



CAPABILITY SCOTLAND

T U R N I N G D I S A B I L I T Y I N T O A B I L I T Y



Polls Apart 4 Scotland

The Scottish results from a UK wide survey of access to voting at the 2005 General Election

“Voting should be made easier for everyone”
Glasgow North East

“It’s most important for all agencies to work to make life easier for disabled people and their carers”
Caithness, Sutherland and Easter Ross

“Only used postal vote as I was ill – usually go to polling station which is very accessible”
Angus

“Had to walk from car to polling booth as there’s no smooth surface for my scooter or wheelchair”
Berwick, Roxburgh and Selkirk

"Ramp was covered in broken glass"
Kilmarnock and Loudoun

“Availability of postal voting should be highlighted more to elderly and disabled voters”
Airdrie and Shotts

“If it hadn’t been for my friends, I couldn’t have got someone inside to open the fire exit”
Ochil and South Perthshire

“In the past 8 years I’ve found a great improvement in access and assistance given to the elderly and disabled”
Airdrie and Shotts

“Unbelievable that in 2005 you can’t get into a village hall, in a wheelchair, in order to vote”
Perth and North Perthshire

Introduction

Polls Apart is a UK wide campaign to make democracy in General Elections accessible to disabled voters.

It is unique initiative because it considers and analyses disabled people's voting experiences. The research is also important because it harnesses the experiences of voters from all parts of the UK.

Four organisations worked in partnership to co-ordinate and manage the research:

Capability Scotland ran Polls Apart in Scotland

Scope ran Polls Apart in England

Scope Gymru ran Polls Apart in Wales

Disability Action Northern Ireland ran Polls Apart in Northern Ireland

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Copies of this and other reports on voting are available from Capability Scotland's website www.capability-scotland.org.uk

This report is available in a range of alternative formats – please contact Capability Scotland's advice service, ASCS on 0131 331 5510 or ascs@capability-scotland.org.uk

Summary and Key Findings

At each General Election since 1997 disabled voters in Scotland have taken part in Polls Apart by completing a short access survey after voting. Capability Scotland has also conducted similar research at Scottish Parliament and Local Government elections.

All of this research has enabled our organisation to build a picture of disabled people's access to the democratic process over a series of elections.

The findings from the 2005 General Election form part of the UK wide Polls Apart Campaign. Full UK results and analysis are available in Polls Apart 4.

Previous research in Scotland has found a steady pattern of improvement in access to voting. In the 1997 referendum on devolution, 43% of polling stations had major access problems, in 2001 40% had major access problems and by 2003 this had fallen to only 17% of all polling stations used in the Scottish Parliament and local government elections.

Polls Apart in Scotland examined access to voting in person and by post. For the first time the experiences of people with learning disabilities were recorded through an easy read version of the survey. In total 248 surveys were returned. Nearly three quarters were from people voting in person, over a quarter from people who voted by post. Twenty-two easy read survey forms were returned. Disabled voters returned surveys from 56 out of 59 Scottish Parliament constituencies.

Key results

Voting in Person:

- 1 Over 60% of voters said the experience of voting was the same as last time.
- 2 87% voted at a polling station less than a mile from where they live.
- 3 Over 50% of Polling Stations had no designated disabled parking.
- 4 Over half said there was level access to the Polling Station.
- 5 Nearly two-thirds thought ramps provided were appropriately designed.
- 6 Over a quarter of Polling Stations had a separate entrance for disabled voters
- 7 28% of voters found doors heavy to open
- 8 95% of Polling Stations had level access inside the building.
- 9 Nearly three quarters of voters saw a low level polling booth
- 10 A large print ballot paper was displayed in 63% of Polling Stations
- 11 Less than a third of voters thought a tactile voting device was available
- 12 70% of stations have a low level ballot box
- 13 93% of Polling Station staff were friendly and helpful

Conclusion:

In 2005, 24 % of polling stations had major access problems. That is, that disabled voters voting in a particular constituency in Scotland encountered two or more barriers at a polling station that made it difficult or impossible to vote. So for many disabled voters in many parts of Scotland, the process of voting in the UK General Election in 2005 was inaccessible. This finding is disappointing given the progress made in previous years, as more polling stations were found to be inaccessible than in 2003.

Results on particular issues even show less accessibility than the whole of the UK. There are some issues where voting is more accessible but there are other issues on which access is considerably poorer. In 2003, Capability Scotland concluded that Scotland was leading the way in the UK in terms of promoting and enabling accessible voting. The results from Polls Apart 4 in Scotland suggest we have taken a retrograde step in terms of meeting the goal of barrier free elections.

It is not clear why this has happened. There may be a combination of factors at work. Firstly, complacency may have set in. Many electoral authorities have made huge efforts to address access issues in the past. They might now feel that the issue is addressed and did not need to be re-visited for this election. Thus, poor practice has crept back in.

Secondly, some electoral authorities might wrongly believe that they have done all that they can do, that the problems that remain are insurmountable. Yet, evidence from this and previous elections suggest that some of the problems are relatively easy to fix or at the very least, adjust so that their impact is mitigated. Thirdly, electoral authorities might face barriers of their own: the prescriptive nature of electoral law on forms and information prevents the use of alternative formats. In many areas, councillors have the right to comment on shifting a polling station from one building to another. Collectively, local authorities have to draw up and agree election (or polling) schemes, so elected members in theory have the ultimate say. Guidance from the Scotland Office urges Returning Officers to consult with local disability organisations on accessibility issues relating to voting. There is some excellent practice in some areas - for example, Angus Council consults with Angus access panel and involves its members in auditing access at proposed polling stations. But it is not clear whether such local consultation is practised consistently across the country or indeed, whether it is done for every election. It may be there fore that progress has halted because electoral authorities are constrained by or unsure of the powers they have available to them.

Finally, there may be an issue of electoral and resource fatigue at work. Since 2001, there have been four elections in Scotland - only 2004 was a fallow year. Elections in Scotland occur approximately every two years. That leaves a much shorter timescale in which to identify problems, source solutions and most importantly, resource them and carry them through. Resources are finite with little room for manoeuvre: other priorities nationally and locally may have been identified for this election, pushing accessibility down the list. At the same time, in Scotland many election officials and electoral registration officers are part-time. How much time they get to spend on electoral matters between elections varies considerably. Indeed, some are not even "switched over" full time to electoral duties until just before elections. The Scotland Office and Scottish Executive teams are effective but small, as is the Electoral Commission in Scotland office. Increased resources, in the fullest sense of the word, for elections in Scotland might help address some of the issues raised by Polls Apart 4.

Capability Scotland is effectively speculating on what might be at work to have created these disappointing findings. However, we know that electoral authorities are keen to work with organisations like ours to resolve issues and solve problems. We intend therefore to follow up on this research with the Electoral Commission in Scotland and Returning Officers, Electoral Registration Officers and election planning teams. We hope to get a definitive sense of what is happening to create barriers and just as importantly, find ways to break these down so that the 2007 Scottish elections are more accessible. The steering group for those elections has already been established and has a work programme. Capability Scotland would welcome the opportunity to work with this stakeholder group in the run up to 2007.

We know that everyone shares our goal of barrier free elections: it is as much our responsibility as it is the duty of electoral authorities to help reach that goal, if disabled people are to enjoy the same rights of access to the democratic process as all other voters.

Access for voters with learning disabilities:

- 1 Half of survey participants did not get any information from the council that was easy to read
- 2 Nearly 1 in 5 found voting hard
- 3 Only half thought staff at the Polling Station were helpful

These findings suggest that many people with learning disabilities did not have a particularly enjoyable or accessible voting experience.

Conclusion:

More needs to be done in Scotland in advance of the 2007 elections to ensure that people with learning disabilities know their rights in relation to voting and are empowered to use them. At the same time, awareness of issues relating to learning disability and of people's rights needs to take place to ensure that everyone involved in planning and delivering elections knows how to support people with learning disabilities to vote.

Postal Voting:

- 1 62 people who voted by post took part in the survey
- 2 32% Scottish Parliamentary constituencies were covered by participants who voted by post
- 3 92% received a simple guide to help them vote by post
- 4 Nearly a third were not told they could get help to vote by post
- 5 Nearly a quarter of postal voting packs did not provide information about a helpline
- 6 89% found it easy to get someone to witness signing the form
- 7 13% of postal voters did not find it easy to fold the ballot paper and put it in the envelope
- 8 The same percentage found it difficult to actually post their vote

Voting by post was clearly a mixed experience for many disabled people. The findings suggest that measures that could have made postal voting more accessible were not put into effect by electoral authorities.

Conclusion:

Reform of the postal voting process is required to maximise flexibility and accessibility. At the same time, improved awareness of powers and solutions available within the current statutory framework would help make postal voting easier to do. Resources may also be required from central government in order to make this happen at local level.

The History of Polls Apart in Scotland

Capability Scotland participated in Polls Apart 3 in 2001. However, our organisation had undertaken research into access to voting in Scotland since 1997(North Poll 1997). Our interest in the issue was sparked by complaints from disabled people that they were being discriminated against in exercising this fundamental human right. We are the only organisation in Scotland with a longstanding history of research in this area.

North Poll 1997 - at the 1997 General Election, Capability Scotland undertook the first ever survey in Scotland on the accessibility of voting, North Poll. Disabled people from all over Scotland tested access issues. The survey found that over 70% of polling places were fully or partially inaccessible.

Devolution referendum 1997 - as a result of that survey, in the run up to the devolution referendum in September 1997, Capability Scotland was invited by the then Scotland Office to work with them to deliver training on access issues for Returning Officers.

Poll Position 1999 - in the 1999 Scottish Parliament and local government elections, we carried out a survey which involved Returning Officers and other election staff assessing the arrangements in their own areas and in particular assessing the accessibility of the polling day arrangements. The report, Poll Position, made detailed and practical recommendations on improving accessibility: this report is still used by election staff today to inform their arrangements and we believe that this approach has only ever been undertaken in Scotland.

Polls Apart 3 – Capability Scotland co-ordinated the Scottish arm of the UK wide survey into polling station access led by Scope and funded by the Disability Rights Commission for the 2001 General Election. As well as informing the UK Polls Apart 3 report, a separate “Scottish Dimension” was published which indicated that there were access problems at 60% of polling stations in Scotland.

North Poll 2003 – As part of our unique project, Vote2003, Capability Scotland conducted the biggest ever survey of access to voting in elections in Scotland. The Scottish Parliament and local government elections in 2003 saw a marked improvement in access to voting with only 17% of polling stations having major access problems. In advance of these elections, Capability Scotland worked with the Electoral Commission to deliver accessibility training to Returning Officers and election planning teams, which was then cascaded to Presiding Officers. The Electoral Commission’s guide to the elections contained an access audit guide, and Vote2003 produced an Access all Areas guide for use by election planning teams.

Polls Apart 4 in Scotland – The Findings

Voting in Person - Getting there

Is the Polling Station less than one mile from where you live? 87% said yes

“Polling station has been moved to the outskirts of Crieff – this has caused complaints from able bodied and disabled voters alike, but the facilities are good”

Ochil and South Perthshire

Capability Scotland’s research has shown that disabled people are more likely to live in poverty. Separate research on transport has indicated that few use public transport because it is inaccessible, unaffordable, unreliable or infrequent. It is therefore vital that Polling Stations are sited close to where people live. If disabled people are to be encouraged to vote, voting must take place within easy travelling distance. Electoral authorities are to be commended for thinking about the location of polling places, even though large scale changes in the availability of buildings has taken place in some local authority areas. For example, the replacement of schools in Glasgow has meant the literal disappearance of some buildings traditionally used for voting. And in Edinburgh, Capability Scotland's own Head Office was used by the Council as a polling station, as were a number of hotels, to ensure that people could vote in an accessible building close to where they live.

However, Polls Apart 4 shows that some disabled people had to travel long distances to vote. This is unacceptable. The right to vote in any polling station facilitated by a national register of voters could enable disabled people to vote at a station most convenient to them. Moreover giving Returning Officers the power to use any accessible public sector building for voting would ensure that more accessible premises were used in more convenient locations on polling day.

Is there designated parking for disabled people? 59% said no

In nearly 40 Scottish constituencies, our respondents noted that there was no designated parking for disabled people at polling stations.

“There were no spaces designated for disabled parking”

Edinburgh East

Because many disabled people rely on private vehicles – cars, taxis, private hire cars – to get them to the polling station, suitable parking is important. Suitable parking consists of spaces close to the polling station, close to the entrance to

the building that us free of potential barriers and designated for use by disabled people only.

Anecdotal evidence suggests that the failure to designate parking is not down to a lack of suitable parking ground. Disabled voters could have had designated parking provided for them if authorities and polling day staff had bothered to make it available. Failing to do so meant many disabled people with conditions making it difficult to walk even short distances found it harder to vote in person than they should have.

All polling stations with publicly available parking should give priority to disabled people and should designate the most appropriate parking spaces for use by disabled people only. Finally the police should remove anyone misusing designated parking spaces.

Voting in Person – Getting Inside

Is there level access to the polling station? 57% said yes

This figure rose substantially to 100% replying no to this questions in 5 constituencies across Scotland.

“Met a couple whose wheelchair had fallen off the pavement as the slabs were so damaged”

Edinburgh North and Leith

“Even with the exit door, there were steps, so no wheelchair user could get in – luckily I had sticks”

Ochil and South Perthshire

Compared to the UK as a whole Scotland provided slightly less level access to the polling stations. Level access means a flat, horizontal or gently sloping entrance into a building. Steps, raised lips on doorways, bump or uneven surfaces and steep slopes all make entry into a building inaccessible.

Barriers preventing entry into a polling station effectively deny disabled people the right to vote in the same way as non disabled voters. At worst, it can deny a disabled voter the right to vote at all; yet voting is a fundamental human right. It might be argued that bringing the polling station outside to a disabled voter is a reasonable adjustment. It may be a last resort but it is an unsatisfactory and unacceptable compromise. All voters have the right to vote in secret. This is denied someone voting in such circumstances. Where people do gain access, they may have to endure a humiliating or painful experience to do so. Again this is unacceptable.

“There are 15 steep steps to climb and a handrail”

Moray

Providing facilities for voting in a building to which some people cannot gain physical access may constitute a breach of the Disability Discrimination Act. New duties came into effect in October 2004 requiring service providers to make reasonable physical adjustments to their premises to enable disabled people to use them. Further duties on public bodies to promote equality for disabled people came into effect in December 2005. By the time the Scottish elections are held in 2007 all buildings used for voting should have accessible entrances. Capability Scotland would hope that the Scotland Office and Scottish Executive take steps to make this happen. Fully resourcing all ramps and physical adjustments would help. Returning Officers should also undertake accessibility reviews and revise their election planning to move to more accessible buildings or provide level access.

While this particular finding is an obvious barrier to voting it is important to remember that the majority of polling stations had level access. This ensured that many disabled voters had no problems getting in and out of their polling station. Being able to vote quickly and easily the same as other voters do is all that disabled people seek.

If there is a ramp to improve access, is it appropriately designed? 65% said yes

However, in two constituencies, all of the respondents felt that ramps provided were inappropriately designed.

“Grey colour of the ramp meant it wasn’t very visible”

"A ramp was very close to a wall so there was very little turning space for a wheelchair"

Edinburgh North and Leith

But 12% said no and 15% said there was no ramp, meaning either one was not required or there was no level access at all. While most disabled people going to vote in person found either level access or a ramp that facilitated level access, some clearly did not. A ramp that is inappropriately designed – too long, too steep, no handrails, too narrow, too tight a turn at the top, too close to doors – is just as large a barrier to voting as no ramp at all.

“Ramp was designed for one step was being used on two steps, so it stuck up about 30 degrees”

Fife North East

Where a ramp is required, it should be a permanent one. Most buildings used for voting serve a wider community purpose – a school without access means that disabled children cannot attend it. Returning Officers should use the time between elections in their everyday role as Chief Executives or high ranking council officers to make necessary physical adjustments so that the buildings within their control are more accessible for everyday use as well.

In Scotland, local authorities are given 100% funding for temporary ramps and only 50% funding from central government for permanent ramps. It is not hard to see why temporary ramps have been a more attractive option yet making buildings accessible for a single purpose that happens on average once every two years does not represent a sound investment. And while a temporary ramp may well be fit for its purpose, they can be inexpertly fitted making them unsuitable and in some cases dangerous. They are mostly wooden and so can be slippery in cold and wet weather. All in all, they are an inappropriate solution.

Is there a separate entrance for disabled people? 26% said yes

“Main entrance had steps, but alternative side access available”

Inverness Nairn Badenoch and Strathspey

This finding suggests that over a quarter of Scottish disabled voters experienced less favourable treatment than other voters. A separate entrance usually means one well back from the main entrance – at the side or the back of the building. Often, the route to the separate entrance can be inaccessible.

However, even if the route and/or the separate entrance itself are accessible, such provision is not acceptable. It may satisfy the letter of the law in terms of being a reasonable physical adjustment under the DDA but it is hardly within the spirit of the law. Disabled people do not want to be treated differently from other voters. They want barriers to be removed so that they can be the same as others. Requiring disabled voters to use a separate entrance serves only to emphasise difference: it could be construed as creating a form of apartheid in voting. If the separate entrance is the most accessible one then it should become the main entrance – the one used by all voters.

Thinking about the doors to the polling station, are they propped open, automatic, heavy to open or easy to open? 47% found doors propped open – 28% found doors hard to open.

There were problems in some constituencies with doors being heavy. Although an average of 28% reported heavy doors at polling stations across Scotland, this rose to 60% in Argyll and Bute and 100% in the constituencies of Falkirk, Lanark and Hamilton East and Ross, Skye and Lochaber.

“Door not wide enough for a wheelchair”

Dundee East

“If it hadn’t been for my friends, I couldn’t have got someone inside to open the fire exit”

Ochil and South Perthshire

Again, doors that are closed and/or heavy to open are an obvious physical barrier, not only to people in wheelchairs or requiring support to walk but also to people with visual impairments.

Some disabled voters, 4% had no difficulties getting through doors, as they were automatic doors. Electoral authorities deserve praise for removing such an obvious physical barrier at the majority of polling stations. But many internal doors were shut effectively negating the accessibility of the entrance. And over a quarter found doors heavy to open making them an obstacle to overcome. Disabled people without a companion would have found it difficult to gain access to their polling station.

“The front door was open, but then had to go through the fire door which was closed (luckily I had someone with me)

Edinburgh East

Voting in Person – Inside the Polling Station

Is there level access inside the Polling Station? 95% said yes

Can a disabled person move around easily and safely inside? 90% said yes

"Although there was a ramp outside, there was a stair inside before you could get to the ballot papers and box"

Paisley and Renfrewshire South

Getting inside the polling station appeared to be the main barrier faced by disabled voters. Once they had made it, things appeared to get easier. Level access, and spacious facilities were the norm, although there were some regional differences. Only 50% of voters in Dumfriesshire, Clydesdale and Tweeddale found level access inside and only 50% of voters in Aberdeen North and Stirling felt disabled people could move around easily and safely inside.

Such barrier free facilities make voting easier and simpler for all voters. These findings are significantly higher than experiences in the UK as a whole. In some respects, Scotland is still leading the way towards the goal of barrier free elections.

Is the polling station well lit? 92% said yes

Again, Scotland reported higher findings than the UK as a whole.

Good lighting is important throughout the polling station but lighting in the polling booth and where notices for voters are sited need particular attention.

This aspect of access is of particular relevance to people with visual impairments. When lighting levels are good, reading and writing is much easier for voters, not just those with a disability. Getting it right means voting at the 2005 General Election was a much more enjoyable experience: for some it means the difference between voting independently and requiring assistance.

Voting in Person – Voting

Is there a low level polling booth? 72% said yes

Only two thirds of survey participants across the whole of the UK encountered a low level polling booth. A low level booth has a lower shelf on which to lean; it should also be wider to accommodate a wheelchair.

While the situation is clearly better in Scotland there are some regional differences. In some parliamentary constituencies including Ayrshire Central and Midlothian, no respondent could recall seeing or using a low level booth, suggesting that provision is not universal across all polling stations.

**“In a wheelchair the low level booth was quite neat for knees to get under....
Had to put paper on my knee”**

Ayrshire and North Arran

There is also little uniformity in the shape and size of low level booths. Some are clearly more accessible than others. And they do mark disabled voters out as different. Capability Scotland would repeat our call for the provision and use of a single design of booth. As suggested by disabled people, it should have a writing shelf that is adjustable in height and possibly even have a tilting option.

The positioning of low level booths is also important. While there should be enough room to manoeuvre around them, they should be placed next to standard size booths. In East Ayrshire council area, guidelines appear to have been issued to site low level booths in a separate space. This might have had the effect of making some disabled voters feel conspicuous by their different support needs. Providing chairs for use at low level booths would be very good practice – some voters might find voting easier from a seated position.

Is there a large print notice of the ballot paper on display? 63% said yes

Survey participants in Scotland were less likely to have seen a large print ballot paper than participants from the whole of the UK. No one from Motherwell and Wishaw and Inverness, Nairn, Badenoch and Strathspey constituencies appears to have seen one. Only a third of voters in Glasgow South and Livingston remember one being on display.

This is a legal requirement under the Representation of the People Act 2001 yet in Scotland more than a third of polling stations surveyed did not have large print notices on display. As highlighted, the situation was even worse in some communities.

The large print notice of the ballot paper is designed to allow a visually impaired person to see what the ballot paper looks like so they can vote accurately on the much smaller ballot paper. If positioned in or close to the polling booths the large print notice means some visually impaired people, and people with learning disabilities and low literacy levels can vote independently and in secret.

In this case, the findings may only be telling part of the story. The issue may in fact be the positioning of the large print notices rather than their total absence. Even within the same local authority area, Presiding Officers in polling stations may exercise considerable discretion in terms of layout and positioning of notices. Hence, large print notices can be found at building entrances, on walls in corridors, on notice boards, next to tables where staff sit, behind doors and even sometimes where they should be – close to polling booths. The height levels vary too with some far too high, others far too low and a few “just right”: at a range of heights to suit people standing and sitting. It may be then that large print notices were on display but just not where disabled people expected to see them.

Legal responsibilities related to accessibility must not be allowed to become optional extras. Capability Scotland would like to see the Electoral Commission investigate such non-compliance issues to ensure that accessibility is at the heart of election planning, and delivery, throughout the UK.

"The boards stating which table to go to are very low down and in small print"
Argyll and Bute

"Information was also displayed via leaflets at polling desk in community languages, but not well advertised, as it was next to ballot box"
Edinburgh South West

As well as providing large print ballot papers providing other information in large print and in suitable locations is good practice. All notices should meet good practice standards in accessibility in terms of type of font used, size and style. There is no need to provide one set for non-disabled voters and another for disabled people - everyone voting benefits from barrier free elections.

It would be helpful for layout plans to state where notices such as the large print -ballot paper should be displayed.

Is there a tactile voting device to help visually impaired and other disabled voters to vote independently? 32% said yes

"Tactile voting device was kept out of sight – I asked that it be moved as people don't like to ask for things"
Edinburgh East

Previous research has shown that findings in Scotland for this support measure are usually lower than for other measures. Polls Apart 4 is no exception. Less than a third of respondents noticed one being available – half the level of awareness for the whole of the UK. Worse, in over 40% of Scottish constituencies surveyed, no one thought this device was available.

Again, this is a legal requirement and again the issue may be about the device not being openly on display rather than not available at all. In many polling stations, there would have been one available but a voter might have had to ask for it. Many staff in Scotland would also know from training and guidance to offer it to someone who might benefit from using it.

But staff themselves freely indicate that usage of the template across the country is low. They themselves appear sceptical of its benefit to disabled voters in its current format and design. Capability Scotland has also previously questioned how user friendly the template is. We would urge review of the format and design of the template so that a more user friendly version or versions can be piloted in the Scottish elections in 2007.

Is there a low level ballot box? 70% said yes

A low level ballot box means locating the box so that someone in a seated position can reach the slot on the top comfortably. Most electoral authorities in Scotland will also ensure that the slot is marked with tape so that it is more visible for people with visual impairments.

It is important to remember that voting is a process that people should have the right to engage in totally in secret. Being able to post your own ballot is a key, final act in the process. This initiative is therefore a welcome piece of good practice in terms of accessible voting.

Indeed, participants found that all ballot boxes were low level in 20 out of the 56 constituencies surveyed, covering both urban and rural areas such as Angus, Ayr Carrick and Cumnock, Dumbarton West, Edinburgh West, Linlithgow and Falkirk East and Na h-Eileanan An Iar.

Voting in Person – Overall Experience

Are polling station staff friendly and helpful? 93% said yes.

“Overall, the community centre was very friendly and the staff went out of their way to help”

East Lothian

In Scotland this finding has remained consistently high over a number of elections. Although it is slightly lower than the UK figure, there is no cause for concern, yet clearly no room for complacency.

Capability Scotland recognises that most election planning teams incorporate some elements of disability equality training into briefing sessions for polling day staff. At the very least how to implement accessibility and support measures tends to be highlighted. The Electoral Commission also provides guidance on implementing specific legal requirements and in conducting a basic access audit. Through Vote2003, Capability Scotland provided Returning Officers with re-useable Access all Areas guides.

It is striking that although disabled voters found staff to be overwhelmingly welcoming and friendly, access barriers for voters with physical and sensory impairments have remained significant and widespread. A substantial number of respondents commented that staff had tried very hard to provide an appropriate service to disabled voters in very difficult circumstances.

Unfortunately, however, a tiny minority of polling station staff were unhelpful or behaved in a patronising or discriminatory way towards disabled voters. This highlights the need for a more co-ordinated, consistent approach to training with core elements of disability equality training.

In particular, Capability Scotland would urge the Electoral Commission to develop and issue a national set of minimum accessibility standards for all elections in Scotland for implementation by all election planning teams, electoral assessors and Electoral Registration Officers. These should cover what disabled voters should be able to expect from staff. At the same time, more must be done to check and change the behaviour of a minority of polling day staff who can make voting a very disappointing and unpleasant experience for some disabled people.

If you need help to vote, did you get it? 22% said yes

"I explained to my daughter what was involved and made it possible for her to speak to people and vote"

Argyll and Bute

Polls Apart 4 also found that 4% of people needing help did not get it. In Scotland there were considerable regional differences: a quarter of participants in Dumfries and Galloway and half of participants from Falkirk needed help and did not get it.

Support in person to vote is another legal requirement under the Representation of the People Act 2001. Disabled voters can either take a companion to help them with voting or the Presiding Officer can provide help. This provision is a significant one in terms of enabling and empowering disabled people to vote.

It is disappointing then that a significant minority of participants in the survey felt such help was not available and that in some polling stations in different parts of Scotland Presiding Officers appeared unaware of the duties on them. There is clearly more work to be done to ensure that all election staff feel equipped to translate policy into practice.

Were you able to Vote in Secret? 83% said yes

"There was no ramp and a step at both entrances my mother's wheelchair couldn't negotiate - she had to vote in the car park"

Perth and North Perthshire

"I was told that someone in a scooter had to vote outside"

Edinburgh North and Leith

Voting in secret is a key tenet of the democratic process in the UK, enshrined in the Human Rights Act. This is a principle held dear by many voters yet it is often denied to disabled people because part or all of the process is inaccessible. Although only 4% of survey participants said they were unable to vote in secret, in some constituencies the findings were as high as 40% or 50%. This is clearly unacceptable and must be addressed. Everyone has the right to vote in secret in UK elections – disabled people are no exception – and Returning Officers should be doing everything possible to mitigate this consequence of the inaccessibility of voting.

Experience of voting at these elections? 17% said it was easier, 63% said it was just the same as last time.

Overall was your experience a positive one? 79% said yes.

These findings suggest that generally, disabled people in Scotland had a good voting experience in the 2005 General Election. Nearly 1 in 5 felt it was easier to vote this time than in previous elections: that is clearly an improvement. And the finding rose to a third in Aberdeen North, Ayr Carrick and Cumnock, Linlithgow and Falkirk East, and in Ross Skye and Lochaber constituencies. 40% said it was easier in Glasgow South and 50% in Glasgow South West. These findings indicate considerable progress as it had been previously acknowledged that particular local issues relating to physical access had created barriers at a number of polling stations in these constituencies. It suggests some of these have now been addressed. In Berwick, Roxburgh and Selkirk, 50% of participants also said voting was easier with even higher figures recorded in Falkirk (67%), Caithness (75%) and Airdrie and Shotts (100%).

Only 5% overall found it harder – still a significant minority – but this rose to a third in Kirkcaldy and Cowdenbeath.

Over three quarters of disabled people had a positive experience. While only 7% felt they had not had a positive experience, the survey uncovered significant pockets of dissatisfaction: 25% of disabled voters did not have a positive experience in Inverness Nairn Badenoch and Strathspey, 29% in Ochil and South Perthshire, 33% in Kirkcaldy and Cowdenbeath and 50% in Gordon.

Polls Apart 4 does not enable closer analysis of particular issues faced by voters in individual constituencies that could contribute to disabled people's dissatisfaction. The research is not aimed at providing that level of scrutiny. However, Capability Scotland would urge Returning Officers to review arrangements at all polling stations used in this election. This should involve conducting a full access audit and consulting with national and local disability organisations to establish problems and find solutions.

Voting by Post – Help and Support

Did the information sent with the ballot pack tell you that you could get help to vote by post? 60% said yes.

Did the information include details of a helpline? 58% said yes.

The legal requirements on voting covered by the Disability Discrimination Act and the Representation of the People Act 2001 apply to voting by post. Indeed, the 2001 Act introduced provisions to make postal voting easier and more accessible. This means that disabled voters should be able to use the tactile voting device, the large print ballot paper and support from an election official if it is required.

Many disabled people vote by post because voting in person is not an option, often because it is inaccessible. It is therefore vital that voting by post is made as accessible as possible. If voting by post is just as inaccessible to disabled voters as voting in person, it defeats the purpose of having a range of voting methods.

A helpline with alternative formats such as textphone and website facilities is a must if disabled people are to have impartial support to enable them to vote independently and in secret. It would appear that no helpline was available to voters in Aberdeen North, Dumfries and Galloway, Dumbarton East and Dundee West constituencies. Even if one was available, disabled voters seem unaware of its existence.

Voting by Post - Voting

Was there a simple guide to help you complete the declaration of identity and ballot paper? 92% said yes.

As postal voting is a paper - based system conducted at distance from human electoral resources, voters need to have written information to help them through the process. If the information is provided in jargon, is lengthy or complex it could be inaccessible to a wide range of voters particularly people with visual impairments or learning disabilities, people with low literacy levels and people for whom English is not their first language. Election law prescribes much of the information that has to be conveyed to voters, with much use of arcane and complex language. However it would be good practice to offer a simple guide that is easy to read and can be provided in a range of formats. Some electoral authorities do this.

Disabled people voting by post in Scotland clearly felt information was simpler than voters experienced across the whole of the UK – only 73% of UK disabled voters said there was a simple guide. Yet Scotland still appears to have some local difficulties with at least one constituency not providing a simple guide.

In order to ensure that the process of voting by post is as accessible as possible, Capability Scotland recommends two potential solutions. First, electoral reform should make the language used more accessible and user friendly. Secondly, all electoral assessors and electoral registration officers in Scotland should follow good practice accessibility guidelines on providing information. This should incorporate the development and adoption of a national set of minimum accessibility standards to achieve a consistent approach across Scotland.

Did you find it easy to get someone to witness you signing the form?
89% said yes.

"Not happy with the witness declaration - seems easy to defraud"
Gordon

This question was only asked in the Scottish Polls Apart survey as it had been addressed in previous research conducted elsewhere in the UK.

Finding a witness to counter-sign the form was generally not a concern at this election in Scotland, although some voters clearly questioned the validity of the process. Yet some individuals in mainly rural constituencies clearly expressed some problems in this area. This was particularly evident in the constituency of Dumfriesshire, Clydesdale and Tweeddale and in the Gordon constituency where half of postal voters had difficulty in this area. It is suggested that to ensure that disabled people can feel confident that their witness is impartial yet informed, a witnessing service could be provided by election staff as part of a package of support for disabled people voting by post.

Did you find it easy to fold the ballot paper and put it in the envelope?
82% said yes.
Did you find it easy to put the envelope into the postbox? 74% said yes.

Voting by post can present considerable barriers for some disabled people with limited dexterity or motor impairments. The folding and placing in envelopes of the two papers, the declaration of identity and ballot paper, can be difficult to do independently.

Fewer voters encountered problems with these parts of the postal voting process in Scotland than across the whole of the UK. A number of individuals who took part in Polls Apart 4 across a range of constituencies experienced difficulties. This suggests that the process generally is inaccessible rather than anything being done differently at a local level that is creating barriers.

Similarly, difficulties using the postbox were encountered by some respondents, suggesting particular access issues with individual postboxes. Fortunately for Returning Officers, some matters in elections are outwith their control – the height and positioning of posting facilities are not their responsibility! However, it may be that consideration needs to be given to providing a pick up service as an alternative posting method.

"Ballot paper arrived the same day I was supposed to return it"

Falkirk

"My polling card arrived after the date when you had to apply for a postal vote"

Argyll and Bute

Electoral authorities rely on the postal service to make the postal voting process operate efficiently. But it is incumbent upon electoral registration officers to make sure there is plenty of time for people who might want to vote by post to apply for one. At the same time, disabled people in particular who might want to wait for some support from a care worker, relative or friend (or indeed need to wait) in order to complete a postal vote application or ballot paper, need enough time to return the papers.

Generally, Capability Scotland recommends that reform of postal voting is considered to deliver a user friendly process that is easy to understand and which allows information to be provided in a range of formats. At the very least, resources should be provided to electoral registration officers to enable them to be more proactive in providing support to disabled people voting by post.

"It's difficult to get this questionnaire into the envelope supplied"

Caithness Sutherland and Easter Ross

No, nobody's perfect! Needless to say Capability Scotland will be reviewing our questionnaire procedures and will use larger envelopes in future.

Polls Apart 4 for People with Learning Disabilities

All people with a learning disability have the right to register to vote as long as they can indicate that they wish to vote. Once someone is registered to vote that person cannot be turned away from a polling station. Some people with learning disabilities even though they know they want to vote, will require additional support to participate in the democratic process so that they have some understanding of how to cast their vote and also who it is they want to vote for.

For the first time Polls Apart has looked specifically at issues relating to access for voters with learning disabilities. An easy read version of the questionnaire was produced for Scope in conjunction with organisations working with and for people with learning disabilities. That questionnaire was used in Scotland without any alterations being made. The easy read survey focused on three specific questions relating to the experience of voting in person. In Scotland it was distributed to a wide range of national and local organisations working with and for people with learning disabilities. There were 22 forms returned in Scotland.

Did you receive information from the council that was easy to read? 50% said yes, 50% said no

Was it easy to get into your polling station? 82% said yes, 18% said no

Were the people at the polling station helpful? 50% said yes, 50% said no

Just over half of participants (52%) in the survey found the process of voting accessible: that is, that they answered yes to all three questions.

The survey does not allow for close scrutiny of the reasoning behind people's answers. For example, it does not tell us what made it "hard" for nearly one in five voters to get into their polling station. As some people may well have had physical disabilities as well, the issues may be the same as for other Polls Apart 4 participants. It might have been because information was hard to understand or signage poor, or it might just have been that going to and into an unfamiliar building was difficult.

One of the key findings is that only half of participants found staff helpful - much lower than the finding for the UK as a whole and of course, much lower than for the general Polls Apart 4 survey. Again, it is difficult to explain why without further analysis. Was it that people expected help and got none or that the attitude of staff was not helpful or that people were treated like other voters, when they needed a bit more help and explanation of where to go and what to do? This finding may indicate that disability equality training among polling day staff needs to emphasise the range of impairments and support needs of disabled people and how each of these can be impacted upon by barriers to voting. The needs of people with learning disabilities can be quite different from other disabled people, often relating to understanding and reading information. A lot of the language in the electoral process is jargonistic and arcane: until and unless there is reform so that the process becomes much more steeped in ordinary everyday language and until polling stations start providing more easy read versions of information. If election day staff do not know what the support needs of people with learning disabilities are, they might well appear unhelpful. Training that at least highlights these issues would be of benefit.

Vote2003, Capability Scotland's groundbreaking project on access to the democratic process undertaken in the run up to the Scottish elections in 2003, had lots of requests for awareness raising of what voting at those elections involved. The majority of these came from learning disability organisations and local groups of people with learning disabilities themselves. It was striking how many adults had not voted before but were determined to start voting and to do so from a fairly informed perspective. It is clear that more such work will be needed before 2007. Not only is there a form of proportional representation in the Scottish Parliament election but Single Transferable Vote is likely to be introduced for the local government elections. That means people using three separate voting methods one after the other on the same day. STV is extremely complex, for all voters. If we are to ensure that the progress made until now in empowering people with learning disabilities to know their rights and exercise them in relation to voting is not lost, then much more work needs to be done to ensure that people have some level of understanding of what to expect in May 2007. Capability Scotland would welcome the opportunity to work with the Steering Group for the Scottish elections and the Electoral Commission in Scotland to explore how best to do this. At the very least, we will be considering how some of the Vote2003 materials, particularly the virtual polling station which guided people through going to vote in 2003 in a pictorial way, can be updated to use in the next Scottish elections.

Conclusion

The results from Polls Apart 4 in Scotland ensure that Scotland is continuing to build evidence of trends and patterns in accessible voting over a series of elections. This is now the 6th voting experience to have been tested on similar themes and issues relating to accessibility.

The findings from the 2005 General Election are interesting but at the same time disappointing. There has been some progress on particular issues but in other areas Scotland appears now to lag behind the UK as a whole in terms of accessibility. Fewer buildings had level access, fewer had a large print ballot paper on display and far fewer polling stations appeared to have a tactile voting device available. The findings seem to indicate that in some polling stations, the law is not being complied with either in terms of ensuring the support measures provided under the Representation of the People Act 2001 are in place or in relation to meeting the duties of the Disability Discrimination Act. By 2007 this latter piece of legislation will have further measures in place specifically including statutory duties like voting under the scope of its provisions. Returning Officers not meeting their duties under the Disability Discrimination Act 2005 are likely to be acting in breach of the law. It is clear then that there is much work to be done to ensure that Scotland complies.

Scotland did not fare particularly well either on what can be considered optional measures in relation to the law. These measures such as providing designated disabled parking, providing a simple guide for use by people voting by post and making all notices available in large print amount to good practice and make a big difference to many disabled people voting. What is important to remember is that barrier free elections benefit all voters. Many people find the postal voting process complex and difficult to understand: everyone would find it easier if there was a simple guide. Similarly large print notices in general use make it easier for everyone to vote.

Given the remarkable progress made in Scotland in a relatively short period of time on access issues, the overall finding that 24% of disabled people found it difficult or impossible to vote in person is very disappointing. This means that nearly a quarter of disabled people voting in 2005 found it hard to do because there were barriers in the way. It was always going to be difficult to continue making progress after 2003 when this finding fell to only 17%: yet, Capability Scotland did not expect to find that we would be moving back the way in only two years.

Capability Scotland, through our work and relationships with many election planning teams, knows that the vast majority of Returning Officers and key election staff are committed to making voting more accessible. We know that they have taken on board advice issued in the run up to previous elections and we know that many have very good local initiatives in place designed to support

and empower disabled people to vote. We all appreciate that voting is a fundamental human right that should not be denied to anyone for any reason in a democratic society such as ours. Returning Officers, electoral assessors and electoral registration officers in Scotland are forward thinking and keen to embrace change. And yet, while some issues require electoral reform in order to be addressed, there are many access issues that can and should be being addressed by them and their teams. The findings from Polls Apart 4 mean this: key obstacles still remain in nearly every local authority area in Scotland. The challenge for us all now is to identify these obstacles and find ways to break them down. By working together and by working with disabled people, by remaining focused on the goal of barrier free elections, Scotland can make progress at the 2007 Scottish elections.

Recommendations:

"I'd give the overall layout 2 out of 10 - people with disabilities weren't thought of when designing/organising..."

Inverness Nairn Badenoch and Strathspey

Capability Scotland has made some of these recommendations before and while some progress has been made in implementing them, a consistent national approach is required. We are aware, for instance, that some have been adopted at local level and are now standard practice in these communities. Some issues require electoral reform. The UK government is due to publish such a bill shortly and Capability Scotland will be working with other disability organisations across the UK to influence the content of that bill. We hope to see some of the measures proposed here given the force of law so that future in elections witness a leap towards the goal of barrier free elections.

- An evaluation should be undertaken of all the resources available in Scotland for planning and delivering elections
- Every area should have a consistent level of officer time spent on electoral duties outwith before during and immediately after elections in Scotland
- Consideration should be given to creating full time posts within valuation joint boards and local authorities dedicated to electoral matters
- Elected members should not have any right to consultation as an individual in relation to any matter in a polling scheme, but particularly in relation to the location of polling stations
- Consulting disabled people and disability organisations on election schemes should be a legal duty
- Returning Officers should be required to conduct full accessibility reviews including audits of election schemes between elections
- The Scotland Office, Scottish Executive and the Electoral Commission in Scotland should promote and resource a campaign focusing on the needs of voters with learning disabilities and voters with complex support needs, particularly communication difficulties, in the run up to the 2007 Scottish elections
- The UK government should enact electoral reform that maximises the accessibility of postal voting
- Resources should be devoted in the run up to the 2007 Scottish elections to creating national templates for guides to postal voting, piloting alternative format and language provision of postal voting packs, a national helpline, website and textphone information services, and a pilot project of staff to support people voting from home, including providing a witnessing service

- The UK government should reform the registration process to make it easier to understand and do, and explicitly allow the use of alternative formats and languages for registering to vote
- Disabled people should have the right to vote in person at the polling station most convenient to them
- Returning Officers should have the power to use any public sector building that is accessible for voting
- There should be a statutory duty on Returning Officers to designate space for disabled parking where parking can be provided
- The provision of temporary ramps should be phased out in favour of permanent adjustments
- Grants for permanent ramps should be raised from 50% to 100% of the cost
- 100% grants should be made available for other permanent physical adjustments to public sector buildings used for voting
- Where buildings have more than one entrance, the most accessible one should be used as the main entrance - there should be no more disabled access signs required at elections
- Guidance to Presiding Officers should emphasise the need to keep external and internal doors propped open
- There should be a single wide polling booth that has adjustable and tilting shelves in order to meet all voters' support needs
- Presiding Officers should be issued with layout plans that indicate where large print ballot papers are to be displayed
- All notices should meet good practice accessibility standards and should be in large print format
- The design and format of the tactile voting device should be reviewed by consulting with disabled people; any proposed new design or format should be piloted at the 2007 Scottish elections
- Disability equality training should feature in training for election day staff
- There should be a national disability equality training module that is delivered consistently to all electoral assessors, electoral registration officers, Returning Officers, election planning and election day staff
- The Electoral Commission should develop and issue a national set of minimum accessibility standards for use in the provision of information, support and staffing at all elections in Scotland