



In Focus

Regulation of Political Opinion Polling Bill [HL] Bill 6 of 2015–16

Key Provisions

The [Regulation of Political Opinion Polling Bill \[HL\]](#) is a private member's bill introduced by Lord Foulkes (Labour). It received its first reading on 28 May 2015 and is scheduled to have its second reading on 19 June 2015. The Bill seeks to establish—by regulations—a Political Opinion Polling Regulation Authority (POPRA) which would be responsible for setting rules for political opinion polling in the UK. Its remit would include, but not be limited to:

- Specifying approved sampling methods
- Producing guidance on the wording of questions in political opinion polls
- Arranging for the publication of such polls and to determine appropriate dates of publication prior to the election or referendum being polled

The Authority would have to publish rules within 6 months of its establishment. These rules would need to be considered at least once a year to determine if they need amendment. Should they do so, POPRA would need to publish these amendments along with explanatory notes. A statutory instrument containing the rules—or amendments to the rules—must be laid before both Houses and “shall be subject to annulment in pursuance of a resolution of either House of Parliament”.¹ POPRA's management board would consist of representatives of polling organisations nominated by the British Polling Council (BPC), political parties and the media. Political opinion polling is defined as:

[...] the undertaking and publishing of any poll, survey or inquiry designed to measure the public's intentions with regard to voting in—(a) any local authority elections, (b) any elections to the Scottish Parliament, the Northern Ireland Assembly or the National Assembly for Wales, (c) any elections to Parliament, and (d) any referendum held within the United Kingdom.²

Background

Lord Foulkes introduced a bill of the same name in the 2014–15 session—prior to the 2015 general election—however no second reading was scheduled for it. At the time of that bill's introduction the *Independent* quoted Lord Foulkes as saying that opinion polling often:

[...] manipulates rather than records public opinion [...] The regulator would be a bit like Ofcom [...] It would deal with the wording of questions, so they wouldn't be leading, and regulators would say when polls could be published.³

Lord Foulkes has expressed concern that a move away from face to face interviews—and a move towards online and telephone polling—has led to a reduction in the academic rigour of recent political opinion polls. He argues that this is partly a consequence of pressure being exerted by news providers and the media for more quickly conducted polls.⁴ This is a view that is partly echoed by ICM's former head Nick Sparrow. Writing in regard to the [BPC's inquiry](#) into political opinion polling over the 2015 general election, he argues that:

Unquestionably, over the last 23 years it has become more difficult to achieve a sample that is really representative of all voters, and the desire for cheap polls has fuelled the dash to online methods. Assuring sceptics that telephone polls that get usable data from less than 1 in 5 of the numbers dialled, or satisfying those who question the reliability of online panels of voters who actively seek an opportunity to record their vote intentions will be a substantial challenge.⁵

However, some polling organisations have expressed their concerns about the regulatory approach in the Bill. The *Independent* reported comments by the chief executive of Survation who expressed concerns that the approach was not “workable” and the chairman of ComRes who said that the Bill sought to “act on a problem that doesn't exist”.⁶

Currently, the polling industry is regulated voluntarily through the membership of professional bodies such as the BPC and the Market Research Society. Members of the BPC agree to certain [Principles of Disclosure](#). These principles dictate that, when publishing survey data, members must include several key pieces of information. These include—but are not limited to—the client commissioning the poll; the method by which (eg face-to-face, telephone or online) the interviews were conducted; the population effectively represented (eg all adults or voters); the percentages upon which conclusions are based; and both the sample size and geographic coverage of the poll.

Further Information

- House of Lords Library, [Understanding and Sourcing Political Opinion Polls](#), 8 August 2014, LLN 2014/028
- Market Research Society, '[Code of Conduct](#)', accessed 11 June 2015
- *Guardian*, '[Polling Industry Must be More Tightly Regulated, say Labour Peers](#)', 10 June 2015
- Peter Kellner, President of YouGov, '[We Got it Wrong. Why?](#)', 11 May 2015
- *Huffington Post*, '[General Election 2015 Polls Are 'Corrupted' And Should Be Banned, Says Labour Peer](#)', 6 February 2015

¹ [Regulation of Political Opinion Polling Bill \[HL\]](#), Bill 6 of session 2015–16, clause 1 (5).

² *ibid*, clause 1 (8).

³ *Independent*, '[Pollsters Would be Curbed by Peer's New Regulation Bill](#)', 11 January 2015.

⁴ Polling Matters, '[Polling Matters: Polling in the Dock](#)', 18 February 2015; Polling Matters [Podcast], '[Ep 9 Regulating the polling industry w/ Lord Foulkes](#)', 11 February 2015.

⁵ Politicalbetting.com, '[Ex-ICM Boss & Political Polling Pioneer, Nick Sparrow, on the 2015 Polling "Debate"](#)', 8 May 2015.

⁶ *Independent*, '[Pollsters Would be Curbed by Peer's New Regulation Bill](#)', 11 January 2015.

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