

# GREATER LONDON AUTHORITY

**Request for Greater London Returning Officer (GLRO) Decision – GLRO 20-06**

**Title: Statutory Mayoral Address booklet for the 2020 Elections**

**Executive Summary:**

This decision form requests approval for expenditure to design, print and fulfil the statutory requirement that a booklet (“election booklet”) of Mayoral candidates’ statements (“addresses”) and other information about the 2020 Mayor of London and London Assembly elections is delivered to every registered local government elector in Greater London in advance of the elections on 7 May 2020.

**Decision:**

That the Greater London Returning Officer (GLRO) approve expenditure of up to £2.5 million for an external print management organisation to:

1. Design, print and fulfil the statutory election booklet for the 2020 Mayor of London and London Assembly Elections;
2. Deliver it to every registered local government elector in Greater London; and
3. Project-manage these activities.

**Greater London Returning Officer**

The above request has my approval.

Signature



Date 7.12.18

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE**

### **Decision required – supporting report**

#### **1. Introduction and background**

- 1.1. The booklet is a statutory requirement under the Greater London Authority Elections (Election Addresses) Order 2003. Article 3 of the Order states that “Each [Mayoral] candidate at an election shall be entitled (subject to and in accordance with the provisions of this Order) to have an election address prepared on behalf of the candidate included in an election booklet prepared by the GLRO delivered at the Authority’s expense.” Each address must be prepared by the relevant Mayoral candidate’s agent, and must only contain matter that relates to the GLA elections. A photograph of the candidate may be included. A Mayoral candidate’s right to have an election address included in the booklet is subject to payment of a non-returnable £10,000 contribution towards printing costs and the requirements of the Order as to content. The right does not apply to any Assembly candidates. The Order sets out various requirements as to the content of the mayoral candidates’ statements and their publication by the GLRO is protected from defamation and other potential legal action.
- 1.2. In addition to Mayoral candidates’ election statements the election booklet must contain the following information:
  - Statement from the GLRO, date of election, purpose of election booklet;
  - List of all Mayoral candidates in the order they will appear on the ballot paper and an election address supplied by each candidate;
  - A list of all Constituency London Assembly Member candidates;
  - A list of all London-wide Assembly Member candidates;
  - Name and address of GLRO and printer; and
  - How electors can vote (polling stations, post, proxy), what to expect at the polling station and an election-day guide.
- 1.3. Article 9(1) requires that “*The GLRO shall cause copies of the election booklet to be addressed and delivered to each elector at the Authority’s expense*”. The election booklet must be delivered by a postal operator within the meaning of Part 3 of the Postal Services Act 2011. The mailing is expected to be in three batches:
  - First batch to postal voters (~1 million)
  - Second batch to remaining registered electors (~5.1 million)
  - Third batch to late registrations (~ 100,000)
- 1.4. The GLRO will also make the booklet available as hard-copy at certain locations and on the London Elects website in a digital format.
- 1.5. The GLRO will therefore procure a print management organisation to project manage, design, print and fulfil the booklet and deliver it to every member of the electorate in London. The main prerequisites the successful supplier must clearly demonstrate are:

- Experience and a proven track record;
- Strong and established relationships and sufficient resources; and
- Robust quality control processes, resilience plans and contingency strategies.

## 2. Objectives and expected outcomes

### 2.1. The objectives of this work are to:

- Provide Londoners with statutory information about the elections, including statements by Mayoral candidates;
- Deliver a booklet to every registered voter in Greater London including attainers eligible to vote on the day<sup>1</sup> and anonymous voters<sup>2</sup>;
- As far as possible, ensure the booklet is delivered in advance of ballot papers being sent out to registered postal voters. There is no statutory delivery date, period or deadline for delivery of the booklets. Article 9(1) of the Greater London Authority Elections (Election Addresses) Order 2003 requires that “*The GLRO shall cause copies of the election booklet to be addressed and delivered to each elector at the Greater London Authority’s expense*”. The purpose of the election booklet is to inform voters about the choice and policies of Mayoral candidates and to provide listings of other candidates in the elections. Therefore, the booklet should at least be delivered before polling day (Thursday 7 May 2020), and in any event as soon as reasonably practicable after the publication of statement of persons (and parties) nominated before any postal votes can be cast;
- Deliver copies of the booklet to the GLA (quantity to be confirmed) and a digital format suitable for inclusion on the London Elects website;
- Deliver copies of the booklet to Constituency and Borough Returning Officers (quantity to be confirmed) who will be responsible for sending the booklet to voters who register late;
- Print the booklet to criteria complying with legislation and any directions as specified by the GLRO and ensure that it meets the Government Buying Standards for paper;
- Provide an environmentally sound and efficient solution for returned booklets that meets the requisite environmental requirements defined in TfL 91537 Volume 1 – Appendix 4 Responsible Procurement; and
- Adhere to the London Elects brand guidelines.

## 3. Other considerations

### a) *Key risks and issues*

- 3.1. **Delivery:** There will be a very high volume of critical delivery activity that will take place across London within a two or three-day timeframe. As there is a legal requirement to deliver a booklet to every registered elector in a short space of time, there is also a requirement for resilience in ensuring this need is met in proposals and in practice. This is a NO FAIL requirement. For postal voters, the aim is to deliver booklets to postal voters before any postal votes can be cast. However, there is risk that a

<sup>1</sup> Attainers are 16 and 17 year olds who turn 18 during the period in which the electoral register is in force

<sup>2</sup> Voters whose name and address does not appear on the public electoral register

small number of late registrants, who may receive the booklet from their local authority, could receive this after they receive their postal vote.

- 3.2. **Reputation:** There is a reputational risk for London Elects as candidates' addresses may include political content that is sensitive or contentious, but legal nonetheless. The presumption is that the candidate's statement must be printed in the form submitted unless its content objectively and unambiguously contravenes the 2003 Order.

*Price:*

- 3.3 The budget of £2.5m is a maximum based on an:

- Estimated 4.6% population increase of 16 year old+ Londoners between 2016 (population 6,990,400) and 2020 (population of 7,311,800); and
- A projected increased in number of printed booklets required to meet this need from 6,000,000 in 2016 to 6,276,000 in 2020

- 3.4 The actual number of booklets required will be determined by the size of the electorate on 31 March 2020 – including people below voting age on that date but attaining voting age by 7 May 2020. For the purposes of the procurement, we will seek prices for print runs between 5.5 million and 6.5 million based on the projected population in 2020.

- 3.5 The number of pages in the booklet will also affect the price, and is dependent on the number of Mayoral candidates. In 2012 and 2016, the booklet had 32-pages. For the purposes of procurement, we will seek prices for 32, 36, 40, 44 and 48-page booklets. The 2003 Order states that a Mayoral candidate's election statement, including photograph, when submitted must be printed on not more than two sides of A5; and must be accompanied by a second version printed on a single side of A5 paper. If the total number of candidates from whom election addresses have been accepted by the GLRO by the last time for the delivery of nomination papers for the election exceeds 15, then the single-sided A5 version must be used in the election booklet. The GLRO can impose requirements on candidates about the format of their submitted election statements and use of photographs featuring third parties.

- 3.6 Soft market testing with the GLA's contracted print management company has informed estimated price changes between 2016 and 2020. Costs have been estimated based on the cost of paper and postage both rising by 30% and the costs of production and fulfilment rising by 15%. This is accommodated within this £2.5 million request.

- 3.7 The successful bidder for this contract will demonstrate that they have accounted for data protection and associated risks of managing substantial quantities of personal data and evidence through relevant data compliance standards. This risk will be factored in to the quality questions used to assess applications.

*b) Impact assessments and consultations*

- 3.8. As described above, soft market testing has been carried out with the GLA's incumbent print management company to help determine increases in prices and inform budget calculations for 2020.

#### 4. Equality comments

- 4.1 Under s149 of the Equality Act 2010 (the Equality Act), as a public authority the GLRO must have

due regard to the need to eliminate discrimination, harassment and victimisation, and any conduct that is prohibited by or under the Equality Act; and to advance equality of opportunity and foster good relations between people who share a relevant protected characteristic and those who do not. Relevant protected characteristics are age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

- 4.2 The booklet will only be produced in English. Multi-lingual materials, including translation on the London Elects website, is currently being considered and will be informed by experience from previous elections.
- 4.3 All digital formats will be in line with the GLA's Digital Accessibility Policy. Large print, braille and audio versions of the booklet will be available on request. The booklet design will adhere to the Royal National Institute of Blind People's (RNIB's) See It Right legibility standards.

**5. Financial comments**

- 5.1. A Budget provision of £2.5m is available to procure and appoint a supplier to design, print and fulfil the delivery of the 2020 Mayor of London and Assembly Election statutory booklets and is currently held within the 2020 Elections Budget. Every Mayoral candidate who exercises their right to have an election statement included in the booklet must make a contribution of £10,000 towards printing costs. Unlike a candidate's election deposit, this is non-returnable.

**6. Legal comments**

- 6.1 The requirements for the election booklet are set out in the Greater London Authority Elections (Election Addresses) Order 2003, some of which are noted above, where relevant. The public sector equality duty under section 149 of the Equality Act 2010, explained at part 4 above, applies to the GLRO; in some circumstances this duty may need to be balanced against rights to free speech on political matters.
- 6.2 Officers must ensure that the services required are procured in liaison by TfL's Commercial team and in accordance with the GLA's Contracts and Funding Code and an appropriate contract is put in place between and executed by the GLA and successful bidder before the commencement of such services.

**7. Planned delivery approach and next steps**

<b>Activity</b>	<b>Timeline</b>
Procurement of contract	December 2018 – June 2019
Delivery Start Date	July 2019
Final evaluation start and finish (self/external)	May – July 2020
Delivery End Date	July 2020
Project Closure:	July 2020

**Appendices and supporting papers:**

None

**Public access to information**

Although the GLRO is not subject to the Freedom of Information Act 2000 (FOI Act), the information in this form will be published on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it will be deferred until a specific date. Deferral periods will be kept to the shortest length strictly necessary.

**Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

**Part 1 Deferral:**

**Is the publication of Part 1 of this approval to be deferred? YES**

If YES, for what reason:

Disclosure of the information contained in this GLRO decision form prior to the completion of the procurement of the services required may distort genuine competition for the same, may prejudice the commercial interests of the GLA in the securing value for money, which is not in the interests of the public.

Until what date: 31 August 2019

**Part 2 Confidentiality:** Only the facts or advice whose publication may be prejudicial or commercially sensitive should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

**ORIGINATING OFFICER DECLARATION:**

Drafting officer to confirm the following (✓)

Drafting officer:

Eleanor Killin has drafted this report in accordance with GLA procedures and confirms that the Finance and Legal teams have commented on this proposal as required, and this decision reflects their comments.

✓

✓

The Deputy GLRO has reviewed the request and is satisfied that it is correct and can be referred to the GLRO for approval

**EXECUTIVE DIRECTOR, RESOURCES:**

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

M. D. Belle

Date

7.12.18