

AGENDA ITEM: 9

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Meeting General Functions Committee
 Date 11 September 2008
Subject Review of Mayoral and GLA Elections 2008. Future Planning of Elections.
 Report of Director of Corporate Governance
 Summary The report provides the Committee with a review of the administration of the 2008 Greater London Elections. This report further identifies the structure and planning needed for future elections.

Officer Contributors Dorne Kanareck, Deputy Director of Corporate Governance
 Julie Barnett, Acting Elections Manager
 Status (public or exempt) Public
 Wards affected All 21 wards
 Enclosures Appendix A, Appendix B, Appendix C
 For decision by General Functions Committee
 Function of Council
 Reason for urgency / exemption from call-in (if appropriate) Not applicable

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1. RECOMMENDATIONS

1. RECOMMENDATIONS

1.1 To consider and note the overall report on the review of the Mayoral and Greater London Assembly Elections in May 2008 (Appendix A) included within which are details of the overall effectiveness of the administrative, communication and management processes utilised before, during and after the Elections.

1.2 To consider the contents of the investigation report into specific issues during the Elections and endorse the way forward suggested (Appendix B).

1.3 To approve the proposed operational split in the staffing arrangements for election and electoral registration functions as described in Appendix C.

2. RELEVANT PREVIOUS DECISIONS

2.1 General Functions Committee on 5 September 2006 noted and approved actions taken to improve electoral registration and election processes (Decision Item 10).

3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

3.1 The Corporate Plan 2007/8 – 2010/11: a cross cutting priority is “more choice, better value”. To achieve this Barnet Council needs to continuously improve how it operates and the infrastructure it works within, to deliver its priorities. Improving the community’s ability to vote is a contributory factor in achieving these aims.

4. RISK MANAGEMENT ISSUES

4.1 If elections are not administered effectively and efficiently there is a risk that those eligible to vote will not be able to do so.

5. EQUALITIES AND DIVERSITY ISSUES

5.1 The council must ensure that, so far as is reasonable and practicable, the provisions for facilities of polling places are accessible to all electors, including those who are disabled.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 In terms of finance if a separate Elections Team is created this will probably result in an increase in the council budget. This will either be dealt with as part of the 2009/10 budget process or will be reported to Cabinet Resources Committee if any cost increase arises in the current year.

7. LEGAL ISSUES

7.1 None save those referred to in the body of the report.

8. CONSTITUTIONAL POWERS

8.1 Council's Constitution, Part 3, Section 2 details the responsibilities of the General Functions Committee. These include election administration and electoral registration.

9 BACKGROUND INFORMATION

9.1 Members are referred to the Appendices and specifically the review of the recent Mayoral and GLA elections.

9.2 Fundamental changes in the administering of elections and a significant increase in the level of voter registration and the use of postal voting in Barnet means that there are now far greater pressures on what is essentially an Election Registration Team.

9.3 The attached review of the recent Greater London Authority Election has clearly indicated that there is a need for the creation of a separate functional team to deal solely with elections; the reasons behind this recommendation are detailed in Appendix C.

10. LIST OF BACKGROUND PAPERS

10.1 None

Legal: JL
CFO: CM

**Review of Mayoral and Greater
London Authority 2008
Elections**

APPENDIX A

The Review in General Terms

In June 2006 a review was carried out into the administration of the Municipal Elections along with a detailed examination of the effectiveness of the administration and business process surrounding the work of the Electoral registration team. Part of the review involved interviews with election agents, members, key stakeholders and business partners.

In general terms the key issues identified were:-

- The suitability of polling stations
- The records relating to a number of ward boundaries and polling districts being incorrect
- The non and late deliver of election materials
- Poor and inconsistent contact with the Election Office in the run up to the election
- The incompleteness of the register
- Electors showing as postal voters who had never applied for one
- Registration levels being in the bottom quartile for London

These and other issues identified were put into a detailed action plan which was presented to and agreed by the committee in September 2006.

The action plan ensured that the following improvements were introduced and these continue to be monitored on a regular basis.

- All polling stations have been reviewed for suitability, changes have been made to the previous significant use of Portakabins and there is now compliance with both Disability Discrimination and Health and Safety legislation. Very few adverse comments have been received and there has been a general acceptance that the polling stations are now far more fit for purpose.
- The accuracy of records relating to ward boundaries and polling districts have been reviewed and changes made, where applicable
- The standard and timeliness surrounding the delivery of election materials by the Royal Mail has now improved immensely following specific work with them and the number of complaints has reduced significantly

- There is an election call centre set up 3 weeks before and 2 weeks after each election. Election agents and members have a dedicated number for their enquiries. This has worked extremely well.
- The electoral register has been completely reviewed with letters sent to every elector confirming their method of voting preference and giving them the opportunity to change it should they wish. This has led to there being very few complaints about non registration at the GLA elections. The electoral registration form has also been redesigned, making it more user friendly.
- All electors showing as registered for a postal vote have been written to for conformation of their wishes and the register has been updated accordingly. Feedback on the introduction of this process was that it made electors feel a lot more assured that their method of voting details were correctly recorded.
- In December 2005 Barnet's Voter Registration was 77.29%. In December 2007 it was 85.2%. Today, that figure is 92.13% putting Barnet in the top quartile for London and achieving the corporate plan target for 2008/9. This is by no means a standstill position, it is a full time cycle of work throughout the year.

These are by no means the only improvements have been made and in discussion with election agents we are told that they now feel far more involved and in partnership with the process.

However, the Mayoral and Greater London Assembly Elections brought there own particular problems which, although not specific to Barnet (a number of other boroughs had significant problems such as Enfield and Lambeth), caused both logistical and administrative serious difficulties.

In considering those difficulties, it is important for the committee to note that, firstly, the overwhelming majority of the 220,000 electors in Barnet had no knowledge whatsoever of the difficulties and were able to cast their vote with no disruption. Secondly, as referred to in this report, there were a number of different factors contributing to the difficulties, some of which were entirely outside our control, not least the sheer size of the task involved in the administration of this particular election. Thirdly, that the electoral registration team consists of just 4 staff whose daily business is to register voters but, on an average of three years out of four, they must also run a major election (each with very different requirements) whilst continuing to maintain and update the "rolling" electoral register.

In 2006/7 Barnet had one of the lowest levels of registered voters in London. By early 2008 this had been successfully increased to one of the highest in London.

Unfortunately this good news story meant that three significant interlinked factors had a major impact on the administration of the GLA election.

Firstly, a consequential effect of increasing the overall voter registration level led to an increase in an already very high proportion of postal voters. The number of registered postal voters in Barnet rose to 34,600, by far and away the largest number for any London borough.

Secondly, the impact of the “11 day registration” rule which, along with the advertising campaign being carried out by London Elects, very significantly increased the heavy demands on the electoral registration staff to get would be electors on to the electoral register in the run-up to the election. A position that was often close to breaking down.

Thirdly, and in our opinion the major contributing factor, was the impact of the requirement for scanning and signature checking of the postal votes that had been introduced for the first time at the GLA election.

Whilst there could have been better anticipation of the first two factors, the third was an entirely new process that created administration problems across the capital, but Barnet, as already stated, had the most postal votes to scan by a considerable margin.

Added to this, the recruitment of over 700 staff to various roles, who had to be trained and entered on to the SAP personnel and payroll system together with the 160 polling stations that had to be inspected and booked and a whole host of other tasks which can only be started according to statutory timescales. In addition, the entire weekend before the election, which would normally be used to re-check every aspect of the election process, had to be taken up with checking every single ballot paper as Indra, the company appointed by London Elects to produce them, had misprinted 10% of Barnet's ballot papers.

Unfortunately, the pre-planning organised by London Elects followed very much to the model for the 2004 GLA elections. Although many of the London Borough Electoral Registration managers raised issues around the 2004 election difficulties, these were not wholly taken on board and lessons learned from that previous experience were not always used to the best advantage by London Elects. This appeared to result in London Elects not fully understanding and appreciating the pressures being faced on the ground by the electoral administrators. As a result, communication lines did not perform as well as they might.

For example, a key issue was the delay in the budget allocation set by London Elects for each constituency, added to which it was based on 2004 costs and very prescriptive. This had a knock on effect to all procurement requirements surrounding the election including crucially the printing of election material and the recruitment of over 700 staff.

Training materials provided by London Elects were not available on time for polling station training. Some material arrived several days after the election, ballot box seals were not available and neither were the “pop up” signs for the polling stations. Again, this had a significant effect on our training timetable for staff causing slippage in dates.

In relation to the actual count at Alexandra Palace, there have been numerous reviews on the count process and this report does not seek to dissect them specifically to Barnet. However, it is fair to say that the process produced neither the cost benefits nor the timeliness it was envisaged to do.

As said at the beginning of this report, many of the major issues raised over many years about the election administration process in Barnet have been addressed and we have also learned some valuable lessons from the GLA election which we are already taking forward.

Officers are aware that mistakes were made (fully detailed in Appendix B) and that such mistakes are unacceptable. This report does not in anyway seek to lessen the impact of some of those mistakes nor does it seek to absolve the responsibility for them. However it is important for the committee to consider them in the context of the overall progress made by the Electoral Registration team in addressing key improvements in the service since 2006.

The issues faced at the GLA elections were not restricted to Barnet and further urgent changes are being considered by central government. The Ministry of Justice have been quoted as saying that “although we are now in the 21st century the election laws have largely remained unchanged for 50 years and that government now needs to re-think the process from beginning to end”.

APPENDIX B

MAYORAL AND GLA ELECTIONS -1 MAY 2008

Issues

1. Abortive process of ballot box distribution to presiding officers.
2. Late delivery of ballot papers to some polling stations.
3. Problem of polling stations running out of ballot papers.

Matrix of Events

1. During the course of briefing to presiding officers on 30 April 2008 it became apparent that there were insufficient ballot papers to be distributed to all polling stations.
2. The process was aborted mid-way through. At this stage some presiding officers had already left the premises with polling stations and ballot papers.
3. The problem was identified by the Acting Elections Manager as the percentage of ballot papers being allocated to each polling station.
4. The STRAND software system had been set at 75% of the "in person electorate" for each polling station and had not been changed to 55% after London Elects had advised that this was the figure they would base their total distribution of ballot papers on.
5. The result was that each ballot paper allocation account showed a greater number of ballot papers to be allocated to each station than should have been made available as a proportion of the totality of ballot papers distributed to the London Borough of Barnet.
6. When the papers were being placed in the bags to be given to each presiding officer – the supply of ballot papers were exhausted before the allocations were complete.
7. The identified solution to the problem was to provide a fresh set of ballot paper allocation accounts based on 55%. This necessitated a re-programming of the STRAND software system. The process for doing this took around 6 hours and was completed about midnight on 30 April/1 May 2008.
8. A significant amount of re-assembling of ballot papers was then carried out as the ballot papers were in the wrong boxes/bags. Some presiding officers had left North London Business Park with what they believed were the correct sets of ballot papers and other equipment. They had to be contacted. Other

presiding officers were waiting at North London Business Park until the correct allocations could be confirmed.

9. In some cases presiding officers who had left NLBP were able to return. In other cases this was not possible for a variety of reasons. In these cases, the officers concerned were told that the correct ballot papers and in some cases bags of equipment would be delivered to their polling stations.
10. The election team and other staff had a huge operation in putting everything together overnight – essentially getting the correct number and issue of ballot papers to the right polling stations/presiding officers. This involved collecting some sets of papers from presiding officers (at their homes) and delivering other sets to other presiding officers at their homes before moving on to make deliveries at various polling stations.
11. In the main, the majority of polling stations were able to open on time and had ballot papers available to issue to those attending to cast their votes. A very few stations – Courtland JMI School, Barnet Impact and Dollis Infant School Polling Stations, most notably, had late deliveries of ballot papers and could not start issuing them until approximately 7:20 to 7:25 am – they were at the end of runs that the few available staff to make deliveries completed after making similar deliveries to other polling stations. A few other polling stations received their ballot papers “a minute or two” either side of 7:00 am but this did not appear to have any impact or draw adverse criticism.
12. During the course of the day, a very few polling stations experienced concerns that they might run out of ballot papers – some were due to the very high turnout in particular locations. However, three polling stations suffered difficulties as a result of an as yet unresolved software problem. Goldsmith Avenue, N11 has two polling stations – 25 and 26. The system did not identify any allocation for station 26 but an over allocation for Station 25. Election staff split the number between the two but did not appreciate that this would be insufficient – the overprovision for Station 25 did not compensate for the under allocation for Station 26. Station 160 – St Peter’s Church, Edgware is the last numbered station on the system. For an as yet unresolved reason, the software system did not allocate the appropriate number of ballots on the ballot paper allocation account for this station. Staff did not identify the problem at the time.
13. Stations who rang in and asked for additional ballot papers all received them (albeit that Station 160 received theirs only just in time) with the exception of Stations 25 and 26.
14. Significant problems were experienced by Stations 25 and 26. There is uncertainty about the clear chain of events given the absence of any call record system operating in the Elections Office on the day of the election. However, it seems that the Presiding Officers at both stations made a number of calls from mid-afternoon onwards expressing concerns that they would run out of ballot papers. These calls were not acted upon with the level of seriousness/urgency required. Ultimately Station 26 ran out of ballot papers

for approximately 80 minutes and Station 25 for approximately 30 minutes. The clerk at one station had to collect additional ballot papers from NLBP and delivered them at about 8:40 pm. This process caused distress to the Presiding Officers concerned, anger amongst electors unable to vote and possibly resulted in some 30 electors not casting their votes (some of those not able to vote came back later to do so).

15. STRAND have not yet been able to identify the problem with the software that caused the particular problem with the allocation to these Polling Stations. It is now intended to run a simulated exercise to establish whether the same problem will repeat itself.
16. The misallocation of ballot papers in the initial distribution occurred because the STRAND software system was set at a level of 75% of in-person electors at each polling station. It should have been changed by an Election Team member of staff to 55% so that ballot paper allocation accounts reconciled with the actual allocation of ballot papers by London Elects. The Acting Elections Manager confirms that she discussed this with the member of staff and asked that it be done. No back-up or verification system was in place to confirm that this had taken place.
17. The allocation of ballot papers to Polling Station boxes/bags only took place on the day before the election and in fact was ongoing in the last hour or so before Presiding Officers arrived for their briefings. There was no time to put matters right when the allocation of ballot papers was found to be wrong – no slack in the system. In fact the election plan had the allocation of ballot papers set for the previous day. However for expediency reasons, the Acting Elections Manager slipped this by a day because of the huge pressure of work due to postal vote signature verification – an entirely new process at this election. Had the allocation taken place on 29 April as planned – there would have been sufficient time to put things right once the problem with the software setting was realised.
18. Once the decision was taken to deliver a significant number of bags and ballot papers to presiding officers either at their homes or at their polling stations, an assessment was needed as to the window of time during which this could be carried out and the number of drivers required. This should have avoided any late deliver of ballot papers, although once the initial problem occurred the amount of rectifying work was very significant in the time available and a number of decisions were having to be taken quickly and the staff concerned were extremely tired, having been working without break for more than 24 hours in some cases.
19. Staff could have been expected to appreciate that the number of ballot papers being allocated to certain polling stations was inadequate despite what the ballot paper allocation accounts were saying. However, many of the staff involved were inexperienced and having their first involvement in a major election.

20. The problems of the ballot paper allocations and the work of the night before meant that all the preparations for staffing the elections office on election day went awry. Emergency staffing had to be put in place whilst Election Team officers went home for a few hours sleep. Thereafter, when Election Team officers returned they were still very tired from their exertions over the previous 24 hours. Moreover, no proper call recording system was in place nor any system to ensure that requests from Presiding Officers for additional papers etc had been actioned. It is hard to work out why the many calls from Stations 25/26 did not elicit an appropriate response, but that is seemingly what happened. A proper call management and recording system is a necessity on election day.
21. Overall, the election processes have become significantly more complex in a comparatively short period of time. Because many of the changes have been incremental, the scale is not always appreciated. However, changes such as postal voting, the rolling register, shorter timescales for closing lists for postal voting prior to the election and now postal vote signature verification have all placed a much greater strain on existing arrangements because all of these changes have been accommodated in a bolt-on fashion. Election administrators are having to cram more and more into a relatively short time span between notice of an election and polling day. The upshot of this is that a system failure, whether caused by human error or technological malfunction, can have very significant knock on effects, which is precisely what occurred in relation to the problems experienced at the May 2008 elections.

Looking forward

1. A thorough, possibly independent, review of Barnet's elections processes from end to end would probably be timely.
2. Future elections should be prepared for on a project basis with full time officers seconded sufficiently in advance of the elections so that there is both capacity and continuity in carrying through the election plan at all the key stages.
3. The postal ballot part of the election in Barnet now consumes resource avariciously – it should be treated as “an election within an election” for staffing, management and other resource purposes.
4. All parts of the election plan process should have a full walk through by all relevant individuals sufficiently well in advance of the election itself.

Future Elections

APPENDIX C

The Future –

Members will have noted from both Appendix A and Appendix B that the demands on what is essentially an Electoral Registration Team have increased so much that they contributed to some significant problems during the last GLA elections. Of course, this is not entirely the reason that some of the mistakes were made. However, the lessons learnt from this experience have shown that we now need to re-evaluate how we administer what are essentially two separate functions.

Over the last 10 years there has been a fundamental change in the roles of the Electoral Administrator. There are now continuing pressures with extremely high levels of accountability, not least to ensure transparency of the processes whilst protecting them from fraud, but more importantly to do so whilst increasing voter registration and democratic engagement.

Electoral registration and administering elections are both statutory functions that local authorities carry out respectively through the offices of their appointed electoral registration officer and election returning officer. Although as administrative activities they are, by custom and practice, usually carried out by the same team of officers, in reality they are entirely separate processes requiring different operational models and different skill sets for the staff involved. For example in the last 2 years the number of significant changes to the administration of both registration and elections has now shown that a split between the two functions is vital if we are to continue to perform our statutory duties. Below we have chosen just two aspects of the changes to demonstrate the point:

The administration of postal votes now requires the same resources and planning as a mini election in itself. Barnet now has to deal with the highest number of postal vote electors in London. In February 2008, the number was 27,000. By May 2008 this had increased to 34,500. 7,600 applications for a postal vote were processed in the month before the May Greater London Authority Elections.

Over 30 staff are used to assist in the actual issuing and opening of postal votes every day over 4 weeks. The statutory deadline for receipt of the applications has been moved back to 11 working days before the election but the time for issuing

remains tight and puts at risk issues such as the replacement postal votes where electors can apply for lost or spoilt ballot papers before 5pm on the day before the poll -

The opening process of postal votes is now carried out in 3 separate stages. Firstly, envelope B (containing envelope A and the postal voting statement) must be opened and due to the new introduction of a marked postal voter list it is now necessary to record this. Secondly, envelope A (containing the ballot paper) is opened.

Each application form must then be checked thoroughly to identify incidents and patterns of activity that might indicate fraud. Further checks are made to ensure that signatures and dates of birth are correct.

All postal votes and personnel identifiers must be scanned, checked and verified. We had a further team of 10 staff operating 10 scanners 8.00am to 11.00pm, every day, those scanners and operators also dealt with 1500 postal votes brought in from polling stations after the close of the Poll.

Registration with the new 11 day registration rule is now a major administrative task. In April and May, approximately 4,200 new applications to register to vote were received with most of those also requesting a postal vote. A further 7,500 postal vote application forms were also received. All applications must be checked for identity and fraud patterns. It is a major administrative task, involving the distribution of confirmation of registration letters and notices and each registration form must be scanned into our software system.

This is coupled with over 1000 phone calls per day from residents with queries such as “they could not remember if they were registered”, or “they had moved in the last few weeks and were worried they would not get their vote”, to “citizens of member states of the European Union wanting clarification on their voting rights”.

The new 11 day registration rule will be an even greater challenge at a parliamentary election.

It is clear that the two functions are distinct and that we now have to perform them in distinctly different ways.

We are therefore proposing that a separate functional team be created to deal with elections only, whilst the current team continue to administer registration.

This will ensure that future elections are prepared for on a project basis as a separate function to registration and have adequate resources identified to deal with the complexities of each election.

It is important to have a team that is solely dedicated to and focused upon preparing for the “next election” and with four separate sets of elections to administer, it means that there is an election in most years. The dedicated team will be able to work without the distraction of having to maintain the “rolling register” and develop specific expertise pertaining to election administration and management. This latter point is particularly important given the variation in process between different elections. Present arrangements mean that those principally involved not only have to try to fit in election responsibilities with their normal work obligations, but also have to try to recall practice and process from their last experience with that particular election model, four or five years previous. The added complexity and time pressures of the current electoral process mean that proper project planning and implementation is essential to ensure that electors can have the appropriate level of assurance in all aspects of that process. This can not be delivered by continuing to operate on the basis of staff fitting in their election duties as additional to and outside of their core working responsibilities and hours.