

<u>MEETING</u> GENERAL FUNCTIONS COMMITTEE
<u>DATE AND TIME</u> THURSDAY 9TH JUNE, 2016 AT 7.00 PM
<u>VENUE</u> HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

Dear Councillors,

Please find enclosed additional papers relating to the following items for the above mentioned meeting which were not available at the time of collation of the agenda.

Item No	Title of Report	Pages
4.	PUBLIC QUESTION AND COMMENTS (IF ANY)	1 - 10

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Question Number	Item Number	Raised By	Question	Answer
1	Item 6	Andrew Dismore	What are the financial terms of Mr Travers's departure?	The terms of Mr Travers' departure are not yet finalised. Any payment will be made public in the council's accounts.
2	Item 6	Andrew Dismore	It is clear from the Heath report that serious errors were made by a number of officers both senior and junior other than Mr Travers: what further disciplinary action is being taken against those responsible?	It is not appropriate to discuss HR matters or individual members of Council staff in public meetings.
3	Item 6	Andrew Dismore	Why was there no proper appointment procedure for Mr Heath?	Mr Heath's appointment was made in accordance with the Council's Contract Procedure Rules set out in the Constitution.
4	Item 6	Andrew Dismore	What are the financial terms of Mr Heath's appointment?	Mr Heath's agreed fee for carrying out the investigation was capped at £1,000 plus expenses which have amounted to £90 for travel and £81.99 for a hotel. He is being paid an additional £250 for attending this meeting of General Functions Committee plus his travel expenses.
5	Item 6	Andrew Dismore	When Mr Heath was appointed, was it known he was not available to attend the committee meeting?	Because of the need to start the investigation quickly to ensure it was completed by the end of May - so that recommendations could be implemented for the Referendum - Mr Heath was appointed prior to instigating the constitutional process for setting a date for a special meeting of the General Functions Committee. Because the investigation was due to complete at the end of May, the agenda and papers for the General Functions Committee needed to be

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				published five clear working days before the meeting and specific religious holidays needed to be avoided, which meant there were very few days available for the meeting. Since the date was set, Mr Heath's arrangements have changed and he is now able to be present this evening.
6	Item 6	Andrew Dismore	When Mr Heath was appointed, was it known he was available to spend only one day in Barnet?	Mr Heath spent the time in Barnet he considered was necessary to complete his investigation. Mr Heath's preparatory work included reading a large amount of background material and written evidence requested by him as well as telephone discussions with a range of people and organisations. The details are set out in his report.
7	Item 6	Andrew Dismore	Why did your press release (and letter to me of 18/5/16) erroneously infer that the terms of reference had been agreed by Labour group and the Lib Dem member?	Both the Labour Group Leader and the Liberal Democrat Member were consulted on the Terms of Reference. The press release used the words 'consulted with' as did the letter to you from the Chief Executive dated 26 May 2016.
8	Item 6	Andrew Dismore	Why was the investigation evidence collection left in the hands of those responsible for the administration of the election?	Mr Heath requested the information he thought he needed for his investigation and those best placed to provide him with this information did so. All relevant information was provided to Mr Heath.
9	Item 6	Andrew Dismore	Why do you think the public were made sufficiently aware of how to put forward their evidence to the investigation?	Given the timescales involved, there was not the opportunity to publicise this in the way we would with, for example, a council consultation. As well as putting out the details of how to provide feedback

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				through the website and social media, an email was sent to all Barnet Councillors to set this out. The public could also submit their feedback by telephone, and on election day itself Polling Station Presiding Officers were taking a note of feedback. All of this has been passed to Mr Heath as part of his investigation.
10	Item 6	Andrew Dismore	How many members of the public responded to this call for evidence?	There were 89 responses, of whom 22% had been able to vote on their first visit to a polling station and over 48% identified that they were able to return and vote later in the day. 3 people arranged an emergency proxy.
11	Item 6	Andrew Dismore	How many complaints were received that referred to matters other than the 'wrong register' issue?	We have received 12 complaints since polling day relating to reasons other than the register.
12	Item 6	Andrew Dismore	Why did the terms of reference for the investigation not include the recurrent problems of postal votes?	<p>The investigation was set up specifically to investigate the problem with the wrong electoral registers being supplied to polling stations for the Mayoral and GLA elections. It was important to ensure the investigation took place quickly so that relevant recommendations could be implemented before the referendum on 23 June 23 and therefore it was agreed that the terms of reference would focus on the issues of the morning of 5th May 2016.</p> <p>A further review of the elections function is planned to ensure that any wider concerns are investigated</p>

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				and addressed where necessary. The terms of reference will be considered at the next meeting of the General Functions Committee on 29th June and will pick up the issues that were raised at Annual Council on 24 May.
13	Item 6	Andrew Dismore	Why did the terms of reference for the investigation not include the recurrent problems of poll cards?	See answer to Q12
14	Item 6	Andrew Dismore	Why did the terms of reference for the investigation not include the locations of polling stations, especially those that had moved?	A review of the location of polling stations was carried out and reported to General Functions Committee earlier this year in accordance with the relevant legislation. Please note Barnet now reviews these annually, whereas the statutory requirement is for a review every five years. See answer to Q12
15	Item 6	Andrew Dismore	Why did the terms of reference for the investigation not include the poor state of the electoral register?	See answer to Q12
16	Item 6	Andrew Dismore	Why did the terms of reference for the investigation not include the inaccessibility of the 'hotline'?	The elections call centre arrangements have been reviewed and improvements are in place for the referendum. For 23 June, the helpline will be open from 6:30am and calls will go directly through to staff. See answer to Q12.

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17	Item 6	Andrew Dismore	What training will the proposed 10 'agents' at the call centre be given in elections rules and administration?	The call centre agents have been trained to use the electoral registration software system to answer the most common elector queries regarding registration and voting (i.e. are they registered and are they entitled to vote). They are also trained by the Electoral Services team for other common queries such as: how do they obtain a postal vote and where is their polling station etc. Any more detailed or complex enquiries are escalated to the Electoral Services team for response.
18	Item 6	Andrew Dismore	Who will the 'agents' be employed by?	The Customer & Support Group – as are all other call centre staff
19	Item 6	Andrew Dismore	Has his report been amended, edited or altered in any way since the first draft was provided by Mr Heath?	As is usual practise in these matters, Mr Heath invited comments on an early draft of his report. A number of comments were provided to him for him to take into account in his final version. Mr Heath has retained editorial control of his report throughout.
20	Item 6	Andrew Dismore	If so, in what ways was the report amended, edited or altered?	This is a matter for Mr Heath.
21	Item 6	Andrew Dismore	What are you doing about the resourcing of the electoral administration?	The Council has an experienced team in place to manage the referendum and do not believe the error made when printing the registers for the Mayoral and GLA election was a resource issue. The Returning Officer believes the resourcing for the referendum is appropriate. However, benchmarking information will

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				be considered as part of the wider elections review planned for after the referendum.
22	Item 6	Andrew Dismore	Why do you think the public will be satisfied that the investigation has been transparent?	<p>The investigation was undertaken by an independent investigator who is an expert on running elections. All information and access to relevant people was provided as requested and those directly affected were given the opportunity to input.</p> <p>The terms of reference were drafted in consultation with the Leaders of Barnet Conservative, Labour and Liberal Democrat parties as well as the Electoral Commission.</p> <p>Mr Heath had complete editorial control of his report. We have published the findings of the report and detail of the actions the Council is taking in response to recommendations. This will be discussed in a public meeting.</p>
23	Item 6	Andrew Dismore	Why was the collection point for ballot boxes changed to 'Best Hub' Colindale?	The rooms which had been used previously at North London Business Park are no longer available, and so an alternative location was found.
24	Item 6	Andrew Dismore	Paragraph 1.28 of the committee report refers to checking the referendum register against the GLA register for 'accuracy and completeness': I assume you are aware that these two polls have different franchises?	Yes. The European electors on the referendum register will be shown with a line through their names to indicate they do not have a vote. This is one of the things which those checking the registers will check for.

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25	Item 6	Andrew Dismore	Do you really consider that producing a report into all the election failings in Barnet can wait till the 'end of the year' (para 1.46 committee report)?	It is important that there is a review of the elections function, which will ensure that any wider concerns are investigated and addressed as necessary. We want to make sure that adequate time is allowed for a thorough review to be conducted. There is not another planned election in Barnet until 2018, which allows time for a suitable action plan to be implemented prior to the next planned election.
26	Item 6	Andrew Dismore	Which 5 wards were the last to receive the correct registers?	The correct registers were delivered in batches to polling stations and there was a spread of delivery times within all wards. The last ten polling locations to report receiving their correct registers (between 10.15 and 10.30am) were spread across the following six wards: Brunswick Park, Coppetts, Oakleigh, Mill Hill, Colindale and Edgware.
27	Item 6	Andrew Dismore	Why do you think the Chief Executive of the Corporation of London is the best person to advise Barnet on electoral processes?	John Barradell, Chief Executive of the City of London Corporation, will provide support from the week commencing 30 May. Mr Barradell will be based in Barnet for the equivalent of one day a week and will provide general support to the Interim Chief Executive. The council is also receiving support from the Regional Counting Officer's team to review the preparation for the EU Referendum and provide wider assurance as to the effectiveness of the election management arrangements.

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28	Item 6	Andrew Dismore	Why are you confident that there will be no problems in the conduct of the Referendum, if that is indeed the case?	<p>As Mr Heath's report highlights Barnet has performed consistently against Electoral Commission standards for delivering elections, and we are taking all necessary steps to ensure that an incident of the nature of the 5 May does not happen again. The council has accepted all of the recommendations in Mr Heath's report and has already put actions in place in time for the referendum.</p> <p>No Council can absolutely guarantee that there will be no problems in the conduct of any election, which is a complex process. There will always be some practical issues to be resolved on the day, but we and those working with us, are working hard to minimise these and ensuring we have the right process in place to resolve any issues if they arise.</p>
29	Item 6	Andrew Dismore	What are the General Functions Committee's terms of reference in relation to elections, and what do you interpret them to mean?	The General Functions Committee terms of Reference include "Elections in general". The Committee has oversight of the electoral process, however the responsibility for the administration of the election is with the Returning Officer and staff.
30	Item 6	Andrew Dismore	Why did the terms of reference for the investigation not include political accountability for what went wrong?	The administration of elections is not a political function.
31	Item 6	Barbara Jacobson	1.26 'The Counting Officer must be informed of any issues that he should be made aware of (in accordance with a new systemic	The latter. The main point of contact is likely to the Head of Electoral Services. However, depending on the issue in question and availability, this could also

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			<p>escalation procedure) at once.’ Does this mean that the Counting Officer should be told now the nature of issues that might arise and should be reported to him on the day of the referendum or that on that day of the referendum someone (who?) should be sure to report relevant issues to the Counting Officer?</p>	<p>be the Monitoring Officer, one of the [6] Deputy Returning Officers or the Electoral Registration Manager. All will be briefed to ensure that those issues which the Counting Officer should be made aware of are escalated at once.</p>
32	Item 6	Barbara Jacobson	<p>I.27 ‘However, some of the detailed implications for the change in venue on the checking processes were not widely appreciated.’ What were these ‘detailed implications’ and what, precisely, is meant by ‘not widely appreciated’: (a) ignored, (b) not taken seriously, (c) not understood? What is the precise extent of ‘widely’ in this case? Why weren’t the ‘implications’ ‘appreciated’?</p>	<p>The Elections Project Board – Chaired by the Returning Officer and including the Director of Assurance and senior members of the Electoral Services Team – met fortnightly in the run up to the 5 May elections. However, there was no report to the Board which formally set out the change in checking processes which would result from the change of venue.</p> <p>We recognise that we should have been more robust, and we will ensure that a strengthened process for checking will be put in place ahead of the referendum and future elections.</p> <p>Previous practise at Barnet had been for Presiding Officers to check their ballot boxes and equipment when they picked up their boxes. The change in venue meant there was less space for collection by Presiding Officers and so ballot boxes and equipment were initially checked by elections staff prior to collection, and then by the Presiding Officers</p>

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				<p>after leaving the collection venue. There was not a check of the registers for accuracy.</p> <p>Paragraphs 1.28 – 1.31 of the Interim Chief Executive’s report to GFC set out the changes to the process for printing and checking registers and the checking of ballot boxes ahead of the EU Referendum, in response to Mr Heath’s recommendations.</p>