

Mr Andrew Boff AM
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24 June 2011

Dear Mr Boff

Lessons learned from the 2010 General and Local Elections

Thank you for the opportunity to comment on the Elections Review Working Group's report on the 2010 elections in London. The Electoral Commission has now published two reports on those elections, and will also publish reports on the May 2011 elections and referendum later this autumn.

While none of the Working Group's report's recommendations were directed specifically to the Commission, I have set out below some comments and further information on recommendations where we believe the Working Group may be interested in the work and experience of the Commission in supporting well-run elections and referendums in 2011.

Recommendations to the UK Government

We welcome the Working Group's support for the recommendation we made to the UK Government in our interim election report published immediately following the May 2010 Parliamentary general election. We have been disappointed that the Government has not yet responded formally to our report and recommendations, and we continue to press for a change to the law to make clear that any elector who is entitled to vote at a polling station and who is in the queue to enter the polling station at the close of poll will be allowed to vote.

We were disappointed that the Government did not make this change ahead of the spring 2011 polls. While there was no immediate evidence of any problems with queues at polling stations at the May 2011 polls, we remain concerned that the unacceptable problems experienced by some voters in 2010 could be repeated at future polls where

turnout is higher than this year and where it may not be possible to ensure that all Returning Officers have made the necessary preparations to limit the risk of queuing at the close of polls.

Recommendations for the Greater London Returning Officer, London Elects and London Returning Officers

The Working Group's report includes a number of recommendations directed to the Greater London Returning Officer, London Elects and London Returning Officers in advance of the 2012 elections. The Working Group may be aware that, as Chief Counting Officer for the March 2011 referendum in Wales on the powers of the National Assembly for Wales and the May 2011 referendum on the voting system for UK Parliamentary elections, the Chair of the Electoral Commission issued instructions and formal directions to Counting Officers setting out minimum standards in a range of areas.

The directions included, for example, minimum staffing ratios for polling stations, which were intended to reduce the risk of queues forming, particularly given the relatively complex combination of polls which took place in many parts of the UK. The directions also required Counting Officers to demonstrate that they had prepared and put in place comprehensive plans covering the range of essential workstreams required for the successful delivery of the polls. Information about the instructions and directions can still be found on the Commission's website at www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/referendums/instructions-and-resources, and I have also enclosed with this letter a hard copy of the key modules for your information.

These directions formed the basis of an ongoing monitoring process during the months leading up to the spring 2011 polls, which also involved Barry Quirk as the Regional Counting Officer for London. Feedback from Regional Counting Officers suggests that they welcomed the additional management information provided through this monitoring process, in order to provide assurance to the Chief Counting Officer that preparation for and delivery of the polls was proceeding as planned. The London Elects team were also able to provide support for the Regional Counting Officer during this monitoring process, and I'm sure that they will be able to reflect on their experience as they continue to plan towards the 2012 elections in London.

The Working Group also raised a number of points relating to the design of ballot papers and voter materials for the 2012 elections. You may be aware that, for the May 2011 referendum and elections, the Chief Counting Officer was given powers for the first time to specify modifications to key voter-facing forms, in order to make them easier for voters to understand and use. These modifications reflected the key recommendations from research

which we carried out in 2009 to improve the design of ballot papers and other materials, which are summarised in our *Making your mark* reports (enclosed for your information). The design templates and technical specifications for the modified forms can be downloaded from our website at: www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/forms-and-notice-for-poll-on-5-may-2011.

We would also be happy in due course to share the results of our research on the effectiveness of the information booklets which were delivered to households in advance of the two spring 2011 referendums.

Finally, I note that the Working Group's report also included recommendations relating to the management of polling stations, particularly where large crowds may have gathered outside and may be at risk of impeding access by voters. You may be aware that the Commission has worked with the Association of Chief Police Officers to develop guidance to support police forces in their planning for election events, and I have enclosed a copy of our 2011 guidance for your information.

I hope that you have found these comments useful, and I look forward to working with the Greater London Returning Officer and the GLA to ensure the successful administration of the 2012 elections. I have copied this letter to the Greater London Returning Officer for his information.

Yours sincerely

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Cc: John Bennett, Greater London Returning Officer

Enc: Chief Counting Officer's instructions for delivering the May 2011 referendum
Making your mark reports
ACPO/Electoral Commission *Guidance on preventing and detecting electoral malpractice*