

COVID-19 action plan for elections

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Purpose

The purpose of this document is to outline how the NSW Electoral Commission (NSWEC) will deliver elections within the parameters of health protection measures that have, or may be, put in place in response to COVID-19.

The NSWEC notes that, as at the date this version of the COVID Action Plan was published, the following significant public health orders by the Minister for Health are in place in New South Wales:

- Staying at home in certain local government areas unless there is a reasonable excuse to leave, such as undertaking any legal obligations (which would include compulsory voting)
- Working from home unless not practicable
- Wearing face masks in many public and indoor settings:
 - a mandatory requirement to wear a face mask in all indoor areas of non-residential premises
 - all residents of Greater Sydney, including Blue Mountains, Central Coast, Wollongong and Shellharbour must carry a face masks, at all times, when they leave their home or temporary accommodation
- Service NSW QR codes are mandatory at all non-residential premises and people entering premises must check-in and check-out (or the occupier must record names where QR code use is not possible)
- Surveillance COVID-19 infection testing is mandatory for certain workers
- Physical distancing requires the number of persons in a non-residential premises be limited to the greater of one person per 4 square metres or 25 persons

Given the rapidly changing levels of risk experienced during the pandemic, this Plan will respond to changes in circumstances (for example, the issuing of additional public health orders) during an election as they may arise.

The NSWEC's overall aims in responding to COVID-19 and delivering an election are (not in order of importance) to:

- protect the health and safety of electors
- protect the health and safety of candidates, scrutineers and other political participants
- protect the health and safety of election staff
- follow the directions of government authorities in preventing the spread of COVID-19
- minimise COVID-19 exposure risks by:
 - requiring the wearing of face masks within premises, including while voting, and while outside the venue when there is a risk of close contact with someone else
 - requiring the use of QR codes when checking in and out of our premises
 - encouraging physical distancing
 - implementing hygiene management measures
 - following advice from Australian and New South Wales health authorities

Protection measures for COVID-19

The NSWEC will introduce measures to minimise risks to the health, safety and wellbeing of electors, election staff and political participants, and help to prevent the spread of COVID-19. These measures may include the Electoral Commissioner issuing directions limiting the handing-out of electoral material and the display of posters around polling places, in order to reduce the risk of COVID-19 infection.

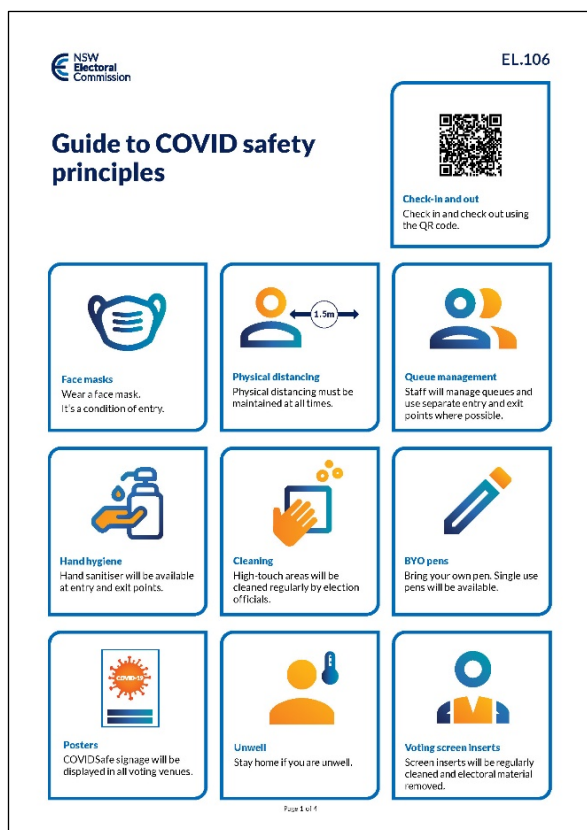
These measures may also include election officials issuing reasonable instructions about the steps visitors to our venues must take to manage COVID-19 risks to staff and others attending election venues. Such instructions will only be issued to support compliance with work health and safety obligations and any public health orders that may be in place at the time.

NSWEC staff, electors and political participants who attend election venues during an election also have a duty under work health and safety laws to take reasonable care for their own and others' health and safety arising from COVID-19.

Protection measures for electors

The following key protection measures will be adopted to minimise the risks associated with COVID-19 at the election:

- instructing electors, election staff and political participants to check-in and check-out of voting and counting centres using the Service NSW QR code
- instructing anyone who is queuing to enter, or gathering outside, a voting and counting centre must wear a mask at all times (applies to Greater Sydney, including Blue Mountains, Central Coast, Wollongong and Shellharbour)
- encouraging all electors, scrutineers, candidate campaign volunteers and election staff who are queuing to enter, or gathering outside, a voting, counting or other NSWEC venue to wear a mask at all times, even if not mandatory in the area at the time
- instructing that anyone who enters a voting and counting centre must wear a mask at all times
- encouraging electors to bring their own pens, or use the single-use pens which will be provided at voting centres, to mark their ballot papers
- maintaining physical distancing at voting centres by managing elector numbers at these venues and ensuring there is sufficient space between voting screens and issuing tables
- employing additional election staff to assist in managing physical distancing and implementing hygiene measures
- using voting screen inserts to allow for regular cleaning
- regularly cleaning surfaces, including voting screens and issuing tables
- ensuring hand soap and/or hand sanitiser and paper towels are available in bathrooms providing hand sanitiser and other personal protection equipment for use by election staff, electors and political participants
- displaying public health messaging at voting centres
- implementing reporting procedures for suspected or confirmed cases of COVID-19
- implementing and promoting changes made to voting eligibility requirements in order to mitigate COVID-19 related risks including expanded eligibility for postal voting.



Electors who are subject to mandatory quarantine or who are required to self-isolate (including following a COVID-19 test) must not attend a voting centre in person and are encouraged to use alternative voting channels, where eligible. Voting in NSW State and Local Government elections is compulsory but evidence of an obligation to be in quarantine/self-isolation can be considered by the Electoral Commissioner as a sufficient reason for an individual elector being unable to vote at an election.

Should the COVID-19 risk profile in NSW escalate in the lead up to an election, either generally or in specific electoral districts or local government areas, the NSWEC will work with NSW Health to recommend appropriate public health orders.

NSWEC may also make entry into venues it occupies subject to compliance with COVID-19 safety measures, even if no specific health order has been issued for an election by the Minister for Health and Medical Research.

If the Electoral Commissioner considers it is necessary, or there is a public health order that mandates it, all voting centres will display signs notifying electors and other visitors who attend they must, at a minimum:

- use the QR Code to check-in to the venue. Any electors, visitors or staff member who does not have a mobile device to check in using the venue QR code is required to manually check in.
- maintain 1.5 metres physical distancing and to follow strict hand hygiene
- wear a face mask whilst in the voting centre
- wear a mask at all times (applies to Greater Sydney, including Blue Mountains, Central Coast, Wollongong and Shellharbour) when queuing to enter a voting or counting centre, or when otherwise gathering outside
- consider wearing a mask when queuing in local government areas not subject to mandatory mask-wearing rules
- go home and get tested for COVID-19 if experiencing relevant symptoms

The COVID-19 safety measures that will need to be implemented during the voting process may mean that casting a ballot in some venues may take longer than in pre-pandemic elections. Electors should prepare for a longer wait and understand that these measures are for their own safety and for the protection of the wider public.

Protection measures for election staff

The following additional measures will be adopted to limit the risks of COVID-19 to our election staff:

- undertaking a check-in procedure around COVID-19 compliance for each staff member or supplier coming onto a NSWEC site, including reviewing and recording COVID-19 surveillance test results for staff where public health orders require
- avoiding rostering on staff, wherever practicable who, because of their usual place of residence are determined to be at higher risk of infection for COVID-19 under public health orders
- instructing staff to advise if they are (or should be) considered by NSW Health to be a close or casual contact of a COVID-19 confirmed case, before arriving for work
- instructing all voters, scrutineers, candidate campaign volunteers and election staff who are queuing to enter, or gathering outside, a voting, counting or other NSWEC venue to wear a mask at all times (applies to Greater Sydney, including Blue Mountains, Central Coast, Wollongong and Shellharbour)
- encouraging all electors, scrutineers, candidate campaign volunteers and election staff who are queuing to enter, or gathering outside, a voting, counting or other NSWEC venue to wear a mask at all times, even if not mandatory in the area at the time
- instructing all electors, scrutineers and election staff to wear masks in voting, counting and other NSWEC venues
- instructing all staff check-in and check-out of their work venue using the QR code
- providing additional training modules covering COVID-19 infection control practices
- regularly sanitising computer hardware used by election staff
- issuing election staff with their own stationery and discouraging the exchange of stationery between staff
- limiting shared use of equipment where possible
- maintaining 1.5 metres physical distancing between electors, scrutineers and election staff during the issuing of votes and scrutineer activities
- additional cleaning at voting centres and the Returning Officer's office
- encouraging the use of hand sanitiser and washing of hands
- providing face masks and gloves for use by staff
- employing additional staff to assist Polling Place Managers maintain a safe and healthy voting centre. The duties of these additional staff will include:
 - instructing those who wish to enter to check-in using the QR code
 - instructing those who wish to enter to wear a face mask
 - queue management, including maintenance of physical distancing
 - monitoring and controlling the number of electors permitted to enter voting centres at any one time
 - cleaning surfaces, including voting screens and issuing tables

Election staff experiencing symptoms of COVID-19, or who are subject to mandatory quarantine or who are required to self-isolate, will be directed not to attend a voting or counting centre to work.

Polling Place Managers will be responsible on election day for monitoring staff health and wellness, as well as issuing reasonable directions to staff about personal health protection issues and making reports to the Returning Officers and NSWEC Head Office where required.

In the event of a confirmed close contact event or confirmed COVID-19 case involving a member of staff or a visitor to one of NSWEC's offices or election venues, arrangements will be made to thoroughly clean the site before commencing operations again. If cleaning is impractical due to timing or location, consideration will be given by the Electoral Commissioner and/or Returning Officer to suspending operations at the venue.

Protection measures for scrutineers

The following COVID-19 protection measures will be adopted to maintain the safety of scrutineers, NSWEC staff and other people at election venues attended by scrutineers:

- everyone is required to check-in and wear a face masks prior to entering a venue, as per current public health orders
- within Greater Sydney, including Blue Mountains, Central Coast, Wollongong and Shellharbour when queuing to enter or gathering outside a voting and counting centre must wear a mask at all times
- even in areas where not mandatory, encouraging all electors, scrutineers, candidate campaign volunteers and election staff who are queuing to enter, or gathering outside, a voting, counting or other NSWEC venue to wear a mask at all times
- the Electoral Commissioner may issue additional guidelines or directions to all or specific scrutineers, regarding compliance with COVID-19 protective measures
- scrutineers who are subject to mandatory quarantine requirements or who are required to self-isolate must not attend a voting or counting centre (including where the scrutineer should know that NSW Health would consider them to be a close or casual contact of a COVID-19 confirmed case if they were aware of all the relevant facts)
- scrutineers who are experiencing symptoms of COVID-19 are encouraged to get tested for COVID-19, and to only enter an election venue after confirmation of a negative result. If a test is not practicable, any candidate or registered party whose scrutineer is experiencing symptoms should appoint a replacement scrutineer to attend on their behalf.
- while acknowledging the important role of scrutineers in maintaining the integrity of elections, the NSWEC may still determine in specific cases to request scrutineers to take further steps, including leaving the venue, if it reasonably believes there remains a risk to the health and safety of other persons at the venue relating to COVID-19.

Protection measures for third party suppliers

The NSWEC will work closely with its third party suppliers to ensure practical, protective measures are agreed upon and put in place to ensure a safe working environment at election venues.

As with staff, electors and political participants who attend election venues, third party suppliers have a duty under work health and safety laws to take reasonable care for their own and others' health and safety arising from COVID-19. This includes checking into the venue and wearing a face mask at all times.

Suppliers working in NSWEC offices and election venues will be asked to confirm to NSWEC that none of their assigned individual staff/contractors are experiencing COVID-19 symptoms (to the best of their knowledge) or are subject to stay-at-home directions. They will also be asked to confirm that any staff/contractors who are subject to public health orders around mandatory COVID-19 testing or other measures, have complied with such orders prior to working at a NSWEC venue.

Raising awareness about managing COVID-19 safety

Public awareness messaging from the NSW Electoral Commission will educate and inform electors and election participants of the changes for the election in response to COVID-19. This will occur across a range of media and in common community languages.

Political participants' individual responsibility for safety

Political participants are at the centre of the democratic process and have a critical role to play in minimising the risks to the community from COVID-19 infections occurring during election-related activities. The NSWEC is committed to minimising disruptions to scrutineering and other activities that contribute to the integrity of elections. As outlined in this Plan, however, certain adjustments and directions will be necessary according to the COVID-19 risk profile and public health orders in place at the time of an election event. The NSWEC anticipates and expects the cooperation of political participants in ensuring elections in NSW are as safe as possible for all.

It is expected that every political participant (i.e. candidates, scrutineers, candidate workers and third-party campaigners) will ensure they stay up to date with public health advice about COVID-19 issued by NSW Health and orders issued under the *Public Health Act 2010* that may apply to them during the election.

All political participants who attend a voting or counting centre during the election also have a duty under NSW workplace safety laws to:

- take reasonable care for their own health and safety
- take reasonable care that their acts or omissions do not adversely affect the health and safety of other participants, electors and staff
- comply with any reasonable instruction that is given to them by election officials to allow the NSWEC to comply with its own work health and safety obligations.

At the current time, the NSWEC is instructing all participants in the election to check-in prior to entering a premises, wear a mask at all times in the venue or while gathering or queuing outside, practice 1.5 metres physical distancing at all times, comply with any requirements related to

quarantine or self-isolation and avoid voting and counting centres if they are experiencing symptoms of COVID-19. In the event of escalating risks around COVID-19 prior to an election, however, additional instructions may need to be given by the Electoral Commissioner to maintain safety, and which scrutineers and other political participants will need to follow.

Physical distancing safety guidance, as well as current public gathering limits set by order issued under the *Public Health Act 2010*, will also mean there are noticeable differences from pre-pandemic elections. We will work with participants to explain and implement any changes to past election practices. Depending on the nature and severity of any further COVID-19 developments and public health orders prior to an election, these adjustments may include:

- the Electoral Commission may direct there be no posters displayed and/or no electoral material handed out, either in or on a polling place or pre-poll office, or relevant premises within 100 metres of a polling place or pre-poll office
- managing the number of scrutineers permitted to observe particular election processes
- encouraging electors to access candidate information online as an alternative to physically distributed election material at voting centres
- live video-streaming certain electoral processes as an alternative to scrutineers being physically present at those processes (such as opening of postal vote envelopes).

Vote counting safety

At an election, the NSWEC must determine how the counting of votes will occur while maintaining compliance with work health and safety requirements and public health orders concerning COVID-19 risks.

Changes to counting protocols

The NSWEC recognises it will need to balance the delivery of a transparent election with the delivery of a safe election. We will consider the safety of election staff, and political participants, and the ability to apply hygiene practices and physical distancing while they perform their respective roles.

The pre-COVID-19 model of counting on election day in voting centres and in the Returning Officer's office may not comply with physical distancing requirements and remains under review.

It is anticipated, however, that the following measures will need to be implemented:

- all ballot boxes will be cleaned prior to election staff accessing the ballot papers
- all election staff and scrutineers will need to maintain 1.5 metre distance during the count processes and wear masks at all times
- all election staff and scrutineers will need to follow hygiene rules as directed by the Returning Officer, Polling Place Managers or NSWEC staff members.

Timing of results

The COVID-19 safety measures that will need to be implemented during the count process will mean that counting of votes may take longer than in pre-pandemic elections.

Supporting material

The NSWEC has developed COVID-19 related resources to provide additional information regarding the above measures. These resources include posters, information sheets, and online training modules for election staff to outline how the NSWEC proposes to conduct elections in a COVID-19 safe manner.

Contact

For general information and advice about COVID-19 visit NSW Government – Coronavirus (COVID-19).

If you have any questions or require further information about this plan please contact us on 1300 135 736 or visit our website at elections.nsw.gov.au.

Reporting

The NSWEC is committed to maintaining the safety of its staff, electors and political participants. Any behaviour or incident that is not supportive of the safety measures outlined in this Plan should be reported to the NSWEC by contacting us on 1300 135 736 or via our website at elections.nsw.gov.au.

Cooperation

The NSWEC is public sector agency responsible for the independent conduct of state and local government elections. Preparing an election with adherence to measures in place due to COVID-19 requires a high level of coordination and planning.

To ensure there is coordination across key government agencies, the NSWEC will seek to work closely during planning for an election with representatives from:

- NSW Health
- Department of Premier and Cabinet
- NSW Police
- Office of Local Government NSW
- NSW Department of Customer Service
- NSW Department of Education.