



# **The effect of the Quick Vote on democracy in the National Trust**

**A report by Restore Trust**

**December 2023**

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## 1. FOREWORD

Elections for the National Trust are among the most significant ballots for any voluntary body anywhere in the world. Over five million members are eligible to cast their votes for the Council as well as for (or against) resolutions that determine the future direction of the National Trust. Upon the outcome of these votes rests the governance and strategy of the UK's largest organisation for the preservation of our heritage and natural beauty.

It is essential for the National Trust, its members, and all who care about the work of the National Trust, that the electoral system for the Trust is as fair as possible.

This report, produced by Restore Trust, asks whether the current electoral system meets the standard of being democratic, simple, well-informed, and fair. In particular, it considers whether the introduction of the Quick Vote system in 2022 – which makes it relatively easy to vote for a recommended set of candidates and resolutions, and comparatively difficult to vote any other way – enhances or undermines the principles of free and fair elections.

The conclusions of this report should be a cause for concern to all who care about the National Trust and its internal democracy. As this report shows, the implementation of the Quick Vote has created, or exacerbated, significant biases within the National Trust's elections which have undermined the integrity of the elections and diminished the voice of the members.

The good news is that it doesn't have to be this way. This report proposes alternative models of ballot design and voting procedure which could serve the charity better. One of these is the Single Transferable Vote, which is used for local government elections in Scotland and in a number of voluntary bodies such as the British Medical Association. This alternative would empower members and enable them to have more say in the running of the National Trust.

I commend this report. I hope that it will be a springboard to further discussion and consideration of the ways in which the National Trust's elections should be conducted. After all, the National Trust exists to preserve our heritage and nature in the interests of the entire nation. Democratic, simple, well-informed and fair elections will help it fulfil this role to the benefit of all.

**Sir Vernon Bogdanor**

*Professor of Government, King's College, London and Vice President of the Electoral Reform Society*

## 2. INTRODUCTION

The National Trust plays a special role in the life of the United Kingdom. It is tasked with providing for the 'permanent preservation for the benefit of the nation of lands and tenements (including buildings of beauty or historic interest...)'.<sup>1</sup> Such is the importance of its work in the eyes of British people that it is the second-largest membership organisation in the UK, after only the National Union of Students (NUS).<sup>2</sup>

All membership bodies, including the National Trust, have to consider how they engage members in their governance whilst recognising that their executive team will have responsibility for the day-to-day running of the organisation. Over the past century, these questions have become more acute thanks to an increased awareness of the individual's part in civic society and a widespread desire to exercise that responsibility productively. In response to these pressures, internal democracy within membership organisations increased throughout the twentieth century. The National Trust was no exception to this trend.

The Annual General Meeting (AGM) of the National Trust is the centrepiece of its democratic engagement with members. Ahead of and at the AGM, the National Trust invites its members to elect a proportion of the National Trust's Council and to vote on certain matters of policy. Members typically make their wishes known through the casting of a ballot, historically facilitated either in person or by post but now most commonly completed online. As the work of the National Trust is so important, we believe that the electoral practices used by the charity are worthy of scrutiny. In particular, we believe any changes to the methods of voting should be evaluated to consider the impact such changes have on the operations of the Trust.

The introduction of the Quick Vote in 2022 is one such change, as its implementation radically restructured the balloting process for members. When casting their vote, members are now invited to use the Quick Vote at the top of the ballot paper or screen. When members select this option, their votes will be used to support the Nominations Committee's preferred candidates for the Council and to vote for or against resolutions in line with the wishes of the Board of Trustees. To cast their votes in line with their own appraisal, members need to consult the list of candidates and resolutions on the paper ballot or, if voting online, scroll down the page to see the list of candidates and select a further option to see the resolutions which are being voted on. The Quick Vote is therefore presented as the first and easiest voting option.

<sup>1</sup> National Trust Act 1907, s4.

<sup>2</sup> Memberwise, 'The 100 Largest UK Membership Bodies', accessed 9 October 2023. Available at: <https://memberwise.org.uk/influence100/>

In compiling this report, we have sought to analyse the National Trust's use of the Quick Vote against a set of widely accepted principles for free and fair elections within membership organisations. These principles are that elections should be:

- **Democratic**, ensuring that members' voices are heard.
- **Simple**, removing (where possible) arrangements which could confuse and even disenfranchise voting members.
- **Well-informed**, with members having easy-to-access and reliable information about the candidates and the resolutions being voted upon.
- **Fair**, with no voting option unfairly advantaged by the design of the ballot or the presentation of choices.

We have identified these principles as ones which are widely agreed to reflect best practice in free and fair elections.

This report begins by reflecting on the history of internal democracy in the National Trust, before considering the current voting system for both Council elections and resolutions. Next, we turn to the introduction of the Quick Vote for National Trust elections by considering how the Quick Vote works, how it was introduced in 2022 and how its use was justified. We then move on to issues relevant to the Quick Vote in the academic literature on elections and ballot design. This analysis exposes significant cause for concern about the use of the Quick Vote. Finally, we consider alternatives to the Quick Vote. Whilst this report does take a view on which of the available alternatives best meets the principles of free and fair elections set out above, we believe that *all* of the suggested alternatives would make the process of National Trust elections simpler, fairer, better-informed and more democratic. We urge the National Trust to consider them all.

### 3. EXECUTIVE SUMMARY

- A. The National Trust is the second-largest membership organisation in the UK, tasked with preserving many of the country's most historic buildings and areas of greatest natural beauty. As it is an organisation of national significance, its elections should be consistent with the highest standards of free and fair elections in membership bodies. This means that votes should be democratic and fair and that voters should be well-informed while not being burdened with any unnecessary processes which make voting more onerous.
- B. Members of the National Trust are eligible to vote in elections to the charity's governing Council and to pass or reject resolutions tabled at the AGM. Prior to the AGM, the leadership of the National Trust endorses selected candidates for the Council of the National Trust and advocates positions on the resolutions to be voted upon by members.
- C. In 2022, a major reform to the voting system used for the National Trust AGM was introduced: the Quick Vote. It was implemented without widespread consultation or the explicit support of members. When using the Quick Vote, members are invited to tick a single box in order to vote for all of the National Trust's endorsed candidates and in line with the recommended view on resolutions.
- D. The National Trust claims that the Quick Vote reflects wider industry practice, increases the voting options available to members, and helps to ensure as many members as possible are engaged in the Trust's governance processes. However, evidence from the 2022 and 2023 AGMs, initial feedback from members and an analysis of electoral practices beyond the National Trust, all give us cause to doubt the benefits of the Quick Vote.
- E. Turnout in National Trust elections increased significantly in the decade prior to the introduction of the Quick Vote as a larger percentage of members became engaged in the activities of the Trust. The use of the Quick Vote appears immaterial to this trend. Indeed, the number of votes cast on AGM resolutions has declined slightly since the Quick Vote was introduced. Wider industry analysis suggests the continued use of the Quick Vote risks undermining turnout in the longer term by leaving members with the impression that votes are a *fait accompli*.
- F. Our analysis of published academic research on voting methods and ballot design shows how the Quick Vote both introduces and increases biases in elections. The Quick Vote benefits from the 'primacy effect', the advantage which comes with a prominent position on the ballot paper. Members voting online in elections to the Council are invited to use the Quick Vote option before scrolling down to see the full list of candidates on the screen. When voting online

for resolutions, members are first invited to use the Quick Vote and have to click on an entirely different page in order to see the resolutions that they are voting on. Academic research has shown how such ballot paper design biases the ballot.

- G. A second phenomenon relevant to the Quick Vote is the 'straight ticket effect.' In a conventional straight ticket election, the voter is given the option to vote for one of several slates of election candidates and/or resolutions in accordance with the endorsement of an organisation or group. However, in National Trust elections only one slate of candidates and resolution votes is offered to members, specifically the slate endorsed by the National Trust's leadership. There is no 'opposition' slate, so that no competing set of options is presented to voters. The effect is to make it significantly easier for members to vote for the endorsed candidates and positions using the Quick Vote than it is to vote in line with their own views and judgement.
- H. The impact of the Quick Vote is to make it more likely that endorsed candidates are elected, and resolutions supported by the existing leadership are adopted, at AGMs. Consequently, the existing views of the Council and Board of Trustees are likely to be replicated without serious scrutiny or challenge from the National Trust's many members at its AGM. This could lead to a narrowing of the opinions held by members of the Council and the conversion of votes into a rubber-stamping process, an outcome which risks alienating members who feel their views are not represented within the Trust.
- I. There are alternatives available which would make votes fairer and more democratic. For Council elections, options include the asterisk vote, where endorsed candidates are indicated on the ballot paper; the slate vote, where competing slates of candidates can be voted for via one simple vote; or a fully open vote, where the ballot paper does not guide candidates to vote for any one candidate over another, but any recommendations are communicated to voters separately. An open voting model could also replace the current more complex system of voting by proxy on resolutions.
- J. Beyond improving the design of the ballots, changes to the electoral system used in Council elections could also strengthen the representation of members' voices. One alternative considered in this paper is the Single Transferable Vote (STV) which is widely used by membership organisations comparable to the National Trust, including societies and trade unions. STV for National Trust Council elections would broaden the support base required in order to be elected and make it more likely that outstanding candidates are elected to the Council.
- K. This report argues that any of the above alternatives would better engage members in the work of the National Trust and ensure that members' voices are

heard through free and fair elections. The conclusion of this report is that the introduction of the Quick Vote for National Trust AGMs has made internal democracy in the Trust less democratic, less simple, less well-informed and less fair. If these issues are not addressed and the use of the Quick Vote reversed, the future of the membership's engagement in the National Trust is at risk.



## 4. RECOMMENDATIONS

This report makes the following recommendations to the National Trust for improving the electoral processes of the AGM so that elections are more democratic, simple and fair, and lead to members making well-informed choices.

*For elections to the Council of the National Trust, we recommend that:*

1. The National Trust reverses its decision to adopt the Quick Vote system of voting.
2. In place of the Quick Vote, National Trust elections return to the fully open vote system, which is the simplest and most effective way to make the ballot fairer and more democratic, as candidates are listed together and members mark with a cross (X) the candidate(s) that they wish to elect.
3. If the National Trust decides not to restore fully open voting, we recommend alternative options for ballot design which would still lead to a more democratic outcome than the Quick Vote:
  - a. Recommendation by asterisk, with endorsement from the Nominations Committee indicated on the ballot with an asterisk and all candidates listed together and voted for by the same mechanism.
  - b. Voting by slates, with other interested groups and organisations proposing their own slates alongside the Nominations Committee.
4. A consultation should be held on the viability of further improving the quality of democracy within National Trust elections, including (but not limited to) the possible introduction of the STV voting model and randomising the order in which names appear on the ballot.

*For votes on members' resolutions, we recommend that:*

1. An open voting model is introduced for votes on resolutions.
2. The present proxy vote system is replaced with voting on the same basis as in Council elections. Dispensing with the step of appointing the Chair as proxy will simplify the voting process, which is currently unnecessarily complicated and, for this reason, risks disenfranchising members.

## 5. INTERNAL DEMOCRACY AND THE NATIONAL TRUST

Membership organisations have a long and rich history in the UK. They are involved in almost every facet of civic life from national heritage to financial services to the workplace. The influence of such organisations has often depended on the financial muscle and legitimacy which they gain from a large and active membership. Internal democracy, therefore, plays an important role in membership organisations, not least because it engages the members on whom the organisations depend and allows members to raise concerns and influence the leadership of the organisation.

The importance of democratic practices within the National Trust is recognised by the organisation itself, with the Board of Trustees speaking of their pride in the National Trust as a 'democratic organisation' which will 'always protect and promote our members' right to have their say'.<sup>3</sup> The AGM is the principal event at which members can have that say, when they are empowered to vote for half of the National Trust's Council and on resolutions that determine the strategic direction of the Trust.

In this chapter, we look at the history of internal democracy within the National Trust.

### ***History of internal democracy within the National Trust***

The National Trust was first incorporated in 1894 as a not-for-profit Association, led by a 'well-connected elite' in pursuit of a cause.<sup>4</sup> It was put on a statutory footing in the first decade of the twentieth century with the National Trust Act 1907; further Acts followed in 1919, 1937, 1939, 1953 and 1971, with further updates to its operations in The Charities (National Trust) Order 2005.

As the National Trust evolved, so did the role of internal democracy within it; especially as the Trust sought a more reliable source of income and greater legitimacy for its expanding role in civic society. Indeed, it may not be a coincidence that with increased democratisation the body became a nationally admired and respected institution. Yet the progression from an elite-led organisation to membership democracy followed an uneven course. Among several key moments, two reports – the Benson Report and the Oliver Report – played critical roles in its journey.

<sup>3</sup> National Trust, 'AGM 2023: Trustees' Response to Motion on Quick Vote', accessed 8 October 2023. Available at: <https://documents.nationaltrust.org.uk/story/agm-2023/page/5/5>

<sup>4</sup> John Lansley, 'Membership Participation and Ideology in Large Voluntary Organisations: The Case of the National Trust', *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 7:3, 227 (1996).

The Benson Report of 1968 was a major landmark in the evolution of the National Trust. Sir Henry (later Lord) Benson recognised that '[a]n increasing population; more leisure hours; enormous increase in motor vehicles... has meant that access and amenity which was quite adequate between the wars and even in the 10 years after it are now inadequate.'<sup>5</sup> He proposed the radical overhaul of the administration of the National Trust, the widening of access to its sites and the mass expansion of its membership. He further called for the Council to be more accountable to the members by allowing all members of the Trust to elect the Council, not just those present at the AGM.<sup>6</sup>

At the time of the Benson Report, issues of how members engage with the AGM and cast their ballots were salient, as they are today. For example, the committee behind the report considered the use of the postal ballot for AGMs. It was conscious of the challenges involved in reform and the need to ensure that members are well-informed when casting their ballots, cautioning against the use of postal ballots on resolutions:

*... we do not recommend it. It means that members have to vote before they have had the benefit, if they wish to, of hearing debate in general meetings at which the merits of the opposing views are considered; in practice it often causes members to cast their votes on matters about which they know little or nothing.*<sup>7</sup>

Despite the report's view, remote ballots cast in advance of the AGM have become the norm, with the use of postal ballots subsequently supplemented by online ballots.

A further landmark report in the history of internal democracy within the National Trust was the Oliver Report of 1993.<sup>8</sup> The report was commissioned following the controversy caused by the National Trust's decision not to give effect to the vote at the 1990 AGM for banning deer hunting on National Trust land.<sup>9</sup> Lord Oliver wrote that the Council should not be 'unduly influenced by pressure from the membership' when it comes to such resolutions. Instead, he emphasised the wider responsibilities of the National Trust to both the current, and future, beneficiaries of the Trust's work beyond its membership. Oliver's words were widely seen as encouraging a less democratic and more oligarchic approach to internal democracy within the Trust.

<sup>5</sup> Henry Benson, *The Benson Report on the National Trust*, National Trust: London (1968).

<sup>6</sup> Sean Nixon, 'Trouble at the National Trust: Post-war Recreation, the Benson Report and the Rebuilding of a Conservation Organization in the 1960s', *Twentieth Century British History*, 26:4, 547, (2015).

<sup>7</sup> Henry Benson, *The Benson Report on the National Trust*, National Trust: London (1968).

<sup>8</sup> Peter Oliver, *The Oliver Report on the Constitution*, National Trust: London (1993).

<sup>9</sup> John Lansley, 'Membership Participation and Ideology in Large Voluntary Organisations: The Case of the National Trust', *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 7:3, 229 (1996).

The issues confronted by Oliver were difficult to resolve and it was unsurprising when a similar controversy followed just over a decade later regarding fox hunting.<sup>10</sup> In 2002, Nicholas Soames MP and Clarissa Dickson Wright, pro-hunting candidates, secured seats on the Council when the Chair allocated thousands of discretionary proxy votes.<sup>11</sup> One of the defeated candidates, Nicholas Fry, was quoted as saying that '...the Council has become a self-perpetuating oligarchy'.<sup>12</sup> (It is important to note that the National Trust's preferred candidates were not necessarily elected as a result of the discretionary proxy votes of the Chair. At the same meeting Sir Laurence Magnus failed to gain a Council seat, despite the allocation of thousands of discretionary votes.)<sup>13</sup>

Throughout the recent history of the National Trust, there have often been demands for change – both from those who seek a more purely democratic system and those who seek an even more guided democracy which would favour institutional recommendations. For a time, it appeared that the former would continue to benefit from the historical trend of membership organisations towards greater internal democracy, for example with the Chair's discretionary proxy vote in Council elections being abolished in 2005. (Its use for members' resolutions has since also been challenged. Whilst it remains in use, its functions have largely been replaced by the Quick Vote - in that members who wish to vote according to the Trustees' recommendations can now do so directly, through the Quick Vote, rather than indirectly, by leaving their vote to the discretion of the chair.)<sup>14</sup> Against the historic trend, the introduction of the Quick Vote in 2022 was a significant development in favour of the institutional recommendations and away from further democratisation.

<sup>10</sup> Lucy Maggs, 'National Trust Comes Under Attack', *Third Sector*, 13 November 2002. Accessed 11 October 2023. Available at: <https://www.thirdsector.co.uk/national-trust-comes-attack/article/618857>

<sup>11</sup> Until 2004 elections to the Council were held at the AGM itself, and the Chair of the meeting was appointed as proxy to vote on behalf of members not present. Any votes not specified by the voter would be cast at the Chair's discretion. These votes would often, but not always, be cast for the candidates recommended by the Nominations Committee.

<sup>12</sup> *Ibid.*

<sup>13</sup> Peter Hetherington, 'Voting Muddle Creates Red Faces at National Trust', *The Guardian*, 11 November 2002. Accessed 14 October 2023, available at:

<https://www.theguardian.com/global/2002/nov/11/peterhetherington.uk>

<sup>14</sup> Restore Trust, 'The Chairman's Discretionary Proxy Vote on Members' Resolutions Should be Abolished'. Accessed 24 July 2023, available at: <https://www.restoretrust.org.uk/resolution-1>

## 6. NATIONAL TRUST ELECTION PROTOCOLS AS OF 2023

The National Trust has a twofold governance structure, with both a Council and a Board of Trustees. The Council consists of 36 members who are tasked with advising on important decisions, informing strategy and keeping the National Trust connected to the wider public.<sup>15</sup> The principal duty of the Council is to appoint a Board of Trustees, the National Trust's governing body which oversees the executive. The executive delivers the National Trust's strategy and manages its day-to-day activities.

At the AGM, members are given the opportunity to vote for members of the Council of the National Trust and on resolutions which will set the strategic direction of the National Trust. In this chapter, we look at the current arrangements for both the Council and resolutions, including the different methods available to members for the casting of their ballot.

### ***The National Trust Council***

Membership of the Council is split evenly between those appointed by external bodies and those elected by the members. In 2018, the following organisations were chosen to select the appointed members of the Board. (In 2024, the National Trust will be reviewing the Council's appointing bodies and the list below will be subject to change.)<sup>16</sup>

- Campaign to Protect Rural England
- Canal & River Trust
- Council for British Archaeology
- English Heritage
- Historic Houses
- Museums Association
- National Farmers' Union
- Open Spaces Society
- Ramblers
- Royal Horticultural Society
- RSPB
- Society for the Protection of Ancient Buildings
- Soil Association
- Tenants' Association of the National Trust
- The Conservation Volunteers

<sup>15</sup> National Trust, 'Council', Accessed 16 October 2023. Available at: <https://www.nationaltrust.org.uk/who-we-are/about-us/council>

<sup>16</sup> National Trust, 'Appointing Bodies'. Accessed 16 October 2023, available at: <https://www.nationaltrust.org.uk/who-we-are/about-us/appointing-bodies>

- The Duke of Edinburgh's Award
- The Wildlife Trusts
- The Woodland Trust

For the elected members of the Council, a process of guided democracy is followed. Anyone can stand for election and go forward to the ballot, but a slate of candidates is recommended to members each year by the Nominations Committee, a body constituted by the Council. The recommendations are made in line with The Charities (National Trust) Order 2005, a statutory instrument which gave effect to a scheme for the administration and governance of the National Trust, which says:

*The Council shall each year after consulting with a Nominations Committee... draw up criteria to be applied in assessing candidates for election to the Council... The Nominations Committee shall publish recommendations to members as to which candidates, in the opinion of the Nominations Committee, best satisfy the criteria...<sup>17</sup>*

There are several arguments for the recommendation of candidates for election. In particular, Professor Iain McLean notes that 'membership organisations often have a duty to maintain a certain level of skill and diversity in their boards.'<sup>18</sup> Many members of the National Trust show awareness of this duty, with one respondent to an online discussion forum for members conducted by 'Our Place' writing, 'I vote using quick vote for the candidates as I do not know them at all and understand about filling certain needs by choosing suitably qualified candidates.'<sup>19</sup>

The merits of such recommendations being made is beyond the scope of this report. However, accepting that recommendations can be made to members is distinct from endorsing a biased voting model such as the Quick Vote as a means of electing those recommended candidates, as discussed in the next chapter.

### **Resolutions**

Resolutions are an important part of the internal democracy of the National Trust. While votes on resolutions are not binding, they are taken seriously and can influence major strategic decisions. Any member of the National Trust may submit a resolution to be considered at the AGM, providing it is set out in writing, signed by not fewer than 50 eligible members of the National Trust, five of whom must sign as

<sup>17</sup> The Charities (National Trust) Order 2005.

<sup>18</sup> Iain McLean, interview by Josh Scott, July 2023.

<sup>19</sup> From the discussion 'Developing the ways you can take part in the AGM' which appeared on <https://our-place-insight.org.uk> in July 2023.

'proposers' and the rest of whom sign as 'supporters', it is delivered to the Secretary in a timely manner and is formally proposed and seconded at the AGM by two of the five proposers. Advocates for the resolution may submit a written statement of up to 500 words in length making the case for their resolution.<sup>20</sup> Under certain circumstances, for example if the resolution is judged unlawful or a significant majority of the Board of Trustees consider it immaterial to the National Trust's work, a resolution may be judged out of order.

In addition to members' resolutions, the Board of Trustees can propose resolutions. Such resolutions can concern and even replace the provisions set out in the Charities (National Trust) Order 2005 relating to general meetings with new or amended provisions. For example, in 2021 the Board of Trustees proposed and passed a resolution with the membership for 'Digital Futures' that made provision for online AGMs.

As per section 35(10) of the Charities (National Trust) Order 2005, which refers to the vote on members' resolutions, the Board of Trustees is entitled to comment upon resolutions put to the AGM:

*The Board of Trustees may itself send a statement commenting on the resolution to every member of the Charity together with the notice of the meeting at which the resolution is to be proposed and may include in such a statement a recommendation to the members as to the manner in which they should cast their votes.<sup>21</sup>*

In order to be adopted, a resolution must receive the support of a majority of the votes cast by members.

Until 2022 there were three boxes next to each resolution, marked 'for', 'against' and 'abstain'. Any resolution left blank was cast as a discretionary proxy vote, meaning the Chair of the meeting could cast the vote according to his or her judgement. The practice proved controversial, with some arguing that a resolution left blank should be treated as an abstention. Subsequently, a fourth box labelled 'discretionary' has now been introduced next to each resolution, ensuring that members' intent is clear. While making the process fairer, this has introduced additional complexity.

### **Methods of voting**

Council elections take place by post or online in advance of the AGM. Votes on resolutions are, formally, taken at the AGM, although only a small number of

<sup>20</sup> For further information and the full rules concerning resolutions, see clause 35 of The Charities (National Trust) Order 2005.

<sup>21</sup> Charities (National Trust) Order 2005, s 35(10).

members present cast their votes on the day. The vast majority of voting members appoint the Chair as their proxy and specify how their votes should be cast in advance, either for each resolution individually or in line with the Trustees' recommendations via the Quick Vote. As so few votes are now cast at the AGM itself, the debates on resolutions have become a formality and have been supplanted by statements in the AGM booklet and by media coverage.

Members have three options when voting in the National Trust AGM. They are:

- **Specified vote - members' individual choices (Council and resolutions).** Under this model, members look at the individual Council candidates and resolutions and vote for them (or instruct the chair on how to vote on their behalf) individually in line with their judgement.
- **Specified vote - Quick Vote (Council and resolutions).** By selecting the Quick Vote option, members' votes on both the Council candidates and the resolutions will be cast in line with the Board of Trustees' position on the resolutions and the Nominations Committee's recommendations for the Council.
- **Discretionary vote - Chair's discretion (resolutions only).** Members' votes on resolutions are cast by the Chair of the AGM acting as their proxy. Where members do not specify how they want to vote, the Chair can cast these votes as he or she sees fit. This mechanism has largely been supplanted by the Quick Vote, but its continued use adds an extra layer of complication to voting which could easily be remedied by its removal.

In the next chapter, we look at the operation of the second of these options, the Quick Vote, whereby members' votes on both the Council and resolutions are cast in line with recommendations of the National Trust's leadership.



## 7. THE QUICK VOTE

The leadership of membership organisations is rarely neutral in the questions put to its membership, whether on the election of members of a governance or executive team, the adoption of key documents (e.g., accounts), the proposal to go on strike in the case of trade unions or the voting on resolutions setting out the strategic direction of the organisation. Whilst broadly democratic, they typically practise different forms of guided democracy, holding the hands of their voting members to try to influence the outcome of votes.

The Quick Vote, one of three types of vote (see above) which members can use to cast their votes in a National Trust AGM, is an example of guided democracy in action. By using the Quick Vote mechanism, voters can express a view on multiple resolutions and vote for a number of candidates standing for election by marking a single box. Crucially, their votes are cast in line with the recommendations of the existing National Trust leadership. In the case of the National Trust, the Quick Vote is a specified vote, meaning that how the votes will be cast can be known to the voter in advance. Figures 1 and 2 below show how the Quick Vote was offered to members for the 2023 National Trust AGM.

**2023 Annual General Meeting**  
Voting services provided by Civica Election Services

**Election to the Council**

The profiles of all the Council election candidates, including the Nominations Committee's recommended candidates, are in the 'Notice of Election to the Council' section of the [AGM booklet](#).

You can vote for up to five candidates in the 'Choose your candidates' section below. Alternatively, you can vote for the five candidates recommended by the Nominations Committee by selecting the 'Quick vote' option.

**Quick vote**

To vote for the five recommended candidates, select this box.

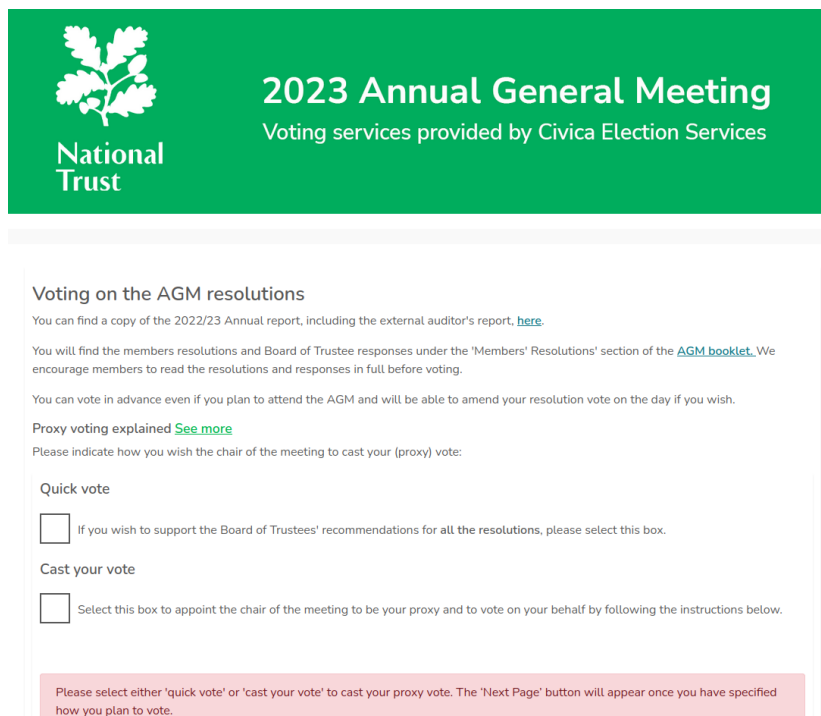
**Choose your candidates**

Please select the box next to your chosen candidate(s). You may vote for up to 5 (FIVE) candidates.

Candidates are listed in alphabetical order.

Name	Vote
Sid Bains	<input type="checkbox"/>
Adam Bray	<input type="checkbox"/>

**Figure 1:** The Quick Vote option for Council elections as presented to National Trust members for the 2023 AGM.



**2023 Annual General Meeting**  
Voting services provided by Civica Election Services

**Voting on the AGM resolutions**

You can find a copy of the 2022/23 Annual report, including the external auditor's report, [here](#).

You will find the members resolutions and Board of Trustee responses under the 'Members' Resolutions' section of the [AGM booklet](#). We encourage members to read the resolutions and responses in full before voting.

You can vote in advance even if you plan to attend the AGM and will be able to amend your resolution vote on the day if you wish.

Proxy voting explained [See more](#)

Please indicate how you wish the chair of the meeting to cast your (proxy) vote:

**Quick vote**

If you wish to support the Board of Trustees' recommendations for all the resolutions, please select this box.

**Cast your vote**

Select this box to appoint the chair of the meeting to be your proxy and to vote on your behalf by following the instructions below.

Please select either 'quick vote' or 'cast your vote' to cast your proxy vote. The 'Next Page' button will appear once you have specified how you plan to vote.

**Figure 2:** The Quick Vote option for resolutions as presented to National Trust members for the 2023 AGM.

In this chapter, we look at how the Quick Vote was introduced, including the arguments made for its adoption and what the use of the Quick Vote in 2022 and 2023 tells us about the veracity of those claims.

### ***The introduction of the Quick Vote***

Section 16 of the Charities (National Trust) Order 2005 makes clear that the Council has responsibility for 'the conduct of voting' within the National Trust.<sup>22</sup> Section 2.13.11 of the Governance Handbook of the National Trust explains that the Council has responsibility for 'the outline format for the voting forms'.<sup>23</sup> The Council exercised these powers with the introduction of the Quick Vote in 2022.

Historically the National Trust has recognised that substantive changes to the operations of the AGM should be approved by resolution of the membership. In 2021 the Board of Trustees proposed a motion on 'Digital Futures', with important consequences for the AGM. At the time, the Board of Trustees noted in its resolution that 'these changes can only be approved by the members in a general meeting...' However, when it came to the adoption of the Quick Vote in 2022, the National Trust

<sup>22</sup> Charities (National Trust) Order 2005, s 16(d).

<sup>23</sup> National Trust Governance Handbook, 2 December 2011.

declined to put a resolution forward to the AGM. The voting system was amended not by resolution, but by announcement:

*In response to members' feedback, and having taken advice from Civica Election Services, we have introduced a Quick Vote option for both the Council elections and the AGM resolutions.<sup>24</sup>*

The introduction of the Quick Vote for the National Trust's AGM represented a major change to internal democracy within the National Trust, and yet the Trust did not consult the membership widely on this decision, nor seek the membership's consent through a resolution at the AGM. Many active members are opposed to the change, but were given no opportunity to have their say. This means that the democratic power that members may reasonably feel entitled to exercise, by signalling their consent or disapproval of such a significant change, was denied to them.<sup>25</sup> In pushing through the change without proper consultation, the National Trust's leadership failed to recognise that the manner of introduction of the Quick Vote could be a breach of trust with its members and even a violation of the Nolan principles, the Seven Principles of Public Life, which demand objectivity, accountability and honesty.<sup>26</sup>

### ***Scrutinising arguments made in favour of the Quick Vote***

The arguments made in favour of the introduction of the Quick Vote for National Trust AGMs have principally focussed on the advice the Trust has received from a third-party organisation.<sup>27</sup> The National Trust, like many membership organisations with either a constitutional or a statutory obligation to ballot its members, receives advice and support from Civica Election Services (CES). CES is the largest provider of electoral services for membership organisations, including political parties and trade unions, in the UK. Its services are provided on a commercial basis.

The Trustees refer regularly to the National Trust's relationship with CES. For example, in the 2023 AGM booklet, in response to the members' resolution for the removal of Quick Vote, they write:

<sup>24</sup> National Trust, 'Members' Annual General Meeting' booklet, 2022.

<sup>25</sup> John Lansley, 'Membership Participation and Ideology in Large Voluntary Organisations: The Case of the National Trust', *Voluntas: International Journal of Voluntary and Nonprofit Organizations* 7:3, 221 (1996).

<sup>26</sup> Michael Nolan, *Standards in Public Life: First Report of the Committee on Standards in Public Life*. HM Stationery Office: London (1995).

<sup>27</sup> This claim is made repeatedly by the Board of Trustees of the National Trust, for example, in response to the 'Members' resolution about the AGM chair's discretionary proxy vote' in the 2022 AGM booklet and again in response to the 'Members' resolution for the removal of quick vote' in the 2023 AGM booklet.

*The National Trust is advised on electoral practices by Civica Election Services, the UK's leading provider of voting services. The National Trust introduced a quick vote option last year in response to member feedback and having taken advice from CES on arrangements at similar large member organisations.<sup>28</sup>*

CES has confirmed separately that it provided advice to the National Trust on the Quick Vote:

*Each year we advise the National Trust on the development of electoral and AGM processes and associated best practice... Civica Election Services provided advice to the National Trust on how a Quick Vote mechanism could be introduced for this year's [2022] election and resolution voting... Having taken our advice around the practicalities of introducing such a mechanism and our guidance on Quick Vote arrangements at other similar member organisations the National Trust decided to introduce this as a voting option available to members.<sup>29</sup>*

It is notable that CES emphasises its role in advising the National Trust on how to implement the Quick Vote, rather than the merits of introducing the Quick Vote itself. CES is clear that the decision remained ultimately one for the National Trust itself. This is consistent with our research that has shown that it is not the case that all comparable organisations which take advice from CES have adopted the Quick Vote. The Royal College of Nursing, in addition to other trade unions such as Unite and the British Medical Association, commission CES for their electoral services but none uses the Quick Vote in its internal elections.

The decision whether to adopt Quick Vote is, of course, properly one to be made only by the National Trust's leadership and not by any external contractor. While it is reasonable for the National Trust to seek expert advice and support on the administration of its ballots, the availability of that advice cannot replace the need for the National Trust's leadership to explain the rationale for introducing changes to internal democracy, or for members to be informed and consulted on major reforms prior to their implementation. In addition to their statements on the Quick Vote, the National Trust has also defended maintaining the chair's discretionary proxy vote for resolutions, when challenged, by highlighting its continued deference to CES, stating that 'the Trust is advised on standard electoral practice by Civica Election Services, the UK's leading provider of voting services'.<sup>30</sup> With such references, the National Trust declines to give an account of how such decisions were actually reached or its motivation for reaching them.

<sup>28</sup> National Trust, 'AGM 2023: Trustees Response to Motion on Quick Vote'. Accessed 8 October 2023, available at: <https://documents.nationaltrust.org.uk/story/agm-2023/page/5/5>

<sup>29</sup> Letter from CES Election Services, 14 September 2022.

<sup>30</sup> National Trust, 'Members' Annual General Meeting' booklet, 2022.

A further argument often made in favour of the Quick Vote is that it helps boost participation by making it easier to vote, a process sometimes described as reducing 'choice fatigue'. Choice fatigue describes a process whereby voters may become fatigued by both the number of the decisions to be made and the number of options available. According to this argument, the introduction of a Quick Vote could serve to mitigate the potential effects of choice fatigue and therefore encourage more people to participate in simpler elections.

To begin considering the impact of the Quick Vote on member engagement at the AGM, we will first look at votes cast in Council elections. Assessing the impact of the Quick Vote on turnout is not straightforward, as turnout was increasing steadily before the Quick Vote was introduced. In table 1, below, is the data on the number of votes cast in the Council elections in 2012-2014, 2017 and 2021-2023. All except the last two AGMs pre-date the introduction of the Quick Vote.

	2012	2013	2014	2017	2021	2022 (with Quick Vote)	2023 (with Quick Vote)
<b>Total Votes Cast</b>	208,289	134,008	131,975	266,422	582,400	886,980	768,205
<b>Number of Vacancies</b>	10	10	7	6	6	7	5
<b>Votes Cast Per Vacancy</b>	20,829	13,401	18,854	44,404	97,067	126,711	153,641
<b>Year-on-year change</b>		-36%	+41%	+33% (annualised)	+30% (annualised)	+30%	+21%

**Table 1:** Turnout in Council elections in 2012-2014, 2017 and 2021-2023, including estimates of turnout and year-on-year change.

To estimate turnout on a consistent basis, given the available data, we have used the 'votes cast per vacancy' figure. This is a close approximation of the number of voters and enables us to compare turnout on a like-for-like basis over time.<sup>31</sup> Table 1 shows that the turnout varied considerably from year to year, but also that it increased dramatically over the period from 2012 to 2021, prior to the introduction of the Quick Vote. A minimum of 20,829 members participated in the 2012 Council

<sup>31</sup> It is worth noting that whilst the increase in the total number of votes cast in the Council election is largely a reflection of more members voting, a small proportion since 2022 is also due to the particularities of the Quick Vote. When members use the Quick Vote, they automatically use all votes available to them. In previous years some members did not use all of their available votes but selected fewer candidates than they were entitled to. Based on the voting figures for 2022 which were published by the National Trust, we can estimate that each voter not using the Quick Vote cast 0.96 votes per vacancy. In 2022, when 42% of voters in Council elections used the Quick Vote, the difference would amount to around 2,200 votes per vacancy, which could have been enough in previous years to make the difference between being elected or not.

elections, and the actual number is probably only a few percentage points higher, as only a small percentage of voters are likely to have voted for fewer candidates than the number of vacancies. By 2021, this number had increased to 97,067, a more than fourfold increase over 9 years, with some subsequent volatility in numbers in between. For context, the total number of members in 2013 was reported as 4,065,579; by 2021, it was 5.7 million, an increase of 40%. Even adjusting for this increase in membership, turnout as a percentage of members soared over this period. It is, therefore, evident that over the past decade interest and participation in National Trust elections have increased significantly. This may be because issues around the governance and activities of the National Trust have attracted headlines, prompting more members to vote.<sup>32</sup> Restore Trust's campaign drew media attention to the vote in 2021, for example, which contributed to greater salience of and turnout in the elections.

The trend of increasing turnout pre-2022 appears to be unaffected by the introduction of the Quick Vote. Over the course of three AGMs from 2017 to 2021 (no votes were held in 2020) the number of votes cast per vacancy more than doubled, with an average annual increase (excluding 2020) of 30% (see table 1). The increase of 30% between 2021 and 2022, following the introduction of the Quick Vote, is consistent with this trend. (The increase does not correlate with a rise in the number of members, as the membership was broadly stagnant over these two years.<sup>33</sup>) Both sets of votes were extensively covered in the media and on social media, and these factors are likely to have had far more impact on turnout than the Quick Vote. Between 2022 and 2023, when the Quick Vote was used for the second time, year-on-year turnout in the Council elections increased by 21.3%, a decline from the recent trend. What is clear from this comparison is that the Quick Vote did not bring about an unexpected increase in turnout, but rather the year-on-year increase in turnout for Council elections continued at the same rate, before falling slightly in 2023.

Next, let us turn to the difference in turnout for resolutions.<sup>34</sup> As can be seen in table 2, below, there is no evidence of the Quick Vote boosting turnout on resolutions. Indeed, fewer people cast a vote on the members' resolutions in 2022 than did a year earlier, in spite of the introduction of the Quick Vote. In 2023, an AGM for which the National Trust was keen to highlight the high turnout,<sup>35</sup> the votes cast on resolutions increased only slightly, such that turnout was closer to, but still shy of,

<sup>32</sup> In 2019, for example, the resolution on the National Trust's partnership with Cadbury's attracted a great deal of media attention, even though it was defeated in the meeting.

<sup>33</sup> From a high point of 5.95 million in February 2019 the membership fell to 5.4 million in 2021, at least in part as a result of the pandemic, and then rose again to 5.7 million by the time of the publication of the 2022 Annual Report. *National Trust Annual Report for 2021-22*, 6.

<sup>34</sup> NB: results of votes on resolutions are not reported consistently for all years, with the number of abstentions omitted in some years.

<sup>35</sup> See tweet by National Trust's Director of Communications, Celia Richardson, here: <https://twitter.com/CeliaRichards0n/status/1588937436440055814>

where it was in 2021 prior to the introduction of the Quick Vote. Contrary to what may be expected given the claims of the National Trust leadership, after two years of the Quick Vote the number of members voting on resolutions is broadly unchanged.

	Votes Cast - 2021	Votes Cast - 2022	Votes Cast - 2023
Members' resolutions	133,040	127,000 (rounded)	132,331 <sup>36</sup>

**Table 2:** Turnout on members' resolutions in 2021, 2022 and 2023.

Looking to prospects for member engagement and turnout in the longer term, as is discussed in more detail below, there is a significant concern that the use of the Quick Vote has converted formerly competitive elections into a rubber-stamping process. This could prove demotivating for members wishing to participate in the AGM. These concerns grew after the 2023 AGM, the second year for which the Quick Vote was used, when once again only the endorsed candidates for the Council were elected and all members' resolutions not endorsed by the Board of Trustees were rejected. After the 2022 AGM, one member said:

*I joined the National Trust to access the properties but I also care about the future of the NT as an organisation. If the Quick Vote means that there are so many block votes my vote will never count for anything, I'll probably stop taking part in the annual meeting.*

Some organisations which use the Quick Vote, for example the Nationwide Building Society, may provide a cautionary tale. At Nationwide's 2023 AGM, the Quick Vote helped ensure that there was no resolution from the Board that did not achieve over 90% approval and all the Board's own candidates were elected as Directors, also with at least 90% of the vote.<sup>37</sup> It is perhaps unsurprising, therefore, that at the building society's 2023 AGM fewer than 3.5% of Nationwide's 16 million members cast a vote. In order to maintain member engagement in the AGM, Nationwide has begun incentivising members to vote by offering a donation to charity for every vote cast, up to a total value of £50,000. Whilst we commend Nationwide for their charitable initiative, it would be preferable for members to want to participate in AGMs because they are engaged in the issues being voted on and not in anticipation of their effort rewarding a charity.

<sup>36</sup> The votes cast on members' resolutions in 2023 vary as a result of the addition of the 'discretionary' box. Therefore, to calculate this figure we have averaged the votes cast on all members' resolutions.

<sup>37</sup> Nationwide, 'AGM Results'. Accessed 9 October 2023, available at: <https://www.nationwide.co.uk/about-us/governance-reports-and-results/agm-results>

### **Members' experience of the Quick Vote**

Many members of the National Trust have been in touch with Restore Trust to report issues in casting their ballot for the 2023 AGM because of the Quick Vote. Examples of those messages include:

*I voted and got confused by the Quick Vote. I ticked it by mistake... I'm checking with my husband if he did the Quick Vote by mistake...*

*I... feel frustrated by modern communication - for example I think I have already voted (by quick vote) but no confirmation.*

*This is an embarrassed apology from a long-standing Life Member of the National Trust... I stupidly misread the voting process, and by the time I realised I was voting contrary to my intentions, it was too late...*

*I have just mistakenly 'voted' for the five recommended candidates to be appointed to the board of the National Trust, as have others I believe. The page I was on online did not show the Trust's recommendations, and I could only see the 'Quick Vote' box and then 'Submit'. The full list of candidates then appeared.*

The latter member's experience shows that the Quick Vote has made the voting process more complex and less intuitive. Those who are used to casting their ballots in public elections would have been surprised during last year's voting to see that the process used for casting their ballot could vary depending upon who they wished to vote for. The Board of Trustees have said that 'many members... made an informed decision to use [the Quick Vote] to cast their vote.'<sup>38</sup> This statement leaves open the worrying possibility that other members made an *uninformed* decision, and also fails to take account of members who used the Quick Vote in error and were therefore disenfranchised by it.

The evidence of members using the Quick Vote in error is only anecdotal, and the number affected is likely to be small. However, the National Trust claims that the Quick Vote was introduced to make voting simpler and easier. What we see here is that it has, on the contrary, introduced complexity by forcing members to navigate two different voting formats depending upon whether they wish to vote for the recommended candidates and resolution positions or exercise their own judgement. Even if most members can negotiate this added complexity successfully, the fact that some members find themselves voting in a way they did not intend is cause for serious concern.

<sup>38</sup> National Trust, 'AGM 2023: Trustees Response to Motion on Quick Vote'. Accessed 8 October 2023, available at: <https://documents.nationaltrust.org.uk/story/agm-2023/page/5/5>



As well as difficulties understanding how to use (or not use) the Quick Vote, the recent reforms to balloting for National Trust AGMs has diminished members' understanding of who, and what, they are voting for. Membership organisations must overcome the challenge of ensuring members are well-informed about candidates and resolutions without being overwhelmed by information. Members of the National Trust have recorded their frustrations in the past about whether they know enough to make a full, reasoned judgement when voting. In the online survey of members conducted by 'Our Place', one respondent said that she doesn't usually participate in National Trust votes, 'not because I don't care but I generally think I don't personally know enough to make a decision/choice'. As we demonstrate in the following chapter, the Quick Vote does not offer any solution to this problem; if anything, it discourages engagement with the subject of members' resolutions or the qualifications of candidates standing for the Council by prompting members to delegate their voting power to the preferences of the existing National Trust's leadership.

One complicating factor worth noting is the limited information available to members, especially about candidates seeking election to the Council. Since 2022 candidates for the Council have been allowed a statement of only 150 words in which to tell the voters about themselves and their experience, in addition to three questions to be answered in 50 words each. This is a slender amount of information on which to judge candidates for such an important role. (Resolutions may be accompanied by a statement of up to 500 words.)

## 8. THE BIAS OF THE QUICK VOTE

The Trustees of the National Trust say, 'We are proud to be a democratic organisation and we will always protect and promote our members' right to have their say.'<sup>39</sup> However, evidence gathered from a large number of studies shows that the use of mechanisms such as the Quick Vote biases the ballot and undermines the members' voice within the organisation. In this chapter, we consider the academic research concerning ballot design that explains the biases created, or exacerbated, by the Quick Vote.

### ***How the Quick Vote biases National Trust elections***

Studies have demonstrated that the architecture of a ballot has a significant subconscious influence on the voter.<sup>40</sup> Although the specific literature pertaining to voting theory and ballot papers does not focus specifically on the Quick Vote, many of the biases and phenomena identified are pertinent to it.

### ***Primacy effect***

The way in which a party, candidate, or issue, is presented to the voter when the vote is being cast can have a significant impact on voting behaviour and subsequent candidate/party success.<sup>41</sup> In a study of 103 ballot papers involving over 10,000 candidates in Danish local and regional elections, Blom-Hansen et al. concluded that the impact of ballot layout is extensive.<sup>42</sup> This has led to the identification of the 'primacy effect'. It is now well documented that options appearing first on the ballot paper benefit from a 'tendency among voters to prefer candidates whose names appear at the top of the ballot compared with lower placed candidates', although the extent of this effect is debated.<sup>43</sup> The Danish study cited above concluded that the estimated effect of holding the top position is 3.8

<sup>39</sup> National Trust, 'AGM 2023: Trustees Response to Motion on Quick Vote'. Accessed 8 October 2023, available at: <https://documents.nationaltrust.org.uk/story/agm-2023/page/5/5>

<sup>40</sup> See Jon A. Krosnick, 'Response Strategies for Coping with the Cognitive Demands of Attitude Measures in Surveys,' *Applied Cognitive Psychology*, 5, 213 (1991); and Richard G. Niemi and Paul S. Herrnson, 'Beyond the Butterfly: The Complexity of U.S. Ballots,' *Perspectives on Politics*, 1:2, 317 (2003).

<sup>41</sup> Andrew Reynolds & Marco Steenbergen, 'How the world votes: The political consequences of ballot design, innovation and manipulation', *Electoral Studies*, 25:3, 572 (2006). See also: Christopher Robson & Brendan Walsh, 'The Importance of Positional Voting Bias in the Irish General Election of 1973,' *Political Studies*, 22:2, 191 (2006).

<sup>42</sup> Jens Blom-Hansen, Jørgen Elklit, Søren Serritzlew & Louise Riis Villadsen, 'Ballot position and election results: Evidence from a natural experiment', *Electoral Studies*, 44, 177 (2016).

<sup>43</sup> See Fiona Buckley & Theresa Reidy, 'Managing the Electoral Process: Insights from, and for, Ireland,' *Irish Political Studies*, 30:4, 622 (2015); Joanne M. Miller and Jon A. Krosnick, 'The Impact of Candidate Name Order on Election Outcomes,' *The Public Opinion Quarterly*, 62:3, 291 (1998); G. J. D. Upton and D. Brook, 'The Importance of Positional Voting Bias in British Elections,' *Political Studies*, 22:2, 178 (1974); and Christopher Robson & Brendan Walsh, 'The Importance of Positional Voting Bias in the Irish General Election of 1973,' *Political Studies*, 22:2, 191 (2006).

percentage points.<sup>44</sup> This effect may seem relatively small, but it can easily be the margin in competitive ballots. As the authors note, ‘...candidates lucky enough to be listed at the top of a ballot column are sometimes elected because of this and would not have been elected if the ballot had been designed differently’.<sup>45</sup>

This effect is even more dramatic for the National Trust Quick Vote as the Quick Vote means recommended candidates and resolution votes are not just available first among the balloting options, but are voted for by a different and easier mechanism. On the National Trust Council election ballot of 2022, the Quick Vote option was presented as ‘option 1’, in bold, on the ballot:

*If you wish to support the Nominations Committee's recommendations in full, mark a cross (X) in this box and leave the rest of the section blank.*

Choosing from among the candidates was presented as ‘Option 2’. The Quick Vote on resolutions was, again, presented as ‘Option 1’ with specifying how you wish your vote to be cast listed as ‘Option 2’. For 2023 this was changed to ‘Quick vote’ or ‘Choose your candidates’ and ‘Quick vote’ or ‘Cast your vote’ (see figure 3).

When research has found that people in various settings, whether casting a vote or listening to possible medical treatments, are prone to following the first course of action suggested to them, this positioning is likely to be highly consequential in how people vote.<sup>46</sup> The academic literature concerning ballot architecture leads us to conclude that the current promotion of the Quick Vote within the ballot encourages the voter to cast his or her vote for this option. Professor Emeritus Jørgen Elklit of Aarhus University, one of the authors of the Danish study, says of the Quick Vote: ‘the ‘trick’ here is to offer ordinary voters the possibility of avoiding a cumbersome and time-consuming task by allowing the quick vote and to place it as the first option’.<sup>47</sup>

There is not complete agreement in the literature on the extent of positional effects, although there is agreement that there is at least some: Brockington notes that the effect may account for a bonus of anywhere between 0.7% to 5.2% vote share.<sup>48</sup> On the other hand, Darcy and McAllister contend that there is merely a negligible advantage and that ‘...much existing research on ballot position is flawed in that an inappropriate (or no) statistical model is used or that the research fails to exclude competing explanations.’<sup>49</sup> Nevertheless, their assessment concedes that there is often a perception among partisan ballot architects that primacy in the positional

<sup>44</sup> Jens Blom-Hansen, Jørgen Elklit, Søren Serritzlew & Louise Riis Villadsen, ‘Ballot position and election results: Evidence from a natural experiment’, *Electoral Studies*, 44, 182 (2016).

<sup>45</sup> Ibid.

<sup>46</sup> Erik Engstrom & Jason Roberts, *How the Ballot ‘Nudges’ Voters in The Politics of Ballot Design: How States Shape American Democracy*, Cambridge University Press (2020), 20.

<sup>47</sup> Jørgen Elklit, interview by Josh Scott, July 2023.

<sup>48</sup> D. Brockington, ‘A low information theory of ballot position effect’, *Political Behavior*, 25:1, 1 (2003).

<sup>49</sup> R. Darcy & Ian McAllister, ‘Ballot position effects’, *Electoral Studies*, 9:1, 7 (1990).

hierarchy does improve chances of electoral success, and that ballot architecture can be used intentionally to influence the result. In the 1960s, the Australian Democratic Labor Party regularly nominated candidates with names at the start of the alphabet in the attempted exploitation of the primacy effect.<sup>50</sup>



Figure 3: Ballot paper for the 2022 National Trust Council elections.

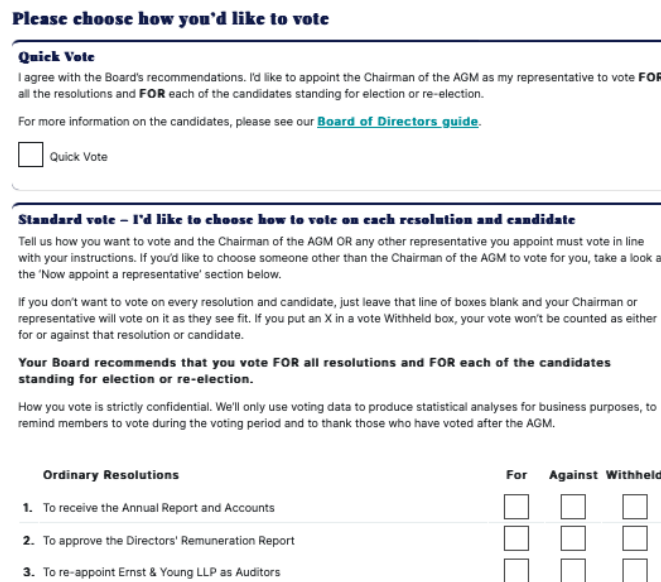


Figure 4: Ballot paper for the 2023 Nationwide AGM vote, further demonstrating how the Quick Vote can be presented.

<sup>50</sup> J. Kelley & Ian McAllister, 1984, 'Ballot Paper Cues and the Vote in Australia and Britain: Alphabetic Voting, Sex, and Title', *The Public Opinion Quarterly*, 48:2, 452-66 (1984).

### ***Straight ticket effect***

The Quick Vote is a form of straight ticket voting. In a conventional straight ticket ballot, the voter is given the option to vote for the whole slate of election candidates in accordance with the endorsement of an organisation or group, typically a political party. For example, in a US state practising straight ticket voting, the voter will be presented with the opportunity to vote for the slate of candidates put forward by the Republican Party or the Democratic Party. If they exercise this form of Quick Vote, their votes will be cast for all of the Republican or Democratic endorsed candidates standing in all elections.

Straight ticket voting in public elections is similar to the Quick Vote introduced to some membership organisations. In the National Trust, the recommended candidates take on the role of a party political slate in a public election. Consequently, voters are choosing not to exercise their own judgement in the selection of candidates to elect or resolutions to endorse, but are instead transferring their voting power to the compiler of the slate.

An advantage of straight ticket voting is that it makes the voting process easier, which may appear to benefit the individual voter. (This is discussed above in the context of turnout in elections as a motivating factor for introducing the Quick Vote). Engstrom and Roberts note that 'a straight ticket option allows voters to reduce a series of potentially complex decisions into a single and efficient choice...'<sup>51</sup> This method of voting addresses the impact of 'choice fatigue' under the influence of which voters may become fatigued by both the number of the decisions to be made and the number of options available,<sup>52</sup> something which Professor Elklit also notes (see above). However, while trying to mitigate choice fatigue, straight ticket voting risks encouraging voters to rely on the choices of others, ultimately undermining their own voice and vote. The problems with straight ticket voting in public elections have been much discussed and are so well recognised that some politicians have called for its abolition.<sup>53</sup>

There is a further problem with the use of the straight ticket voting in National Trust elections: only one slate of candidates and resolution votes is offered to members via the Quick Vote. Whereas voters in states permitting straight ticket votes in the US can pick between competing slates, in National Trust elections only the endorsed candidates and the Board's position on resolutions can be voted for *en bloc*. Where other slates exist, for example those put forward by Restore Trust, members do not

<sup>51</sup> Erik Engstrom & Jason Roberts, *How the Ballot 'Nudges' Voters in The Politics of Ballot Design: How States Shape American Democracy*, Cambridge University Press (2020).

<sup>52</sup> Ned Augenblick & Scott Nicholson, 'Ballot Position, Choice Fatigue, and Voter Behaviour', *The Review of Economic Studies*, 83:2, (2016).

<sup>53</sup> Associated Press, 'Governor backs elimination of 'master lever''. Accessed 17 October, available at: <https://www.bostonglobe.com/metro/2013/01/10/governor-backs-elimination-master-lever/x68o68mDu9AD1LOTJN5OIO/story.html>

have the ability to cast a straight ticket ballot but must select the candidates individually and without their slate, or endorsements, being visible on the ballot paper. The completely asymmetrical nature of this Quick Vote is a major challenge to the fairness of National Trust elections. Therefore, any potential positive effects in terms of increased democratic participation, which have not been demonstrated, are negated by the diminishing of members' autonomy and voices.

### **Further concerns**

In addition to the above biases and effects, other concerns regarding the Quick Vote are worth noting. Firstly, concerns have been raised by members of the National Trust about the validity of its use. For example, a respondent to the 'Our Place' consultation spoke for many members in writing:

*I've never felt comfortable with the quick vote option for the NT AGM (or anyone else's!). I like to make my own mind up and letting any committee simply have a block vote makes it difficult to see what the voting is really saying...*

Such concerns are not unique to the National Trust. For example, the Building Societies Members' Association (BSMA) strongly condemns the Quick Vote as a method of voting, arguing that 'all underhand practices such as the infamous Quick Vote... should be banned'.<sup>54</sup>

Secondly, the use of the Quick Vote has the potential to undermine the quality of governance within organisations, including the National Trust. As discussed above, when used for elections to the National Trust's Council the Quick Vote supports endorsed candidates. An argument in favour of endorsing candidates is that it can help ensure a wide breadth of skills and experience among the Council. However, as Professor Elklit suggests, the Quick Vote can also be a way of 'securing an easy path to council membership for friends and connections'.<sup>55</sup> In the case of the National Trust, the Nominations Committee, which chooses candidates to recommend for election to the Council, is itself made up from members of the Council. This potentially makes it less likely that new members with a diverse range of talents and perspectives will be recruited rather than simply more candidates who resemble the existing Council members. Furthermore, Council members seeking re-election may well reason that their best chance of receiving the Nominations Committee's recommendation will be to vote with its members in meetings. Should this prove to be the case, it would be to the detriment of governance within the National Trust.

<sup>54</sup> Building Societies Members' Association, 'Our Mission'. Accessed 9 October 2023, available at: <http://bsma.org.uk/index.php/about-bsma/>

<sup>55</sup> Jørgen Elklit, interview by Josh Scott, July 2023.

Thirdly, and perhaps most importantly, the Quick Vote could mean that no candidate and no resolution not already agreed to by the existing National Trust leadership is able to be successful at the AGM, and this will undermine the Trust as a democratic organisation. In their response to a resolution calling for the abolition of the Quick Vote, the Board of Trustees disclosed the extent of the use of the Quick Vote in the 2022 National Trust elections:

*At last year's AGM, 34% of Trust members voting on resolutions chose to use the quick vote option, with 42% of voting members choosing to use this option in the Trust's Council elections.<sup>56</sup>*

The role of the Quick Vote increased further in 2023, with 46% of all voting members using the Quick Vote for Council elections and 41% using it for votes on resolutions. That the Quick Vote has been widely used by members is unsurprising given the biases discussed above concerning the ballot design and the primacy given to the Quick Vote option.

There is, therefore, a risk that on resolutions the Quick Vote means the Board of Trustees almost have sufficient support for their position before any of the non-Quick Votes are counted. It is unsurprising that at the 2022 and 2023 AGMs, the first two for which the Quick Vote was used, all the members' resolutions were defeated, while in 2021, the last AGM without the Quick Vote, a resolution to provide more defibrillators was passed despite being opposed by the Trustees.<sup>57</sup> Whilst this evidence is only from the two years of the Quick vote, it does support the conclusion that the Quick Vote makes outcomes contrary to the wishes of the existing leadership less likely, even when they may actually be the wishes of the wider membership.

Among the resolutions submitted to the 2023 AGM, a members' resolution by Restore Trust for the abolition of the Quick Vote came the closest to succeeding. The resolution was a reflection of the fact that members had never consented to the Quick Vote as it was introduced without consultation or the endorsement of members. The results of the vote on the Quick Vote resolution were as follows:

	<b>For</b>	<b>Against</b>
Quick Vote Resolution	60,327	69,715
Percentages (not including abstentions)	46.4%	53.6%

<sup>56</sup> National Trust, 'AGM 2023: Trustees' Response to Motion on Quick Vote'. Accessed 8 October 2023, available at: <https://documents.nationaltrust.org.uk/story/agm-2023/page/5/5>

<sup>57</sup> National Trust, 'Results from the 2022 AGM'. Accessed 10 October 2023, available at: <https://www.nationaltrust.org.uk/services/media/results-from-the-2022-agm>

A total of 130,042 votes were cast either for or against the resolution, including Quick Votes, ordinary votes and discretionary votes. A further 2,616 members actively abstained on the resolution. According to the National Trust's own figures, 41% of the votes were provided by the Quick Vote.<sup>58</sup> We estimate this to be 54,390 votes. Of the members who exercised their vote themselves, approximately 78,268, the votes are estimated to have been cast as follows:

**For the resolution (to abolish the Quick Vote):** 60,327

**Against the resolution:** 15,325

**Abstentions:** 2,616

Consequently, of all the votes against the resolution and in defence of the Quick Vote, approximately 78% of those votes derived from the Quick Vote itself. The National Trust always insists that members choose to use the Quick Vote actively as an informed vote. However, as this report makes clear elsewhere, there is significant cause to believe that some members do not and even those who knowingly and consciously use the Quick Vote are subject to biases as they do so. It is therefore doubtful whether a resolution to end the Quick Vote would be defeated if all members were to actively cast their vote in favour or against the resolution as opposed to using the Quick Vote.

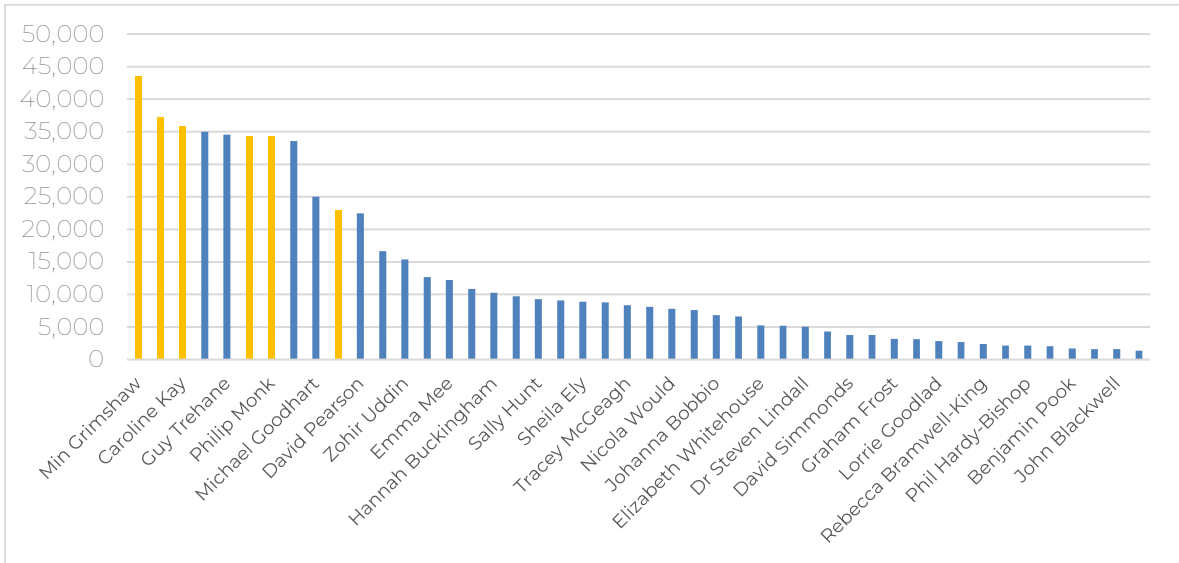
Turning to Council elections, in 2022 and 2023 all candidates recommended by the Nominations Committee - who therefore benefitted from the Quick Vote – were elected. No candidate not endorsed by the Nominations Committee was elected to the Council at either AGM. In past years strong candidates not endorsed by the Nominations Committee stood a realistic chance of being elected. Indeed, in 2021 only four of the six endorsed candidates were elected, with two non-endorsed candidates chosen by the membership to represent them on the Council (see chart 1).<sup>59</sup> However, by 2022 the endorsed candidate who received the fewest votes polled c. 17,000 votes more than the most popular non-endorsed candidate in an election in which we estimate over 50,000 Quick Votes were cast.<sup>60</sup> In 2023, the gap widened to almost 30,000 in an election in which we estimate over 70,000 Quick Votes were cast. This yawning gap between the candidates recommended by the Nominations Committee and the rest, facilitated by the Quick Vote, is a wholly new phenomenon in National Trust Council elections.

<sup>58</sup> This figure was provided during the AGM and is unlikely to be exact. The figures which follow are therefore near estimates based on the information provided by the National Trust.

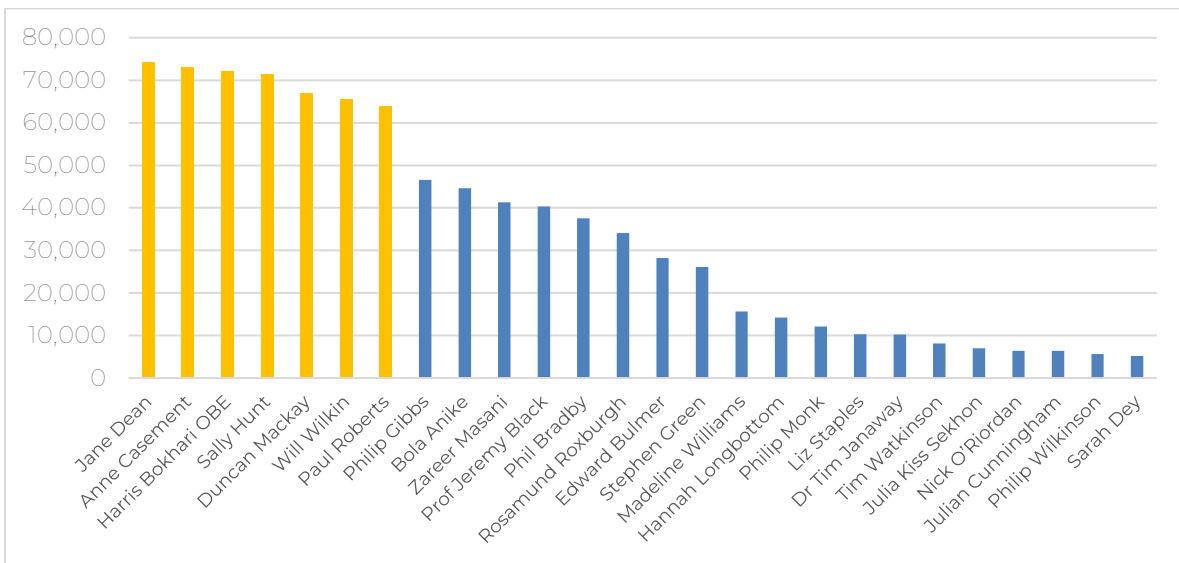
<sup>59</sup> While endorsements by Restore Trust made some impact on the 2021 election, we are aware of candidates being elected without any endorsement in the previous ten years.

<sup>60</sup> Above, the turnout in the 2022 Council elections was estimated to be 126,711, dividing the total number of votes cast by the number of candidates to be elected. In the 2023 AGM booklet, the Board of Trustees of the National Trust state that 42% of all Council ballots were cast using the Quick Vote.





**Chart 1:** National Trust Council Election Results 2021, in which six candidates were elected and for which the Quick Vote was not used. Endorsed candidates are indicated in orange.



**Chart 2:** National Trust Council Election Results 2022, in which seven candidates were elected and for which the Quick Vote was used. Endorsed candidates are indicated in orange. Only endorsed candidates were elected in this AGM.

The delegation of voting power from almost half of participating members to the preferences of the existing National Trust leadership makes it all but impossible for any other candidates to win. (The effect is exacerbated when there is a larger number of candidates per vacancy, as in 2023 when there were 7.4 candidates per vacancy). In 2002 an unsuccessful candidate objecting to the discretionary proxy

vote which was then in use in Council elections said that the Council was 'a self-perpetuating oligarchy'.<sup>61</sup> These concerns have now grown more significant thanks to the use of the Quick Vote. At the 2023 AGM Lord Sumption, another rejected candidate, made the point that Council members were effectively being 'co-opted', as the Quick Vote means that the candidates chosen by the Nominations Committee are effectively automatically appointed, the voting process having become meaningless.

If the Quick Vote continues, the chances of a non-endorsed candidate joining the Council are slim. Whilst this may not concern the Nominations Committee, who are surely pleased to get their own candidates elected, it should concern anybody who believes that well qualified candidates exist beyond the small circle known to, and endorsed by, the Nominations Committee. In 2023 Lord Sumption, who is a former Supreme Court judge and eminent historian, and the conservationist Philip Merricks MBE, by any account among the most distinguished candidates to put themselves forward for some time, were not even interviewed by the Nominations Committee. Consequently, the Quick Vote exacerbates the concern that the existing leadership of the National Trust will nominate and successfully elect candidates who reflect its existing priorities and not necessarily those who the membership believe are best suited to delivering the National Trust's agenda in the years to come.

<sup>61</sup> Lucy Maggs, 'National Trust Comes Under Attack', *Third Sector*, 13 November 2002. Accessed 11 October 2023. Available at: <https://www.thirdsector.co.uk/national-trust-comes-attack/article/618857>

## 9. ALTERNATIVES TO THE QUICK VOTE

As discussed above, the statutory instrument currently governing the affairs of the National Trust requires candidates to be recommended by the Nominations Committee of the Council, a matter which does not fall within the scope of this report. The focus of this report is on whether the National Trust is further justified in biasing the ballot paper in favour of its recommended candidates and resolutions, or whether this breaches the fundamental principles of free and fair elections. The evidence presented by the studies cited in this report clearly shows that mechanisms such as the Quick Vote exacerbate biases and therefore undermine the members' democratic voice in National Trust elections.

Alternative ballot arrangements exist which could better protect the rights of members to be properly consulted on their preferred Council candidates and resolutions without using the Quick Vote. We would consider any of these systems to be more democratic and fairer than the current system and more consistent with the democratic constitution of the National Trust. Four such options are considered below.

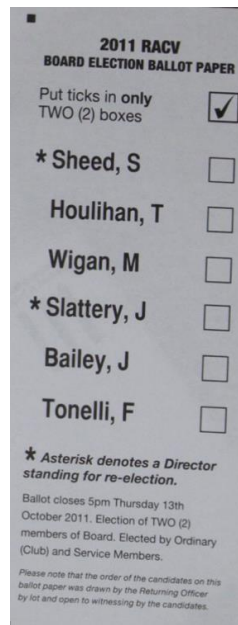
### *I. The Asterisk Vote*

Given the recommended candidate process in place at the moment, the National Trust Nominations Committee needs to communicate its recommendations with voting members. This should be done in a way that communicates the recommendations without unduly biasing the voting process. One way of doing so would be by use of the Asterisk Vote for the election of the National Trust Council. Under this model, recommended candidates would have a symbol next to their name clearly indicating their status as endorsed candidates. Such ballot architecture is used in comparable institutions (figure 5), although this is often to indicate incumbency rather than recommended status.

The Asterisk Vote would reduce the severity of the straight ticket effect in National Trust elections and end the primacy bias in favour of endorsed candidates, whilst still enabling members who wish to vote for the endorsed candidates to easily do so. The architectural feature of an asterisk would to some extent draw voters to the highlighted options. However, this approach would present all candidates on the ballot paper simultaneously as opposed to giving primacy to the Quick Vote option. While there are nudges on the ballot paper, they are not as powerful as the nudge represented by the Quick Vote. Asterisks could also be used to signal endorsed positions on resolutions.

In the past the names of the Nominations Committee's recommended candidates were highlighted in bold on the ballot, and in 2016 a members' resolution was put

forward calling for an end to this practice. Although the Trustees argued against the resolution, the practice was ended.<sup>62</sup> Re-introducing such a practice could seem like a retrograde step.



**Figure 5:** Ballot paper for the 2011 Royal Automobile Club of Victoria Board elections.

## II. *The Slated Vote*

Another option would be to continue to enable voting members to cast their ballots for the recommended slate of candidates with one single vote, but to present several slates, or tickets, to be voted for on the same basis. This would bring ballots of membership organisations that use the Quick Vote mechanism in line with practice in some public elections (figure 6) that allow straight ticket votes.

This model is easiest to imagine with elections to the Council. Under such a model, all candidates recommended by the Nominations Committee would come under the 'Recommended Slate' and all candidates proposed by, for example, Restore Trust would come under the 'Restore Trust Slate'. This would address the imbalance that is created by the Quick Vote noted above whereby only one slate, that of the Nominations Committee, is presented. Thought would be required as to how such a voting mechanism would apply to resolutions, however it would be possible for people to further vote in line with the recommended positions of the compilers of their slate, where they have them. Alternatively, this could be used only for Council elections.

<sup>62</sup> National Trust, *National Trust Annual Report 2015/6*, 58.

As noted above, straight ticket voting is not without its critics. Beyond the question of determining who is entitled to propose a slate, such an openly partisan approach would be at odds with the traditions of the National Trust, which has maintained some degree of consensual decision-making through most of its history and which is occupied with conservation rather than political causes. It is for these reasons that we do not favour this approach, as we think the correct solution to the excessive politicisation of the National Trust in recent years is for the return to an organisation that is wholly focused on its role in preserving heritage and nature. We want the National Trust to be an organisation where everybody who values this essential role, irrespective of their politics, has a home. However, it would be naive to assume that the work of the National Trust is always apolitical or uncontroversial and the National Trust has occasionally acted in a way that has generated political controversy.<sup>63</sup> If this were to continue, voting by slate could be considered as an alternative voting mechanism that gives members the opportunity to have their say on such matters.<sup>64</sup>



**Figure 6:** An example of party-political straight ticket voting in the 2008 Texas general election.

<sup>63</sup> There are numerous examples of such actions, including statements regarding government climate policies, Tim Parker's comments regarding 'Black Lives Matter' and René Olivieri's comments that the National Trust may seek to return important artefacts to their 'country of origin' through a process of 'decolonisation'. See Kevin Rawlinson, 'Nature groups prepared to 'mobilise' 20m members over UK climate policy', *The Guardian*, 29 July 2023. Accessed 15 October 2023, available at:

<https://www.theguardian.com/environment/2023/jul/29/nature-groups-prepared-to-mobilise-members-over-uk-climate-policy>; Helena Kelly, 'National Trust chair praises Black Lives Matter...', *Daily Mail*, 7 November 2020 (Accessed 18 October 2023, available at: <https://www.dailymail.co.uk/news/article-8923287/National-Trust-chair-praises-BLM-human-rights-movement-no-party-political-affiliations.html>); and Lucy Knight, 'National Trust Working on Policy on Return of Colonial Loot, Chair Says', *The Guardian*, 30 May 2023. (Accessed 16 October 2023, available at: <https://www.theguardian.com/uk-news/2023/may/30/national-trust-working-on-policy-on-return-of-colonial-loot-chair-says>), respectively.

<sup>64</sup> Harry Mount, 2021, 'Why is the National Trust waging war against its members?', *The Spectator*, 14 October 2021. Accessed 8 October 2023, available at: <https://www.spectator.co.uk/article/why-has-the-national-trust-just-started-a-war-with-its-members/>

### III. The Fully Open Vote

The simplest, and arguably most democratic, alternative is a return to a fully open vote. Under such a mechanism, candidates would simply be listed and members would mark with a cross (X) beside each of the candidates that they wished to elect up to the maximum number. The National Trust used this procedure for Council elections between the abolition of the chair's proxy vote in 2005 and the introduction of the Quick Vote in 2022 (figure 7). Similarly, open voting for resolutions would see voting members cast their ballot individually for, against or abstaining on each resolution after giving it due consideration.

**3. Vote in the Council elections (six candidates to elect)**

Only you can vote in the Council elections (not a proxy). You must cast your vote in advance by voting online or by post – you can't vote in this election at the AGM. You can vote for **up to six** candidates from the list below by marking a cross (X) in the box beside their name. Please don't vote for more than **six** candidates; if you do, your votes won't be counted.

<input type="checkbox"/> Nicola Would	<input type="checkbox"/> Huseyin Ali-Diakides	<input type="checkbox"/> Hannah Buckingham	<input type="checkbox"/> Alan Plumb
<input type="checkbox"/> Sandy Nairne	<input type="checkbox"/> Lisa Manning	<input type="checkbox"/> Tracey McGeagh	<input type="checkbox"/> Gabor Balint
<input type="checkbox"/> Mike Ward	<input type="checkbox"/> Graham Frost	<input type="checkbox"/> Zohir Uddin	<input type="checkbox"/> Caroline Kay
<input type="checkbox"/> Andrew Powles	<input type="checkbox"/> Martin Bloom	<input type="checkbox"/> Rebecca Bramwell-King	<input type="checkbox"/> Dr Steven Lindall
<input type="checkbox"/> Amy Heuer	<input type="checkbox"/> Gareth Lewis	<input type="checkbox"/> Min Grimshaw	<input type="checkbox"/> Lorrie Goodlad
<input type="checkbox"/> Sally Hunt	<input type="checkbox"/> Claire McQuillan	<input type="checkbox"/> Geoff Nickolds	<input type="checkbox"/> Emma Mee
<input type="checkbox"/> Michael Goodhart	<input type="checkbox"/> Eric Hepburn	<input type="checkbox"/> Philip Monk	<input type="checkbox"/> Rebecca Watkins
<input type="checkbox"/> Robert Williams	<input type="checkbox"/> Sarah Green	<input type="checkbox"/> John Blackwell	<input type="checkbox"/> Sheila Ely
<input type="checkbox"/> Phil Hardy-Bishop	<input type="checkbox"/> Elizabeth Whitehouse	<input type="checkbox"/> Benjamin Pook	<input type="checkbox"/> Alan Yates
<input type="checkbox"/> Ellena Groom	<input type="checkbox"/> Guy Trehane	<input type="checkbox"/> David Pearson	<input type="checkbox"/> Johanna Bobbio
<input type="checkbox"/> Christopher Stewart	<input type="checkbox"/> Stephen Green	<input type="checkbox"/> Bob Piggott	<input type="checkbox"/> David Simmonds
<input type="checkbox"/> Sarah Lewis	<input type="checkbox"/> Martin Pugh		

**Figure 7:** Ballot paper for the 2021 National Trust Council elections.

In order to maximise fairness and reduce biases in National Trust elections, there are some challenges with this form of ballot that could be addressed. For example, candidates could be ordered randomly to minimise the advantage to those appearing first on the ballot paper. These issues could be overcome without difficulty and the problems that could arise with such a ballot have been dealt with extensively both by the academic literature and by the administrators of some public elections.

Whilst a fully open ballot may not indicate the recommended votes of the existing National Trust leadership, this form of ballot design is not inconsistent with the Nominations Committee recommending the election of particular candidates for election to the Council or the Board recommending particular votes on resolutions. The National Trust could instead communicate its endorsements via the AGM booklet, as it did in the case of Council elections between 2005 and 2021, rather

than through the design of the ballot paper. This would most clearly avoid skewing the outcome of the vote unreasonably whilst still giving members the opportunity to be well-informed about who and what the National Trust leadership wishes them to vote for, should they wish to follow this advice.

#### **IV. Single Transferable Vote**

Finally, consideration could be given to other methods of vote counting for National Trust elections, in order better to represent the diversity of members' voices. One such alternative is the Single Transferable Vote (STV).

STV is often associated with public elections, including various elections in Northern Ireland, the Republic of Ireland, Scotland and Malta. However, it is also used for multiple membership organisations, including the Royal College of Obstetricians and Gynaecologists, Institute of Mathematical Statistics and the Regent House of the University of Cambridge. When voting in an STV election, rather than putting a cross (X) next to their preferred candidates, voters instead rank the candidates, from one downwards, in order of preference. The number of preferences a voter expresses is open to them. Here is how the Electoral Reform Society explain the process of counting the votes:

*To get elected, a candidate needs a set amount of votes, known as the quota... Each voter has one vote. Once the counting has finished, any candidate who has more number ones than the quota is elected. But, rather than ignore extra votes a candidate received after the amount they need to win, these votes move to each voter's second favourite candidate. If no one reaches the quota, then the people counting the vote remove the least popular candidate. People who voted for them have their votes moved to their second favourite candidate. This process continues until every vacancy is filled.<sup>65</sup>*

Accordingly, STV typically leads to more members being able to identify a candidate they helped elect, especially if members are encouraged to use their preferences until they are exhausted.

STV has been used after serious thought by other membership organisations. Raftery et al wrote about the rationale for adopting STV when electing the Council of the Royal Statistical Society:

*... we were motivated particularly by the needs of organizations ... such as learned societies, clubs, and university departments, who may need to elect*

<sup>65</sup> Electoral Reform Society, 'Single Transferable Vote'. Accessed 24 October 2023, available at: <https://www.electoral-reform.org.uk/voting-systems/types-of-voting-system/single-transferable-vote/>

more than one person in a given election. In the early 1980s, one of us (BWS) was a member of the Royal Statistical Society (RSS) Council. At that time, six members of the Council were elected at a time. A nominating committee nominated six candidates, and the RSS membership as a whole voted, with each member allowed to vote for up to six candidates, and the six candidates with the most votes being elected.

Usually, there were only the six nominated candidates, but that year a seventh candidate stood on a platform different from that of the “official” candidates. This candidate received votes from about a quarter of the electorate but was not elected because the other three-quarters of the members voted as a block for the six candidates proposed by the nominating committee. This was viewed as unsatisfactory because the seventh candidate's position was not represented on the Council, even though it had substantial support among the RSS membership. This led the RSS Council to undertake a study of electoral methods for multi-winner elections, with a view to adopting a more representative system. They selected the Single Transferable Vote (STV) method...

... In the next election, held under STV, the seventh candidate stood again and was elected. STV has been used since then to elect the RSS Council. In 2002, the Institute of Mathematical Statistics (IMS), the leading international association of academic mathematical statisticians, considered the same issue and came to the same conclusion, also adopting STV for its Council elections.<sup>66</sup>

STV is, however, not without its critics. It is more complicated than First-Past-The-Post (FPTP) electoral systems, with voters needing not just to identify their preferred candidates but also to assign an order to them. Whilst this can be empowering for voters who would like to express varying degrees of preference, it can also contribute to ‘choice fatigue’ (discussed above). In elections with a large number of candidates, like those for the National Trust Council, one consequence of enhanced ‘choice fatigue’ can be the increased presence of what has been called ‘donkey voting’, whereby voters allocate the order of preference in line with the order candidates appear on the ballot paper. This could be addressed, as identified elsewhere, by randomly allocating candidates on the ballot paper, even varying them from ballot to ballot (something made relatively easy with the high adoption of online voting).

In spite of its limitations, as Raftery et al make clear, STV would help ensure that a broader range of members' voices and perspectives are represented on the

<sup>66</sup> Adrian E. Raftery, Hana Ševčíková & Bernard W. Silverman, ‘The Vote Package: Single Transferable Vote and Other Electoral Systems in R’, *The R Journal*, 13:2, 673 (2021).



Council and subsequently strengthen the link between Council and members. We recommend that the National Trust considers its use for the Trust's own Council elections.

Often in life, and certainly in membership organisations, the rules shape the outcomes. As this report shows, the introduction of the Quick Vote in National Trust elections has had a significant distorting effect on members' voices within the National Trust and the outcomes of AGMs. This development is a significant threat to the democratic nature of the National Trust as an organisation, reversing the historic trend in membership organisations towards greater openness and more democracy.

Alternatives to the Quick Vote ought to be considered. Several alternatives, compatible with the rules and obligations of the National Trust, have been explored above. It is our view that the most appropriate solution would be the 'fully open vote', which would both facilitate free and fair elections and continue to allow the National Trust to make recommendations, but without compromising the fairness of the ballot paper. However, all the alternatives set out above would avoid the strong biasing of the ballot which has been caused by the introduction of the Quick Vote.

## 10. CONCLUSION

At the outset of this report, we set out the principles against which the Quick Vote should be considered. The principles were selected as those which embody best practice in elections for membership organisations, specifically that they should be:

- **Democratic**, ensuring that members' voices are heard.
- **Simple**, removing (where possible) arrangements which could confuse and even disenfranchise voting members.
- **Well-informed**, with members having easy-to-access and reliable information about the candidates and the resolutions being voted upon.
- **Fair**, with no voting option unfairly advantaged by the design of the ballot or the presentation of choices.

The evidence presented in this paper, including members' feedback, academic research on ballot biases and the above analysis of AGM results, shows that the effect of the use of the Quick Vote in National Trust elections has been contrary to these standards. The introduction of the Quick Vote has resulted in a ballot design which many studies have shown to introduce significant bias and in which members are prompted to vote in line with the leadership of the National Trust rather than in accordance with their own views and judgement. That members must go to additional effort to vote in line with their own individual opinion of candidates and resolutions undermines the extent to which National Trust elections are democratic or fair.

The Quick Vote has also added complication to the process of voting in National Trust elections. Whilst the use of the Quick Vote is itself simple, it means that members wishing to vote no longer have a single method of doing so, but must choose between either using the Quick Vote or making their own selections, which adds to the overall choice fatigue for voters who wish to make their own choices. This unusual arrangement has clearly caused some confusion among members which need not exist. As this report shows, other, simpler methods of indicating who the Nominations Committee wish members to vote for, and how the Board of Trustees wish members to vote on resolutions, are available without complicating the methods by which members vote.

Members who use the Quick Vote are delegating their voting power to the leadership of the National Trust. This means that they are inevitably less engaged with the merits of the candidates and resolutions than members who have read and considered the available information and come to their own conclusions about whom and what to support. Consequently, the Quick Vote encourages members to be less well informed about the governance and the strategy of the National Trust.

Alternative voting models, as discussed above, would encourage the thorough appraisal of available information prior to votes being cast.

In summary, there is significant cause for concern that the use of the Quick Vote, along with its associated biases, will transform the National Trust AGM into a rubber-stamping exercise for the candidates and resolutions already backed by the existing National Trust leadership. If continued, the Quick Vote will make the internal democracy of the National Trust less democratic, less simple, less well-informed and less fair. This bodes ill for the engagement of members in the governance of the National Trust, to the detriment of the Trust and all who care for it.