

Electoral Reform Consultation

March 2023

Presented within this response are findings and considerations in relation to the following questions:

Q12: What do you think could be done nationally or locally to improve registration levels, especially among under-represented groups such as younger people and foreign nationals?

Q16: What more could be done to improve the voting experience for individuals with particular accessibility needs or requirements?

Q17: Do you agree that the offence of “undue influence” should be made easier to understand and enforce?

Q19: Do you have any comments on changes to proxy voting in Scottish Parliament or Local Government elections?

Summit on Care Home Residents Right to Vote: Analysis and Report: 28th September 2022

Context:

In September 2022 About Dementia and Rights Made Real in Care Homes held a summit on voting rights in Scottish Care Homes. This is a joint submission on behalf of both projects to the Electoral Reform consultation. We believe that the insights gained from that event will be valuable to consider in relation to the guidance and support needed to ensure a reduction of undue influence, increasing accessibility needs, and ensuring the improvement of voter registration and understanding of the voting process.

About Dementia:

About Dementia is Age Scotland’s Forum for Policy and Practice for people living with dementia and unpaid carers. Funded by Life Changes Trust, we bring people affected by dementia together with professionals in the public and third sectors to influence change around policy and practice in Scotland. We strive to create an environment in which people with lived experience lead the discussion and set the agenda on areas of change.

In recent years, our core activity has focused on generating change through both of our lived experience Human Rights groups, by creating a safe space for people living with dementia and unpaid carers respectively to share their views. Members work together to highlight the impacts of policy and practice on their human rights. Since July 2022, we have recommenced in-person engagement, both with people with lived experience of dementia, and

professionals and stakeholders. Direct engagement has allowed us to respond to consultations on policy developments such as the National Care Service, the new National Dementia Strategy and this submission, considering Voting Rights for Care Home Residents.

Rights Made Real:

Funded by the Life Changes Trust, and in partnership with Scottish Care and the University of the West of Scotland, Rights Made Real (RMR) in Care Homes was a three-year project which aimed to improve the overall quality of those living in care homes, as well as supporting staff. £135,000 was invested into seven different projects set up within care homes, to enhance the lives of residents and those living with dementia. The project aspired to not only support staff to recognise residents' rights, but to embed them into their day-to-day practice and activities. At the crux of this partnership project, was ensuring that older people, including those living with dementia, are able to maintain strong connections with the community, and with things that matter to them regardless of where they live.

Background:

On 28th of September 2022, in collaboration with Rights Made Real in Care Homes, About Dementia hosted a summit to explore what challenges care home residents might face in exercising their voting rights, and what if anything different stakeholders might be able to do to address these.

We felt that it was important to engage with carers, people living with dementia, and professionals on the topic of care home residents right to vote. Often overlooked when discussing electoral reform and voting in Scotland, we were keen to shine a light on the importance of upholding the right to vote for people living in care homes. Both with dementia, and without. In Scotland, there are approximately 30,000 people living in care homes. Of these, it is estimated that 60% of those people have dementia (Public Health Scotland, 2022). Numbers of people living in care homes, and people living with dementia are set to rise, with Public Health Scotland estimating a 50% increase in people living with dementia in the next 15 years (Public Health Scotland, 2022). To maintain a democratic society, we feel particular consideration should be given of the care home population to enable their rights to continued electoral participation.

The summit was prompted by an earlier collaboration, prior to the 2021 local elections, in which we wrote to care home managers across Scotland, through Scottish Care, with information on how to help register residents to vote, signed by About Dementia and Rights Made Real. We signposted to pre-existing resources created by the Electoral Commission, with the hope of raising awareness and knowledge around the voting process for residents. By hosting a summit, we hoped to build on this awareness and discussion by prompting

further rich conversations about the important, and sometimes complex, topic of care home residents right to vote.

From previous conversation with stakeholders, we are aware that political parties and electoral bodies are keen to engage with care home residents, though this can often be challenging to do in practice. We've also heard that care homes are committed to supporting residents to continue exercising their rights, but do not always know the best way to go about this. In addition, the people with lived experience of dementia that we have worked with have indicated that families are eager to ensure that long-held convictions continue to find an outlet following a move to residential care.

We believe the solutions to the challenges faced lie not just with care homes, residents, or their families, but should come from conversations with all stakeholders in this area, including political parties. We therefore wanted to hear from a broad range of voices about practical considerations, current curiosities, and future hopes in relation to care home residents being able to vote.

We welcomed input from the academic and third sector bodies, including a number of groups supporting people living with dementia and paid or unpaid carers. As such, we greatly appreciated representation from Scottish Care, Care Inspectorate, and Scottish Government Elections Team and Dementia Policy Unit (See Appendix 5 for all participating bodies). Invitations were extended to officials from each of the five main political parties in Scotland, though did not result in attendance. In order to effectively improve the voting rights of care home residents, we recommend that further participation from political parties is sought.

The summit aimed to explore what is important to care home residents in relation to their right to vote, and ultimately how support can be provided to people who live in care homes to exercise their right to vote in the ways that matter to them. It is hoped that our submission is considered within the electoral reform consultation, and that steps are taken to implement our recommendations to improve the voting rights, awareness, and guidance for care home residents.

Approach:

Rights Made Real led facilitation to summit stakeholders, framing the day by utilising an Appreciative Inquiry and Caring Conversations approach. Rights Made Real describe the benefits of this approach as:

- Allowing participants to celebrate what is working well.
- Considers the perspectives of all those involved.
- Provides an opportunity to connect emotionally, be curious and suspend judgement.
- Allows participants to be courageous and take positive risks.

- Promotes collaboration to make things happen, and compromise to focus on what is real and possible.

Following the above principles, a number of collaborative activities were introduced throughout the day. Insight from these sessions are detailed below. Full session discussion and notes can be found in Appendix 1 through 4.

Lead Outcomes and Areas of Interest

Throughout discussion several themes appeared as main considerations linked to voting and care home residents right to vote, which we explore below:

Capacity:

The lead theme discussed focused on issues around capacity, in particular questions around when someone living with dementia does or does not have capacity in the context of exercising their rights in relation to the franchise. While having capacity to make decisions is a key factor in relation to financial and medical planning, it is not actually a prerequisite to being able to vote. However, capacity is a hotly contested issue in dementia care and policy and inevitably was a hot topic of conversation at the summit. In particular, whether capacity is required to vote, and if so what procedures should be put in place should a person be deemed to lack capacity? And what preventative measures can be put in place to mitigate fears around assumed lack of capacity?

Capacity and dementia are linked across many policy areas that About Dementia discuss. Capacity is an integral feature of Power of Attorney (POA), Wills, and DNARs (Do Not Attempt to Resuscitate orders). Assumptions around a persons' capacity may impact on the extent to which they are supported to exercise their voting rights. One participant at the summit felt:

'There can be a stigma around capacity. Care Homes may pre-select, without malice, who they feel would be able to vote, without having a conversation first.'

Dementia may affect memory and result in changes to personality and individual preferences, so there was also discussion about how we can support people to continue to vote and balance long held political convictions, with changing views and preferences, for example through advanced directives.

Currently, there is a lack of clear guidance and support for unpaid carers, and care staff relating to an individual's right to vote when their capacity begins to reduce. One participant noted that often the onus falls on unpaid carers to continue voting by proxy for the individual with reduced capacity, (Appendix 1, Life Session 1), this responsibility can feel an uncomfortable and confusing burden for unpaid carers to carry. Especially if adequate conversation has not been had, prior to reduced capacity, to ensure the proxy vote is still representative of the individuals political stance and wishes.

Encouraging timely conversation, with support and guidance, will improve the chances of a resident being able to communicate and exercise their political wishes. Should a resident be progressed in their diagnosis when moving into residential care, we would ask that appropriate steps are taken to work with the POA, should they be in place, to ensure to the greatest extent possible, rights are fully encompassed and exercised. Participants also discussed whether the development and use of Process Consent (Dewing, 2008) to establish capacity may serve well in the context of voting rights. The process consent method, primarily used and developed to ensure good practice research ethics for people living with dementia, follows five key stages: (1) Background and preparation, (2) Establishing a basis for capacity and other abilities, (3) Initial consent, (4) On-going consent monitoring, (5) Feedback and support.

When applied in the context of capacity to vote, the process consent method would ensure a person-centred approach to capacity. As a format, it works towards inclusion of the person living with dementia, rather than exclusion of individuals who may otherwise be seen as incapable of providing opinion or consent to certain actions. It can be added to formal or informal consent, or proxy consent to further include the person living with reduced capacity, where otherwise it would not have been possible. Raised awareness of the process consent method within guidance, may further aid care home staff, and friends or family to carry out the residents wishes to their fullest capability.

The role of care home staff and management was also recognised as key to enabling residents and families to maintain voting rights. It was acknowledged that this is particularly challenging at the present time given the ongoing workforce pressures. This was noted by one participant at the Voting Rights summit, having recently overseen the admission of a relative to a care home:

“Voting rights are at the bottom of my agenda, and not something you consider during what is often a very stressful period of time. How would we be able to create a system that ensures a person’s right to vote isn’t forgotten or overlooked when they enter full time care?”

We believe that this consultation is an opportunity to enable some of the processes we have outlined here. Therefore, we would recommend guidance on capacity is produced to aid care home staff, residents, and families in decision making on an individual approach. Such guidance should communicate an understanding that capacity can be fluid for people living with dementia, and can be dependent on good health, sleep and stress levels. One participant commented:

‘I’m glad we don’t screen for capacity. How would we even do that? Ask people to provide evidence that they know the voting system? Have a good awareness of current manifesto asks? Would the average voter be able to answer any of those questions? I think not. So why are we holding people living with dementia to additional layers of capacity than the average voter?’

We recommend the provision of additional support to enable residents who many have reduced capacity to vote. By creating guidance around capacity for care home staff, as well as those working within the electoral services. Additionally, utilising the postal voting system would allow residents to consider their vote over a series of weeks, rather than relying on the resident being able and willing to vote on the day of the election, care homes will enable inclusion. Educating all parties involved in the voting process relating to care home residents, will ensure greater understanding and opportunity for residents to exercise their right to vote.

Postal Voting Signatures:

In conjunction with considerations around capacity, significant concerns were raised regarding the signatory process for validating postal ballots. Participants felt a general misunderstanding of the process and application of signatures on postal ballots. Some were surprised to learn that signatures can impact the validity of a vote, and thus a person's ability to exercise the right to vote. We understand the important role signature validation has to play to reduce voter fraud, however, in some instances we consider signature validity as a hurdle to older adults and people living with dementia when attempting to exercise their right to vote. People living in care homes are significantly more likely to be registered to vote by post, so this disproportionately impacts them. In addition, many people living in care homes, with dementia or otherwise, may struggle with written tasks. As a result, signatures will change over time and differ from their original. *'Signatures can go out of date'*, one participant explained. *'Someone who has advancing dementia or even arthritis will not hold the same signature that they once held 1-4 years previously'*. We recommend that any reform of guidance draws consideration to the barrier of out of date signatures and provides alternative means of voting, either by proxy voting or in the form of waivers. Signature mismatch as a limiting factor for care home residents exercising their right to vote must be brought to the attention of family and friends, care home staff and electoral bodies to raise awareness around ballot rejection.

As alluded to above, we are aware that current guidance exists to allow for granting residents waivers if they are not in a position to sign a postal vote form or application to vote. However, we would urge better awareness and development of this protocol. Of our attendees, third sector, care home facing, and electoral bodies, only a handful of participants were aware of the waiver protocol available to people should an individual no longer be able to sign their own name. Our summit demonstrated that, while guidance exists, the procedure and assistance towards this pathway was seldom known and unclear. It is therefore our recommendation that improved circulation of current guidance, as well as creation of further guidance linked to signature waivers and signature updating is distributed to improve awareness of alternative voting avenues and reduce barriers to voting for care home residents.

We are of the view that it should primarily be the responsibility of the electoral commission to ensure margin of error around signature mismatch, relating to care home residents and people living with dementia, is reduced to a minimum to allow all care home residents the opportunity to uphold and exercise their right to vote.

Individual Electoral Registration (IER)

Relating directly to question twelve of the consultation, we would like to discuss the significant challenges which have impacted care home voting registration, following the introduction of Individual Electoral Registrations (IER) in 2014. Replacing the previous system of Household Electoral Registration (HER), IER's have been praised as a positive step towards exercising individual autonomy, while the impact this change has had on care home registration is seldom discussed.

Concerns were raised during our summit that IERs have a significant long term impact on voter registration in care homes, who were previously registered by 'block-registering'. In removing a 'one and done' registration process for care home management, and moving to IERs, this law placed further duty and burden on care home management to ensure each residents right to vote has been upheld, at a time where the social care sector cannot efficiently ensure much more basic rights and needs of residents. We note that £530,000 was made available to organisations to encourage student registration which was similarly affected by the change in law. We would urge that similar consideration be made for care homes (Smith, 2021).

We would also recommend that research be carried out into the extent that care home resident communities have been impacted by the change of law to enable a fuller understanding of the challenge, and that consideration is given to developing alternative systems to support care home voter registration.

Connecting communities:

A further recurrent theme of the summit centred around the need for better connection between communities Political parties and their candidates with care homes. It is unfortunate that political parties declined our invitation to participate in this summit as we believe they would have brought a richer understanding of the challenges faced here. Anecdotally we are aware that political parties recognise the importance of voting for care home residents. Indeed, one of the exercises at the summit involved examples shared by former political activists (see appendices below)

The challenges here may be symptomatic of a broader challenge. A significant portion of About Dementia's work focuses on the value of community and social connection for people living with dementia, in maintaining skills and good emotional health. During the summit, it

was noted that residents within care homes are often segregated from the rest of the community either due to security, or the location of care homes which are often on brownfield sites out of town. This was exacerbated during the Covid-19 pandemic where residents were actively cut off from their community, and indeed in some cases from each other. There are several considerations to address when decision what actions may be most helpful to bridge the gap and better include care home residents.

The participants recommended that communities simply bring the voting to care home residents, by way of holding polling stations within care homes. In response, some participants raised concerns that although this might be a viable concept on paper, in reality execution may cause invasions of privacy and space. It is important to consider that while care homes are communal spaces for a large number of people, they are still at their core, an individual's home.

'We talk about people living with dementia being shielded from interaction with their local community. Covid aside, which is a big ask I know, what's to stop a polling station being held in a care home? Bring the community and voting to them.'

'We have to take in the extra consideration. Think from the perspective of care home residents – it's their home after all. Maybe they wouldn't want anyone being able to walk in. That's what I think Care Home Managers would say,'

A more appropriate approach to bridging the gap between care homes and communities in relation to voting could be creating a volunteer led community initiative to help residents of care homes visit polling stations including activity by political parties.

'We used to do car calls for people. Picking up people on polling day with our cars if they had requested that they couldn't make it to the polling station otherwise. It was great fun, and you met some interesting characters.'

Regrettably, as with many services, the COVID-19 pandemic has limited access to these types of voluntary led services, in addition to lack of funding to support initiatives. We recommend that when assessing how the voting rights of care home residents could be upheld, consideration is made of the importance of community connections.

Conclusion

Our response to this consultation is drawn from key themes emerging from our summit on Care Home Residents voting rights. Participants in attendance brought a vast amount of knowledge and insight, across the issues faced by people lived experience of dementia and care, alongside electoral and care home procedures. By bringing together a range of stakeholders and combining their knowledge and experience with our own agenda, we have demonstrated the importance of communication with key players across the board, who would otherwise not communicate. We would urge the continuation of these key discussions among stakeholders, as a learning and development opportunity. It is important however, as noted by one of our participants, to consider who was not involved in discussions held within our summit. Which key players may it have been beneficial to have in attendance? Should another round table discussion regarding Care Home Residents and the Right to Vote be conducted, the presence of political parties, for example, would prove a great asset to ensuring rich and full discussion.

There is scope for reform in relation to all issues raised by participants, as well as many other more subtle comments, which can be found in the activity notes below. At its core, the Summit on Care Home Residents Right to Vote provided insight that publication and circulation of simple and accessible guidance addressing queries around capacity, proxy voting, signature validity, and access to voting, would provide solid foundation for all stakeholders to improve voting realisation for care home residents, at any stage of their journey.

We conclude this report with a synopsis of the recommendations participants expressed to us, which we believe need to be considered during electoral reform. We recommend the creation of plain language guidance which caters to care home staff, residents, and family. A key realisation had during the summit, was how little the general public knew about how to exercise an individual's right to vote, and a lack of certainty around where individuals might go for guidance and support on those matters. Advice focusing on the following topics would not only ensure care home residents were able to exercise their rights more clearly, but it may also aid the general public.

- Clarity about capacity, raising awareness on the variety of options available to a resident who may have limited capacity.
- Consideration of how to balance the ease of completing postal ballots with the importance of ensuring security and legitimacy of the vote, bearing in mind the challenges that care home residents may face in this regard.
- Work to enable the smoother registration of all residents of care homes.
- Consideration and guidance on how communities and care homes may bridge the gap between residents and the community, in relation to voting.
- Research into the impact of IER since 2014 on the care home population.

The recommendations we put forward are built on solid evidence from across the Scottish voting systems and care landscape. If adopted, would have significant positive repercussions on care home residents, and their ability to fully exercise their right to vote. We are aware that we are advocating for wider circulation of existing guidance, awareness raising of existing support and the production of plain language guides to across Scotland, at a time when public finances are under significant strain. This is a significant ask and will require the reallocation of resources as well as greater support for care staff, to ensure the right to vote is upheld, however, we do believe that this simple step would equip care home residence with a better opportunity to exercise their right to vote.

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APPENDIX Contents

APPENDIX 1: In the Know	13
APPENDIX 2: Learning and Innovating From Everyday Experience	14 - 22
APPENDIX 3: Collaborative Sense Prompts	23 - 25
APPENDIX 4: Unfolding story about voting in care homes	26 - 28
APPENDIX 5: Stakeholder Attendance	29

APPENDIX 1

In The Know:

This activity prompts the sharing of what we feel we know, what we are getting to know and what we would like to know. It is a useful tool when opening up discussion, it allowed everyone to display any knowledge around this topic that they were able to bring to the table and allowed others to ask questions and feel comfortable not knowing much.

Aspects of voting in Care Homes people already knew...

- There is a signature waiver scheme for postal voters who can't sign for themselves, but the criteria are very limited in order to safeguard against fraud.
- Power of Attorney's can register someone to vote on their behalf, but they can't apply for a postal vote on somebody else's behalf.
- Electoral registration officers go out to care homes each year to do a canvas for registration.

Aspects of voting in Care Homes people wanted to know more about...

- Is there another country that does it better or has succeeded in getting this right?
- What does this look like from the perspective of care managers? There is a missing piece here.
- Who is missing from the table. Should the political parties be here? I feel so, but who else is missing?
- Who's responsibility, is it? Can we take the pressure off care home staff to be able to share the responsibility for this issue?
- Why is there such variability in the approach and practice towards registration across care homes. Some real get involved, but others completely ignore the issue when it's time for the canvas.
- Are assumptions being made about capacity when it comes to people living with dementia, when there is no equivalent bar set for the rest of the population. Why should voting be concerning for people living with dementia, when others are not expected to be able to demonstrate understanding for the process before they are allowed to vote.
- Are care home staff making assumptions about and being selective over who is and isn't able to vote when they are deciding whether to register people?
- Discussion around making care homes into polling stations:
 - Is this something that is possible?
 - They are people's homes, so is there a challenge there about that?
 - As someone who is, right now, putting a mother into a Care Home, voting is at the bottom of the agenda. So, realising that is interesting.
- Issues around capacity – on the day of voting etc.

APPENDIX 2

LIFE Session (Learning and Innovating From Everyday Experience)

LIFE sessions show how to make best use of the everyday stories and conversations to explore more deeply what matters and what is valued - in this summit, the experience of being involved in supporting residents in care homes to vote. It uses the experience of residents, their relatives, the managers and staff of care homes and the wider community, to help us all talk about the ideals and practical ideas that can be taken forward to benefit everyone who lives, works in or visits the home.

The process can help to stretch our capacity to see things anew, by raising core questions about what we can learn from when things work well and what people value, thereby opening up new possibilities for the future. The method is based on sharing stories from lived experience of voting in care homes and using a conversation framework to take a deeper dive into what matters and what is possible. The framing of the questions for dialogue in the session helps people to notice what works well and what is valued, however small, and foregrounds curiosity and tentativeness rather than delving into detailed judgement about why something might not be as people would like it to be. . The four questions are:

- What was there to celebrate in the story?
- What are you wondering about after hearing the story?
- What do you hope for going forward?
- What one thing would you like to ask/think about/try out after discussing this story?

Life Session 1: Stories from lived experience of the voting process in care homes

Relative of Care Home Resident

I am the proxy voter for my husband who has dementia. All our lives we've been involved in politics, and would talk about politics and current affairs, so being proxy voter for my husband felt fine because we were having chats watching the news, and I knew his views. Now he's not able to have those kinds of conversations anymore I'm feeling uncomfortable, do I still cast his vote the way he has always voted- I tried to see if there was guidance on this, the only thing I found seemed to say it was ok to follow what the person would have done during their life- I still feel a bit unsure.

Member of Rights Made Real Project Team

When I read the guidance from the Electoral Commission I was a bit embarrassed as I realised how much I didn't know. For example, I didn't realise that it's the law that a resident, say for example with later stage dementia who is also very frail, would be required to register to vote – when they wouldn't have the physical ability to be able to cast a vote. I think I need to understand more about why this law is there. When I look back, when I was working in a care home I think it was the case that if someone was deemed not to have capacity, we didn't really talk to them too much about voting.

Care Home Resident

I have voted in every election as an adult up to the last one. I had just moved to the care home, and didn't realise I needed to sign up for a postal vote, and so I couldn't vote. I was so disappointed.

A Clinical Perspective

I have never been asked to assess someone's capacity regarding voting ... we are never asked about it in our assessment.

Discussion about story 1 in LIFE session	
Questions to prompt discussion	Responses from the participants
<p>What is there to celebrate in the story?</p>	<ul style="list-style-type: none"> • The relative remained curious about the ethics of proxy voting even after being told ‘it was OK’. • Recognise the pressure to reflect and honour the person’s wishes even though they may change over time. • The relative proactively researching guidance and considering the democratic process. • The relative feelings empowered, to begin with, to vote on the persons behalf. • The Resident was proud of the fact he has voted his whole life and he still wants to vote. • Resident taking their democratic responsibilities seriously, they don’t want their views assumed. • The project team being curious, wanting to deepen understanding. The desire to understand more and get clarity. • Staff member was brave enough to admit that they don’t understand everything and chose to try to learn. • I celebrated that the Clinical Practitioner wasn’t asked about capacity – that’s good! • The shared ‘not knowing’ – that’s worthy of celebration. • There was some guidance for the proxy voter as a reference point. • The care home resident incorrectly told they could only proxy vote, and the clinical practitioner who was confused why they weren’t asked to assess capacity – in some ways these issues are ‘low hanging fruit’. We have a focal point, better information and awareness raising to dispel myths. It’s given a clear place to start.
<p>What are you wondering about?</p>	<ul style="list-style-type: none"> • For people who want to know more around capacity and proxy voting, what information is out there? • How to we define capacity? When can someone have capacity and when not? • How can we raise awareness around voting? • How can we ensure the security of votes when done in a care home setting, or by proxy? What rules and regulations are there? • Why is it not an automatic registration: ‘you’ve moved in, shall we register you to vote’? <ul style="list-style-type: none"> ○ University students get reminders. Can we make a similar mechanism?

- Can it be an annual reminder? Someone's preference may change as their circumstance changes. Don't wait for them to come to you to make a change, go to them.
- Someone who has good days and bad days might find a postal vote more manageable than a polling vote because they have several days to fill in the vote.
- (4 members of our group chose this as their main I wonder)
- How much do Care Home Managers Care about this? If it isn't enforced by management then it won't be enforced by staff.
- Could there be planned trips to the polling station?
- Can we distil manifestos down to key points to help people drill down their voting intention.
 - What services are already in place to help people in Care Homes to vote? Charities/Volunteers
- Can we word the guidance on voting in a digestible and 'easy read' way, so that Care Home staff can talk about it and inform people?
- Could registration to vote be part of the induction system? Part of the 'settling in'.
- Why does a dementia identity void a voter identity? Staff can struggle to recognise the personhood.
- Could we have conversations about the right to vote earlier Having a conversation then, being told during diagnosis about your maintaining right to vote.
- How do we hold the idea that nothing is static and people may change their views and ideas around voting and political engagement?
- I wonder about how we could use process consent, you are constantly assessing. Could we sense someone's natural engagement, for example, do they seem interested in politics/wider topics for change when on TV?
- I wonder about the role of the proxy. In the story, the proxy took their role seriously, it makes me wonder about the pressure that is being put on them. Maybe we should make more guidance. People who are helping can say, 'I can vote on their behalf, I always know what they've voted'. But how can you truly know for everyone when it's a secret ballot?
- Rather than explicitly talking about political parties, can we talk about likes and dislikes instead? Values and principles that are important to people. We could then

	<p>relate this to voting. But is that even worth any merit? For example, if someone from an outsiders perspective was aligned to green principles, it doesn't mean they would switch from being a lifelong labour voter.</p> <ul style="list-style-type: none"> • Could registering to vote become integrated into the normal process of admin around moving in to care home? Presumably there are processes for other things already like registering with a GP. • Are there other opportunities to raise and discuss voting rights throughout the diagnostic and post-diagnostic pathway. Are there points of connection and intersection with people throughout the pathway that could ensure these conversations happen at various points.
<p>What do you hope for going forward?</p>	<ul style="list-style-type: none"> • Guidance for Care Home staff which is built on from other sectors. Broad and understandable guidance. • Care homes take voting seriously, it is a right. • Buy-In from staff at all levels towards the importance of voting, while ensuring a person feels comfortable to vote. • More conversations and meetings like today's summit. More Co-Production. (This was from the Scottish Government Representative; he has asked us to submit findings to the voting consultation which is coming up). • The issue is deeper than care homes, people need to understand voting on a broader level. Why is democracy important? People should be taught a basic civil education. • That voting, and issues around it are written into, and considered at an NHS and legislative level. Planning periods when a vote is coming, so that staff have enough time to facilitate helping others to vote. • Educate and support people to understand WHY we need to vote. • More appreciation and credit is given to those relatives who take on the responsibility of proxy voting. Guidance and support needs to be given to the person who loses capacity, and the person who eventually does a proxy vote, before that person loses capacity. Uncertainty around when someone should stop voting on the other behalf is yet another burden that a carer or family member has to juggle. By having early discussions and decisions, we remove that uncertainty.

<p>What one small thing will you do/ask or think about as a result of discussing the story?</p>	<ul style="list-style-type: none"> • Going to think about electoral commission gaps, what can we do? I want to look at guidance for care home staff. • Going to explore more the concept of process consent. Makes consent less transactional and more transitional. • I'll think more about proxy voting. I'll share these stories with colleagues. It makes it easier to understand as its concrete and not abstract. • How lived experience can inform policy and process. • Engage the person with a dementia earlier. Think about voting as an issue post-diagnosis. There could be an option to create a one page leaflet for practitioners to distribute and take to patients post-diagnosis. Maybe that could be an outcome that we could make as a group?. • Opening up this conversation with mental health nursing students tomorrow. • I'm going to look back at what we were doing before with communicating our performance standards. Care home managers can change, staff come and go. If KPI (Key Performance Indicators) were met once, it doesn't mean they still are. I want to explore where are we going in continuing the message? • I'm recognising that people can become engaged in politics and voting, even if they haven't been in their life, after moving into a care home. How can we start to plant the seed of politics in later life? • Add an extra story to the report that was missed out. • Speak to the electoral commission about today's discussions and begin a conversation around this matter. • Speak to members about today, widening the reach of the conversation. • Keep the conversation going. • Look at how technology could help to improve this situation. • Take this forward to the Scottish Government Voting Reform Consultation. • Create a project plan for elections to push the message of registration. • Look up whether or not voting rights are written into the new National Care Service bill.

Life Session 2: Stories from lived experience of the voting process in care homes

Communications Officer, Political Party

There was a time we arranged a visit in advance. The local MSP had already worked with the home over something else so we got him to make contact and set it up for us. I think it was just coffee and a chat in the common room, but it was really good and our candidate loved it!

Local Organiser, Political Party

I remember one occasion; we were knocking doors in this street and turned a corner and there was a care home. The candidate said 'come along, we'll just go in and leave some leaflets and see if anyone's about' so we rang the bell. You'd have thought we were trying to kidnap the residents from the response we got. They wouldn't even take the leaflets we offered. We tried to make the point that we were just there to uphold the democratic process, but you could kind of understand it in some ways too. I'm not sure I'd want just anyone walking in if my mum was living there. But how do you do it well?

Care home resident

I haven't been out much, I haven't seen any publicity, no publicity comes near here. You end up picking names that you might know. If the politicians were to come in, there'd have to be one from each party so that it was fair, the staff might get in trouble if one of the parties wasn't represented.

Care home resident

I've no heed on any of that- I never really paid much heed to politics, I'm glad they're not coming in here bothering us, or coming round at night with their speakers out their car windows!

Care home staff

In the last election we could only take two residents in the minibus at a time cause of Covid so we did a few trips. Some residents were able to walk down to the polling station- it's really important to us that residents who want to get to vote. We had to go through things with the residents, so that they knew how to make their vote.

Discussion about story 2 in LIFE session	
Questions to prompt discussion	Responses from the participants
<p>What is there to celebrate in the story?</p>	<ul style="list-style-type: none"> • Candidate having an informal chat, changing the way you engage - over coffee. • Communications Officer took the time out to visit and listen. • The political party in snippet 2 understood the challenges of the staff. They were open to working with them. They didn't write the experience off. • Care Home Staff taking the voting seriously. People were thinking of the process and attempting conversations. • The residents knew they could go out and vote. • The fair and open process. • None of the stories demonstrated apathy. Even the person who didn't want to have anything to do with it, had a strong opinion about that. • The resident recognised the need for balance and the tensions that exist in care homes that the staff have to manage. • Care Home resident give advice and suggestions on how it might all work. <ul style="list-style-type: none"> ○ Voters are at the heart of the discussion. • Great to see the diversity in the opinions of care home residents. • Felt relieved that there were no 'silly questions or comments', as I was worried before about saying some people have no interest in politics, even though it of course affects them. The resident who said they have no interest, I celebrated that as it's still a strong opinion. It's not good or bad, just interesting. For me, that opinion is a good place to start to tease out more, scratch the surface. • Local organisations, and the ability to look at different needs.
<p>What are you wondering about?</p>	<ul style="list-style-type: none"> • I wonder with the local organisation, if the visit had been planned engagement in advance, would it have been a different outcome? Do some people see care homes as 'captive voters'? There can be scepticism. • I wonder about the staff conversation with residents. What did that look like? Do we need to give more information to residents about the voting process? • How to make the process of voting as unintrusive as possible. It is their home.

- How do we manage people in Care Homes having different views and wants/will around electoral visits. Some may find it very distressing to have a party they don't entertain visit, what is effectively, there home.
- Is there an opportunity to open a surgery within a Care Home for parties to visit.
- How do we ensure electoral integrity during politicians visits to Care Homes?
- How do we combat the fear people have of getting it wrong?
- Why is a Care Home different than a home? At elections, campaigners are all very keen to knock on home doors, so what makes a Care home different?
- I wonder what care home residents would say if they were here and involved in this conversation.
- Wondering how care home residents get information and leaflets from candidates. What rules and regulations are there? What help is there for them?
- How do we get access to manifestos etc to people who don't use technology. Or could technology be put in place to allow people to read the online manifestos and candidate documents?
- Why don't all Care Homes care about voting? It's a right that needs to be taken seriously.
- Who is responsible for organising campaign visits, or making sure residents vote? Care Home staff? Politicians? Electoral Bodies?
- How can we support transport to help with voting?
- How can we raise awareness so that people do have access to information?
- Sensitivity – how do we balance equal representation with individual opinions within the care home. Some residents may find it unsettling to have certain parties in their houses.
- Is it really feasible to ask for every party on the ballot paper to visit? That could mean 12 different people.
- I wonder if voting is like a muscle. You use it or lose it. Is it always about more information needed on the voting process -but would this be needed if residents were more actively engaged in choice and agency. For example, having a ballot box in the care home to vote weekly on the Friday film. If we were flexing our voting muscle regularly, could this improve understanding of voting, and empowerment in having an active voice overall?

	<ul style="list-style-type: none"> • Process consent – is there a way of using this approach towards conversations about voting intention. It is a much more embodied and involved process than we often think about.
<p>What do you hope for going forward?</p>	<ul style="list-style-type: none"> • We can find a way to talking about the importance of this topic, without it feeling like a demand. <ul style="list-style-type: none"> ○ Care Home managers are given so many demands, and demand means resentment. ○ If we made it part of the process, with an organised plan in place it would remove the worry or questions around it. • The general populations sees the benefit and importance of residents voting. • Early intervention and awareness work around a person’s rights, as well as capacity. • We get creative with information sharing. Voting shouldn’t feel like a chore or a task. • Recognise everyone has a part to play in making this process work. • Making voting routine. •
<p>What one small thing will you do/ask or think about as a result of discussing the story?</p>	<ul style="list-style-type: none"> • Discuss the possibility of creating a case study or an experiment in a care home. Trying out new ways of engagement that build on our ideas from today. • Explore guidance on how residents can find out about candidates in an impartial way – we do this for schools – is there learning there? • Think more about how we can pull our relevant information into an accessible format. • Look at guidance for care home managers. • Learn more about the topic, to remove assumptions that I have. • Ask my own company what we can do to raise awareness of this issue. <ul style="list-style-type: none"> ○ Speak with unpaid carers. • Share best practice with others. • Continue to use the connections made at today’s event. • Talk to the residents about what is currently done around voting. Speak with the activities co-ordinator to see if there are any other activities they could do. • Build on the links that we have made today. • Shift the agenda towards voices of lived experience. • Speak with registration and return officers.

APPENDIX 3

Collaborative Sense Prompts

Following on from discussion within two separate groups, there was then a collaborative activity based on all of the discussions held during the workshops. Attendees were asked to stand next to a poster with the following prompts to discuss key points of focus that had been highlighted and had emerged over the previous activities.

Previously Hidden...

This prompt considers which areas of Voting Rights in Care Homes attendees were previously unaware of. Due to the vast range of professionals in attendance, while some attendees were surprised by how many options and issues could be considered in relation to voting rights, others with an electoral background were surprised by the lack of general knowledge linked to voting rights.

- Need to better equip people with the basic knowledge of the voting process.
- Idea of developing a voting muscle, it would be good to see this utilised.
- Exploring voting is a topic that can open up dialogue and partnership on so many other things like voices, decision making and being part of a community.
- That there is not a link with 'capacity' and ability to vote. You don't need to have capacity to vote, you can vote even if you lack capacity.

Continuing to grow...

This prompt provides guidance on how to better develop conversation around voting rights in Care Homes. Considered throughout all of the points below is a need to ensure continued education, awareness and discussion related to voting rights. On an individual and national scale.

- Building on today's conversations and a stronger future around engagement.
- Plant more seeds, nurture the right to vote, encourage being included.
- Our understanding of what capacity means around voting. Many of us with capacity don't know about the manifestos etc, we just vote what we always have. Is it too much to expect residents to don't have as much capacity to do more than the average person?
- Our desire to take a system wide approach rather than it is falling onto the care home managers shoulders.
- Creating a safe space for learning and development is key. Shared learning is important.
- How are other countries tackling this? What would we learn?
- Commitment to support a person's full life while they are alive.

- Creating a space/resources on what is already good practice – share stories, they make real change.

Shining a light on..

This prompt encourages attendees to consider which areas of voting rights in Care Homes need more focused discussion. While several attendees note that showcasing positive examples of voting in Care Homes, others consider the responsibility of ensuring care home residents vote. There was caution amongst the group to ensure that the burden does not fall on Care Home managers, or unpaid carers. Voting as an integral human rights should be managed by an arm of the state, to some extent.

- What's already happening in care homes that we can take inspiration from?
- Care Homes who are already supporting residents, what do these conversations look like?
- The role of government and agencies in supporting Care Home staff.
- Commitment of different sectors to support this human right.
- What are the barriers to participation?
- Clarity around voting for residents, and for managers; make a clear process and path for all.
- Why is there a lack of engagement from political parties on this important issue?
- Practical information and guidance that create pondering and help people to understand their rights and options.
- Make information about voting available as part of post diagnostic support to include the person. We need to take a look at language – people are missing their voices. Empowering and enabling should be the language – but how do you embed that?
- The burden on family and carers to decide whether or not they should still vote by proxy for their loved on with reduced capacity. Shine a light on the forgotten responsibilities of unpaid carers.
- The aim should be for people living in care homes to continue being part of the community, exercising the right to vote is an integral part of remaining part of a community.

Recurring theme...

As alluded to above, the recurring theme of discussion relating to voting rights in Care Homes remains the issue of capacity. For many attendees, the lack of clarity around how to navigate the issue of capacity was the biggest hurdle faced to ensure we uphold a residents right to voice.

- Can we be manipulated if we lack capacity? Can't we all?
- Not all safe guarding is malicious.
- Where are the good news/practice stories?
- Capacity can be a sweeping statement. It can also change over time.

- Confusion around capacity underlines the need for guidance.
- This topic seems to be only relevant in the direct run up to the election, what work could be done more regularly to ensure good practice?
- Carers can get worried about overstepping the mark and this can lead to inaction, again, guidance and support around this topic would prompt involvement and inclusion.
- In person voting has challenges especially for care home residents. Mobility, lack of capacity and Care Home capabilities may limit the ability or effectiveness of in person voting.
- Voting process is overwhelming, how can this topic be approached in a supportive and clear way?

It's complicated...

This prompt dives deeper into the difficulties that may be considered when reforming the current process for voting rights in care homes. Several attendees highlight the difficulty with ensuring impartiality. In relation to campaigning, where is the line drawn with political visits. It is important to remember that while Care Homes are establishments, they are also people's homes. There may be discuss and upset caused by allowing parties to intrude on private space, as well as considering that not all residents may be keen to exercise their right to vote or may lack capacity.

- Campaigning – how to achieve impartiality when considering party engagement.
Giving a balanced view of party manifesto
- It is the residents home how do we minimise intrusion.
- Challenges of getting everyone engaged in political voting – why should they be bothered and what is the impact of their vote?
- Getting guidance right
- The topic of capacity – we are now using the term enabled support in decision making.
- Learning how to vote not who to vote for

Almost Unmentionable...

This prompt encouraged discussion around which areas people may feel are considerations left behind, or hard to discuss. The majority of the discussion within this prompt related to where responsibility for ensuring this right is upheld fell; how to ensure we maintain electoral integrity and uphold a right, without fear of fraud.

- Fear of politics and getting fair access wrong
- How important is this an issue for residents who currently live in care homes – is it an issue?
- Electoral fraud
- Electoral Integrity

- Don't see voting as another task for care home staff.
- Who actually feels responsible for the process?

APPENDIX 4

Unfolding story about voting in care homes

This activity was carried out by both focus groups separately, at the end of the session. It incorporates all the learning participants brought and learnt throughout the sessions and allows individuals to write down key take aways.

The groups responses have been collated and are represented below.

We would know that the responsibility for supporting care home residents to vote was being shared if.....

- There was a process for registering to vote when a new resident moves into their new home and choices were given to residents on how to make their vote.
- We took a collaborative approach to developing guidance, and there was guidance for all involved in the process.
- If everyone felt supported by each other to enable residents to vote.
- Good news and best practice was widely understood and celebrated.
- It is integrated into the project plans of returning officers, registration officers, care homes and the electoral commission
- Most residents did feel they were upholding their right to vote and were able to execute that right
- There was clear and concise guidance and a process to support people to vote in a way that makes sense to them
- Care home residents were treated as active citizens precipitating in the running of their home and other wider decisions and feeling supported to put say their opinion including their decision to vote.
- There was good turnout at the polls perhaps supported by a range of people including passionate and supportive people in the community who wanted to help with transport and guidance
- People wanted to get involved and have open and honest discussions about how to make it happen without burdening one group to get this right. They welcomed a new charter that supported people working together and made a commitment for each stakeholder/party signed by representatives and with buy in from political parties.

An Assumption or myth about voting I'd like to bust is.....

- Capacity to vote being linked with capacity to make medical decisions.
- They do not have the capacity to vote because they have a Section 47 in place. This is in relation to medical treatment.
- They do not have the capacity to make a decision on who to vote for
- Care home residents often lack capacity and therefore it's a lost cause or waste of time
- Medical capacity is the trump that invalidates a person's participation in elections.
- Decisions about who can vote are based on capacity, frailty or previous political engagement.
- That everyone wants to vote or that peoples past preferences for voting remain the same.
- That registering to vote is difficult.
- That they are automatically on the electoral register
- Seeing residents having their voices recognised and heard. What is their opinion on how they want to vote?

What would help care home voting to be intriguing, and interesting for care home residents is if...

- Distilling the political to the everyday with regular opportunities the flex the voting muscle.
- Continuing conversations and listening to points of views of different political opinions.
- Discussions started with who they are, what matters, what's important to them rather than starting with the manifesto, political party, policies etc.
- It becomes part of the daily activities of the care home - It could be a part of activities-based workshops
- Their choice of voting style was as respected and supported as any other voter.
- There was easy transport to the polling place for all who want it.
- If they felt voting would really impact themselves or benefit them.
- They had access to up-to-date information and access to party manifestos, speakers, or visits from local councils or MSP's.

Something I am still wondering about is..

- What role do political parties play and how much involvement and capacity do they have or would like to have?
- The issues around consent, fairness and a human based approach to voting?
- What guidance is out there that people in care homes find useful?

- What are the rules and regulations around campaigning and impartiality – what if only one party actively wants to campaign and engage?
- How care home staff feel about supporting people to vote and what support for care home staff at election time would be valuable
- How we can support care home staff to see this as not an extra 'job' or 'task' it is about participation
- I am wondering how to make this a given. How to make it easily accessible for the residents & staff
- How staff can inform but not direct, show how to note not who to vote for?
- Home much support and information resident gets on the run up to an election.
- What 'on the ground' change can we do to make a real difference (re voting)
- What is the best way to have access to resources and guidance and support to use these?
- What people can come together to help us to take this forward well?

A fresh approach to the topic of care home voting might include.....

- Moving the conversation away from voting to political engagement as this is the starting point and for political engagement to be a process rather than a one off activity/isolated conversation done on a certain day.
- Vibrant discussions that are fun and empowering that lead to a policy or guideline that is based on the lived experience of those involved.
- Having a holistic approach with enabled supported decision making so residents have their say about a range of areas in their lives with voting being just one of them.
- Tapping into resources we have at our fingertips in the local community who would like to be involved e.g. an intergenerational focus/ Volunteers who provide workshops/advice/support during elections.
- More co-production with voices of lived experience with for example residents and staff.
- A celebration of the complexity of the topic as a sign of how much we need to pool our wisdom and experience, such as regular roundtable discussions with colleagues across the sector with an interest.

APPENDIX 5

Stakeholder Attendance:

- Scottish Care
- Care Inspectorate
- Electoral Commission
- Electoral Reform Society
- Scottish Government Elections Team
- Scottish Government Dementia Policy Unit
- Electoral Management Board
- Central Scotland Valuation Joint Board
- East Ayrshire Advocacy Service
- NHS Forth Valley/Healthcare Information Scotland Focus on Dementia