered the capacity of the then Assembly. It published a **report** in January 2015 which concluded that a 60-Member Assembly was 'underpowered and overstretched'.

At the time the report was published, the Assembly did not have legislative competence over its size. This changed under the **Wales Act 2017**, which devolved powers to the Assembly in relation to its size and electoral arrangements, amongst other things.

In anticipation of the new powers, the Fifth Assembly Commission **announced** in November 2016 it would take forward work to address the capacity of the Assembly. This led to the Expert Panel on Assembly Electoral Reform (the 'Expert Panel') being **established** in February 2017.

What did the Expert Panel consider?

The **Expert Panel's remit** was:

- To review, and complement if necessary, the existing evidence and research relating to the size and electoral arrangements for the National Assembly; and
- From that evidence base, and in order to inform the preparation of any necessary legislation, to make recommendations to the Assembly Commission on what should be the size of the membership of the National Assembly, the electoral system that should be used to elect its Members and the minimum voting age for National Assembly elections.

The Expert Panel considered three substantive topics, which are considered in greater detail in this section:

- The capacity of the Assembly (**Part 2** of its report);
- The election of the Assembly (**Part 3** of its report); and
- The Assembly franchise (**Part 4** of its report).

2.1. What did the Expert Panel Find?

Capacity of the Senedd

The Expert panel's report states "there is no single authoritative and agreed formula by which the optimum size of a legislature may be assessed" and that its conclusions are therefore "based on balanced analysis of a range of different factors".

Chapter 4 of the report explores the changing role of the Assembly and its powers since its establishment, such as the move to a reserved powers model of devolution, the devolution of taxation and Brexit. On this basis, it concluded that **an appropriate size for the Assembly was between 80-90 Members and that this would "deliver meaningful benefits** for the capacity of the institution and corresponding benefits for the people of Wales". The Expert Panel recommended:

Recommendation 1 (page 28)

The size of the Assembly should be increased to at least 80 Members, and preferably closer to 90 Members [...]

Whilst the Panel found that an increase to 80 Members would 'undoubtedly strengthen the institution', it found that the **benefits would be greater towards the "upper range" of 90 Members**, and that this would also lessen the risk of having to revisit the question of capacity in the foreseeable future. The Expert Panel was not persuaded that the benefits of having more than 90 Members would necessarily outweigh the resultant increase in cost.

The **estimated additional recurrent annual costs of 20 or 30 additional Members was estimated at £6.6m and £9.6m**, respectively. In addition, the report acknowledges there would also be one-off costs associated with an increase in Members, such as adjustments to the Siambr and office accommodation. These costs were estimated at £2.4m for 20 additional Members, and £3.3m for 30 additional Members. In this regard, the Expert Panel recommended:

Recommendation 2 (page 31)

The Remuneration Board and Assembly Commission should consider how [arrangements may be altered to ensure] that the cost of implementing our recommendations is kept to an absolute minimum;

Chapter 5 of the report explores approaches to increasing or enhancing the capacity of the Assembly without increasing the number of Members. This includes changing working practices, the structure of the Assembly's working week and the number of sitting weeks. The Expert Panel concludes that:

[...] none of these approaches can address the underlying limiting factor: the severely limited time available for the 60 elected Members to carry out the full range of their responsibilities.

Chapter 6 of the report considers the role fulfilled by Members. It states that Members consistently report working long hours and that many have lengthy travel times or are away from home for much of the week. It finds that these factors creates a barrier for some people who might otherwise stand for election, which has a "corresponding impact on the diversity of representation in the Assembly".

Chapter 8 of the report explores the specific capacity constraints facing the Assembly's committee system. It concludes that **the Assembly is too small to carry out its scrutiny responsibilities effectively** and that **increasing the size of the Assembly "could undoubtedly improve the quality of scrutiny undertaken"**. However, it states that "the extent to which this is realised will depend on how any additional resource is deployed". This forms the basis for Recommendations 3:

Recommendation 3 (page 89)

The Assembly must exercise restraint in the way it makes use of any increase in the size of the institution [...] in order to ensure that the potential benefits for the quality and quantity of scrutiny are realised and additional costs are kept to an absolute minimum.

The election of the Assembly

The Expert Panel was tasked with making recommendations for the electoral system which should be used to elect the Assembly.

Recommendation 4 (page 102) (Re-worded for clarity)

The Assembly should be elected by **Single Transferable Vote (STV)** if our recommendations on legislative interventions to support and encourage diversity of representation are implemented.

The Assembly should be elected on the basis of a **Flexible List electoral system** if such recommendations are not implemented.

To assess the suitability of the various electoral systems, the Expert Panel identified ten principles by which to evaluate different options:

Government accountability and effectiveness	To encourage the return of accountable and stable governments, whether majorities or coalitions.
Proportionality	To create an equal or, preferably, more proportional system than currently.
Member accountability	A system to ensure that all Members are clearly accountable to voters.
Equivalent Status	To ensure that Members had broadly equivalent mandates are far as possible.
Diversity	A system to encourage and support the election of people broadly reflective of society.
Voter Choice	Where appropriate, a system to allow voters to select or indicate a preference for individual candidates.
Equivalent Mandates	A system to ensure that votes have approximately the same value.
Boundaries	A system based on clearly defined and meaningful geographic areas.
Simplicity	An intelligible and simple system for voters.
Sustainability and adaptability	A system that is adaptable to changing political, demographic and legislative trends.

Against these principles, **the Expert Panel identified three potentially suitable electoral systems:**

- **Preferred option:** Single Transferable Vote (STV)
 - Section 3 of this briefing looks in detail at STV, including the specific model recommended by the Expert Panel.
- **Viable Alternative:** Flexible List
 - The Expert Panel considered the Flexible List electoral system to be a viable alternative to STV if its gender quota recommendations were not implemented.
 - The Flexible List Proportional Representation was largely discounted by the Committee on Senedd Electoral Reform. Paragraph 74 of the Committee's **report** states that few contributors to its inquiry focus on Flexible List and highlighted that it “did not offer the same nuanced choice for voters as STV”.
- **Status Quo option:** Mixed Member Proportional (MMP)
 - The Senedd is currently elected under the MMP model.
 - Whilst the system technically satisfied the Expert Panel's principles, it did not favour the system because in the absence of a full boundary review, it necessarily limited the number of Members who could be elected to 80.

Measures to promote diversity

As part of its work, the Expert Panel considered how its proposals for electoral systems could support and encourage the election of a diverse legislature.

The Panel “focused primarily on ways to support and encourage balanced gender representation”. Particularly, the report considered the use of gender quotas in Parliament and found there was “international backing” for their use.

Whilst the Expert Panel recognised that the (then) Assembly had a “well-established international reputation for promoting gender equality”, it found that this reputation was “vulnerable” and that “reform of the electoral system provides an opportunity to embed equality into the future of political life in Wales”.

The Expert Panel recommended that prescriptive gender quotas should be integrated into the Assembly's electoral system. It also said that such quotas should, as far as possible, include targets with embedded penalties and incentives. The Panel concluded that the Assembly has some scope to legislate in a way

which encourages gender-balanced representation, but acknowledges that “there are significant constraints on its competence”.

In relation to STV, the Expert Panel proposed legislative gender quotas to ensure that at least 50 per cent of the candidates that stand in each constituency are female and 50 per cent are male. In relation to candidate selection, the Expert Panel also:

[...] expect political parties to have due regard to the gender balance of their candidates across Wales, and to the representation of other protected characteristics [...].

As part of its recommendation 10, the Panel proposes that if a gender quota is not implemented, either through lack of political will or competence reasons:

[...] political parties should be expected to take steps to ensure their candidate selection processes support and encourage the election of a gender-balanced parliament for Wales, including the voluntary adoption by parties of the quotas we have outlined.

Apart from gender quotas, the Expert Panel considered further measures to embed ‘family friendly working’ in the Assembly’s ethos. In this regard, the Expert Panel recommended:

Recommendation 11 (page 127)

Electoral law and Assembly procedures [...] should be changed to enable candidates to stand for election on the basis of transparent job-sharing arrangements [...].

As part of recommendation 11, the Expert Panel states that the guiding principle behind job-sharing should be that partners are treated as if they are one person and that the arrangement “should give rise to no additional costs beyond those of a single Assembly Member”.

Assembly franchise

The Expert Panel was tasked with considering and making recommendations as to what should be the minimum voting age for Assembly elections.

It recommended that the minimum voting age should be reduced to 16 with effect from the 2021 election. This recommendation was implemented under the **Senedd and Elections (Wales) Act 2020** and was in place for the Senedd general election in 2021.

2.2. What happened after the Expert Panel reported?

The (then) Assembly Commission consulted on the Expert Panel's recommendations in early 2018.

“Taking account of the **degree of political consensus** at the time”, the Commission decided to pursue a **two-part legislative reform programme**.

In October 2018, the Commission sought the approval of the Assembly to introduce the **first phase** of its legislative programme, a Bill to:

- reduce the minimum voting age in Assembly elections to 16;
- change the name of the legislature to Senedd Cymru/Welsh Parliament; and
- make other changes, including clarifying the disqualifications framework.

The **Senedd and Elections (Wales) Bill** was subsequently introduced in February 2019, and **became law** in January 2020.

The Senedd Commission **had intended** that the second phase of its reform programme would be legislation to increase the number of Members and make consequential reforms to the electoral system.

However, in June 2019 the Senedd Commission concluded that while it was “confident that the case in favour of increasing the number of AMs has been made”, there was not political consensus on the electoral system and it was not therefore possible to legislate on phase two of Senedd reform during the Fifth Senedd.

In July 2019, the Senedd debated a Plaid Cymru **motion** on Senedd reform which called for an increase in the number of Members of the Senedd and for Members to be elected by Single Transferable Vote with effect from 2021. Following the debate, the Senedd resolved by a majority to:

- Note the Expert Panel's report;
- Agree that an increase in the number of Members was needed; and
- Call for further cross-party work to take these matters forward.

3. Committee on Senedd Electoral Reform

Background to Committee on Senedd Electoral Reform's work

Following the call for further cross-party work on the Expert Panel's recommendations, the Llywydd tabled a **motion** to establish a Committee on Assembly Electoral Reform, which was **agreed** in Plenary, on 18 September. The Committee's name subsequently changed to the Committee on Senedd Electoral Reform (the "Committee").

The Committee was formed to examine the recommendations of the Expert Panel. The Senedd elected a **Labour Chair** and members from **Labour, Plaid Cymru and the Brexit Party**. The Conservative group did not put forward a member and the Brexit Party member **left the committee** in June 2020.

The Committee set itself **objectives** to:

- consolidate and add to the existing evidence base;
- inform and engage the public; and
- outline a roadmap for reform to inform political parties' consideration of their policy positions and manifestos for the 2021 Senedd election.

Committee inquiries

The Committee carried out three inquiries:

- **the capacity of the Senedd;**
- **electing a more diverse Senedd;** and
- **electoral systems and boundaries**

The Committee **reported** on all three inquiries in a single report in September 2020. Its findings are summarised below.

3.1. What did the Committee find?

The capacity of the Senedd

The Committee agreed with the Expert Panel that the size of the Senedd should be increased, recommending:

Recommendation 1 (page 38)

Legislation should be introduced early in the Sixth Senedd to increase the size of the Senedd to between 80 and 90 Members with effect from the 2026 election.

Recognising that an increase in size would have financial implications, the report states the Committee did not reach this conclusion lightly.

The Committee also **agrees in principle with the Expert Panel that the Senedd should have 80-90 Members**, but states that this “will need to be informed by decisions on the particular electoral system and boundary models around which political consensus may be built”.

The Committee’s report states that the majority of the evidence it heard “expressed concern over whether a 60 Member Senedd has sufficient capacity to fulfil its responsibilities effectively”. The Committee heard evidence opposing an increase in Members, but states that “this was generally because of concerns about potential costs rather than arguments that the current number of Members is appropriate”.

Whilst the report finds there were some benefits to being a small and agile legislature, it states that such benefits are:

outweighed by the risks the Senedd’s lack of capacity presents to the effective fulfilment of its scrutiny, engagement and representative roles, and thereby to the proper functioning of representative democracy in Wales.

The Committee considered measures to increase the capacity of the existing 60 Members, but was not persuaded that such measures “could adequately address the capacity challenges facing the institution in the longer term”. It further states that the situation would be exacerbated if subject matters such as justice were devolved to Wales. However, because the size of the Senedd can’t be changed before the 2026 election, the Committee recommends:

Recommendation 2 (page 40)

The Senedd Commission and Business Committee [...] should identify and implement temporary or permanent changes to ways of working, structures or procedures with a view to alleviating the acute capacity pressures which will be faced by a 60 Member Sixth Senedd.

Electing a more diverse Senedd

The Committee explored interventions recommended by the Expert Panel and other stakeholders which could encourage the election of a more diverse Senedd.

Recommendation 9 (page 103)

[T]he Welsh Government should make representations to the UK Government for the **commencement of section 106 of the Equality Act 2010** in respect of elections in Wales

There is currently no requirement to collect or publish information about the diversity of candidates for Senedd elections, although parties may do so on a voluntary basis. Section 106 of the Equality Act 2010 would, if commenced, make this a legal requirement.

The Committee's report states that "transparency drives change" and calls for s.106 to be commenced or, alternatively, for political parties to collect, anonymise and publish candidates' diversity data on a voluntary basis (Recommendation 10).

Recommendation 11 (page 111)

A cross-party working group should be established early in the Sixth Senedd to explore in detail the **feasibility of enabling election on the basis of job sharing** and/or executive job sharing within the Welsh Government or other Senedd offices such as Llywydd, Commissioner, committee chair, or business manager. [...]

The Committee was "persuaded by the evidence" that "job sharing could help to remove barriers which might otherwise prevent some people from standing for election or serving as a Member of the Senedd".

While it found that job sharing in many professions and executive political roles was beginning to emerge, it acknowledged that election on the basis of job sharing would be novel. However, the Committee did not believe that job-sharing was insurmountable and suggested that consideration should be given to trialling job sharing on the basis of pilot schemes.

Recommendation 13 (page 118)

[...] **the Welsh Government should establish, as a matter of priority, an access to elected office fund to support people with disabilities to stand for election,** and that consideration should also be given to extending eligibility for funding to other underrepresented groups

The Committee considered financial barriers to standing for Senedd elections. It recommended the establishment of an access to elected office fund. It also called on the Welsh Government and Electoral Commission to consider whether certain disability-related expenditure should be exempt from election campaign spending limits (Recommendation 14).

Aside from disabled people, the Committee recognised that other underrepresented groups “may also face considerable financial barriers” to standing for election, including those with childcare or other caring responsibilities.

The Committee’s report calls on the Welsh Government to bring forward subordinate legislation exempting expenses relating to the costs of a candidate’s childcare or other caring responsibilities from election campaign spending limits (Recommendation 15).

Recommendation 20 (page 134)

In reaching a decision on whether to include legislative candidate **gender quotas** in their reform proposals, the Member-in-charge of any Senedd reform legislation should **consider the extent to which such provisions would be within the Senedd’s legislative competence** [...].

Recommendation 21

The relevant Sixth Senedd committee should **undertake further work on diversity quotas in respect of characteristics other than gender to inform decisions on whether such quotas would be appropriate mechanisms to encourage the election of a more diverse Senedd.** [...]

The Committee’s report states that:

The impact of the COVID-19 pandemic on our work programme, and later the Brexit Party group’s decision to withdraw from the Committee, have unfortunately curtailed the extent to which we have been able to gather evidence or reach firm conclusions [on diversity quotas].

While the Committee was “persuaded by clear and compelling evidence that gender quotas [...] can increase the diversity of candidates”. It said that it had not

“been able to gather sufficient evidence on which to reach a firm view as to whether diversity quotas would be an appropriate mechanism by which to achieve greater diversity within the Senedd”.

The Committee’s report acknowledges that “the Senedd’s legislative competence as it currently stands constrains the potential for legislative proposals to include compulsory measures to encourage the election of a more diverse Senedd”.

In particular, the Committee received legal advice stating that provisions in relation to legislating for job sharing by elected Members, diversity quotas, and the mandatory publication of candidate diversity data would likely relate to the reserved matters of “funding of political parties and of their members and officers” and “equal opportunities” under the Government of Wales Act 2006.

Electoral systems and boundaries

Recommendation 4 (page 55)

Legislation should be introduced early in the Sixth Senedd to **provide that Members of the Senedd are elected by the Single Transferable Vote electoral system** with effect from the 2026 election.

Having considered the merits of the three electoral system options proposed by the Expert Panel, **the Committee agreed that Members of the Senedd should be elected by the STV system**. STV is explained in detail in Section 3 of this briefing.

As guiding principles, the Committee states that any system should be simple for voters to complete their ballots, voters should be able to “express nuanced choices between named candidates” and that votes should produce broadly proportional outcomes.

In relation to the design of a specific STV system for Senedd elections, the Committee report states:

The Covid-19 pandemic and the decision of the Brexit Party group to withdraw from our work have **limited the extent to which we have been able to examine the detailed design of STV for use in Senedd elections**. [SR emphasis]

However, the report states that **two key issues** emerged from the evidence the Committee heard: **vote transfer methodologies** and the **design and organisation of ballot papers**, discussed further in Section 3 of this briefing.

Recommendation 8 (page 82)

[...] legislation should be introduced early in the Sixth Senedd to establish review arrangements for the Senedd's boundaries..

The Committee's report states that the Covid-19 pandemic curtailed its work exploring boundary review arrangements. It did not consequently reach firm conclusions on the matter.

The Committee's report highlights that **there are currently no legislative provisions or mechanisms in place for reviewing either the Senedd's boundaries or the apportionment of seats** to Senedd constituencies and regions. "Most of the evidence" heard by the Committee "supported the establishment of arrangements for reviewing the Senedd's boundaries".

The Committee found it "anomalous and unsustainable" that there was no legislative mechanism in place for reviewing the Senedd's boundaries. On this basis, it recommended that legislative proposals should be brought forward to establish review arrangements and that responsibility for such review should rest with an independent boundary review body.

However, the Committee recognised that further work was required to determine the detailed design, methodology and parameters which would apply to any future boundary review arrangements. For example, the Committee did not reach a firm view on whether the Senedd's electoral boundaries should be aligned with those used for Westminster or local authority elections.

Developing proposals, legislating for and implementing electoral reform

The Committee found that **non-legislative actions in isolation would be insufficient to "fully address the capacity gap the [Senedd] faces"**.

However, the report acknowledges that any legislative reform proposals will require "sufficiently broad political consensus across the Senedd to achieve a supermajority of 40 Members" (required under law to implement the proposed electoral changes).

On the question of the Senedd's capacity, the Committee had intended to hold a citizen's assembly to "gauge the public's informed views" on the matter, but was prevented by Covid-19. Instead, the Committee recommends that the Welsh Government, Senedd Commission or Member in charge of Senedd reform legislation should commission such a citizen's assembly (Recommendation 28).

The report notes that any changes to the number of Members and how they are elected will require primary legislation. To ensure that such changes are in place for the 2026 Senedd general election, it recommends:

Recommendation 29 (page 175)

[...] consensus on the reform proposals and whether the legislation will be led by the Welsh Government, the Senedd Commission or a Senedd committee must be established very early in the Sixth Senedd.

In particular, the report states that **decisions must be taken as a matter of urgency following the Senedd general election** on 6 May 2021, particularly on:

- the number of members;
- how they should be elected;
- issues relating to boundary reviews; and
- any legislative measures to encourage the election of a more diverse Senedd.

The Committee did not consider it appropriate for reform proposals to be brought forward by an individual Member selected in a Senedd ballot. Otherwise, if the legislation is brought forward by the Senedd Commission or a specific Senedd committee, the report recommends:

Recommendation 30 (page 175)

[...] the Welsh Government should nevertheless, as a key stakeholder with responsibility for the existing statutory framework and resourcing of Senedd elections, work closely with the Member-in-charge.

4. Single Transferable Vote

What is Single Transferable Vote?

Single Transferable Vote (STV) is an electoral system that is a form of 'proportional representation'.

Proportional representation (sometimes simply called 'PR') describes an electoral system in which the distribution of seats closely corresponds with the proportion of the total votes cast for each party. This is in contrast to First Past the Post used for UK Parliamentary election where the candidate with the most votes is elected to represent a constituency.

For example, under a completely proportional electoral system, if a party gained 40% of the total votes, it would also gain 40% of the available seats.

In the UK, STV is used for:

- **Northern Ireland Assembly** elections; and
- local elections in **Northern Ireland and Scotland** (and may be used for local authority elections in **Wales** from May 2022, under the **Local Government and (Elections) Wales Act 2021**).

The Expert Panel notes that forms of STV are used for elections internationally, including in:

- **Ireland**;
- **Malta**; and
- the Australian **senate and some state parliaments**.

How does voting work in an STV system?

- On election day, voters rank candidates in order of preference.
- They do this by numbering the list of candidates on the ballot paper.
- Voters number their preferred candidate as number one, their second favourite candidate as number two, and so on.
- Voters can number as many, or as few candidates as they like. Parties will often stand more than one candidate in an area.

The Expert Panel concluded that the minimum number of preferences for a

valid ballot for Senedd elections should be one. That is, as long as the voter has numbered at least one candidate, it would constitute a valid ballot.

How many votes are required to be elected?

To be elected, a candidate needs to reach a specific quota, known as the **Droop quota**. This is the **minimum** number of votes required for a candidate to be elected.

Calculating the 'Droop quota'

The quota is based on the number of valid votes cast and the number of seats to be filled, calculated using the formula:

$$\frac{\text{Valid votes}}{\text{Seats} + 1} + 1 = \text{Droop Quota}$$

For example, if there are 1500 valid votes and three seats to fill, the resulting Droop quota is 376.

How are votes counted?

There are different types of STV systems. Depending on the design of the system, STV votes may be counted manually or electronically. Certain forms of STV are too complex to count manually. This is discussed below in relation to the choice of **'vote transfer mechanism'**.

1. The first preference votes (those marked with number '1') for each candidate are counted first. Other preferences are ignored at this stage.
2. Any candidate that reaches the Droop quota after the first vote is automatically elected.
3. That candidate's surplus votes (those votes over and above the Droop quota) are transferred and apportioned to the remaining unelected candidates ranked next on those votes. This process can be complex and is conducted in accordance with the chosen **vote transfer mechanism** (see below).
4. If the transfer of votes results in another candidate reaching the Droop quota – that candidate is elected and their associated surplus votes are transferred and apportioned to the remaining unelected candidates.

5. However, if the transfer of votes does not result in a candidate reaching the Droop quota, the lowest polling candidate is eliminated and all their votes are transferred to the remaining candidates ranked next on those votes. In accordance with the applicable vote transfer mechanism.
6. This cycle continues until each seat is filled.

Vote transfer mechanism and ballot paper design

The methodology by which surplus votes are transferred between candidates and the design of ballot papers were both **identified** as key issues in the design of an STV system by the Committee on Senedd Electoral Reform.

Vote transfer mechanism

The Committee's report **states** that within STV systems, the methodology by which surplus votes are transferred from elected and eliminated candidates in accordance with voters' second and subsequent preferences can affect the overall electoral outcome.

The transfer methodology used **does not affect** how voters cast their votes, but needs to be considered when designing an STV system because of the potential complexity involved in manually counting votes.

If votes are to be counted electronically, the Expert Panel's report recommends that the '**Weighted Inclusive Gregory**' method should be used. If electronic counting is not an option, it recommends the '**Basic Gregory**' as the most viable option. Both of these methodologies are discussed further in **Annex G** of the Expert Panel's report.

The Committee on Senedd Electoral Reform did not come to a firm view on its preferred choice of vote transfer mechanism for Senedd election as this aspect of the Committee's work was impacted by Covid-19. Rather, Recommendation 5 states that the Member in charge of introducing legislation to implement STV should ensure that information about the detailed technical design and operation of the electoral system is available to inform the scrutiny of any Senedd reform Bill.

Recommendation 6 also suggests that a relevant Senedd committee should conduct post-legislative scrutiny following the first STV election to assess whether the new system had operated as intended or whether reforms were required.

Ballot Paper design

A number of considerations arise in the context of ballot paper design, such as the size and organisation of the ballot, the instructions to voters and the grouping of political parties.

Under an STV system, the Expert Panel **suggested** that candidates should be grouped by the political parties for which they are standing, the order of parties on the ballot should be determined by lot and the instructions to voters should be consulted upon to ensure voters understand that they may rank as many or as few candidates as they wish.

The Committee did not come to a firm view on the design of ballot papers due to this aspect of its work being affected by Covid-19.

STV - Worked example

The Expert Panel's **report** contains a hypothetical worked example to demonstrate how STV works. The table from the Report is replicated below with Senedd Research commentary to explain what's happening at each stage.

Table 1. Expert Panel report (**page 136**): Worked example of a hypothetical STV count

Candidate	First Count	Second Count		Third Count		Fourth Count	
		Transfer of D's votes (elected)		Transfer of A's votes (eliminated)		Transfer of C's votes (elected)	
A	225	1	226	-226	0	0	0
B	290	5	295	47	342	12	354
C	262	25	287	150	437	-61	376
D	415	-39	376	0	376	0	376
E	308	8	316	29	345	49	394
Total valid votes	1,500		1,500		1,500		1,500

Notes: there are 1,500 valid votes and 3 seats. The resulting Droop quota is therefore 376. Elected candidates are shaded in green. Eliminated candidates are shaded in red.

Senedd Research Commentary

- The droop quota for the election is 376 because there are three seats to fill and 1500 valid votes cast.
- Candidate D is elected with 415 votes after the **first count** because they have exceeded the Droop quota of 376 votes (the minimum number of votes required to be elected).
- Candidate D had 39 surplus votes – i.e. votes over and above the Droop quota. The surplus votes are transferred to the remaining candidates as dictated by the system's Vote Transfer Mechanism. For example, the table shows that 25 votes are apportioned to Candidate C.
- The **second count** is undertaken. However, even with the addition of the surplus votes, a candidate has not reached the Droop quota after the second vote.
- Candidate A with 226 votes is eliminated from the contest as the lowest polling candidate.
- All of Candidate A's votes are transferred and apportioned to the remaining candidates ranked next on those votes as dictated by the Vote Transfer Mechanism.
- Of the 226 surplus votes, 150 are apportioned to Candidate C. At the **third count**, this means candidate C has 437 votes - which is over the Droop quota.
- Candidate C is elected and their surplus votes (61 in total) are transferred to the remaining candidates.
- Of the 61 surplus votes, 49 are apportioned to Candidate E. At the **fourth count**, Candidate E has 394 votes which is over the Droop quota. Candidate E is elected.
- Candidate B is eliminated as there were only three seats available and, in any event, they did not reach the Droop quota.