



House of Commons
Procedure Committee

Procedure under coronavirus restrictions: remote voting in divisions

Second Report of Session 2019–21

*Report and Appendix, together with formal
minutes relating to the report*

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Procedure Committee

The Procedure Committee is appointed by the House of Commons to consider the practice and procedure of the House in the conduct of public business, and to make recommendations.

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Committee staff

The current staff of the Committee are Martyn Atkins (Clerk), Masrur Ahmed (Second Clerk), Jim Lawford and Amira Shariif Ali (Committee Assistants) and Paul Connolly (Media Officer).

Contacts

All correspondence should be addressed to the Clerk of the Procedure Committee, House of Commons, London SW1A 0AA. The telephone number for general enquiries is 020 7219 3351; the Committee's email address is proccom@parliament.uk.

You can follow the Committee on Twitter using [@CommonsProcCom](https://twitter.com/CommonsProcCom)

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Summary

The Procedure Committee, in its role of scrutinising the conduct of public business, has considered the temporary measures that have been introduced by the House of Commons to allow for remote participation in its proceedings. There are understandable concerns that have been expressed by Members of the Committee and Members more generally, about how these temporary measures are functioning and whether they allow for the most effective scrutiny of the Government by Members. The Committee accepted that these measures would be highly likely to be sub-optimal and unlikely to improve upon the presence of all Members being physically present in the House. However, the alternative to allowing for virtual participation would be much more limited participation and scrutiny than is available under the present temporary arrangements.

This report focuses on the use of remote divisions. There are a number of other improvements and changes that the Committee would wish to see introduced, including longer than two hours for oral questions, urgent questions and statements and shorter call lists for questions. We appreciate that there are technical limitations and that there is a desire all round to see improvements.

On 12 May the House will be invited to renew the temporary coronavirus procedures. The Committee recommends that any renewal should be to a date not later than Wednesday 3 June. During that period the operating model underlying the procedures ought to be reviewed, with a view to enabling many more Members present in the House and participating virtually to contribute to the House's proceedings.

It is important to note that any changes to House procedures must be agreed to by the House itself. If Members are not happy with procedure, it is within the power of Members to propose amendments and to vote against arrangements which they consider undesirable. The Speaker, as a servant of the House, has been clear that he will act in accordance with the will of the House.

On 22 April the House agreed to a Government proposal that divisions in the House ought to be conducted through a system of remote voting. The Government proposal would allow divisions to take place during all stages of Government bills, and on freestanding Government motions, during the period that temporary procedures of the House are in place under the extraordinary conditions brought about by the COVID-19 pandemic.

The Leader of the House gave an undertaking that he would not designate any item of business as subject to remote voting until the Procedure Committee had given its view on the proposed system. The Committee has evaluated the robustness of the system and its likely operation, through demonstration tests and discussions with the officials of the House Service and Parliamentary Digital Service involved in its development and planned deployment. The Committee was not asked to evaluate any other system for conducting divisions during the pandemic, and does not at this stage propose any alternative.

On 5 May the Chair of the Committee wrote to the Speaker and to the Leader of the House to give the Committee's view on the proposed system. She reported that the

Committee was satisfied that the proposed system was suitable for use by the House in recording the votes of Members in remote divisions under the arrangements agreed to by the House on 22 April, but only for as long as those temporary arrangements had effect. On 6 May the Speaker announced that he was authorising the system for use: later that day the Leader of the House announced that some Government business scheduled for the week of 11 May was likely to be designated as subject to remote division.

The Committee is now reporting to the House its observations on the remote division system. The system represents the first wholly remote proceeding authorised by the House, and the most substantial change to division practice since the introduction of double-lobby voting in 1836.

The Committee notes that the House has given the Speaker considerable power over the operation of the system. Should issues arise with the system's operation, the Speaker has the power to interrupt and suspend a remote division and to declare a division result null and void and order a re-run. His leave is required before any business may be subject to a remote division, and he is able to determine in advance of any vote whether it is necessary to be conducted by remote division. His authorisation of the system may be rescinded at any time.

The Committee has been given suitable assurances over the robustness and security of the system, which is based on an existing platform already used by Members for the tabling of questions and motions. Access to the system is through a single sign-on, validated by multi-factor authentication. The bicameral Information Authority has taken advice from the National Cyber Security Council on the system and has confirmed that it is content with its information security.

The integrity of the system depends on Members and the care they take over their access to the system. The remote voting system is not as secure as the present arrangements for divisions, which rely on a Member presenting in a division lobby in person. Until a reliable form of biometric authentication can be introduced over all devices likely to be used for remote voting, the present system is unlikely to be suitable as a replacement for lobby voting.

Any attempt to facilitate a non-Member to cast a vote over the remote voting system is likely to constitute a serious breach of privilege and a contempt of the House. It is similarly likely to constitute a breach of the Code of Conduct for Members. Such breaches are likely to be dealt with severely by the relevant committees of the House and by the House itself.

Arrangements are in place to monitor the performance of the system during each division: if issues are detected, they will be reported to the Chair, who has the power to suspend a division in such circumstances and to void and re-run a division if system issues have compromised the result. Arrangements are also in place for Members experiencing connectivity issues to contact House staff to have a vote recorded manually. The Committee recommends continuous evaluation of the system's performance, and a system of active feedback to assist in identifying any underlying issues in the system which may arise after deployment.

When the Speaker authorised the system, all but 37 Members had participated in live trials, and a dozen Members had yet to register on the system. The House Service is striving to ensure that all Members are registered on the system before it is used for the first time in a remote division. The Committee recommends that the Speaker should receive a report on the number of Members not registered on the system before he gives leave for the first business to be designated as subject to a remote division.

There are continuing concerns over the way Members may be alerted to the fact a division is taking place when away from Westminster. Several messaging options have been developed for use on the variety of devices Members may use to access the system. The Committee has recommended an accelerated launch of the ParliamentNow site, presently in development, which will replicate the content carried on the House's annunciator channel and will provide a distinctive alert for divisions taking place. Given the present format of hybrid substantive proceedings, the time of divisions is in any case likely to be known well in advance, and party whips will have an important role in reminding Members to vote.

Proxy voting for parental absence is available under the remote voting system, though Members eligible for a proxy vote may now choose to vote remotely instead. The Committee is evaluating the overall proxy voting system, and considers that in the event that lockdown conditions are eased it may be feasible to replace a system of remote voting with a system of proxy voting for those Members who are required to self-isolate for the duration of the pandemic. Should the lifting of lockdown conditions be varied in different areas of the United Kingdom we expect procedural adaptations to be made to enable all Members to continue to contribute to the House's proceedings.

1 Overall assessment

1. The Committee published its report *Procedure under coronavirus restrictions: proposals for remote participation* on 21 April.¹ In that report the Committee gave its views on the proposals, drawn up by the House of Commons Service and endorsed by the House of Commons Commission, for the introduction of virtual participation into certain categories of the House's proceedings. These proposals were developed in response to the significant restrictions placed on free movement and association in all parts of the United Kingdom on public health grounds in order to combat the COVID-19 pandemic, as well as the public health directions in respect of the pandemic which require many Members to undertake self-isolation and not travel to Westminster.

The introduction of temporary coronavirus procedures, and arrangements for their extension

2. On 21 April the House made temporary orders amending the procedure and practice of the House to facilitate hybrid scrutiny proceedings, whereby Members can participate in questions to Ministers, urgent questions and Ministerial statements both in the Chamber and remotely via videoconferencing technology, on a strictly equal basis. On 22 April the House made further temporary orders to extend the hybrid model of participation to certain substantive proceedings of the House, largely comprising Government business.²

3. The temporary orders are due to expire at the rise of the House on Tuesday 12 May, unless the House agrees to extend their provisions in whole or in part. The Committee has opened an inquiry to evaluate the operation of these temporary orders. In our report published on 21 April we strongly recommended that these orders be time-limited in their effect to a total period of no longer than six weeks, to be extended only by express agreement by the House and after consideration by the Procedure Committee.³

4. ***The Leader of the House has indicated that on Tuesday 12 May he will move a motion in the House proposing an extension to the coronavirus procedures agreed to by the House on 21 and 22 April. We recommend that the proposed extension should be timed to expire on a date not later than the end of the first week of June, immediately following the planned Whitsun adjournment. We recommend that during the period of any extension the Speaker, following discussions with the House of Commons Commission, the Leader of the House and opposition parties, review the requirement for the temporary procedures in the light of public health advice and any revision of the secondary legislation governing free movement and association during the pandemic.***

5. The Committee is monitoring the operation of these temporary coronavirus procedures, and has issued a call for evidence: all are invited to give their views on the current operation of these procedures. Members have already expressed concerns over the excessive length of call lists relative to the short amount of time allotted for participation in hybrid scrutiny proceedings and hybrid substantive proceedings. The length of call

1 Procedure Committee, First Report of Session 2019–21, [Procedure under coronavirus restrictions: proposals for remote participation](#), HC 300.

2 A compendium of the orders agreed by the House on 21 and 22 April has been published as an addendum to the Public Business Standing Orders, available on the UK Parliament website at <https://publications.parliament.uk/pa/cm5801/cmstords/addenda/HybridAddendum200424.pdf>

3 [Procedure under coronavirus restrictions: proposals for remote participation](#), HC 300, para 25

lists has result in several Members seeking to participate remotely connecting to the broadcasters as long as 90 minutes before their scheduled call time, and remaining online for the duration only to find that the call list has been interrupted by the scheduled end of a period of hybrid proceedings. The Speaker has already had occasion to remind frontbenchers participating in remote scrutiny proceedings to keep their questions to a reasonable length to enable backbenchers to participate.

6. The likely extension of hybrid proceedings provides an appropriate opportunity for a review of the operating model which underlies their delivery. *The Committee appreciates the very hard work undertaken across the House Service and by the broadcasters to ensure the smooth operation of hybrid proceedings to date. We recommend that a review be undertaken—in particular of the possibility to extend the daily time available overall, the balance between question slots or the number of days per week—to ensure that more backbench colleagues are able to contribute to scrutiny and substantive proceedings while also ensuring safe working conditions for staff of the House and broadcast staff.*

The Government's proposal for remote divisions

7. On 21 April the Leader of the House tabled a motion for two temporary orders relating to remote divisions—that is, divisions in which Members would cast their votes from any location by digital means. The first proposed order set the conditions under which business might be designated as subject to a remote division, and suspended the Chair's ability to call a division in the House on any business not designated as subject to a remote division. The second proposed order set out the way in which remote divisions would be conducted.

8. The Leader's proposal was based on a paper prepared by the Chamber Business Team of the House of Commons Service and submitted to this Committee on 20 April, shortly after the Committee had agreed its report on proposals for remote participation in House proceedings.⁴ The Committee had no opportunity to consider the proposals and report on them to the House before the Leader tabled the relevant motion on 21 April and moved them the following day. In recognition of this, and in opening the debate on the motions, the Leader undertook that if they were agreed to by the House,

[...] we will not designate any Divisions subject to these new arrangements until the Committee has examined the proposed scheme and the Chairman has written to me to set out the Committee's views on the scheme and whether it considers it to be workable.⁵

In response the Chair of the Committee gave a commitment

that I will write to you, Mr Speaker, and to him with the Committee's view on the proposed system within two sitting days of an assurance from the House service that it is ready to be deployed.⁶

4 The paper is reproduced in the Appendix to this report.

5 *Official Report*, 22 April 2020, [col 83](#)

6 *Official Report*, 22 April 2020, [col 84](#)

The Shadow Leader of the House, Rt Hon Valerie Vaz MP, indicated the Official Opposition's support for the motion for the two temporary orders, which was agreed to without a division.⁷

9. The Committee considered the Chamber Business Team paper at its meeting on 22 April. Committee members participated in a demonstration test of the system on 24 April and received a briefing on the system on 27 April: they were also included in a test on the afternoon of 28 April and took part in the all-Member live tests of the system on 30 April and 1 and 4 May. The Committee was briefed on amendments made to the system and on the outcome of the system tests on the afternoon of 4 May. The Committee greatly appreciates the constructive engagement of House and Digital officials with the Committee's questions and observations on the design and operation of the system.

The Committee's assessment, and the Speaker's authorisation

10. On 5 May the Chair was notified that the Parliamentary Digital Service and the House Service had assessed the system as ready for deployment. On the same day she wrote to the Speaker and to the Leader of the House with the Committee's view on the proposed system: the text of the letter is annexed to this report.

11. The Committee is satisfied that the proposed system is suitable for use by the House in recording the votes of Members in remote divisions or remote deferred divisions under the arrangements agreed to by the House on 22 April, but as a sub-optimal substitute during the global pandemic, and only for as long as those temporary orders have effect.

12. The Committee has in this instance only assessed the arrangements for remote voting, developed by the House Service and the Parliamentary Digital Service, which the Government proposes ought to be implemented under the orders of the House of 22 April. In the course of its work on procedural adaptations necessitated by coronavirus conditions the Committee has examined a number of other proposals to facilitate Members in recording their votes. We plan to take evidence on the feasibility of a system to allow voting in division lobbies as well as remotely, having appropriate regard to current public health advice and the safety of Members and staff.

13. On 6 May the Speaker announced that he was authorising the system for use in remote divisions under paragraph 1 of the temporary order on conduct of remote divisions agreed to by the House on 22 April. That order has effect until 12 May, unless the House agrees to an extension. The Committee's view on the timing of any extension of the temporary orders is set out at paragraph 4 above.

14. Under the terms of the temporary order of 22 April, the Speaker has considerable power over the operation of the new system:

- **The House has given the Speaker (and, by extension, any occupant of the Chair) the express power to interrupt and suspend a remote division when notified of a technical problem.⁸**

⁷ Official Report, 22 April 2020, [col 84](#)

⁸ Order of 22 April (conduct of remote divisions), para 5

- **If problems in the conduct of a remote division which might have affected the result are reported after the result is announced, the Speaker may declare the division to be null and void and make arrangements for it to be re-run.⁹**
- **The Speaker's leave is required before any business may be designated as subject to a remote division or a remote deferred division.¹⁰**
- **On any item of business subject to a remote division, the Speaker (and, by extension, any occupant of the Chair) shall determine whether a remote division is required before putting the question on any business designated as subject to a remote division, and may announce that determination before putting the question. This provision, similar to the process of collecting the voices on a question under physical division procedures, allows the Speaker discretion in determining whether a division is necessary to enable the votes of Members on both sides of a question to be recorded.¹¹**

Although it is not spelled out in the orders, it follows that the Speaker's authorisation of the arrangements for conducting remote divisions, announced on 6 May, may be rescinded at any time.

9 Order of 22 April (conduct of remote divisions), para 9

10 Order of 22 April (remote divisions), para 2

11 Order of 22 April (remote divisions), para 3

2 Arrangements for remote divisions

15. For the benefit of the House, we set out below our observations on the system and how it is expected to operate in practice.

Procedural basis

16. The temporary orders establishing the remote division arrangements largely supersede the practice of the House in taking divisions which are set out in *Erskine May*.¹² That practice was described to the predecessor Committee in a paper submitted by the Clerk of the House to its inquiry into *Voting in the House of Commons*.¹³

17. Standing Orders Nos. 38 (Procedure on divisions), 40 (Division unnecessarily claimed) and 41A (Deferred divisions) have been disapplied for the period that remote division arrangements are in effect, except where the temporary order on the conduct of remote divisions specifically applies to them.¹⁴

18. A member in charge of an item of business may, with the leave of the Speaker, designate the business as subject to a remote division or a remote deferred division. Under current arrangements, the designation of a remote division is signified in advance in the Business of the House motion setting out the proposed hybrid substantive business for each sitting day. This motion is to be tabled not later the rise of the House on the sitting day beforehand: if it is signed by the Leader of the House and his counterparts in the two largest opposition parties, the Chair declares the motion agreed to once it is moved by a Whip.¹⁵

19. Where an item of business has not been designated in advance as subject to a remote division, no division of any kind can take place on any question relating to that item: if the Speaker's opinion on the decision of the question is challenged, the question is not decided and may be set down for decision on a future day.¹⁶ The House then moves onto the next business.

Conduct of a remote division

20. When the Speaker has determined that a remote division is necessary on a question on a business item designated as subject to remote divisions, he shall put the question and announced that it is to be decided by a remote division.¹⁷ Members will have 15 minutes to record their vote via the MemberHub system.¹⁸ No tellers are appointed: when the fifteen minutes has elapsed the system will close.¹⁹ Following routine checking of the result, the tallied figures will be taken to the Chair. The results and the record of Members voting are

12 *Erskine May*, 25th edition (2019), [paragraphs 20.30 to 20.95](#)

13 Written evidence from the House of Commons Service to the Procedure Committee inquiry into [Voting procedure in the House of Commons](#), published as [VPC 07](#). The practice of physical divisions through two lobbies was introduced in 1836, following widespread (though not universal) demands for an accurate means of recording the names of Members voting in each division.

14 Paragraph 8 of that order applies the timing arrangements for deferred divisions to remote deferred divisions.

15 Order of 22 April (Substantive proceedings), para 4

16 Order of 22 April (Remote divisions), para 5

17 Order of 22 April (Conduct of remote divisions), para 2

18 Order of 22 April (Conduct of remote divisions), para 4

19 Order of 22 April (Conduct of remote divisions), para 3

stored in the MemberHub system described below and the existing electronic divisions system: after the result of the division is announced, the record is published online on votes.parliament.uk and is sent to the Official Report for publication in *Hansard*.

21. Results of remote divisions are declared from the Chair.²⁰ The House may proceed to the next item of business before the result of a remote division has been declared: evidently this will only happen should the next business be in no way consequent on the outcome of the remote division. Subsequent proceedings may be interrupted to announce the result of a remote division, in the same way as the results of deferred divisions are announced.²¹

22. As we have pointed out above, the Speaker (and, by extension, any occupant of the Chair) has the express power to interrupt and suspend a remote division when notified of a technical problem. If problems in the conduct of a remote division which might have affected the result are reported after the result is announced, the Speaker may declare the division to be null and void and make arrangements for it to be re-run.²²

Technical aspects of the remote voting system

23. The system authorised by the Speaker for use in remote divisions is built on the MemberHub infrastructure designed and built by the Parliamentary Digital Service (PDS). MemberHub is a well-established parliamentary platform which many Members use for the digital tabling of written and oral questions and proposed early day motions. In the view of the House Service, the system is technically robust. The first live test of the system with all Members, held on 30 April, identified an issue with a firewall which was preventing certain Members accessing the system through their devices: PDS has informed us that the issue was rectified and that no similar issue preventing Member access has been identified in any subsequent live test.

System security

24. System security is delivered by the use of MemberHub, which uses single sign-on and multifactor authentication. All data is encrypted and sent over a secure connection, and voting records are stored in both MemberHub and the existing electronic divisions system. The bicameral Information Authority has issued a decision statement confirming it is content with the information security of the remote voting system, taking account of advice it received from the National Cyber Security Centre. The Speaker has been informed of the Information Authority's decision.

25. System monitoring is to be undertaken continuously during each remote division. Any indication of error or failure in the system will be reported to the Chair, who has the authority to interrupt and suspend a remote division if notified of a technical problem.²³ The Committee has also received assurances as to the fallback arrangements in place if individual Members are unable to vote because of difficulties in connecting to the system: these arrangements are described below.

20 Order of 22 April (Conduct of remote divisions), para 6

21 Order of 22 April (Conduct of remote divisions), para 7

22 Order of 22 April (Conduct of remote divisions), paras 5 and 9

23 See above, para 14

Access to the system

26. Access to the MemberHub system is via single sign on with an email address as an identifier, and is secured by multifactor authentication. Members are able to accredit their staff to access the system to table questions and motions: accredited staff sign into the system using their own logins and there is no reason for any member of staff to use a Member login to access the system. The Procedure Committee in the 2017–19 Parliament reviewed these arrangements and authorised the development of this functionality, on the basis that Members were required to give their express authority to staff to table the text of questions and motions on their behalf.

27. The remote voting system on MemberHub is only accessible by logging in with a Member's details and by using a designated multifactor authentication device.²⁴ As long as such data and devices are kept secure by Members, and appropriate precautions are taken about access to any device where a Member is logged in, the system is considered very secure.

28. The existing arrangements for divisions in person through the lobbies have particularly secure authentication arrangements which may be evident but are worth repeating here. To gain access to a voting lobby a Member must first gain access to a secure area of the estate using a security pass with a photo, and must pass a number of security staff and doorkeepers. In order to vote successfully, a Member who has taken his or her seat in the House²⁵ must pass through a lobby containing several other Members and typically actively patrolled by party whips, and must then give a name to a division clerk and pass out of the lobby between two tellers.

29. This high level of authentication is not replicated in the remote voting system over MemberHub. The temporary purpose of the system is not sufficient to justify the development work and expenditure on infrastructure required to develop a system which could (for example) require biometric or facial recognition authentication on a wide variety of devices for each division.²⁶

30. The Committee's opinion on the suitability of the remote voting system over MemberHub is given on the basis that the system is designed for temporary use during the COVID-19 pandemic and has not been designed for permanent use to replace the existing arrangements for physical divisions. On this basis we are satisfied that the system is sufficiently secure to facilitate the accurate recording of the votes of Members in divisions on all business to be taken in hybrid substantive proceedings.

31. Significant additional resource and expenditure would be required if the House were to require a system which could provide sufficient authentication assurance to allow remote voting on a permanent basis. We would welcome evidence on this matter from Members to assist us in our inquiry.

24 Members who have not sworn in or affirmed are not eligible for registration on MemberHub.

25 Under [section 5 of the Parliamentary Oaths Act 1866](#), any Member who votes or sits during any debate after the Speaker has been chosen without having sworn in or affirmed is liable for a fine of £500 and vacation of his or her seat.

26 The Committee understands that a system with biometric authentication of this nature is in operation in the *Brazilian Congresso de los Diputados*.

Privilege

32. Each Member is responsible for the security of their own devices and for the use of any House system accessed with their registered login details. The Committee recognises that the act of a Member facilitating, or attempting to facilitate, another person to vote using that Member's device is largely impossible to detect or to police, and therefore must acknowledge the possibility that this type of breach could occur with no means of the relevant authorities being alerted to it.

33. The reputational risk to any Member suspected of facilitating, or attempting to facilitate, the access of any other person to the MemberHub system in order to cast a vote in a division is likely to be substantial. The Committee expects that this will be a significant deterrent to anyone attempting to make light of their access to the system.

34. Should any Member in fact facilitate, or attempt to facilitate, access by another person to MemberHub in order to cast a vote in a division, the action of doing so is likely to constitute a serious breach of privilege and contempt of the House. It is also likely to constitute a serious breach of the Code of Conduct for Members. In this, as with all matters, Members are expected to act honourably and failure to do so is a breach for which there are serious sanctions.

35. Such action, if suspected or detected, will result in a complaint to the Commissioner for Standards as well as being raised in the House as a matter of privilege. Serious contempts and breaches of the Code have typically been dealt with severely by the Committee of Privileges and the Committee on Standards respectively, and by the House in consequence.

Reliability

36. The system tests in the live environment which have been undertaken to date indicate that the system as configured at present is sufficiently reliable to be deployed for the purpose it has been assigned, namely as a temporary replacement for existing arrangements for physical divisions. Any IT system can of course suffer unexpected system failure: the arrangements in place for suspension of a division, or for the voiding of the result of a division in case of reported problems in its conduct, are in the Committee's view sufficient to ensure that any system issues cannot have a permanent and irreversible effect on the decisions to be taken by the House via remote divisions.

37. The results of each division will be checked by staff of the Public Bill Office before being delivered to the Chair for announcement in the Chamber. This 'sense check', routinely undertaken after each physical division at present, is intended to identify discrepancies and anomalies during the conduct of a division: Members will observe that the present system is not entirely free from error. Significant errors and anomalies arising from the operation of the system can be reported to the Chair by party whips and others before the result is announced: as we have observed above, the Speaker may declare a division null and void and may make arrangements for it to be re-run.

38. In discussions with the House Service over the system the Committee asked whether a threshold ought to be established for system performance and whether, if performance during a division dipped below the threshold, an automatic report to the Chair would

be triggered. The view of the House Service, set out in the annex of the Chair's letter to the Speaker, was that the decision to suspend, or to void and re-run a division, would ultimately be a political judgment for the Chair:

System monitoring will be undertaken during the progress of each remote division. This will allow House staff to alert the Chair in the event of a serious problem arising in the progress of a remote division. The setting of a particular threshold is a sensitive issue and we would seek the view of the Speaker on what an appropriate threshold should be, rather than setting one at official level. Any threshold should probably be regarded as a guideline for the Chair rather than an absolute trigger, as there may be circumstances where the number of Members affected is just below the formal threshold but in the Chair's judgment it would still be sensible to re-run the division.

39. Concerns have been raised over the reliability of arrangements for accessing the system remotely. Operation of the system depends, according to the device used, on a wireless or fixed connection to a broadband line, or on a 3G or 4G mobile signal: the Committee has received assurances from PDS that a 3G mobile signal is sufficient to allow access to the system. There are instances where a Member may not be able to connect to the system because of failure of a broadband connection or because a mobile network is not available at the time the division is taking place.

40. In response to concerns raised by Committee members, arrangements have been put in place to provide a fall-back in the case of any technical emergency which prevents Members being able to access the system during the 15-minute window for voting. The arrangements were summarised in an assurance given by the House Service, set out in the annex to the Chair's letter to the Speaker:

Members' confidence in the new system will be greatly enhanced if they know there is a robust fall-back mechanism in the event that a Member is having a major connectivity problem. A Member who is having technical difficulties voting on MemberHub will be able to text or email the relevant House office, leaving a phone number. House staff will immediately call the Member back on that number and, once they have performed the necessary checks, and are satisfied that it is indeed the Member, arrange for the Member's vote to be recorded. This system is intended to be used only when there has been a demonstrable failure of access.

41. The Committee is reassured to note that a system has been put in place to allow a Member's vote to be recorded through the remote voting system where there has been a demonstrable network failure which has prevented the Member from accessing the system. We expect this facility to be used only as a last resort in case of genuine inability to access the system.

42. We expect the House Service and PDS to undertake continuous evaluation of the system's performance and to monitor, and take swift action to address or mitigate, any systemic issues with Member access which may arise. We recommend that PDS provide a report to the Speaker in respect of each division to confirm the number of Members who attempted to log in, the number of failed attempts, and the outcomes in each case.

43. *We recommend that the House Service and PDS actively seek feedback from Members on the operation of the system following each remote division, to identify any underlying issues with connectivity or system performance which may arise.*

44. 37 Members eligible to vote are reported not to have participated in any of the trials of the system to date. The House Service reports that contact has since been made with 25 of these. All have now been facilitated to register on MemberHub, if they have not done so: further tests of the system have been planned to ensure as many Members as possible have access to the system and have been able to use it successfully.

45. As of 5 May a dozen Members had not yet been registered on MemberHub despite repeated attempts to contact them. The Committee has been assured that efforts to register these remaining Members are continuing. *We recommend that, before he gives leave for any business to be designated as subject to a remote division, the Speaker should receive a report on the number of Members who have not been registered on the system, along with the reasons why.*

Member access to the system

46. Members registered on MemberHub have access to the system over a variety of devices, whether personal or supplied by PDS. They are to be notified of the start of a division by email to their registered account: they may also register a secondary email address and a mobile device on MemberHub to receive text notifications. After a vote is cast in a remote division, a confirmatory email and text message is sent, and the outcome of the division, once declared, is communicated by the same means.

47. Committee Members have raised concerns about the ways in which Members will be alerted to divisions which are taking place when they are working remotely. A Member on a mobile phone call when a remote division is announced will not necessarily see an email or text message sent to the same device. When the MemberHub page is open on a desktop or laptop with sound enabled, a division is announced by a ringing bell: but Members working remotely will also not necessarily receive that alert.

48. PDS is developing a ParliamentNow website which is intended to replicate the content carried on the Commons and Lords annunciator channels, alerting any user to the progress of business. It is intended that the site, when open in the background on any device with sound enabled, will also announce divisions by a ringing bell. The ParliamentNow site under development will provide a further means of alerting Members to divisions taking place. *We recommend that the Parliamentary Digital Service accelerate development work as much as is possible under current conditions, with a view to launching the site as soon as possible.*

49. Under current arrangements for hybrid substantive proceedings, the progress of business in the House is more predictable than previously. The requirement to set up Member virtual participation in advance means that call lists are prepared and published online, often before the Order Paper itself is published. Because the operating model for hybrid proceedings at present sets a maximum limit of two hours on any proceeding before business is suspended to enable subsequent proceedings to be set up, and because call lists for the item of business are set in advance, the end time for the business is often known well in advance. *We anticipate that in the early period of the system's operation, the*

time at which every remote division will be called will be known and communicated well in advance. This ought to provide some reassurance to Members concerned about accidentally missing a remote division.

50. Remote divisions may occur during select committee meetings. In the event of a remote division during a private meeting or an evidence session in public, the Committee clerk might be expected to give a formal notification all Committee members that a remote division had started, even if one or more Members were already aware. Committee members might be allowed a brief period in which to ensure they had voted in the division before the resumption of committee proceedings.

51. Party whips have traditionally had a significant role in informal facilitation and management of divisions, including notifying Members in advance when divisions in the House are expected. We do not expect this role to change during remote divisions, though the means for whips to ensure their party colleagues are participating in divisions as requested will of course change.

Business subject to remote divisions or remote deferred divisions

52. Remote divisions and remote deferred divisions can be held on any item of business taken in hybrid substantive proceedings, should the item be so designated in advance. Under the 22 April order establishing hybrid substantive proceedings, those proceedings comprise:

- a) motions in the name of a Minister of the Crown;
- b) presentation of bills;
- c) subsequent proceedings on public bills introduced by a Minister of the Crown;
- d) private business;
- e) ministerial statements made with the permission of the Speaker;
- f) personal statements;
- g) motions in the name of the chair or another member of the Committee of Selection; and
- h) business which would otherwise be taken either immediately after prayers (except motions for unopposed returns) or at the commencement of public business.²⁷

53. In practice the categories of business most likely to be designated as subject to remote division are:

- motions in the name of a Minister, whether seeking approval for a freestanding proposition (such as an extension of the temporary coronavirus procedures), proposing an arrangement of business which does not have cross-party support or seeking approval for an item of secondary legislation; and

²⁷ Order of 22 April (substantive proceedings), para 1

- proceedings on Government bills at any stage following presentation (second reading, Committee of the whole House, consideration on report and third reading).²⁸

54. Remote divisions on many single items of business may well be suitable to be designated as subject to remote deferred division, if a decision of the House is not immediately required. Remote deferred divisions are to be held over the remote division system at the time usually scheduled for physical deferred divisions, i.e. between 11.30 am and 2pm on the first sitting Wednesday after the business subject to a remote deferred division has been concluded. Multiple questions may be decided by remote deferred division during this two and a half hour period. The benefits of using this procedure, at a time when many Members have concerns about the timing and predictability of remote divisions, are evident.

55. The introduction of remote divisions enables Ministers to bring a greater range of business before the House, in particular Government bills on which the policy and the detail will be contested.

56. We note that the Leader of the House has announced that the report stage of the Agriculture Bill is to be taken on Wednesday 13 May. The Committee has not yet seen any proposal for the adaptation of the House's procedure and practice on report stages to the specific constraints of hybrid substantive proceedings. The House's standing orders relating to programming remain in effect: any proposal by Ministers on the programming of report stage under hybrid substantive proceedings will merit close examination to ensure that the rights of backbenchers to table amendments on report and have them debated and voted upon are not unreasonably constrained.

Proxy voting and pairing

57. The Committee is currently evaluating the pilot of arrangements for proxy voting for parental absence, introduced in January 2019 for an initial period of 12 months. In January 2020 the Leader of the House proposed an extension of six months, to the end of July 2020, in order to allow the Procedure Committee in this Parliament—at that point not yet established—to complete the evaluation started by its predecessor in September 2019. At this Committee's first meeting, on 4 March, it was agreed to carry on the evaluation: the Committee has received additional written evidence to its inquiry and has held one further session of oral evidence to date.

58. Since that evidence session, held on 11 March, the substantial procedural issues raised by the pandemic have required the Committee's full attention, and the work on the evaluation has had to be suspended temporarily. The Committee will resume its evaluation as soon as circumstances allow.

59. Proxy voting for parental absence remains in effect during the pandemic. Members eligible for a proxy vote can authorise their nominated proxy to vote in remote divisions as they would in a physical division. Members with proxy votes may, alternatively, choose to suspend or rescind their proxy certificate in order to vote in a remote division in person.

28 The operation of Standing Orders Nos. 83J to 83X, which taken together comprise the orders governing the procedures on the 'English votes for English laws' system, was suspended under paragraph 1 of the Order of 22 April on supplementary provisions.

Proxy voting as an alternative to remote voting

60. As we have noted above, the proposal put to the House by the Government, to which the House agreed, envisaged a system of fully remote voting on all divisions during the period the temporary orders relating to remote voting were in effect. This is the system which the Chair undertook that the Committee would evaluate. No alternative proposal was on offer: any alternative would require the amendment or rescinding of the orders made on 22 April.

61. Several Members have proposed a system of lobby voting for Members present in the House, supplemented by an extended proxy voting system whereby Members either self-isolating or choosing not to travel to Westminster would authorise proxies to vote on their behalf. It is clear to us that the present scheme for parental absence, which relies on Speaker certification of proxies, would be unmanageable if extended to the number of Members who are obliged, or who choose to, stay away from the House.

62. As an alternative to the current proxy voting system, it was proposed that Members could nominate two proxies: a party whip, who might hold several dozen proxies at once, and an alternative proxy to cast a vote in case a Member wished to vote against party instructions. The arrangements to ascertain which Member was holding a proxy for a particular member in a particular division appear to us to be complex and potentially unreliable, with considerable scope for miscommunication and misunderstanding.

63. We discuss the potential use of proxy voting further below.

Pairing

64. A system of remote voting is likely to reduce the requirement for pairing between parties. Pairing is an arrangement for pairs of Members intending to vote on opposite sides of a question will instead not vote in order that one or both of the pair can be absent from Westminster with authorisation from their whips.

65. Circumstances may arise where a Member will in advance find it impractical or impossible to participate in a division remotely. Ministers on official business may not have an opportunity to access a mobile device in order to vote during a remote division. Several Members with medical qualifications have chosen to assist the National Health Service in various capacities during the pandemic: it is clearly neither feasible nor appropriate to have a mobile device to hand in certain clinical settings. We therefore anticipate that there will be a continuing requirement for whips to agree to 'pair' Members where one or both cannot participate in a remote division.

Duration of the system

66. We have made clear above that the remote division system is a temporary measure introduced in order to allow the House to function under coronavirus conditions. We expect these conditions to be limited in duration. We would welcome evidence from Members to assist work on our ongoing evaluation of temporary coronavirus procedures. An announcement about the Government's plan to modify some of the existing constraints on activity is expected to be made on Sunday 10 May.

67. An overall relaxation of social distancing requirements might lead to a modification in the public health advice which is guiding the House authorities in their response to the pandemic. Advice from the Government that employees in certain sectors ought to return to work under safe conditions is likely to encourage more Members to return to work at Westminster, should it be determined that this can be achieved without risk to the safety of Members and staff of the House.

68. Several Members who are self-isolating on medical advice, either for reasons of age or because they are particularly at risk from COVID-19, will not be able to travel to Westminster for some time. Advice on self-isolation could potentially remain in effect after social distancing requirements have lapsed. It is therefore likely that the hybrid model of proceedings may have to persist in modified form to ensure that all Members are able to participate in proceedings.

69. Should Members return to Westminster in sufficiently large numbers, once it is considered safe for them to do so, the House may wish to consider a hybrid division system, where Members in the House vote in lobbies as before and Members who are certified as self-isolating authorise proxies to vote on their behalf, in an extension to current arrangements for proxy voting for parental absence.

70. The Committee also recognises that the UK political system operates with a variety of powers devolved to authorities in Northern Ireland, Scotland and Wales and in several English regions. ***In the event that differential decisions are taken on loosening lockdown by any of these authorities, or indeed that the UK Government releases lockdown differentially in some regions, we recommend that the House take these conditions into account so that Members can continue to participate in proceedings in a way that complies with the regulations and guidance relevant for the area they live in and take into account the limited geographical spread and small numbers of Members of some of the parties represented in the House.***

71. We will ensure that these matters are addressed in our consideration of changes to the voting system, and we urge business managers to take such issues into account.

Conclusions and recommendations

Overall assessment

1. *The Leader of the House has indicated that on Tuesday 12 May he will move a motion in the House proposing an extension to the coronavirus procedures agreed to by the House on 21 and 22 April. We recommend that the proposed extension should be timed to expire on a date not later than the end of the first week of June, immediately following the planned Whitsun adjournment. We recommend that during the period of any extension the Speaker, following discussions with the House of Commons Commission, the Leader of the House and opposition parties, review the requirement for the temporary procedures in the light of public health advice and any revision of the secondary legislation governing free movement and association during the pandemic. (Paragraph 4)*
2. *The Committee appreciates the very hard work undertaken across the House Service and by the broadcasters to ensure the smooth operation of hybrid proceedings to date. We recommend that a review be undertaken—in particular of the possibility to extend the daily time available overall, the balance between question slots or the number of days per week—to ensure that more backbench colleagues are able to contribute to scrutiny and substantive proceedings while also ensuring safe working conditions for staff of the House and broadcast staff. (Paragraph 6)*
3. The Committee is satisfied that the proposed system is suitable for use by the House in recording the votes of Members in remote divisions or remote deferred divisions under the arrangements agreed to by the House on 22 April, but as a sub-optimal substitute during the global pandemic, and only for as long as those temporary orders have effect. (Paragraph 11)
4. Under the terms of the temporary order of 22 April, the Speaker has considerable power over the operation of the new system:
 - The House has given the Speaker (and, by extension, any occupant of the Chair) the express power to interrupt and suspend a remote division when notified of a technical problem.
 - If problems in the conduct of a remote division which might have affected the result are reported after the result is announced, the Speaker may declare the division to be null and void and make arrangements for it to be re-run.
 - The Speaker's leave is required before any business may be designated as subject to a remote division or a remote deferred division.
 - On any item of business subject to a remote division, the Speaker (and, by extension, any occupant of the Chair) shall determine whether a remote division is required before putting the question on any business designated as subject to a remote division, and may announce that determination before putting the question. This provision, similar to the process of collecting the

voices on a question under physical division procedures, allows the Speaker discretion in determining whether a division is necessary to enable the votes of Members on both sides of a question to be recorded.

Although it is not spelled out in the orders, it follows that the Speaker's authorisation of the arrangements for conducting remote divisions, announced on 6 May, may be rescinded at any time. (Paragraph 14)

Arrangements for remote divisions

5. The Committee's opinion on the suitability of the remote voting system over MemberHub is given on the basis that the system is designed for temporary use during the COVID-19 pandemic and has not been designed for permanent use to replace the existing arrangements for physical divisions. On this basis we are satisfied that the system is sufficiently secure to facilitate the accurate recording of the votes of Members in divisions on all business to be taken in hybrid substantive proceedings. (Paragraph 30)
6. Significant additional resource and expenditure would be required if the House were to require a system which could provide sufficient authentication assurance to allow remote voting on a permanent basis. We would welcome evidence on this matter from Members to assist us in our inquiry. (Paragraph 31)
7. Should any Member in fact facilitate, or attempt to facilitate, access by another person to MemberHub in order to cast a vote in a division, the action of doing so is likely to constitute a serious breach of privilege and contempt of the House. It is also likely to constitute a serious breach of the Code of Conduct for Members. In this, as with all matters, Members are expected to act honourably and failure to do so is a breach for which there are serious sanctions. (Paragraph 34)
8. Such action, if suspected or detected, will result in a complaint to the Commissioner for Standards as well as being raised in the House as a matter of privilege. Serious contempts and breaches of the Code have typically been dealt with severely by the Committee of Privileges and the Committee on Standards respectively, and by the House in consequence. (Paragraph 35)
9. The Committee is reassured to note that a system has been put in place to allow a Member's vote to be recorded through the remote voting system where there has been a demonstrable network failure which has prevented the Member from accessing the system. We expect this facility to be used only as a last resort in case of genuine inability to access the system. (Paragraph 41)
10. We expect the House Service and PDS to undertake continuous evaluation of the system's performance and to monitor, and take swift action to address or mitigate, any systemic issues with Member access which may arise. *We recommend that PDS provide a report to the Speaker in respect of each division to confirm the number of Members who attempted to log in, the number of failed attempts, and the outcomes in each case.* (Paragraph 42)

11. *We recommend that the House Service and PDS actively seek feedback from Members on the operation of the system following each remote division, to identify any underlying issues with connectivity or system performance which may arise. (Paragraph 43)*
12. *We recommend that, before he gives leave for any business to be designated as subject to a remote division, the Speaker should receive a report on the number of Members who have not been registered on the system, along with the reasons why. (Paragraph 45)*
13. *We recommend that the Parliamentary Digital Service accelerate development work as much as is possible under current conditions, with a view to launching the site as soon as possible. (Paragraph 48)*
14. We anticipate that in the early period of the system's operation, the time at which every remote division will be called will be known and communicated well in advance. This ought to provide some reassurance to Members concerned about accidentally missing a remote division. (Paragraph 49)
15. We note that the Leader of the House has announced that the report stage of the Agriculture Bill is to be taken on Wednesday 13 May. The Committee has not yet seen any proposal for the adaptation of the House's procedure and practice on report stages to the specific constraints of hybrid substantive proceedings. The House's standing orders relating to programming remain in effect: any proposal by Ministers on the programming of report stage under hybrid substantive proceedings will merit close examination to ensure that the rights of backbenchers to table amendments on report and have them debated and voted upon are not unreasonably constrained. (Paragraph 56)
16. *In the event that differential decisions are taken on loosening lockdown by any of these authorities, or indeed that the UK Government releases lockdown differentially in some regions, we recommend that the House take these conditions into account so that Members can continue to participate in proceedings in a way that complies with the regulations and guidance relevant for the area they live in and take into account the limited geographical spread and small numbers of Members of some of the parties represented in the House. (Paragraph 70)*

Annex: Letter from the Chair of the Committee to the Speaker, dated 5 May 2020

Mr Speaker—

Earlier today I received formal notification that, in the opinion of the Parliamentary Digital Service and the House Service, the remote voting system developed to facilitate the House's temporary orders on remote voting of 22 April is now ready for deployment.

In the course of debate on the motions for these temporary orders on 22 April I undertook to write to you and to the Leader of the House within two sitting days of the notification to give the Committee's view on the workability of the proposed system. Thanks to the very constructive engagement of all members of the Committee I am pleased to be able to set out the Committee's assessment below.

The assessment which follows is of the remote voting system proposed to be introduced under the arrangements already agreed to by the House on 22 April. It is not an assessment of the most effective means for Members to cast votes in divisions under the extraordinary conditions of the COVID-19 pandemic. The motions proposed by the Government on 22 April envisaged a system of remote digital voting. Hence the Committee has only assessed the system developed by the House Service and PDS for this purpose. The assessment has been made on the basis that the 22 April orders have a strictly temporary and time-limited effect.

The Committee has already reported on the proposals for procedural change to allow the House to operate under pandemic conditions. As you know, the Committee has opened an inquiry to evaluate the operation of these temporary procedural arrangements. During that work, we may consider whether a different form of voting, such as extending the existing proxy arrangements, would be more appropriate in the light of developing public health advice and any changes to secondary legislation regarding freedom of movement. We will also examine any other procedural adaptations that may be appropriate as and when lockdown conditions are modified. We are also clear that this assessment is based on the system for remote voting being a temporary measure that will have to be agreed to by the House.

Making the assessment to this timescale would not have been possible without the assistance of the staff of the House Service and PDS involved in the development of the system. The Committee is very grateful to them for the time they have taken in explaining and demonstrating the operation of the system, and in responding swiftly and positively to the suggestions made by Committee members, at a time when both services are under considerable pressure. The Committee has received detailed briefings on the operation of the system and on the outcome of the live tests conducted with all Members on 30 April and 1 and 4 May. Responses to some specific concerns raised by Committee members are set out in the annex to this letter.

The Committee is satisfied that the proposed system is suitable for use by the House in recording the votes of Members in remote divisions or remote deferred divisions under the

arrangements agreed to by the House on 22 April, but only for as long as those temporary orders have effect. I expect you will wish to take the Committee's view into account when authorising the arrangements for divisions to be conducted remotely.

The Committee has the following observations on the system:

- The system is based on the existing MemberHub platform, which is presently used for the remote tabling of questions and motions by Members and by accredited staff. Access to the system is via a single sign-on, with multi-factor authentication. The Committee is satisfied with the assurances it has been given about the security of the system.
- The existing level of assurance as to the identity of Members participating in divisions in person cannot be fully replicated under the remote system without (a) development work which could not be undertaken to the timescale demanded and (b) expenditure which cannot be justified by the temporary nature of the system. The integrity of the remote system depends on the care taken by each individual Member over authentication. For this reason the system can only be a temporary means to allow Members to cast votes in divisions for as long as the extraordinary conditions which prevent many from coming to the Chamber persist.
- Members have a personal responsibility to ensure the integrity of the system. It is highly likely that any action by a Member which led to an unauthorised person casting a vote in a division would constitute a contempt of the House and a breach of the Code of Conduct, and would be likely to be punished accordingly.
- The formal and informal arrangements for conducting remote divisions with Members present at Westminster and working remotely will be significantly different from the arrangements for conducting divisions in person. Familiarisation with and confidence in the temporary system are both essential. Following the successful live tests of the system, it is strongly recommended that the first use of the new system ought to be on a whippable motion which does not relate to legislation: in the absence of Opposition business, a division on a Government motion would be suitable.
- As Members adapt to a further aspect of remote participation in House business, it is vital that they are able to keep in touch with proceedings in the Chamber. Members are able to receive notifications of remote divisions through a number of channels provided by the system, and may also receive alerts from party whips. The ParliamentNow app which is in development, intended to replicate the content carried on Commons and Lords annunciator channels, would be an important additional means of notification, and the Committee recommends that it be rolled out to Members as a matter of urgency.
- You and your Deputies can be assured that there are robust arrangements in place for monitoring the system during each remote division, with a means of alerting the Chair swiftly should system failures be identified. The temporary order on conduct of remote divisions of 22 April explicitly authorises the Chair to suspend a remote division in case of technical issues, and to void and re-run

a division should technical issues be reported which might have affected the result. In cases where individual Members have difficulties with accessing the system, arrangements have been put in place for votes to be recorded manually.

- Members taking parental absence who have proxy voting certificates in effect may wish to suspend the certificate for the period of the operation of the temporary orders, in order to be able to vote remotely in person. If a proxy voting certificate remains in effect, the proxy will be able to cast their own vote and the proxy vote over the remote system.
- In most instances it is likely that the temporary remote voting system will replace the need for pairing. Pairing may still be required in certain circumstances, for instance when Ministers undertaking official engagements are unlikely to have remote access to MemberHub for a period, or when Members have constituency or other engagements of a similar nature.

The Committee is likely to make a report to the House on the operation of the temporary system to set out these issues in greater detail before any designation of business subject to a remote division.

As with all other aspects of the temporary coronavirus procedures, the Committee will keep the operation of the remote voting system under constant review during the period that the temporary orders on remote divisions have effect.

I am writing in similar terms to the Leader of the House.

5 May 2020

ANNEX: Responses to specific issues raised by Committee members

Will Members who are denied access to the system through communications or IT failure to be able to contact staff to request manual recording of their vote?

Members' confidence in the new system will be greatly enhanced if they know there is a robust fall-back mechanism in the event that a Member is having a major connectivity problem. A Member who is having technical difficulties voting on MemberHub will be able to text or email the relevant House office, leaving a phone number. House staff will immediately call the Member back on that number and, once they have performed the necessary checks, and are satisfied that it is indeed the Member, arrange for the Member's vote to be recorded. This system is intended to be used only when there has been a demonstrable failure of access.

What system monitoring will be undertaken during each division, and under what circumstances will poor system performance result in a report to the Chair?

System monitoring will be undertaken during the progress of each remote division, This will allow House staff to alert the Chair in the event of a serious problem arising in the progress of a remote division. The setting of a particular threshold is a sensitive issue and we would seek the view of the Speaker on what an appropriate threshold should be, rather than setting one at official level. Any threshold should probably be regarded as a guideline

for the Chair rather than an absolute trigger, as there may be circumstances where the number of Members affected is just below the formal threshold but in the Chair's judgment it would still be sensible to re-run the division.

What testing remains to be undertaken with Members who have not yet used the system?

559 Members successfully voted in the trial on 1 May, and 550 in the one on 4 May. 37 Members have not participated in one of the three trials; a further test, focused on those who have not yet participated, is scheduled for 7 May. A team of more than 60 volunteers from across the House Service has been working hard to contact Members who have never used MemberHub before. They contacted hundreds of Members to make sure that they knew how to login to MemberHub and add their mobile phone number. A dozen Members have not yet used MemberHub: every effort will be made to introduce them to the system before the 7 May trial.

Appendix: Memorandum from the Chamber Business Team, House of Commons

Introduction

1) The Speaker's email to Members on 14 April stated that "I am aware of interest among colleagues in the possibility of using technology to allow Members to participate in divisions without being present on the Estate. There is a wide range of views on the merits of changing the House's longstanding voting arrangements, and it would be for the House itself to agree any change. In the meantime, I have asked the House Service and the Parliamentary Digital Service to undertake preparatory work as a matter of urgency on a system of remote voting in divisions of the House." The House Service, at the request of the Speaker, has been working to deliver a system that would allow Members to participate remotely in divisions, subject to the approval of the House and the satisfactory completion of testing. This paper sets out how a system of remote voting could work, if the House were to decide to proceed down that route. It has been prepared by staff in the Chamber and Committees Team and the Parliamentary Digital Service for consideration by the Procedure Committee.

2) The proposed remote voting system uses the existing MemberHub, which Members use to table questions and early day motions, to provide a platform for remote voting, and the existing Commons Divisions Administration Application, which staff in the Public Bill Office already use to administer divisions.

How it would work for Members

3) Members would need to register in advance for the MemberHub. Many have already done so. When the Speaker called a division, Members would receive a notification by text and email. The notification would contain a link which Members could use to go to MemberHub. If a Member was already logged into MemberHub, a banner would appear at the top of the screen, notifying them that a division was taking place. The division bells could still be rung as an additional notification for Members on the estate.

4) Once in MemberHub, Members would click on the division banner at the top of the screen. They would then be taken to a page that showed the subject of the division and would click "Aye" or "No" to register their vote. Clicking would be a two-stage process, so that Members could confirm that that was indeed how they wanted to vote.

5) Members would have 10 minutes to vote from the start of the remote division. Once a Member had voted, they would receive confirmation of their vote by text and email.

6) Staff in the Public Bill Office would use the existing Commons Divisions Administration Application to collate the result of the division and would convey it to the Chamber, where it would be announced by the Speaker.

7) It is important to note that the tellers would no longer be the people directly responsible for producing the result: that responsibility would shift to House staff. There

is precedent for this in the way EVEL double majority divisions are currently handled: the ‘England only’ or England and Wales only’ element of that result is already provided to the tellers by the clerks in the lobbies. The tellers could, if desired, still have a degree of political oversight: for example, they could have a role in announcing the result.

8) The remote voting system on MemberHub could be used for both EVEL double majority divisions, and EVEL Legislative Grand Committee divisions. The plan is that it will also be able to be used for deferred divisions.

Results

9) It is estimated that there would be a delay of approximately five minutes between the end of a remote division and the result being announced in the Chamber. This would be minimum time it would take for staff in the Public Bill Office to collate the results and perform basic checks, before conveying it to the Chamber.

10) It is proposed that the House suspends to await the result of a remote division only if the next business is dependent on it and that otherwise the House proceeds with the next business and the Speaker announces the result when it is available. This is what already happens with the result of a deferred division and would avoid the House repeatedly having to suspend for short periods.

11) The imperative of getting a result to the Chamber in a timely fashion means that subsequent corrections to the numbers are more likely than usual. It is proposed that, in this situation, the record would be corrected in the Votes and Proceedings, and the division lists updated online and in Hansard. The correction would be announced in the Chamber only if it affected the outcome of the division, which is considered very unlikely.

Proxy voting

12) The Parliamentary Digital Service expects that it would be possible in future for a Member to vote by proxy on behalf of another Member or multiple other Members using the remote voting system on the MemberHub. This means that one possible way forward if there are a small number of Members who are unable to use the remote voting system, would be for those Members to nominate a proxy—probably a Whip—to vote on their behalf.

Security

13) The MemberHub uses single sign-on and multifactor authentication, which is exactly the same system as Members use to access email. As long as multifactor authentication devices are kept secure, then the system is also very secure. All data is encrypted and sent over a secure connection. Voting records are stored in both MemberHub and the existing electronic divisions system, so it would be possible to identify if anyone had tampered with the results in the case of a challenge.

How the proposal could be taken forward

14) Clearly, the above proposal, although intended to be temporary in nature, represents a significant change to how divisions are conducted in the House and would require the agreement of the House in order to proceed. An example motion is included at the end of this paper.

15) The remote voting system is currently in the process of being tested with House staff and a few initial Members. Further testing will follow.

16) If the House were to agree to a system of remote divisions for a temporary period, training and guidance would be provided to Members on how to use the system. It would be also crucial for Members to participate in the testing of remote voting before the system was used for a live division.

17) Staff who have been working on this project in both the Parliamentary Digital Service and the Chamber and Committees Team would be happy to answer questions from the Procedure Committee. If the Procedure Committee would like a demonstration of how the remote voting system would work, this would be very easy to provide.

April 2020

Example remote divisions motions

That the following orders be made and have effect until [XX]:

Remote divisions

- a) A remote division may be held only in respect of business taken in hybrid substantive proceedings.
- b) With the leave of the Speaker, the Member in charge of an item of business may designate it as subject to decision by a remote division and if so whether that divisions should be a deferred remote division.
- c) The Speaker shall determine whether a remote division is required [*this is a proxy for collecting the voices*] and may announce that determination before putting the question.
- d) Standing Orders Nos 38, 40 and 41A (save as provided in temporary standing order (Conduct of remote divisions) shall not apply to proceedings relating to remote divisions.
- e) If, when the question is put on an item of business which has not been designated to be decided by a remote division, the Speaker's opinion as to the decision on the question is challenged, the question shall not be decided and the House shall move to the next business.

Conduct of remote divisions

- a) Members shall participate in a remote division or a remote deferred division through arrangements authorised by the Speaker.
- b) A remote division shall be initiated when the Speaker puts the question and announces that it will be decided by a remote division.
- c) No tellers shall be appointed for a remote division.
- d) Members may record their vote in a remote division for a period of ten minutes from its initiation.
- e) The Speaker may interrupt and suspend a remote division if notified of a technical problem.
- f) The result of a remote division shall be declared from the Chair.
- g) The House may proceed to its next business before the result of a remote division is declared and the Speaker may interrupt subsequent proceedings in order to announce the result.
- h) A remote deferred division shall be held in accordance with the provisions of paragraph (5) of Standing Order No 41A and this order.
- i) If, after the result of a remote division or a remote deferred division has been announced, it is reported to the Speaker that problems in the conduct of the division occurred which might have affected the result, the Speaker may declare the division to be null and void and may make arrangements for it to be re-run.

Formal minutes

Thursday 7 May 2020

Members present:

Karen Bradley, in the Chair

Kirsty Blackman	Rob Roberts
Jack Brereton	Gary Sambrook
Bambos Charalambous	James Sunderland
Sir Christopher Chope	Owen Thompson
Chris Elmore	Liz Twist
Anthony Mangnall	Suzanne Webb
Nigel Mills	

The Committee deliberated.

Draft Report (*Procedure under coronavirus restrictions: remote voting in divisions*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 71 read and agreed to.

Annex and Summary agreed to.

A paper was appended to the Report as an Appendix.

Resolved, That the Report be the Second Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 13 May at 2.30 pm.]

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2019–21

First Report	Procedure under coronavirus restrictions: proposals for remote participation	HC 300
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