

Standards, Procedures and Public Appointments Committee

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Proxy voting in UK legislatures

A proxy vote is a vote cast on the behalf of one person (often referred to as a principal) by another individual (known as a proxy). Legislatures may permit the use of proxy voting by elected representatives to ensure that they can exercise their vote during periods of absence, disability, and infirmity. There is variety in how such proxy voting schemes are designed.

This paper outlines the provisions for proxy voting at the UK Parliament, Senedd, and Northern Ireland Assembly. A summary table comparing the temporary Scottish Parliament provisions with other UK legislatures is included at the end of this paper.

UK Parliament

House of Commons

The House of Commons has a permanent [proxy voting scheme](#). The first iteration of the [permanent scheme was agreed on 23 September 2020](#).

The Proxy Voting Scheme is provided for by [Standing Order 39.A of the Standing Orders of the House of Commons](#). The Speaker of the House of Commons issues the scheme.

The eligibility criteria for the permanent scheme are set out in the Standing Orders of the House of Commons. Standing Order 39A.2 states:

“A Member is eligible for a proxy vote by reason of—

- (a) childbirth;*
- (b) care of an infant or newly adopted child;*
- (c) complications relating to childbirth, miscarriage or baby loss...*

subject to the conditions set out in the scheme published under paragraph (1) of this order”.

A proxy vote may be used in any division, including in a Committee of the Whole House. Proxy votes are also permitted to be cast in ballots for the election of the Speaker, Deputy Speakers, Select Committee Chairs, and the Chair of the Backbench Business Committee. However, proxy votes do not count for determining a quorum.

Proxy votes can only be used if the Speaker certifies the Member’s eligibility. This certification, which includes the name of the nominated proxy, is recorded in the “Votes and Proceedings” before it becomes effective. Votes cast by proxy are also marked as such in the division lists published by the House of Commons.

The House of Commons is piloting proxy voting for serious long-term illness or injury. The temporary provisions for long term illness and injury were agreed on 12 October 2022 and are in place until the end of the current Parliament. The Procedure Committee in the interim published a review of the illness and injury pilot on 16 March 2023. The Committee recommended that the provisions for serious long-term illness and injury should be retained.

Standing Order 39.A which provides for the scheme does not require Members to be absent from the House of Commons in order to be eligible for a proxy vote, or for the intended proxy to exercise a valid proxy vote. However, the [Proxy Voting Scheme issued by the Speaker states](#):

“The existence of proxy voting in the House of Commons is based on a general expectation of absence from the Estate, by virtue either of parental responsibilities or the severity and duration of an illness or injury”.

The conditions on the duration of a proxy vote are set out in the [scheme issued by the Speaker](#).

For birth or adoption, parents can vote by proxy up to one month before and up to six months after the due date or adoption date. For complications related to childbirth, the duration is determined by the Speaker in consultation with the affected Member.

The proxy vote can last between one and seven months from the date specified by the Speaker for long-term illness or injury. The Speaker may grant an extension at the end of the seven month period following an assessment by the Parliamentary Health and Wellbeing Service and if the Member provides a statement from a hospital consultant.

Previous House of Commons proxy voting schemes

Proxy voting was [first implemented in the House of Commons on 29 January 2019](#) as a one year pilot scheme to allow Members to exercise their vote during periods of maternity, paternity, and adoptive leave, and any complication which may arise from pregnancy or childbirth. The temporary scheme was subsequently [extended twice and comprised 20 months](#) in total, [ending on 28 August 2020](#). The decision to make

the proxy voting scheme permanent on 23 September 2023 followed a [review of the pilot scheme by the Procedure Committee](#).

Temporary provisions for proxy voting were also a feature of the House of Commons business continuity measures during the COVID-19 pandemic. Proxy voting was available to [Members who for medical and pandemic-related reasons were not able to attend the House of Commons](#). These [arrangements were first agreed on 4 June 2020](#). The arrangements were extended on several occasions and [the provisions expired on 30 March 2021](#).

House of Lords

[Standing Order 59](#) was agreed by the House of Lords on 31 March 1868. This rule prohibits the use of proxy voting.

Senedd, the Welsh Parliament

The Senedd has permanent provisions for proxy voting. The provisions have been [in place since 29 March 2023](#). The implementation of permanent arrangements followed a [review by the Business Committee of the temporary provisions that had been in place from 11 March 2020](#).

Proxy voting is provided for by [Standing Order 12.41A of the Standing Orders of the Welsh Parliament](#). The rules of procedure for the operation of proxy voting is set out in Standing Orders 12.41A to 12.41G. The Presiding Officer of the Senedd issues [guidance on voting by proxy](#).

Members of the Senedd may arrange for their votes to be cast by proxy in instances of absence due to parental leave, long-term illness or injury, caring responsibilities, or bereavement leave.

The duration for parental leave proxy voting can be up to seven months, comprising a maximum of four weeks before and six months after the due date, adoption date, or surrogacy date. For long-term or serious illness and caring responsibilities, a proxy vote can be granted for a minimum of four weeks and a maximum of six months. The duration for bereavement is determined between the Member and the Presiding Officer with extensions being granted at the discretion of the Presiding Officer.

Proxy votes are permissible for all plenary business and in a Committee of the whole Senedd if the Presiding Officer has certified the Member's eligibility. Any proxy vote is marked in the report of plenary proceedings or minutes of the Committee of the whole Senedd.

Review of temporary provisions for proxy voting in the Senedd

Proxy voting for parental leave was permitted on a temporary basis from 11 March 2020 to 29 March 2023. The Senedd Business Committee agreed to review the

proxy voting provisions in November 2022 and [published its report and proposals in March 2023](#). The scope of the review was:

- *“to consider the possibility of making the existing provisions (for parental leave) permanent, with or without amendment; and*
- *to consider extending the scope of the scheme to cover Members who are absent from the Senedd due to long-term illness or injury and other caring responsibilities”.*

The Business Committee also considered the change in Senedd working practices following the introduction of proxy voting and the business continuity arrangements introduced during COVID-19. The Committee indicated its view on how proxy voting should be provided for considering these developments. The Business Committee report states:

“In light of the development of remote participation and voting in Senedd proceedings, Business Committee agreed at the outset of the review of proxy voting that eligibility should be limited to situations in which a Member was to be absent from all Senedd proceedings”.

The Business Committee concluded in its report that proxy voting for parental leave should be made permanent with a seven-month allowance, split up as one month before and six months after the due date, adoption date, or surrogacy date. The Business Committee indicated it was for the Presiding Officer to decide proxy voting duration in specific cases, such as miscarriage and stillbirth. The Business Committee also decided that extended provisions for proxy voting should be extended to cover long-term illnesses or injuries, caring responsibilities, and bereavement.

The Business Committee also proposed that proxy voting should be available for all Plenary and Committee votes with a review of the arrangements taking place before the end of Session 6 of the Senedd.

The Business Committee proposals for amending the Standing Orders were [agreed on 29 March 2023](#).

Northern Ireland Assembly

The Northern Ireland Assembly makes permanent provisions for proxy voting in [Standing Order 27\(11\) of the Northern Ireland Assembly](#). Standing Order 27(11) of the Northern Ireland Assembly states:

“If any member is present within the precincts of the Assembly and is disabled by infirmity from passing through a lobby, his or her name may be communicated by his or her party whip to the lobby clerks and tellers and may be included in the numbers counted”.

The Northern Ireland Assembly also introduced expanded provisions for proxy voting as a temporary business continuity measure during COVID-19 public health restrictions.

[Temporary Standing Order 112](#) allowed Members of the Legislative Assembly (MLA) to vote by proxy from March 2020 until the end of the Assembly's 2017-2022 mandate. There were no specific eligibility requirements to request a proxy vote.

The MLA who wished to vote by proxy had to give notice of their proxy vote and the period for which it was to be in place to the Speaker. Temporary Standing Order 112 also provided for an emergency proxy vote procedure where an MLA became aware that they had to self-isolate during a sitting day.

The temporary proxy voting provisions did not allow members voting by proxy to be counted to establish a quorum. Members participating remotely in hybrid proceedings were not allowed to vote remotely but could vote by proxy.

The Northern Ireland Assembly Committee on Procedures ("Procedures Committee"), following a [recommendation by the Speaker \(of the Northern Ireland Assembly\) and Northern Ireland Assembly Business Committee](#), began a review of proxy voting on 30 September 2020.

The aim of the Procedures Committee review was to consider the instances in which proxy voting could be retained on a more permanent basis. At its [meeting on 9 February 2022](#), the Procedures Committee agreed that Standing Order 27(11) should be extended to include parental leave and long-term illness.

The Procedures Committee also made a recommendation to conduct a further "full" review in the next Northern Ireland Assembly mandate to assess whether bereavement and caring emergencies should be included as eligibility criteria for proxy voting.

Elections to the Northern Ireland Assembly took place on 5 May 2022. The Assembly has not been able to elect a Speaker. As such, no further business has been able to take place, including the formation of an Executive and Committees of the Northern Ireland Assembly. This means the Northern Ireland Assembly has not been able to take any decisions on recommendations made from the 2017-2022 Procedures Committee review of proxy voting.

Summary table of UK legislatures with provisions for proxy voting

Legislature	Scheme status	Proceedings	Eligibility criteria	Eligibility criteria in Standing Orders
Scottish Parliament	Temporary	Plenary	Parental leave ¹ Illness, and long-term illness Bereavement Attending to someone at end of life	No
House of Commons, UK Parliament	Permanent	Plenary	Parental leave ¹	Yes
	Temporary	Plenary	Long-term illness or injury	Yes
Senedd	Permanent	Plenary	Parental leave ¹	Yes
			Long-term illness or injury	
			Caring responsibilities	
			Bereavement	
Northern Ireland Assembly	Permanent	Plenary	Present at the Assembly and disabled by infirmity from passing through a lobby	Yes
	Temporary ²	Plenary & Committee	Unspecified criteria (provisions for business continuity during COVID-19)	N/A

¹ Including new mothers, new fathers, adoptive leave, and complications related to pregnancy, miscarriage, and baby loss.

² The provisions for the temporary proxy voting scheme at the Northern Ireland Assembly expired on 31 July 2022.

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