

Graeme Cowie  
Policy specialist  
Joint Committee on the Fixed-term Parliaments Act  
House of Commons  
Palace of Westminster  
London SW1A 0AA

*By email*

8 February 2021

Dear Mr Cowie

**Request for written evidence to the Joint Committee on the Fixed-term Parliaments Act**

Thank you for your email of 21 January 2021 requesting that the Commission submit written evidence with a particular focus on the election timetable. I am pleased to provide our responses to the Committee's specific questions below.

**(a) Why, in 2013, it was considered that the statutory election period of 17 working days was considered insufficient?**

In 2003 the Electoral Commission recommended the introduction of a consistent 25-day timetable for all UK elections. This recommendation reflected concerns raised during our consultation with key stakeholders about the impact of the then 17 working day timetable on electoral administrators' workload, particularly following the introduction of postal voting on demand in Great Britain in 2001, and the short timescale provided for voters to organise a postal vote for a particular election.

Our report on the 2010 UK Parliamentary general election (UKPGE) noted Returning Officers' ongoing concerns about the statutory timetable for UK general elections, and in particular the challenges of key deadlines within it. We also highlighted the extent to which combined polls placed competing strains on resources from the different election timetables.

The relatively short timetable, and in particular the proximity of the deadline for registration and the last date for postal vote applications, also caused problems for voters. The tight timescale for the issue and return of overseas postal votes meant that some people were not able to return their postal ballot packs in time for their votes to be counted. We again recommended the lengthening of the timetable for UKPGEs and bringing key deadlines into line with those for other elections

The UK Government published [draft legislation](#) in July 2011 which set out proposals to lengthen the timetable for UKPGEs from 17 to 25 working days, with an increased period of time between the close of nominations and polling day. The Government stated that “This will allow more time for the postal vote process and to facilitate the administration of elections more generally”.

Our response to the draft legislation highlighted that extending the timetable would bring a number of benefits for voters, candidates and political parties, and electoral administrators, including:

- Enabling postal ballot packs to be printed and dispatched sooner, allowing more time for voters, and in particular service and other overseas voters, to receive, complete and return their votes in time for them to be counted.
- Allowing more time for voters to receive campaign material from candidates and political parties.
- Reducing pressure and allowing more time for electoral administrators to prepare and deliver an effective service to candidates and electors on polling day.

#### **(b) Why a statutory election period of 25 working days was preferred?**

Before the changes to the UK Parliamentary election timetable made by the Electoral Registration and Administration Act 2013, the statutory timetables for almost all other elections were (and still are) 25 working days long. Our response to the draft legislation highlighted the risk of complexity caused by differing statutory timetables and deadlines when UKPGEs were held on the same day as other polls, particularly given the frequency of elections to other bodies in the UK. We highlighted the need for the UK Government to undertake a comprehensive review of election timetables, including associated electoral registration and absent voting deadlines, in order to identify the best possible timetable for the range of elections in the UK.

The [Government response to feedback on its proposals](#) focused on consistency between UKPGEs and local elections in England, which it noted were likely to present the most frequent combination of polls. For example, it identified that consistent deadlines for the candidate nomination process would “ensure that the benefits of being able to print and distribute postal ballot packs earlier are retained” where Parliamentary and local elections were combined.

#### **(c) What the administrative implications would be if the statutory election period were to be shortened from 25 working days?**

The administrative implications of a shortened election timetable would vary depending on the overall length of the timetable and the position of key deadlines within it.

In general terms, however, we do not believe a shortened timetable would deliver administrative benefits. It is more likely that shortening the election timetable would cause difficulties for voters, electoral administrators and campaigners:

- Voters would have less time to complete and return postal votes. The extension of the timetable from 17 to 25 working days allowed postal ballot packs to be printed and sent to voters earlier. This has particularly benefited those requiring their postal ballot packs to be sent overseas. Even under the current 25-day timetable, we have continued to highlight following recent general elections that some overseas electors do not have enough time to receive and return postal votes before polling day, meaning their votes could not be counted. A shorter timetable would exacerbate these problems, which may affect more people in the future as the UK Government plans to increase the number of British citizens living abroad who are eligible to vote.
- Shortening the time between the close of nominations and polling day would compress key electoral administration tasks within a tighter timeframe, increasing pressure on often small elections teams. In addition to the challenges of printing and issuing postal votes as noted above, a shorter timetable would reduce the time available to identify and secure polling stations and count venues, and to employ and train polling and counting staff. These challenges were apparent at the 2019 UKPGE, as evidenced in [our election report](#), and would be greater if an unscheduled general election were to be held at short notice and under a shorter timetable.
- Because most elections in the UK now follow a timetable of at least 25 working days, a significantly shorter timetable for UKPGEs would increase complexity for electoral administrators if elections for other bodies are combined, bringing with it associated risk of error.
- Reducing the time between the start of the election timetable and the deadline for nominations could make it harder for potential candidates to gather the signatures of subscribers that are required to complete their nomination papers. Smaller parties and independent candidates with fewer resources may find it more difficult to organise and fund their campaigns at even shorter notice. A shorter timeframe may have implications for party registration, with the potential effect that those wishing to stand for election are unable to use registered identifiers (i.e. party name, description and emblem) on the ballot paper. A shorter timetable after the deadline for nominations would give candidates less time to campaign and communicate with voters.
- A shorter election timetable would also mean a reduction in the length of the regulated period for candidate spending, if the period between the deadline for nominations and polling day were shortened. The current candidate spending limits were increased after the timetable was extended from 17 to 25 working days, and these limits may no longer be appropriate with a shorter regulated period.

**(d) What is the shortest potential statutory election period that could reasonably be adopted, given existing administrative capacity and limitations?**

A minimum timetable of 25 working days is now the norm for all statutory elections in the UK. Given the range of implications for voters, electoral administrators and campaigners highlighted above, we expect that Parliament would need to consider very carefully any specific proposals for shortening the current timetable for UKPGEs.

In view of the detailed inter-relationships between different deadlines and activities within the current election timetable, it would be necessary to carry out a detailed assessment on the full range of implications and associated risks, drawing on input and expertise from key stakeholders, in particular electoral administrators and campaigners.

An assessment would also need to consider whether a shorter timetable would have a negative impact on the work which takes place around elections – including that run by a wide range of third parties, charities and other NGOs – which aims to ensure that all eligible voters have the information they need to participate with confidence. Much of this work aims to support demographics which are less likely to be registered, which are harder to reach, or which have barriers to participation.

We do not have any specific comments on the draft Fixed-term Parliaments Act (Repeal) Bill at this stage, but we will work with the UK Government and Parliament to ensure any future Bill is workable both for Returning Officers to administer elections and for campaigners to comply with the political finance rules.

I hope that you find this written evidence helpful. Please do not hesitate to let me know if there is any more information you need from the Commission, or if it would help to discuss these comments.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ailsa Irvine', with a large, sweeping flourish at the end.

Ailsa Irvine  
Director of Electoral Administration and Guidance