

2012 Mayoral and London Assembly Elections

Report of the London Assembly's Election Review Working Group



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Election Review Working Group Members

Len Duvall	Labour, Chair
Andrew Boff	Conservative

At its meeting of 22 May 2012, the GLA Oversight Committee agreed to establish an Election Review Working Group consisting of Len Duvall AM and Andrew Boff AM, with the following terms of reference:

- To review the planning, conduct and costs of the elections and identify improvements for future years; and
- To identify and collate from London Elects and other stakeholders and participants, accounts and explanations for issues that arose during the election process.

On 5 July the Election Review Working Group questioned the following guests about arrangements for the conduct and counting at the 2012 GLA elections.

Agents and observer:

- Martin Bleach (Green)
- Patrick Heneghan (Labour)
- Ashley Lumsden (Liberal Democrat)
- Ian Sanderson (Conservative)
- Jim Killock (Open Rights Group)

Returning Officers/electoral administrators:

- Barry Quirk, Constituency Returning Officer, Greenwich and Lewisham
- Fiona Ledden, Deputy Returning Officer, Brent
- Pauline Ferris, Electoral Services Manager, Harrow
- George Cooper, Association of Electoral Administrators, London Branch

On 12 July the Election Review Working Group questioned the Greater London Returning Officer, representatives of the electronic count contractor, IntElect and the Chief Executive of Alexandra Palace and Park.

The minutes of those meetings, including transcripts of the discussions, are available on the Assembly website. The working group received 16 written submissions and they are also available on the website.

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Chair's Foreword



More than 2 million Londoners came out to cast their votes on 3 May 2012 for their preferred Mayoral candidate and Assembly Members. In voting for their preferred Mayoral candidate Londoners were also voting for the first elected Police and Crime Commissioner; a new role for an elected politician that will support the process of accountability so vital to ensuring public confidence in our police forces.

Delivering such a technically complex, large scale and high profile election is a costly and resource intensive exercise. So I welcome efforts made across London to ensure that voters are aware of the issues being debated by the candidates. The vibrancy of the political debate is vital to the democratic health of the city.

Our review has covered a wide range of issues from the advertising campaign, to the ballot paper design, to how the website worked. Crucially we drilled down into the events that led to the serious delay in the time taken to count and verify the votes at one count centre which delayed the final Mayoral and Assembly declarations. This delay and confusion over the reason for it damaged London's reputation – our report and recommendations are therefore designed to ensure lessons are learned and that in 2016 the count process delivers a result to time.

Executive Summary

This report presents the findings and recommendations of the London Assembly's working group on the 2012 Mayoral and London Assembly elections. It is a wide ranging report which touches on many different aspect of the election, but specifically the management processes involved in delivering the count. We very much value all the hard work that went into ensuring over 2 million Londoners could cast their vote securely. While the results of the election for Mayor and London Assembly members commanded the confidence of Londoners, the delay in the count process damaged the reputation of London. The recommendations in this report are designed to ensure that the process for counting the vote in 2016 delivers to time.

While our hearings and written submissions shed light on what went wrong and caused the declaration of the results to be delayed by several hours, there are still many lessons to be learnt and further work reviewing the end to end process for ballots and crucially issues around communications at and from the count centres is needed by London Elects.

Furthermore, there are a number of significant issues that need to be resolved around the funding of London Elects and the way it is staffed and our report calls for a review of the resourcing requirements to be completed by March 2013 in order that account can be taken in the budget for the 2016 election.

Our report also highlights the challenges that London Elects faced in putting a full team together in time to be fully effective, the problems caused by different sets of guidance being issued and difficulties with communication between London Elects and key stakeholders. We want to see the GLRO have the authority to be able to offer the leadership needed to ensure that as many Londoners as possible are able to cast their vote.

Cost effectiveness is crucial at these straitened times and our review highlights ways in which the GLA can bear down on costs including looking at moving to a two count centre model which should deliver significant economies of scale and increase flexibility on site.

Finally, we highlight a serious flaw in the current count process which means that there is no mechanism by which the GLRO could call for a London-wide recount if the closeness of the vote meant this was necessary. This flaw must be addressed before 2016.

1 Introduction

- 1.1 This report presents the findings and recommendations of the London Assembly's working group on the 2012 Mayoral and London Assembly elections. The purpose of the report is to identify the key lessons to be learned for 2016 and make recommendations to improve the management of future London-wide elections. Of particular concern is the need to understand why the declaration of the Mayoral and London Assembly elections took place more than five hours later than the target time; London's reputation was on the line and we need a complete review to be clear what steps will be taken to ensure that the process for counting the vote in 2016 delivers to time.
- 1.2 To inform the report, we gathered written views and information from the Greater London Returning Officer (GLRO), constituency and borough returning officers, party agents, the Metropolitan Police Service and election observers. We held two meetings to discuss the key issues with invited experts including senior representatives from IntElect who ran the count process itself, and followed those up with further written information. We have also reviewed the Electoral Commission's reports on the elections. We are grateful to all those who gave their time and expertise to the review.
- 1.3 The Mayoral and London Assembly elections are planned and funded by the Greater London Authority (GLA) and overseen by the Greater London Returning Officer. The GLRO is supported by the London Elects team, which operates as a small core team between elections and is then built up as the workload increases in the final year before the elections. The contract for running the e-counting process was awarded to IntElect in September 2010¹. Our report highlights a number of concerns about the London Elects team; why wasn't the full London Elects team in place earlier, why couldn't London Elects fill one of its established posts and how could they better draw on internal GLA resources.
- 1.4 In this report, we make a number of recommendations and call for the GLA's Head of Paid Services to conduct a review of the resourcing of the London Elects team, and ask the Greater London Returning Officer and others to respond, setting out how our recommendations will be implemented, when and by whom, by 21 March 2013.

¹ For more details on the contract with IntElect see the written submissions from London Elects p74

2 Overview

- 2.1 The most important key success criteria for elections are that people are able to exercise their vote, in secret, an accurate result is returned and that people have confidence in the process. Against these criteria, the 2012 Mayoral and London Assembly elections were a success. The project was delivered within the allocated budget, and in general the feedback from stakeholders was positive.
- 2.2 However, the main issue of concern to the public and politicians was the time taken to complete the count and Section 3 of this report looks in detail as to why the completion of the count took longer than expected. Poor communication flows between London Elects and external stakeholders, between the count centres and with City Hall during the count were also highlighted. Our report also sets out the strategic issues that we argue need to be addressed in advance of the start of the preparations for the GLA elections in 2016. In particular, whether there should be one or more count centres and how to mitigate the risk of a future Mayoral vote that is very close being challenged in the courts. Our report does not aim to comment on all the many smaller technical issues highlighted in the submissions to us that will be collected and analysed by the London Elects team for their own lessons learned exercises.²
- 2.3 The elections are technically complex, large in scale, and involve a range of people and organisations of varying degrees of authority and responsibility. Inevitably with a project of this complexity and on this scale, there will always be lessons to learn and opportunities to improve processes, communications and efficiency. We want to ensure that there is no buck passing and that the GLRO has a strong sense of direction as to what changes are needed to take London Elects forward.
- 2.4 While turnout was down from 45.3 per cent of the electorate in 2008 to 38.8 per cent in 2012, benchmarking data indicate that Londoners are becoming more familiar with the election process for the Mayor and London Assembly. The Electoral Commission's opinion poll found that 73 per cent of those surveyed in London knew a great deal or a fair amount about what the election was about³ and 76 per cent of those surveyed felt they had enough information to make an informed

² A summary of the written evidence is attached as Appendix 1

³ This compares to 56% in Scotland, 55% in Wales and 51% in areas of England with local government elections, the report is available at: http://www.electoralcommission.org.uk/__data/assets/pdf_file/0015/150504/May-2012-Summary-report.pdf

decision when they voted⁴. None of the boroughs reported concerns or issues about integrity or security issues, while the Metropolitan Police Service received just three allegations under the Representation of the People Act 1983⁵.

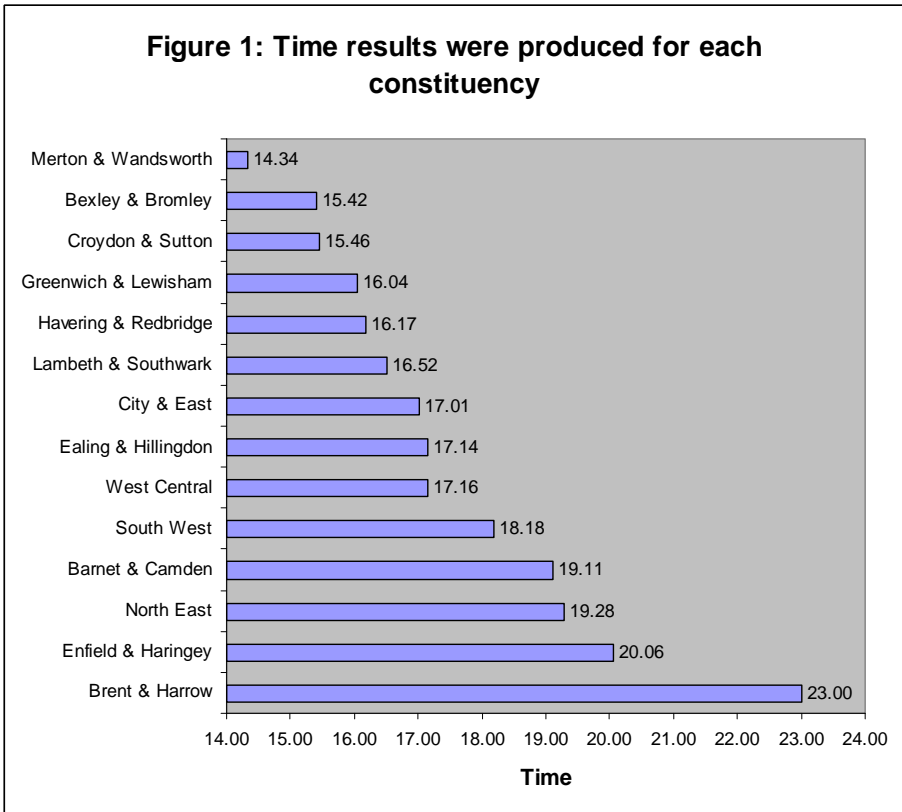
- 2.5 Postal voting remains popular, increasing from 634,838 postal voters in 2008 to 817,105 in 2012. Spoilt ballots, however, are still an area of concern. The proportion of spoilt ballots in 2012 (1.8 per cent) was similar to figures for 2008 (1.7 per cent). Analysis by the Electoral Commission indicates that in London, over half (53%) of all rejected first preference mayoral ballot papers were due to people voting for too many candidates as their first choice – in 2008 this figure was just over 60%. A third (31%) of these were rejected for not containing a first preference vote and a further 13% were rejected because the first choice vote was uncertain. With elections for the Police and Crime Commissioners in November 2012 also using the supplementary vote system as London does for its Mayoral election, there is an opportunity to review the design of these ballot papers to reduce further the number of spoilt first preference mayoral ballot papers.
- 2.6 We received a number of comments in written submissions, suggesting that there may be opportunities to refine further London Elects approach to resourcing its team, including suggestions as to what particular skills staff will need. Section 4 looks at this issue and recommends that the Head of Paid Service review GLA resourcing for London Elects, in consultation with the GLRO, and produce a report for consideration by the Assembly's GLA Oversight Committee setting out his proposals for resourcing the 2016 elections.
- 2.7 Section 5, looks at the way London Elects and the GLRO communicated with key internal and external stakeholders. And, in particular we look at the tension between particular Election Commission rules and GLRO's guidance. We argue that to avoid confusion there should have been only one set of guidance and that should have come from the GLRO. It is the GLRO that should have the authority to provide the leadership needed to deliver the elections in London.

⁴ Just under two-thirds in Scotland (65%), Wales (64%) and England (62%) agreed they had enough information to vote in the local council elections.

⁵ Written submission p. 143

3 The Count

3.1 The count for the Mayoral and London Assembly elections is carried out at three separate count centres, each hosting four or five constituency counts. As shown in figure 1, below, the majority of counts were completed by just after 6pm but those that came in after that time were all from the Alexandra Palace count centre.⁶ The Brent and Harrow count, which had its own specific difficulties, was not completed until 11pm, almost three hours later than the penultimate count. The objective was to complete the electronic count within 10 hours of all scanners being operational, based on a 50% turnout. In the event overall turnout was below 40% and all constituencies at ExCel and Olympia worked efficiently and effectively to conclude their counts within that time, the first concluding in less than six hours.



⁶ Post election data supplied to the GLRO by the e-counting contractor, IntElect

- 3.2 However, delays at Alexandra Palace and particularly the delay in the conclusion of the Brent and Harrow count meant that the declaration for the Mayoral and London Assembly list Member results was some five hours over the target time. This led to unfavourable media coverage of the count and caused frustration for candidates, party agents and all those waiting for the results to be declared. This led to reputational damage to the city and the GLA. The situation was not helped by the lack of clarity about the cause or likely duration of the delay.
- 3.3 There were five main causes of the delays that affected the Alexandra Palace count centre and in particular the Brent and Harrow count. The combination of the different but related events caused what the Head of Elections at IntElect described as “a perfect storm” which led to the long delay in declaring the result.

Delays preventing staff from entering the count hall as planned upon arrival

- 3.4 There were delays and complications preventing staff from accessing the venue and taking up their positions first thing in the morning. There was some critical feedback about the accreditation process for the Alexandra Palace count centre, which some felt was “confusing”⁷. The cloakroom was not fully staffed as planned, and the fire officer decided that staff should be briefed before entering the count hall. These delays would have affected all four constituency counts at the count centre, and caused no more than a 30 minute delay⁸ in the times the constituency teams were ready to begin counting compared to other count centres.⁹ According to the information provided by London Elects, the count teams were ready to start from 7.19 am, which is in line with the teams at other centres.¹⁰

Power Supply cut

- 3.5 The power supply to the scanning machines was cut off at 7.52 am for approximately 16 minutes. The cause (a contractor turning off the electricity supply to the floor) was not known to Alexandra Palace management or those managing the count until 8.30 am. Alexandra

⁷ Written submission p. 2 In response London Elects stated that the “experiment of centralising all accreditations was worth trying but not wholly successful and that for 2016 CROs should coordinate accreditation for constituency candidates.”

⁸ Written submissions, p. 3

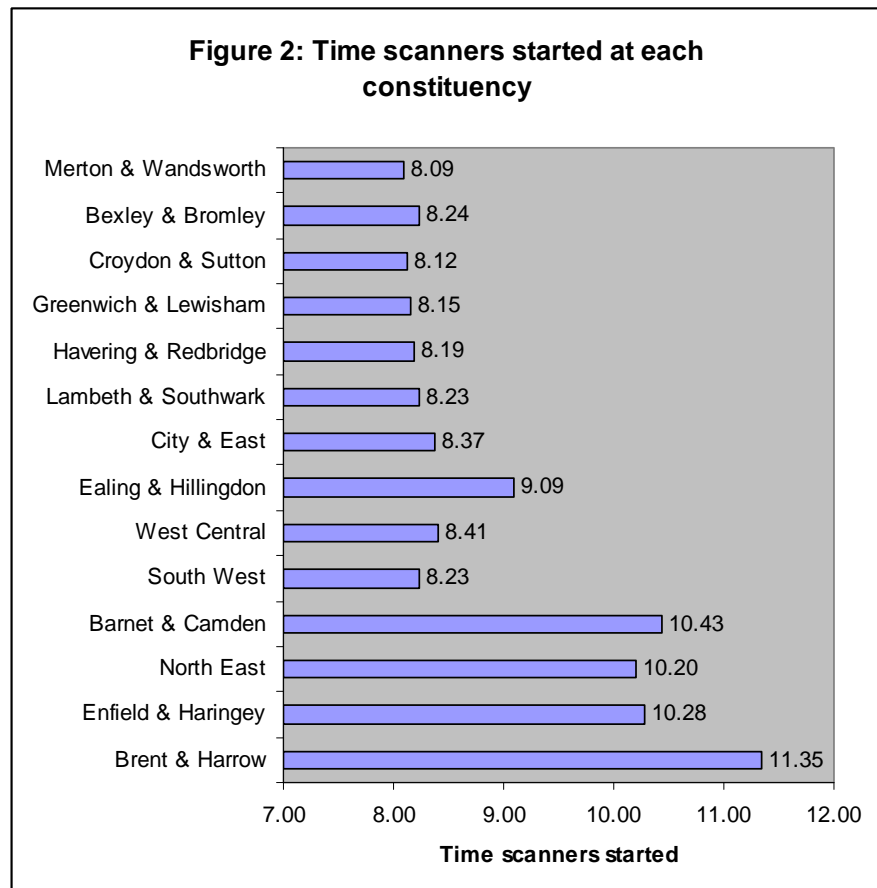
⁹ Written submissions, p. 108

¹⁰ Written submissions, p. 108

Palace has back-up generators, and these were about to be activated at the time the power supply was reinstated.¹¹

- 3.6 In the event of a cut to the power supply, the scanning machines can continue to operate for 30 minutes. However, it takes 20 minutes to power down the scanners so if they are to be powered down through the 'graceful exit' procedure, this decision must be taken during the first ten minutes of a power supply cut. Because the cause and likely duration of the power supply cut was not known, representatives of London Elects and IntElect at Alexandra Palace decided to power down the system at about 8.00 am.
- 3.7 The cause of the power cut was identified at 8.30 am, at which point IntElect began the process of powering up the system. This process takes around two hours. Three out of the four constituencies were able to start scanning by 10:43 am, with the earliest constituency starting at 10.20 am.
- 3.8 The recovery process for the Brent and Harrow count was further delayed by a failure to recognise that the two main switches that ran the network had their own trip switches which had tripped, causing the network not to connect. This took additional time to resolve.
- 3.9 Figure 2, overleaf, shows the impact these problems had on the start times for the scanners at each constituency. The four constituencies at Alexandra Palace did not begin scanning until 10.20 am at the earliest, and the Brent and Harrow scanners did not start until 11.35 am, an hour after the other three counts in the centre and a full three hours after most of the constituencies at other count centres had started scanning ballot papers.

¹¹ Transcript of working group meeting, 12 July 2012, p. 1



3.10 The Constituency Returning Officer for Brent and Harrow told us that communications from Alexandra Palace management, London Elects and IntElect were inadequate. He advised us that count teams were not given accurate advice about how long the process would take to restart the system until about 9.30am, an hour into the process.¹² IntElect representatives told us that the process could reasonably be expected to take two hours¹³. It is therefore not clear why count staff were not made aware of this at 8.30am, when the process was started.

¹² Written submissions, p. 3

¹³ Transcript of working group meeting, 12 July 2012, pp/ 4-5

The Brent and Harrow count process: manual counts and “On Hold” boxes

- 3.11 The Brent and Harrow count proceeded more slowly on average than all the other constituency counts, as shown in figure 3, overleaf. This was caused by two main factors.
- 3.12 First, Brent and Harrow had a much higher proportion of ballot papers that had to be manually entered – 1.66% compared to an average of 0.13% for other constituencies¹⁴. This was because postal ballots were damaged during opening by an automatic envelope opening machine. The machine had sliced off the edge of the ballot papers, and depending on the orientation of the envelope this resulted in either a thin portion being sliced off or the ballot papers being sliced in half. The affected ballot papers were not accepted automatically as valid by the scanning machines, so they had to be manually entered. This issue was known about in advance of the count, but the quantity of damaged papers was underestimated and the two final boxes to be counted contained particularly high quantities of damaged ballot papers, causing further delays at the end of the count.
- 3.13 Secondly, a large build-up of “on hold” boxes (10% of all the batches in the count), that had to be dealt with late on in the day¹⁵, slowed their count. Some of these “were not dealt with as efficiently as they should have been” and had to “be sent for re-scanning and with hindsight possibly a few of these boxes could have been dealt with slightly sooner”.¹⁶ Brent Council’s written submission also highlighted concerns over some of the labour-intensive activity involved in managing the way the ballot boxes and papers were moved around during the count process. Indeed several boroughs commented on inefficiencies in the process flow of the counts, primarily the requirement to transfer ballot papers into a tray prior to being scanned. This was seen as creating unnecessary additional steps in the process.¹⁷

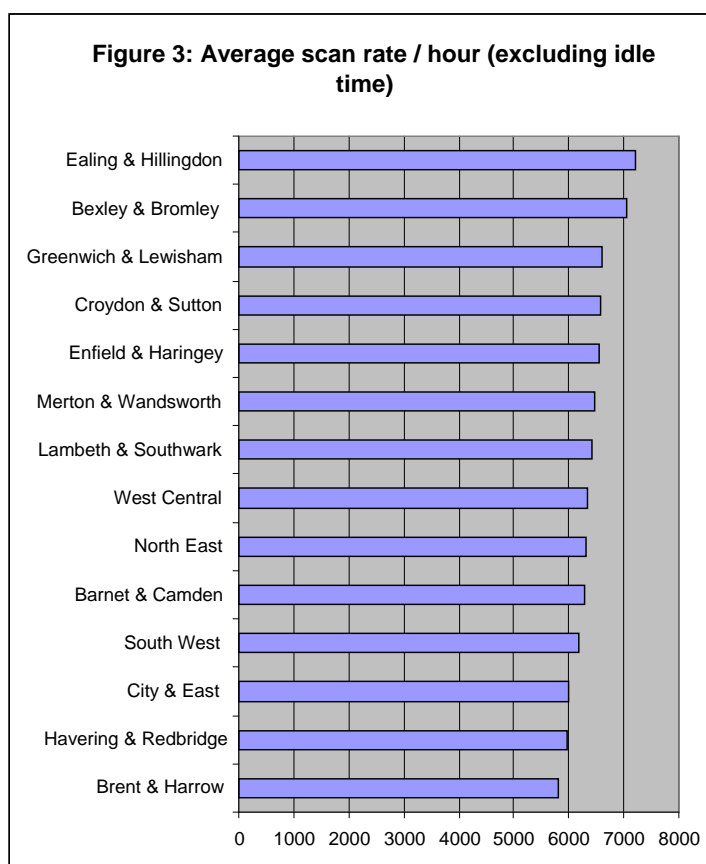
¹⁴ Written submissions, p. 108.

¹⁵ Transcript of working group meeting, 12 July 2012, p19.

¹⁶ Written submission Brent Council, page 4 and 6

¹⁷ Written submissions (Brent and Harrow, p. 6, Camden, p. 12, Havering, p. 25, Lewisham, p. 28).

3.14 Boroughs suggested that there should be “a complete review of the end to end process”¹⁸. Lewisham pointed out the differences between constituencies, putting aside the issues at Alexandra Palace, and wrote “we believe that an analysis of the processes and procedures followed by all the count teams should be examined for best practice”. London Elects stated that they would consider “changing how batches are processed through the count, particularly to reduce the amount of movement of ballot papers and so reduce the likelihood of batches being misplaced”¹⁹. Furthermore, Brent and Harrow had some problems with the scanning machines, with two machines requiring regular maintenance throughout the day²⁰. Nevertheless, while Brent and Harrow were the slowest of the constituencies all 14 constituencies achieved average rates well in excess of the expected rate of 3,500 per hour – see figure 3 below.²¹



¹⁸ Written submissions (Camden, p. 12, Hackney, p. 22).

¹⁹ Written submissions, p. 84.

²⁰ There was no widespread reporting of problems with scanning machines - at Camden there were some problems with scanners miscounting batches. However, Lewisham reported that ‘the equipment was robust and fit for purpose’

²¹ Transcript of working group meeting, 12 July 2012, p. 23

Delays at the end of the count

- 3.15 At about 9.00 pm, while Brent and Harrow staff believed that the count had been concluded, it became apparent that this was not the case. It took around an hour to identify what the problem was and start to deal with it. One box of ballot papers had been deleted from the system, which had to be reinstated, and two boxes still had ballot papers to be counted. These two boxes had been prematurely moved to the area where fully completed boxes were stored, so staff had to locate the boxes before they could be scanned. Once the boxes were located, it then became clear that they contained large numbers of damaged postal ballot papers. These had to be separated from the other ballot papers and manually entered. This inevitably took time and came at the end of what for staff had been a long and tiring day. Nevertheless, for the Director of Operations (IntElect) the response was “a very well-organised, regimented response to the issues that we saw. It was not people standing around not sure what to do”. (p20)
- 3.16 However, communications between London Elects, IntElect and the Brent and Harrow count team were far from ideal during this period of acute stress. The Constituency Returning Officer for Brent and Harrow expressed frustration about the “considerable confusion” during the period from 9.00 pm to 10.00 pm, when it was unclear to count staff why the count was not showing as concluded.²²
- 3.17 There was also a lack of clear, accurate communication with the media and other stakeholders about the cause of the delay. The GLRO at City Hall struggled to find out what was going on. “I tried to get hold of my deputy on the mobile phone. His battery had died. I could not get hold of him. I could not get hold of my count coordinator. I could not get hold of anybody there...”²³ In the absence of reliable official information, rumours circulated, including a rumour that two ballot boxes had been ‘lost’. London Elects issued a statement at 10.30 pm stating that “two batches went to storage without some ballot papers being manually entered as required ... it is not an issue with the scanners”, but this statement was not agreed with the Brent and Harrow Constituency Returning Officer and was perceived at the time to have been inappropriately attributing blame to the count staff. With hindsight this was a mistake.

²² Written submissions, p. 5

²³ Transcript 12 July, p26

- 3.18 Given that the time taken for the count exceeded the target time by some five hours, some respondents have again raised the question of ensuring that for the 2016 election a move to manual counting is costed for comparison with an e-counting solution.²⁴ We welcome that suggestion. However, we note that in discussion with this Working Group, the GLRO stated that “electronic counting is, despite the problems at Alexandra Palace, more accurate” and quicker; London Elects pointed out that the results were achieved “two or three days earlier than would have been possible from a manual count.”²⁵ Furthermore, the GLRO asserted that “I would hope that over the course of time the public and the special interest groups’ concerns about e-counting will be allayed.”
- 3.19 As has been the case in previous reviews of the GLA elections, there is a range of views as to the optimum number of count centres.²⁶ Bringing together all the counts into one centre would yield significant economies of scale in terms of contract management and resourcing. Crucially, London Elects senior management and the GLRO would be in one place and exercise real grip on the count without having to rely on complex layers of authority and communication to work out what was going on. It would make it easier for resources, including staff, to transfer from counts that had finished to those that needed any additional support. Understandably there is, however, some concern about this possible way forward from a risk management position; there being no back-up solution if, for example, a power outage were to take out the one site. Given the size and complexity of the event, moving to a two count centre solution would build in necessary resilience as well as yielding further economies of scale in terms of flexibility. Furthermore, there is a need to ensure that the GLRO has a grip on the count itself and ensures there is effective communication between centres and with City Hall.

3.20 Conclusion: London Elects’ review of the way the count unfolded at Alexandra Palace must include the way staff accessed the building and were briefed at the start of the day, re-checking contingency plans, reviewing the end-to-end process for ballots and crucially issues around communications

²⁴ See for example written submission p. 13

²⁵ Written submission p. 72

²⁶ See for example, written submissions p.13, p.24, p. 29, p. 91

at the count centre between constituency staff and IntElect and London Elects and between the count centre and City Hall.

Recommendation 1

London Elects' proposals for the 2016 elections should provide the GLA with a cost and benefit analysis of moving to two centres for the count.

Recommendation 2

GLRO should review and ensure there are adequate contingency arrangements in place, including arrangements for communications within count centres and between the centres and City Hall (if City Hall is again used as the declaration venue). He should ensure these arrangements are agreed with all partners in advance and known to all.

Recounting the Mayoral Vote

- 3.21 Members of the working group are concerned that there is no process for holding a re-count for the aggregated Mayoral vote. Should the result of the Mayoral election be so close that, despite the recognised accuracy of e-counting, there was a perceived need to hold a re-count to ensure full confidence in the result, the GLRO has no power to order such a re-count. A re-count can be ordered by the Constituency Returning Officer but just for that constituency. Because the final Mayoral declaration is the result of a series of separate constituency declarations to produce an aggregated total it is only as the last few constituency declarations are made that the closeness of the result will become clear. However, it would then be too late to call for a re-count across all London constituencies. This is a problem and a serious flaw in the count process, and is not something we can allow to be left undetermined.

Recommendation 3

The Electoral Commission should establish whether and under what circumstances the GLRO should be able to call for a full Mayoral re-count and press Government for a change in the law to accommodate it.

4 Resources to plan and manage the elections

The budget for the elections

- 4.1 The Mayor established, through Mayoral Decision 400 (September 2009), an election reserve to fund London Elects and all aspects of the elections of just under £21million. The breakdown of spend was broadly as follows:

Budget summary – elections 2012

- Employee related (The London Elects team) £1,600,000
- Election costs, including London Boroughs and E-counting £16,130,000
- Advertising and other communications £2,800,000
- Hire of count centres £470,000²⁷

The most recent figures we have indicate that spending on the 2012 elections came in just under budget at £20.3million, compared to £18.7million in 2008.²⁸

- 4.2 Looking forward, several boroughs raised concerns about pressures on the budget for 2016. Camden pointed to the possibility of higher turnout in 2016 and raised concerns about the lack of contingency funding for boroughs and the relatively limited budget for electoral registration promotion compared with 2008 and Hackney echoed this concern.
- 4.3 The e-counting contract signed for delivery of the 2012 election has a provision for the GLA, at its discretion, to extend the service to include the 2016 elections. The GLRO stated that the cost at current prices should “allowing for the desirable enhancements identified – still produce a saving of some £0.5m if the same basic software is used”. We again heard calls for a national framework to support procurement of e-counting solutions that would establish common protocols, common standards, and common certification. This would improve confidence in e-counting solutions and the move to a more standardised product which could yield further efficiencies

²⁷ Written submissions p.101

²⁸ Written submissions, p. 42

Recommendation 4

Government should consider the feasibility of establishing a national framework for e-counting procurement, by the end of 2013.

- 4.4 A number of other proposals were made during our hearings about possible ways to bear down on costs. These included: reviewing the staffing of London Elects between elections, self-insuring for a possible Mayoral by-election or constituency by-election rather than opting for commercial insurance; and asking government to look at the requirement to produce and distribute to every named registered elector an election booklet. If the law were changed to omit the booklet in favour of an online and/or reactive service, the saving might be in the order of £1.4million. Alternatively, if the law were retained but the booklet was distributed at only one per household unaddressed there might be a saving at today's postal rates of some £600,000. Nevertheless many Party agents spoke in favour of having the booklet as it is personally addressed and "interrupts them and shows them the election".²⁹

London Elects: Timing of the team's establishment

- 4.5 Some boroughs commented on the fact that the full London Elects team was in place only nine weeks before the election, and suggested this had implications for the team's effectiveness. For example, Neil Kennett (Wandsworth) wrote that "this meant they were not able to provide the comprehensive service required".³⁰ Several boroughs suggested that a full time permanent team is necessary and should be recruited further in advance of the 2016 elections, particularly if some of the staff who have worked on the last three elections will not be working on the 2016 elections.³¹ The Greater London Returning Officer told us that he had been unable to fill one of the established posts within the team and that this had had an impact on the team's ability to manage its workload, and crucially affected the communications between boroughs and London Elects.³² There must be a plan in place to address this issue for the 2016 elections.

²⁹ Transcript, 5 July, p. 6

³⁰ Written submissions, p. 34

³¹ For example, written submissions, p. 16

³² Transcript 12 July, p. 33

The balance between permanent and temporary staff

- 4.6 The feedback from stakeholders about London Elects was broadly positive, but there are a number of areas where there is the potential to achieve greater efficiency and effectiveness. These include: the composition of the London Elects team; integration with the rest of the GLA and making effective use of the organisation's existing resources; the procurement process; communications with local authority elections teams; and the balance between permanent and temporary staff.
- 4.7 On this latter point the Association of Electoral Administrators (AEA) commented that "London Elects still seems to overly rely on the expertise and advice of professionals brought in on short-term contracts and general clerical support. There remains a clear need for additional full-time professional support to the manager as well as a more focused administrative resource" (p. 50). Camden supported this view, emphasising the need for a dedicated project manager and pointing out that boroughs' involvement during 2014-15 will be limited given the local and general elections scheduled to take place in those years (p. 11).
- 4.8 Acknowledging these comments, London Elects proposes that for the 2016 elections it will appoint a project manager "to coordinate all aspects of London Elects responsibilities for e-counting and count centres" (p. 74). London Elects also highlighted the social media activity carried out by the team, and suggested that for 2016, "consideration will need to be given to providing a dedicated staff resource and budget to deliver social media activity" (p. 95).

Integration of the London Elects team with the rest of the organisation

- 4.9 Peter Stanyon (Enfield) suggested that following the abolition of the role of GLA Chief Executive, which included the role of GLRO, "the role of GLRO does not currently have the status previously accorded to it and, despite the obvious skills brought to the position by the incumbent, our perception is that this had a negative effect on the delivery of the elections".³³ Peter Stanyon perceived that the London Elects team "was constantly having to deal with barriers set by the organisation and did not have the reassurance of sufficient weight behind it to circumvent some of those issues"³⁴. We did not receive

³³ Written submissions, p. 15

³⁴ Written submissions, p. 16

any other evidence to support these observations. However, they are worthy of further consideration by the Head of Paid Service in the context of our recommended review of how the GLA resources the elections (see below).

- 4.10 The GLA's Executive Director of Resources suggested that savings might be achievable if "further use could be made of the GLA's existing corporate resources".³⁵ The GLA's Head of Paid Service, highlighted the need to ensure "that there are good corporate liaison arrangements in place within the Authority so that help and advice can be provided as necessary, for example of finance matters, and to ensure good communications".³⁶
- 4.11 Procurement is an area where traditionally the GLA has sought to make efficiencies and illustrates how the GLA's existing staff can support London Elects . Procurement was different this time as the function transferred to Transport for London in 2010. For the GLRO the new process for procuring was more document-oriented than the arrangements that had been in place for previous elections and there were delays and slippage on the award of a number of contracts. "We did lose time, undoubtedly, on procurements as we went along and some of the contracts for the count centres were only actually signed a week or so before the counts themselves".³⁷ This can't be an acceptable way to manage such a complex event and it is clear that additional support from within the GLA could be used to provide clearer timetabling and the required expertise to ensure this process proceeds more efficiently in 2016.
- 4.12 Given the concerns raised about the timing of the team's establishment, the need for clarity over the balance between permanent and temporary staff and also the need to make more effective use of existing GLA resources we recommend that the Head of Paid Service review the resourcing of the London Elects team. There is a particular need to look at how the GLA can keep the knowledge and experience of running elections within the organisation and between elections; and also to what extent existing GLA staff with the right skill set can migrate into election roles as and when the need arises.

³⁵ Written submissions, p. 42

³⁶ Written submissions, p. 41

³⁷ Transcript 12 July, p.33

Recommendation 5:

The Head of Paid Service should, in consultation with the Greater London Returning Officer, review the resourcing requirements for the London Elects team and for the 2016 elections and produce a report for consideration by the GLA Oversight Committee by 21 March 2013.

The Head of Paid Service's review should include consideration of the following issues:

-What options are available to embed the London Elects team within the GLA, including drawing on the GLA's existing resources to support the elections function as necessary;

-What specific resources and arrangements are required to provide effective arrangements for communicating with local authority elections teams; and

-What the budget provision should be for the 2016 GLA elections.

The Mayoral Booklet

- 4.13 The Mayoral booklet is prescribed in law, and has to be delivered in hard copy to every elector. The booklet for 2012 cost £1.445 million, of which £1.07 million was for delivery. London Elects suggested "it may reasonably be assumed that the cost in future years will increase because of rising electorates, the increased cost of paper and the significantly higher postal charges that came in shortly after this year's booklet was despatched".

- 4.14 London Elects suggested “the Government should be asked to consider whether the cost to the public of the GLA booklet is still justified, and whether alternative means could be used to disseminate the information it contains”. Havering suggested that “this is one area where huge savings can be achieved”. The GLA’s Executive Director of Resources also highlighted the potential for savings.
- 4.15 The Assembly has previously recommended that the rules should be changed to allow delivery to every household rather than every elector. However, party agents highlighted the value of a hard copy booklet for each elector that interrupts their daily lives and draws their attention to the candidates in the Mayoral election. They also pointed out the importance of the booklets being addressed to an individual, as they are much less likely to be discarded as junk mail.

5 The GLRO and London Elects' relationship with stakeholders

- 5.1 The GLRO and London Elects team (and contractors) sit at the centre of a complex network of working relationships. Clear and timely communication is necessary to ensure that all parties are able to play their part effectively in the election process. Submissions to the Working Group have highlighted a number of areas of concern: the meshing of Electoral Commission rules and GLRO guidance, liaison between London Elects and constituencies and local authority managers, including training provision and London Elects' broader communication campaign with Londoners. These issues are explored in the following paragraphs.

Communicating with Constituency Returning Officers: Elections rules and the GLRO's use of his powers to direct and guide

- 5.2 While the Greater London Returning Officer's 'light touch' approach to issuing guidance and directions to Constituency Returning Officers (CROs) was widely welcomed by local authority electoral services managers and returning officers³⁸ this proved unhelpful when boroughs found themselves having to deal with two sets of guidance. Boroughs pointed out inconsistencies between GLRO directions and Electoral Commission performance standards. For example, Sandra Cottle (Havering) wrote that "the GLRO and Electoral Commission both issued a mass of guidance including slightly differing instructions". She reported that complying with the GLRO's guidance about the timing of polling card delivery was not sufficient to meet Electoral Commission performance standards. Gareth Daniel, CRO for Brent and Harrow, noted the same example and commented that "it is very unhelpful to have a situation where the directions given by the GLRO have not been co-ordinated or aligned with the Electoral Commission standards". Officers from Hackney, Lewisham, Wandsworth and Westminster also reported this general issue.
- 5.3 The Electoral Commission noted that "Nine CROs did not meet the Commission's standard for producing ballot papers, poll cards and notices, as they despatched their poll cards later than the date required by our standards". This meant that electors across London experienced inconsistent levels of service. "Some people had almost a week less than others to update their registration information or to

³⁸ See for example written submissions from Brent, p. 2, Camden, p. 10, Lewisham, p. 31, Westminster, p. 38, and Association of Electoral Administrators, p. 45

apply for an absent vote.”³⁹ This is not an acceptable situation and such discrepancies must be identified and ironed out in advance of the election period. The GLRO needs the authority to provide the clear leadership that running the GLA elections requires.

Recommendation 6

There should be one set of guidance which London Elects should produce. This should be published in draft form by June 2015 to allow for consultation and amendment.

Communicating with constituencies and local authority elections managers

- 5.4 Following the 2008 elections, the Election Review Committee reported that there had been generally positive feedback from stakeholders about communications with London Elects and between London Elects and the contractor.
- 5.5 In 2012, some boroughs complained of inadequate communications from London Elects and between London Elects and the contractor, IntElect. For example Mike Cooke, Borough Returning Officer and Chief Executive, Camden, wrote that “at times the team appeared to be struggling with the demands placed upon them”. Malcolm Constable (Lewisham) observed that “the GLRO’s team were stretched and did not provide the continuity of contact we would normally expect”.
- 5.6 Not all boroughs shared these concerns entirely, and there were positive comments about the team and its communications with boroughs. For example, Gareth Daniel, CRO for Brent and Harrow, reported that “there was ample opportunity for London boroughs to communicate with London Elects through various channels and we were happy with the access to information that we were afforded”. The Association of Electoral Administrators wrote, “it should be emphasised that election professionals generally had and have high confidence in, and a feeling of considerable support from, London Elects regardless of whatever specific issues there may be for the future”.

³⁹ The Electoral Commission: “Summary report on the administration of polls held on 3 May 2012” paragraphs 1.11 and 1.12

- 5.7 London Elects reported that there were regular meetings between them and the boroughs and a regular item on the AEA London branch agenda. However, London Elects noted that they had not implemented the planned online discussion forum for administrators, which they stated will be implemented well in advance of 2016.
- 5.8 Greater clarity over the guidance given by the GLRO to the boroughs coupled with better communication between London Elects and the boroughs will ensure that there is a consistent level of service across London. Given that the GLA is funding the elections it is appropriate that London Elects guidance and direction provides the clarity that the boroughs need in order to deliver the election service.

Recommendation 7

The Greater London Returning Officer should develop a draft communications strategy setting out his plans for communicating with local authority elections teams and Constituency Returning Officers, share it with returning officers and seek their input. This should be completed by March 2015.

- 5.9 Several boroughs gave negative feedback about the IntElect web portal, which was supposed to be used by boroughs to upload data. Gareth Daniel, CRO for Brent and Harrow, wrote that “Access to IntElect’s web portal was late. There was a lack of clarity in the guidance manual which led to uncertainty as to what exactly was required. At a crucial point in the election timetable, IntElect’s helpline failed to respond satisfactorily when these problems occurred. Given the difficulties that occurred at the Alexandra Palace venue the lack of clarity in the guidance manual was unfortunate and extremely unhelpful”. Other boroughs made similar criticisms of the portal and of IntElect’s handling of these issues.⁴⁰

⁴⁰ Written submissions from Camden, p. 12, Hackney, p. 21, Havering, p. 25, Lewisham, p. 31, Wandsworth, p. 36.

- 5.10 The exports of data from borough electoral management systems to the contractor's system were "not properly tested and did not work", according to Havering, Lewisham and Newham. Westminster reported that it was "cumbersome, not at all user friendly, and should not be used in the future". Gareth Daniel commented that, other than the issue with the web portal, liaison with IntElect staff worked well and Camden made similar comments.
- 5.11 The Head of Elections at IntElect recognised these concerns and noted a broader point about the challenge of delivering a unique e-counting solution; "London's use of e-counting is ground-breaking and unique, but if it is to lead to further use of e-counting across the country for other elections, with the continuing complexity of elections that are coming onboard, there has to be standardisation, there has to be certification so that returning officers know they are buying into systems that export data and import data and handle ballot papers in a consistent fashion."
- 5.12 Common formats and standards was also an issue that also came up in discussions about candidates' access to the electoral register as all the registers were in widely different formats and had to be pulled altogether.

Communicating with election staff

- 5.13 There was almost universally positive general feedback from returning officers and electoral administrators about the training provided by London Elects. For example, The CRO for Brent and Harrow, wrote, "I would congratulate London Elects for the quality and range of training that was provided and the opportunities granted to all levels of election staff to take part". Enfield made similar comments, as did Camden, Hackney, Havering, Lewisham and Westminster.
- 5.14 London Elects established a working group involving all the boroughs. This was positively received and seen to have helped make the training relevant and consistent. Nevertheless, a number of issues were raised and suggestions made to further improve the training in future.

Content:

- Some boroughs would prefer a greater focus on the potential problems that could occur, and the management and other more complex elements of the process.
- The count training focused too much on the technology and not enough on the manual processes.
- Sub-division of scanner operator training from other staff 'created unnecessary barriers and misunderstandings within constituency count teams'⁴¹

Materials:

- Some materials were provided late and a number of amendments were required late in the day.
- Mixed messages about how the second ballot box in polling stations should be used.

Delivery

- The count training could have been less time consuming.
- London Elects suggested that for 2016, more use could be made of distance learning approaches in order to reduce the time staff have to spend away from their office on training courses.

Conclusion: the training programme devised and delivered by London Elects was very well received by borough elections teams. Boroughs identified some further improvements that could usefully be made to make the training even better in advance of the 2016 elections.

Recommendation 8

London Elects should consider the proposals made by boroughs in their feedback on the training and where possible ensure that training plans for 2016 reflect these proposals.

⁴¹ Written submission from Enfield, p. 17.

Communicating with Londoners: the web site

- 5.16 As a result of feedback from 2008, the web site structure was built around the five audiences – voters, candidates, the media, community groups and electoral administrators – to ensure they could find the information that was most relevant to their needs. The website was integrated with social media, included information in English and 16 additional languages, hosted a pan-London polling station finder, and for the first time streamed the live count progress on 4 May. Overall the website out-performed the 2008 campaign, with 3,228,083 page views and 741,190 visits to the site over the course of the campaign.
- 5.17 The website was generally seen as effective. For example, Camden commented that it “was again excellent and provided an easy means to direct electors to information about the elections”.⁴² However, Havering wrote that the website was “far too late and should have been up and running from the beginning of the year”. Party agents agreed with this, pointing out that the website for the 2008 election was up in September 2007 whereas for the 2012 election the website was not up until January 2012. London Elects told us that the website should not require a complete rebuild for 2016 – the site developed for 2012 should be adequate as a basis for the 2016 elections.

Recommendation 9:

The Greater London Returning Officer should ensure that the London Elects website is fully up and running by September 2015.

London Elects Advertising Campaign

- 5.18 Some of the submissions we have received expressed doubts as to the value of the wider awareness raising campaign conducted by London Elects, and questioned whether such activities represent value for money. The GLRO is under a statutory duty to promote participation in the elections. It is vital to fulfil this duty whilst also fulfilling the essential requirement to act impartially. The Conservative Party and the Mayor’s Chief of Staff raised concerns about some aspects of the elections advertising campaign, suggesting that the “How do you like your London?” tagline suggested an implicit criticism of the incumbent. Sir Edward Lister, Chief of Staff and Deputy Mayor, Policy

⁴² Written submissions from Hackney, p. 21, and Wandsworth, p. 36.

and Planning, observed that “it is important for the GLA to have a process in place to ensure that all the election literature it issues is seen to be impartial”.

- 5.19 The GLRO has provided us with the legal advice he obtained regarding these matters, and has assured us of the processes that are in place to ensure that advertising materials are impartial. London Elects reported that the concepts for adverts were checked with Transport for London (TfL) lawyers and the Assembly’s Head of External Relations and presented to the Elections Steering Group, and that adverts were tested with the public before finalising them to ensure they were effective.

6 Conclusion

- 6.1 While the 2012 GLA Elections were seen as accurate and commanded the confidence of Londoners, they were marred by the long delay in declaring the result. London's reputation was on the line during the count process as Londoners chose their Mayor and Assembly Members.
- 6.2 It is vital after delivery of such a complex and unique election that lessons are learned in preparation for putting in place budgets, teams and contracts for the 2016 GLA elections. Our report is designed to support that process and it picks up on and makes recommendations in the following areas:
- The GLA must also consider the costs and benefits of using one or more count centres, and how to deal with the inherent flaw within the current set-up of ever having a Mayoral recount if deemed necessary. The GLA also needs to review London Elects' budget, composition and the timing of the set up of the team, and what further steps can be taken to integrate London Elects into the GLA.
 - There are also a series of issues to be addressed by the GLRO and London Elects including a full review of the delays at the Alexandra Palace count centre, reviewing what changes to the ballot paper design can be taken to reduce further the number of spoilt first preference Mayoral ballots.
 - The GLRO should be able to issue a single set of guidance that, coupled with a robust communications strategy and strong leadership, will ensure that there is a consistent level of election service delivered across London.
 - Our report also calls on central Government to consider the feasibility of establishing a national framework for e-counting procurement.

Summary of Recommendations

Recommendation 1

London Elects' proposals for the 2016 elections should provide the GLA with a cost and benefit analysis of moving to two centres for the count.

Recommendation 2

GLRO should review and ensure there are adequate contingency arrangements in place, including arrangements for communications within count centres and between the centres and City Hall (if City Hall is again used as the declaration venue). He should ensure these arrangements are agreed with all partners in advance and known to all.

Recommendation 3

The Electoral Commission should establish whether and under what circumstances the GLRO should be able to call for a full Mayoral re-count and press Government for a change in the law to accommodate it.

Recommendation 4

Government should consider the feasibility of establishing a national framework for e-counting procurement, by the end of 2013.

Recommendation 5:

The Head of Paid Service should, in consultation with the Greater London Returning Officer, review the resourcing requirements for the London Elects team and for the 2016 elections and produce a report for consideration by the GLA Oversight Committee by 21 March 2013. The Head of Paid Service's review should include consideration of the following issues:

- What options are available to embed the London Elects team within the GLA, including drawing on the GLA's existing resources to support the elections function as necessary;
- What specific resources and arrangements are required to provide effective arrangements for communicating with local authority elections teams; and
- What the budget provision should be for the 2016 GLA elections.

Recommendation 6

There should be one set of guidance which London Elects should produce. This should be published in draft form by June 2015 to allow for consultation and amendment.

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Recommendation 8

London Elects should consider the proposals made by boroughs in their feedback on the training and where possible ensure that training plans for 2016 reflect these proposals.

Recommendation 9:

The Greater London Returning Officer should ensure that the London Elects website is fully up and running by September 2015.

Appendix 1 Orders and translations

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Chinese

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Vietnamese

Nếu ông (bà) muốn nội dung văn bản này được dịch sang tiếng Việt, xin vui lòng liên hệ với chúng tôi bằng điện thoại, thư hoặc thư điện tử theo địa chỉ ở trên.

Greek

Εάν επιθυμείτε περίληψη αυτού του κειμένου στην γλώσσα σας, παρακαλώ καλέστε τον αριθμό ή επικοινωνήστε μαζί μας στην ανωτέρω ταχυδρομική ή την ηλεκτρονική διεύθυνση.

Turkish

Bu belgenin kendi dilinize çevrilmiş bir özetini okumak isterseniz, lütfen yukarıdaki telefon numarasını arayın, veya posta ya da e-posta adresi aracılığıyla bizimle temasa geçin.

Punjabi

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਸੰਖੇਪ ਅਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਲੈਣਾ ਚਾਹੋ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਇਸ ਨੰਬਰ 'ਤੇ ਫ਼ੋਨ ਕਰੋ ਜਾਂ ਉਪਰ ਦਿੱਤੇ ਡਾਕ ਜਾਂ ਈਮੇਲ ਪਤੇ 'ਤੇ ਸਾਨੂੰ ਸੰਪਰਕ ਕਰੋ।

Hindi

यदि आपको इस दस्तावेज़ का सारांश अपनी भाषा में चाहिए तो उपर दिये हुए नंबर पर फोन करें या उपर दिये गये डाक पते या ई मेल पते पर हम से संपर्क करें।

Bengali

আপনি যদি এই দলিলের একটি সারাংশ নিজের ভাষায় পেতে চান, তাহলে দয়া করে ফোন করবেন অথবা উল্লিখিত ডাক ঠিকানায় বা ই-মেইল ঠিকানায় আমাদের সাথে যোগাযোগ করবেন।

Urdu

اگر آپ کو اس دستاویز کا خلاصہ اپنی زبان میں درکار ہو تو، براہ کرم نمبر پر فون کریں یا مذکورہ بالا ڈاک کے پتے یا ای میل پتے پر ہم سے رابطہ کریں۔

Arabic

الوصول على ملخص لهذا المستند بلغة،
فرجاء الاتصال برقم الهاتف أو الاتصال على
العنوان البريدي أو عنوان البريد
الإلكتروني أعلاه.

Gujarati

જો તમારે આ દસ્તાવેજનો સાર તમારી ભાષામાં જોઈતો હોય તો ઉપર આપેલ નંબર પર ફોન કરો અથવા ઉપર આપેલ ટપાલ અથવા ઇ-મેઈલ સરનામા પર અમારો સંપર્ક કરો.

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