

GENERAL SYNOD

Electronic Voting

Report by the Business Committee

Background

1. At the July 2004 Group of Sessions, the Synod considered a paper by the Business Committee entitled *Making the Synod's Procedures More Effective* (GS 1542). Following the debate, the Synod passed a tripartite motion, the first part of which invited the Standing Orders Committee, in consultation with the Business Committee, to introduce amendments to the Standing Orders and the Constitution of the Synod to permit votes to be recorded electronically. The process of amending the Synod's Constitution required amending legislation and was therefore lengthy. Royal Assent was given to the legislation containing the requisite provision (the Church of England (Miscellaneous Provisions Measure)) only in July 2006.
2. The Synod has therefore already given approval in principle to the introduction of an electronic voting system. A number of procedural and practical issues now need to be determined so that the Standing Orders Committee is able to bring the requisite changes to Standing Orders to the Synod for approval in July 2007, with a view to electronic voting being introduced at the February Group of Sessions in 2008.
3. The electronic voting system is portable and would be used both in London and York. The Business Committee has had discussions with the Corporation of the Church House about the choice of a system. The Corporation has undertaken extensive research on available systems and the Business Committee has seen a demonstration of a combined microphone/electronic voting system from IML Systems, the chosen provider.
4. In agreeing the principle of an electronic voting system, the Synod was mindful that it would considerably reduce the amount of time spent in conducting votes. It would provide a high degree of accuracy and consistency. Some Synod members asked that there should be some consideration of those circumstances in which a vote by Houses could still take place by counting through the doors. The Synod was also mindful that an electronic voting system would have

the capacity to generate comprehensive voting data and recognised that there needed to be a decision on whether to move either to a more publicly open system or, conversely, a secret voting system.

5. As regards the reliability of the system, IML Systems have stated that they have received no reports of any breakdowns in any of their 800 installations over the past three years. However, the Business Committee considers that it would be essential to retain the option of reverting to manual arrangements on a contingency basis, in the unlikely event of a system breakdown.
6. As regards the security of the system, it is proposed that a PIN number should be displayed in the Assembly Hall each time an electronic vote takes place to ensure that only those in the Assembly Hall can vote. Otherwise it would be technically possible for the handsets to be used in Church House outside the Assembly Hall, contrary to the Synod's Constitution and Standing Orders, which, in the Business Committee's view, should in this respect remain unaltered. Support would also need to be provided for the sight impaired.
7. The Corporation of the Church House is prepared to purchase the combined microphone and voting system, which would be available to all conference and other users of the Assembly Hall. The rental cost to the General Synod for each Group of Sessions is expected to be somewhere between £5,000-£8,000.
8. In terms of process, the Business Committee has decided that at the February Group of Sessions in 2007 there should be (a) demonstrations of the proposed new system of electronic voting for groups of Synod members in the margins of the Synod meeting, and (b) consideration by the Synod of those significant issues which need to be determined by the Synod prior to the introduction of changes to the Standing Orders.

The legal framework in relation to voting

9. The introduction of electronic voting has the potential to change quite significantly the way that Synod takes decisions. At present there are four types of vote: (a) a show of hands without a count, (b) a show of hands with a count, (c) a division of the whole Synod (which is relatively rare) and (d) a division by Houses.
10. Article 5 of the Constitution lays down the general rules as regards voting in the Synod, providing that voting is to be by a show of hands or a division. A division by Houses is mandatory on Final

Approval of any Measure or Canon (subject to that requirement being dispensed with in specified circumstances) and can also be triggered on any other business (except on a question of procedure) by 25 members standing to demand it.

11. These requirements will remain in place. In addition there is no intention of changing the present provision in Standing Order 36(a) whereby a show of hands is the normal way of testing the Synod's mind on the generality of business. What the Church of England (Miscellaneous Provisions) Measure 2006 has done is to make it possible for divisions of the whole Synod, as well as divisions by Houses, to be conducted otherwise than by going through the doors (i.e. electronically).
12. Thus in summary, following the introduction of electronic voting there will be three *types* of voting: (i) a show of hands (without counting), (ii) a division of the whole Synod, and (iii) a division by Houses. Counts of hands will become superfluous.
13. New Standing Orders will be needed to provide for both divisions of the whole Synod and divisions by Houses to be conducted electronically. Before they are drafted the Synod needs to decide whether, barring technical breakdown, electronic voting should in future be the invariable practice for either kind of division or whether there are some special circumstances in which voting by the more time-consuming process of going through the doors should be retained.
14. Against this background, the following three matters require determination by the Synod in February:

Use of electronic voting

15. Having considered the arguments carefully, the Business Committee has decided to recommend to the Synod that electronic voting should be adopted in the case of all divisions of the whole Synod and all divisions by Houses, without any provision being made for the possibility of voting by going through the doors (other than when there is a technical problem). The Committee's view is that it is simpler to go for a clean break rather than producing a complex half-way house. The Committee considered carefully whether the traditional way of voting should be retained for certain particularly sensitive debates but noted that, in a situation where time was needed for prayer and reflection, the Chair would retain the ability to call for a pause before any vote was taken. The Committee also welcomed the fact that the technology left a measure of choice over the length

of time during which voting should be possible. In the case of particularly sensitive debates it would be possible for the Chair to allow longer than usual for members to register their vote.

Disclosure and Data Protection issues

16. The electronic voting system will provide a facility for producing detailed voting lists. The Synod will therefore need to decide the extent to which, if at all, that information should be made available to Synod members and others. A number of options exist - from complete non-disclosure (except to staff operating the system), through access to Synod members alone (for example, by display on notice boards during Groups of Sessions, although in practice it would be difficult to restrict access in this way), and on to full public access (eg through publication on the Synod website). Whichever option is adopted, it will be necessary (in order to meet Data Protection Act requirements) for the Standing Orders to be amended so as to make provision for it.
17. The implications of making the voting figures publicly available (and thus potentially available to the media and a variety of interest groups) needs consideration by the Synod. How members vote is, of course, already visible to other members and from the public gallery, but (in contrast to Parliament where Hansard publishes the voting lists) there is no subsequent list that can be checked. The question is whether there now should be. The Committee's recommendation is that we move to a completely open system, with voting lists available. One consequence of this is that, to enable a distinction to be made between those who deliberately abstained in a vote and those not present, it would be necessary to record abstentions.

Possibility of voting on the same question twice

18. The Business Committee has considered whether, and in what circumstances, following the introduction of electronic voting it should continue to be possible to vote twice on the same question. At present Standing Orders allow a division, whether of the whole Synod or by Houses, to be called after a show or count of hands has taken place on a question. The intention lying behind this position seems to have been to protect the principle that decisions of the Synod should have the support of each of its three Houses: it seems to have been thought desirable that, on a close vote on a show of hands, it should be possible to test that the Synod's decision enjoyed the support of a majority in each House. On this basis it would seem to be appropriate for it to continue to be possible for a division of the whole Synod or by Houses to be called following a show of hands

(counts of hands will no longer occur). The Business Committee is proposing no change in the present position whereby a division by Houses cannot be triggered once a division of the whole Synod (which with electronic voting will become more common) has taken place.

Conclusion

19. The Synod is therefore asked to agree that:
 - a. Standing Orders should be amended to provide for electronic voting to take place in respect of all divisions of the whole Synod and all divisions by Houses (and to remove provisions for counts), except where the technology has broken down;
 - b. Synod should resolve to adopt a fully open system in relation to electronic votes by providing full public access to voting information, by posting voting lists on both the Synod notice boards and the Synod website;
 - c. Standing Orders should be amended to provide for abstentions to be counted; and
 - d. no change should be made to Standing Orders which made it possible for a division of the whole Synod or by Houses to be called following a show of hands (but not for a division by Houses to be called following a division of the whole Synod).

20. There will be a series of presentations of the system in the margins of the February Synod when Synod members (in groups of about 40 people) will be able to see the system in operation. The demonstrations will take place in the Robert Runcie Room in Church House on Tuesday 27 February and Wednesday 28 February and on Thursday 1 March between 1 and 2.30 pm.

On behalf of the Committee

Kay Garlick

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