

Appendix A - Greater London Returning Officer decision-making framework

Introduction

1. The framework for [Mayoral Decision-Making in the Greater London Authority](#) (GLA) sets out the structure within which Mayoral decisions are taken and Mayoral powers are delegated. It states that decision-making by the Greater London Returning Officer (GLRO) and their appointed Deputy or Deputies is distinct from that of the GLA. In other words, it does not form part of the 'Mayoral Decision-Making in the GLA' framework.
2. This GLRO decision-making framework relates to GLRO decisions and who may make them, with the aim of maintaining the impartiality and independence of the GLRO role.

Greater London Returning Officer (GLRO)

3. The GLRO is appointed by the Mayor acting on behalf of the GLA and has overall responsibility for the administration and coordination of the Mayor of London and London Assembly elections (the GLA Elections).
4. Although appointed by the Mayor, the GLRO acts and makes decisions independently of the GLA and the Mayor in respect of their electoral functions. The GLRO is accountable to the courts for their actions and decisions.
5. The Electoral Commission sets out GLRO responsibilities (see Annex A) which reflect The Greater London Authority Elections Rules 2007 (UK Statutory Instrument 2007 No. 3541¹)

Deputy Greater London Returning Officer (DGLRO)

6. Under section 35(4) of the Representation of the People Act 1983, the GLRO has the power to appoint a deputy or deputies to discharge their functions as GLRO. The appointment of a deputy must be made in writing and will be published via a GLRO Decision. Any appointment will specify the functions that the deputy is authorised to exercise on the GLRO's behalf. The deputy's acceptance is required to be given in writing.
7. While the GLRO can appoint one or more deputies to discharge any or all of their functions, they cannot delegate their personal responsibility for the conduct of the election or any aspects of it that they are responsible for delivering².

Background

8. The GLA's governance arrangements, including this GLRO decision-making framework, are designed to ensure:

¹ <https://www.legislation.gov.uk/ukSI/2007/3541/contents/made>

² <https://www.electoralcommission.org.uk/guidance-glro-administering-gla-elections/planning-election/managing-and-co-ordinating-poll/deputy-glro-appointments>

- all activities are carried out in accordance with the law and high standards of conduct
 - public funds are safeguarded, properly accounted for, and used in a way that is economical, efficient, and effective
 - that there is transparency in decision-making
9. Both the GLRO and DGLRO(s) are employed by the GLA and are subject to its terms, conditions and working practices. This includes upholding the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Decision-making

10. This framework covers formal decisions taken by the GLRO or a DGLRO in order to fulfil statutory functions.³ All such decisions will routinely be taken by the GLRO except where there is a need for them to be taken by the DGLRO as set out in paragraph 12 below.
11. Routine day-to-day decision-making, undertaken by the GLRO, DGLRO or GLA officers in the London Elects team⁴, is outside the scope of this framework and treated as business as usual. Also, out of scope are i) the detail of how the GLA manages its financial affairs and how it procures its supplies and services, which is covered by the GLA Financial Regulations and Contracts and Funding Code; and ii) the details of how the decision-making process is administered at the GLA. This is in line with the *Mayoral Decision-Making in the GLA* framework.

Decisions of the GLRO and DGLRO

12. The GLRO will, except in the limited circumstances set out below, take all decisions relating to statutory functions (summarised in Annex A) as they hold personal and statutory responsibility for the elections. However, there may be occasions when the DGLRO is required to take decisions in place of the GLRO and, in accordance with the terms of the existing delegation to the DGLRO (see GLRO decision GLRO20-01) there is no restriction on which decisions may be so taken. The circumstances in which decisions may be required to be taken by the DGLRO are:
- Where the GLRO is personally unavailable (incapacitated, deceased, absent and out of contact). This may include situations deemed to be time-critical (e.g. where even a short delay could have serious consequences on the delivery or conduct of the elections); and/or
 - Where it would be inappropriate or unsuitable for the GLRO to act (e.g. where a conflict of interest arises).

Implementation and transparency

³ Examples of decisions can include, but are not limited to, the appointment of deputies, the method for counting ballot papers, the procurement of suppliers, and expenditure on communication materials, the statutory booklet, and facilities provision.

⁴ The GLRO is supported by the 'London Elects' team comprising GLA officers. Duties include planning the method of the count, designing and printing ballot papers and polling station materials, delivering a public awareness campaign. The team works closely with the London boroughs and the City of London electoral services teams, which lead on voter registration and management of polling stations, and the verification and counting of votes.

13. The responsibility for oversight and implementation of this framework rests with the London Elects team. Decisions taken by the GLRO and DGLRO will be recorded on a GLRO or DGLRO Decision Form as applicable. Decision-making templates are available via the GLA's internal intranet. Any changes to the framework itself will be made through a formal GLRO decision.
14. The GLA has a commitment to transparency and openness. All GLRO and DGLRO decisions taken on behalf of the GLRO will be published on the GLA website as soon as practical. A Decision Form, or part of it (known as a 'Part 2'), may be withheld from publication if the information it contains is likely to be exempt under the Freedom of Information Act 2000. In other circumstances, the entire Decision Form may be deferred for release at a later date. Such circumstances are relatively rare and unless the GLA's Governance Team advise otherwise, Decision Forms should be prepared on the basis that they will be publicly available. They should therefore be written so that members of the public and other interested parties are able to understand the nature of the decision and the background.

Annex A - Greater London Returning Officer role and responsibilities

The position of GLRO is established by the Greater London Authority Act (GLA Act) 1999 (sections 29, 424(2) and Part 1) and section 35(2C) of the Representation of the People Act 1983 as the person appointed by the Authority (by the Mayor on its behalf under section 35(2) GLA Act 1999) as the proper officer for the purposes of discharging the responsibilities of that role under those Acts.

The GLRO is the returning officer for the election of the Mayor and the 11 London List Assembly members. The GLRO also has powers of direction over Constituency Returning Officers for the election and return of the 14 Constituency Assembly members.

The GLRO has legal functions under both Acts and the [GLA Elections Rules 2007](#) as regards the organisation of the entirety of the GLA elections. [Electoral Commission guidance](#) sets out the following, based on the GLA Elections Rules 2007:

In addition to their legal duties, the GLRO is responsible for providing leadership and co-ordinating the work of the [London borough] Constituency Returning Officers (CROs), to ensure that the election is well-run and that voters and those standing for election receive a consistently high-quality service across the whole of the police area.

The GLRO is personally responsible for the following specific aspects of the GLA election:

- *giving notice of the election of the Mayor of London and the London-wide Assembly Member election*
- *the nomination procedures for the election of the Mayor of London and the London-wide Assembly Member election*
- *publishing the statement of persons (and parties) nominated for the election of the Mayor of London and the London-wide Assembly Member election*

- *giving notice to the relevant CROs if a candidate has been validly nominated in more than one Assembly constituency, as a candidate cannot stand for election in more than one Assembly constituency after the deadline for withdrawals*
- *publishing the notice of poll for the election of the Mayor of London and the London-wide Assembly Member election*
- *supplying notices for the guidance of voters at polling stations*
- *the collation of votes from across Greater London for the election of the Mayor of London and the London-wide Assembly Member election and the declaration of the results*

Issuing directions

The GLRO can give directions to CROs about:

- *the discharge of their functions in relation to the GLA elections*
- *directions requiring them to provide you with any information which they have, or are entitled to have*

CROs are required to comply with any direction you have given to them. The GLRO can give directions that apply to all CROs, or only to one or some.

If the GLRO decides to direct CROs to:

- *include alternative information in the appropriate form of postal voting statement in place of the paragraphs beneath the heading 'Instructions to the voter'*
- *issue additional information to those entitled to vote by post*
- *include additional information in poll cards*

The GLRO must supply the alternative or additional information either electronically or in a printed form along with directions to the CRO as to how the information is to be used by no later than the date of the notice of election.

The GLRO should take any decision to issue a direction at an early stage in the process, following consultation with the relevant CROs, in order to provide clarity for all involved and to enable these activities to be planned for and taken forward as appropriate. You should put in place a communications plan for communicating any directions and guidance.

As part of the GLRO's considerations they should take into account the number of CROs in the GLA elections, and the impact of the directions they issue may have on the activities that CROs will need to undertake. The GLRO should ensure the CROs are adequately resourced to be able to deliver them effectively.

The GLRO should ensure that any deputies appointed have the skills and knowledge required to carry out the functions that they have been assigned.

The GLRO must make any appointment of a deputy in writing and should include details of the functions that the deputy is authorised to exercise on their behalf. The deputy's acceptance should also be given in writing.

Annex B – Deputy Greater London Returning Officer role and responsibilities

The DGLRO role in London is set out in [GLRO20-01 Appointment of Deputy Greater London Returning Officer](#). With minor updates to this 2020 description, the DGLRO role is:

To support the GLRO in the planning of, preparation for, and delivery of, the Mayoral and Assembly Elections. The precise activities will vary over time as, in particular, the work programme develops in the period leading up to the elections. But the work is expected to include:

- Preparatory work for determining the approach to counting the election results, including any e-counting procurement
- Day to day oversight of the GLRO's Elections Working Group programme or equivalent groups, including liaison with key workstream leads in the GLA
- Liaison with external organisations on matters relating to GLA elections, including the Ministry of Housing Communities and Local Government, the Electoral Commission, and the London boroughs and the City of London.
- Maintaining effective liaison and consultation arrangements with political parties and stakeholders relevant to the management of elections
- Developing and maintaining arrangements to achieve, and demonstrate achievement of, compliance with the performance framework for electoral services
- Ensuring proper monitoring and management of allocated Election budgets.