

Decision Maker: GENERAL PURPOSES & LICENSING COMMITTEE

Date: 13 November 2014

Decision Type: Non-Urgent Non-Executive Non-Key

Title: FEEDBACK ON 2014 ELECTIONS

Contact Officer: Carol Ling, Electoral Services Manager
Tel: 020 8313 4367 E-mail: carol.ling@bromley.gov.uk
Mark Bowen, Director of Corporate Services
Tel: 020 8313 4355 E-mail: mark.bowen@bromley.gov.uk

Chief Officer: Doug Patterson, Chief Executive and Returning Officer

Ward: Not Applicable

1. Reason for report

To advise Members on the key issues relating to the May 2014 European Parliamentary and Local Council Elections, and to give Members the opportunity to give comments on the electoral arrangements.

2. **RECOMMENDATION**

Members note the content of the report and consider whether there is any feedback they want to give the Returning Officer for him to take into account when making arrangements for future elections.

Corporate Policy

1. Policy Status: N/A.
 2. BBB Priority: Excellent Council.
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A. Local Council Elections held every four years. Estimated costs are built into the four year forecast. European Parliamentary Election is funded from Cabinet Office grant
 3. Budget head/performance centre: Conducting Elections
 4. Total current budget for this head: £500,000 for Local Council Elections
 5. Source of funding: London Borough of Bromley funds the Local Council Elections and the Cabinet Office the European Parliamentary Election
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Staff

1. Number of staff (current and additional): 6 full time staff and approximately 1,300 temporary staff (recruited by the Returning Officer) for staffing Polling Stations, work related to the postal votes, and staffing the Count
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory requirement. The Council is required to designate one of its officers as Returning Officer for Local Council Elections under the provisions of section 35 of the Representation of the People Act 1983. By virtue of being the local Council Returning Officer, he also acted as Local Returning Officer for the European Parliamentary Election. The Returning Officer was personally responsible for the conduct of these Elections.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): c238,000 registered electors, candidates, agents and staff
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 On 4 February 2014 this Committee considered a report entitled “Arrangements for the 2014 Elections”. This report advised that the European Parliamentary Election and the Local Council Elections were combined for 22 May 2014, with the formal election process and statutory timetable starting on 14 April 2014.
- 3.2 The report identified many of the proposed arrangements around postal voting, staff training, polling stations, tellers, and in the report the Returning Officer sought Member’s views on the count arrangements to help him make decisions on timings, process and procedure.
- 3.3 Bromley has a very high electorate of c237,000 registered electors and doubling this across two elections meant that we were dealing with one of the largest number of votes returned for any borough in London.

3.4 Nominations and Candidates

- 3.4.1 Nominations for the European Parliamentary Elections were dealt with by the Regional Returning Officer (the Chief Executive at London borough of Lewisham).
- 3.4.2 Nominations for the Local Council Elections in Bromley were accepted by the Returning Officer from 15 April 2014 to 24 April 2014. In total 229 candidates were nominated for these elections, broken down as follows:
- British National Party – 1
 - Conservative Party – 60
 - Green Party – 22
 - Independent – 1
 - Labour Party – 60
 - Liberal Democrats – 47
 - Trade Unionist & Socialist Coalition – 1
 - UK Independence Party (UKIP) – 35
- 3.4.3 The greatest number of candidates (15) stood in Cray Valley West ward, and the least number (5) stood in Darwin ward.
- 3.4.4 No nomination papers were rejected.

3.5 Postal Voting

- 3.5.1 The number of postal votes continues to rise in Bromley with the Conservative Party (both Head Office and Local Parties) undertaking targeted campaigns to increase the take up of postal voting in specific areas of the Borough.
- 3.5.2 The Conservative Head Office campaign caused the Returning Officer a few problems as they sent some 550 postal vote application forms to Electoral Services close to the deadline for receipt of postal vote applications.
- 3.5.3 It would appear that Conservative Head Office “sat” on many of these applications for several weeks which meant that forms from individuals who had passed their forms on to Conservative Head Office in February or March were not received by the Returning Officer in time to include them in the first despatch of postal votes (8 May 2014). We had to deal with a number of complaints from electors whose applications were delivered to us in this tardy fashion - some of whom found themselves (through no fault of their own or the Returning Officer’s) not able to vote at these elections because they had gone away before their postal vote was received.

- 3.5.4 This issue has been taken up with the local MP to ensure that at future elections any postal vote applications handled by Conservative Head Office are forward to us in a more expeditious manner.
- 3.5.5 The practice of political parties handling postal votes in this way does not comply with Electoral Commission Guidance.
- 3.5.6 The table below shows the take up and return of postal votes in the 22 wards in the Local Council Elections, and the Borough (as a counting area) for the European Parliamentary Election:

Ward (Local)	Issued	Received	%
Bickley	2,098	1,477	70.40
Biggin Hill	880	624	70.91
Bromley Common & Keston	1,915	1,378	71.92
Bromley Town	1,771	1,224	69.11
Chelsfield & Pratts Bottom	1,662	1,164	70.04
Chislehurst	1,994	1,358	68.10
Clock House	1,438	978	68.01
Copers Cope	1,854	1,235	66.61
Cray Valley East	1,645	1,145	69.61
Cray Valley West	1,467	1,022	69.67
Crystal Palace	943	620	65.75
Darwin	667	483	72.42
Farnborough & Crofton	1,895	1,431	75.52
Hayes & Coney Hall	1,754	1,226	69.90
Kelsey & Eden Park	1,829	1,297	70.91
Mottingham	817	538	65.85
Orpington	1,749	1,290	73.76
Penge & Cator	1,339	939	70.13
Petts Wood & Knoll	1,598	1,174	73.47
Plaistow & Sundridge	1,397	926	66.29
Shortlands	1,196	867	72.49
West Wickham	1,783	1,293	72.52
TOTALS	32,224	23,689	73.51
Counting Area (European)	Issued	Received	%
Bromley	33,446	23,690	70.83
TOTALS	33,446	23,690	70.83

- 3.5.7 The report to the General Purposes & Licensing on 4 February 2014 outlined a number of legislative changes including the requirement to check the personal identifiers (signature and date of birth) on 100% of returned postal votes against those held on file from the original applications. This is a huge logistical process (with the Returning Officer appointing some 70 staff for most of the openings) and is totally dependent on IT.
- 3.5.8 Three scheduled postal vote openings took place in the Great Hall at the Civic Centre before polling day, with a further 2 scheduled openings on polling day itself. Over 23,000 personal identifiers were checked during these sessions.
- 3.5.9 Due to the high number of postal votes that were returned to the polling stations and Civic Centre on poll day (approximately 2,800), undertaking this 100% check could have caused significant delays to the count process, if the counting of the votes had been undertaken

immediately following close of poll on Thursday night . As the counting of the votes didn't start until 8am on the Friday, this did not cause any issues at these elections. However, the Returning Officer is mindful that this may not be the case at future elections and will have to plan accordingly.

3.5.10 In accordance with recent legislative changes, the Returning Office has contacted all voters (approximately 550) if their postal vote was rejected because the personal identifiers could not be verified, so as to ensure that details can be updated in time for the next elections.

3.6 Polling

3.6.1 Polling for both elections started at 7.00am and finished at 10.00pm. All equipment was delivered to the polling stations in advance of polling day and all stations opened to receive voters for the 7.00am start. Generally polling day went smoothly.

3.6.2 Prior to the election we had worked with a number of Head Teachers of schools being used as polling stations, so that the schools did not have to close on polling day. This included Crofton Road Infant/Junior School (where the polling station was 'moved' from the Infant school to a hall in the Junior School), Oaklands Primary School (where the polling station was 'moved' to a classroom and additional fencing was erected to separate the voters from the children), Glebe School and Castlecombe School (where the polling stations were 'moved' to different parts of the schools). The new arrangements at these schools appeared to work well on the day.

3.6.3 However, there are still some Head teachers who are unhappy with their schools being used as polling stations and there were a few isolated issues at a couple of schools (where voters/staff were not given full access). The Returning Officer and his staff dealt with these issues on the day as soon as they were brought to their attention.

3.6.4 A review of all polling districts, polling places and polling stations is in the process of being undertaken. A separate report (including the Returning Officer's recommendations) will be presented to this Committee/Full Council in due course.

3.6.5 Following a small number of issues around the role of tellers at the 2012 GLA Election, the Returning Officer had agreed to give specific training to his Polling Staff at these elections on the tellers' role. This was endorsed in the report of 4 February 2014. Following this training, no specific issues were raised with the Returning Officer around the role of tellers on polling day – other than one isolated issue where it was reported at one polling station that the tellers had 'lost' some poll cards (containing personal information).

3.6.5 No material issues were raised on the conduct of the poll.

3.7 The Count

3.7.1 The Returning Officer was personally responsible for the conduct of the verification and counting of the votes at these elections. The report to this Committee on 4 February 2014 outlined possible timing options. The Returning Officer decided on verifying (both elections simultaneously) on Friday morning (starting at 8am), immediately followed by the counting of the Local Council Elections, with the counting of the European Parliamentary Election on Sunday afternoon (starting at 2pm).

3.7.2 The verification and count process took place in a marquee at the Civic Centre. An annex to the marquee was used to provide a refreshment area for candidates and agents, and for the declarations of the results.

3.7.3 The marquee provided a suitable venue giving sufficient space for:

- the layout of the processes to be open and transparent
- all wards to be verified and counted at the same time
- sufficient number of count staff (and others entitled) to be appointed/attend
- the opportunity for those entitled to object to doubtful ballot paper adjudication decisions

3.7.4 There were a couple of issues with the marquee around the quality of the flooring (which will be addressed at next year's election), and the dismantling of the marquee (when contractors damaged a small area of grass - although the contractor has paid for reinstating the damaged area). However, generally the feedback received around the marquee as a venue for the count process (including the declarations) has been very positive.

3.7.4 (Most) Counting staff were well rested following polling day, (probably) reducing errors, mistakes and unnecessary re-counts, and giving safe and accurate counts.

3.7.5 Admission to the marquee was controlled. Security staff at the entrance were given lists of those entitled to attend and everyone entitled to attend (and on the list) were given different coloured wrist bands. There were some minor delays in staff processing the entry of people, however, this didn't cause any practical implications or any significant delay to the start of the verification process. (In order to avoid a repeat of this issue at next year's election, it is proposed to operate separate entry points for candidates/agents and Count staff).

3.7.6 In accordance with the election rules, Counting staff had to verify all ballot boxes for the European Parliamentary and Local Council elections before the counting of the votes could start for the Local Council elections (which effectively consisting of 22 individual counts including separate adjudications and declarations). The first result declared was for Darwin ward at approximately 12.40pm, and the last result declared was for Clock House at approximately 6.40pm.

3.7.7 In the Local Council elections, electors can, in the majority of wards, vote for up to three candidates – the exceptions being Darwin (which has a single vote) and Biggin Hill, Crystal Palace, Mottingham and Shortlands (where two candidates are returned). The increasing tendency for electors to either not use all their vote entitlement or (more common) to split votes between political parties, added to the complexity of the count as all such votes need to be separately identified and counted/logged on counting sheets. The table below shows the increased number of split votes which had to be counted.

Ward	Number of Ballot Papers which had to be individually recorded			
	2014	2010	2006	2002
Bickley	4,632	2,598	726	468
Biggin Hill	2,933	1,765	341	441
Bromley Common & Keston	4,317	2,487	909	631
Bromley Town	4,578	2,909	806	645
Chelsfield & Pratts Bottom	5,171	1,934	984	510
Chislehurst	4,073	3,412	1,722	753
Clock House	4,507	2,812	1,505	615
Copers Cope	4,201	2,087	658	577
Cray Valley East	3,421	2,078	736	458
Cray Valley West	3,496	2,679	1,280	810

Crystal Palace	2,868	1,607	741	489
Darwin	n/a	n/a	n/a	n/a
Farnborough & Crofton	4,745	2,376	1,537	620
Hayes & Coney Hall	4,768	2,756	883	581
Kelsey & Eden Park	4,520	2,015	1,138	572
Orpington	4,628	2,183	621	525
Mottingham	2,333	1,487	738	476
Penge & Cator	4,320	2,181	1,124	776
Petts Wood & Knoll	4,541	2,673	917	471
Plaistow & Sundridge	3,680	2,625	1,018	844
Shortlands	3,073	1,461	414	291
West Wickham	4,784	2,367	629	551

3.7.8 The counting of the votes for the European Parliamentary Election on Sunday was more straightforward, with voters having a single vote. However, the ballot paper was over 60cm (2feet) long with 17 parties/candidates, but with ample space and sufficient number of Counting staff, the counting of votes (and preliminary result) was concluded well before the deadline of 7.00pm as directed by the Regional Returning Officer.

3.8. **Payment of Staff**

3.8.1 At previous elections, the majority of election staff have been paid by cheque through the electoral management IT system. However, following a change in the (tax) law, the Returning Officer is now required to operate standard Pay As You Earn and report it to Her Majesty's Revenue Customs (HMRC) in real time (known as RTI).

3.8.2 This has complicated the process of paying election staff as it means that all payments to election staff must be made via a payroll system to ensure that the correct HMRC RTI submissions are made. It also means that payslips and P45s have to be given out, as from a legal aspect an individual's employment is deemed to be terminated at the end of the election. 'New' staff are then recruited and will go through the same payroll process at the next election.

3.8.3 The services of an experienced managed elections payroll services company (that was fully integrated with current electoral system) was successfully procured in time for these elections.

3.8.4 The new system worked well - all election staff were paid through BACs payments in a timely manner (receiving payslips and P45s), and the Returning Officer satisfied the new requirements for RTI submission to HMRC within the statutory deadline. However, as we were at the busiest stage in the election process when this new tax system came in, we were unable to advise staff of the payment process. The Returning Officer will ensure that there is better communication with his election staff about the payroll process at the next election in 2015 when the same system will be used.

3.9 **Individual Electoral Registration**

3.9.1 In June 2014 the Government introduced a new system of **Individual Electoral Registration** (IER) with the purpose of making the registration system more secure and to avoid fraud.

3.9.2 **New registration arrangements:** Previously the head of the household was responsible for registering everyone else who lives at that address. Following the introduction of IER, each person is required to register to vote individually.

- 3.9.3 For the first time anyone newly registering can register online on the gov.uk website (or they can fill out a paper form). They will need to provide a few more details to register about themselves – including their date of birth and National Insurance number.
- 3.9.4 **Initial identity checking for all current electors:** Most people (about 210,000 residents in Bromley) who were registered to vote will be transferred to the new register automatically without having to do anything. This is happening because in July 2014 the names and addresses on the current electoral register were matched against government records (the Department of Work and Pensions database) through a secure system.
- 3.9.5 About 29,000 residents in Bromley have not been matched and now need to submit a new application to verify their identity under the new system. In some cases they will be asked to provide documents to verify their identity so that their details can be included on the new register. If they don't present these documents to us, they will eventually lose their right to vote.
- 3.9.6 At the end of July 2014, letters were sent out to all electors in the Borough advising that they have been automatically re-registered, or asking them to re-register under the new system. Reminder letters were sent to those residents who didn't respond in August/September and canvassers are now calling on them in November (up to 20 November 2014) to encourage them to register before the new register is published on 1 December 2014.
- 3.9.7 The Government has put in place a special process so that electors who were added to the register under the previous system will not be removed until after the General election in May 2015. However those electors who fail to re-register under the new system, will lose their postal/proxy facility.
- 3.9.8 The Electoral Commission has produced some comprehensive FAQs on Individual Electoral Registration and these can be found under the heading 'Text and content, IER FAQs and lines to take with public in response to queries' at the following link:
<http://www.electoralcommission.org.uk/i-am-a/electoral-administrator/running-electoral-registration/public-engagement-resources>

4. POLICY IMPLICATIONS

None arising directly from this report

5. FINANCIAL IMPLICATIONS

The budget for the European Parliamentary Election was £312,007 funded from a grant from the Cabinet Office and the Local Council Elections £500,000 funded from Bromley's revenue budget. Expenditure has been contained within budget.

6. LEGAL IMPLICATIONS

The Council is required to designate one of its officers as Returning Officer for Local Council Elections under the provisions of section 35 of the Representation of the People Act 1983. The Returning Officer is personally responsible for the conduct of these elections.

The rules and regulations for the conduct of the European Parliamentary Election and Local Council Elections are primarily contained in the Representation of the People Act 1983, the Representation of the People (England and Wales) Regulations 2001, the European Parliamentary Elections Act 2002, the European Parliamentary Elections Regulations 2004, the Local Elections (Principal Areas) (England and Wales) Rules 2006, the Local Elections

(Principal Areas) (England and Wales) (Amendment) Rules 2013 and the European Parliamentary Elections (Amendment) Regulations 2013.

7. PERSONNEL IMPLICATIONS

Some Council employees are recruited by the Returning Officer to help with various duties concerning the conduct of these elections. However, a large number of staff are recruited from other sources.

The Returning Officer has a statutory right under section 25 of the Representation of the People Act 1983 to require the Council to provide as many staff as is required for election purposes.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	