

Request for Greater London Returning Officer (GLRO) Decision – GLRO 21-12

Title: COVID-19 safety signage and Tactile Voting Devices for London Boroughs' polling stations for the Mayor of London and London Assembly elections 2021

Executive Summary:

Due to the COVID-19 pandemic, the 2020 GLA elections were postponed by 12 months and a revised statutory timetable agreed, with a new election date of 6 May 2021.

This decision requests approval for expenditure to design, print and deliver additional COVID-19 safety signage and meet the statutory requirement to provide Tactile Voting Devices for the 32 London boroughs and the City of London to use in their polling stations for the Mayor of London and London Assembly elections 2021.

Decision:

That the Greater London Returning Officer (GLRO):

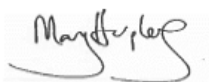
Approves expenditure of up to £140,000 for COVID-19 safety signage and Tactile Voting Devices. This is broken down as follows:

1. Up to £40,000 to the pre-appointed printed materials supplier (CDS) to provide COVID-19 safety signage to each of the London boroughs for use at polling stations on 6 May 2021;
2. Up to £100,000 to PakFlatt (UK) Ltd for the supply of Tactile Voting Devices for use at polling stations to enable blind or partially sighted electors to vote independently and in private. The requirement is for up to 4,000 sets of three Tactile Voting Devices for each of the three ballot papers (Mayor of London, London-wide Assembly Member and Constituency Assembly Member); and
3. A related exemption from the requirements of section 10 of the GLA 's Contracts and Funding code being there is complete absence of competition in the marketplace for Tactile Voting Devices; and their provision is a statutory requirement.

Greater London Returning Officer

The above request has my approval.

Signature



Date

6 May 2021

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. The GLRO has a responsibility to support and provide all London boroughs with statutory and non-statutory voter information and polling station printed materials as requested by them to use in the Mayor of London and London Assembly elections.
- 1.2. GLRO – 20-09 signed on 11 October 2019 approved the expenditure of up to £150,000 to procure a service provider for the design, translation, print and delivery of the printed materials to each of the 32 London boroughs and the City of London and City Hall as per their requirements.
- 1.3. Print management company, CDS, is appointed under the single supplier framework agreement, namely the CCS Public Sector Managed Print and Digital Solutions (RM3785).
- 1.4. Following postponement of the elections due to be held on 7 May 2020, a period of detailed discussion followed with the GLA London Elects team and appointed print supplier for the printed materials (CDS) to work together towards the common goal of successful delivery of the materials for the 6 May 2021 elections. The claim for £21,590.45 sunken costs for the postponed 2020 elections made by CDS was scrutinised by GLA Finance officers and approved by the GLRO in April 2020 on the provision that detailed supporting evidence be supplied. TfL Legal and Procurement were consulted throughout this process and due diligence was followed throughout.
- 1.5. Agreement on the way forward and the costs associated with the revised project plan was agreed in principle by all parties in April 2021.
- 1.6. In addition to the approved requirements for 2020, and following scrutiny of the government-issued guidance on managing elections safely in the context of the COVID-19 pandemic, it was agreed with the GLRO that additional materials should be made available to all London boroughs to support them in delivering the elections safely and securely on 6 May 2021. The agreed items include COVID-safety signage and floor spacing stickers to mirror those materials currently used in public spaces across the UK.
- 1.7. On behalf of the GLRO, it was agreed that the London Elects team would incorporate these additional materials for COVID-19 safety measures to the existing agreement with the supplier for printed materials for polling stations (CDS). In order to ensure timely delivery of the materials, the service provider is also responsible for the overall project management of these activities, adding them to the existing ordering process. This ensures specific requirements for each polling station are met via the most efficient solution to delivering additional materials required at a later stage in overall project delivery. These materials are as follows:
 - 1.7.1. COVID-19 safety signage - A4 laminated posters (packs of 10 posters – 2 x 5 different messages)
 - 1.7.2. COVID-19 safety floor stickers - Indoor floor stickers (packs of 5 – 2 different messages available for boroughs to choose from).
- 1.8. In addition to the newly introduced COVID-19 safety materials, there is a separate statutory requirement to supply Tactile Voting Devices to each polling place to be used at the Mayor of London and London Assembly elections to be held on 6 May 2021.

- 1.9. Tactile Voting Devices are for use at polling stations to enable blind or partially sighted electors to vote independently and in private. The requirement is for up to 4,000 sets of three Tactile Voting Devices for each of the three ballot papers (Mayor of London, London-wide Assembly Member and Constituency Assembly Member).
- 1.10. The provision of Tactile Voting Devices at each polling place is a statutory requirement (GLA Elections Rules 2007, Constituency Member Election Rules 28, London Member Election Rules 29, Mayoral Election Rules 28).
- 1.11. Officers acknowledge that section 9 of the GLA's Contracts and Funding Code (Code) requires a formal tender process for goods and services of more than £25,000 and up to £150,000. However, section 10 of the Code also provides that an exemption from this requirement may be approved where there is complete absence of competition.
- 1.12. Officers have established through research into patents held by suppliers in the market that Pakflatt Ltd is the only suitable supplier in the market to meet our requirements because it holds a patent in the design of Tactile Voting Devices and as such is the sole supplier.
- 1.13. Accordingly, there are no other suppliers in the market and officers are of the view that it would have been an inefficient use of London Elects' resources to conduct an advertised tender exercise as required by section 9 of the GLA's Contracts and Funding Code.
- 1.14. As a result, Pakflatt Ltd has been asked to quote for the design, manufacture and supply of Tactile Voting Devices for use with Constituency Member, London Member and Mayoral ballot papers in the 2021 Elections.
- 1.15. The two appointed print management organisations (CDS and Pakflatt Ltd) will project manage the respective processes with oversight from the London Elects project team at the GLA, ensuring robust communication systems are in place from start to finish including detailed project reporting as required.

2. Objectives and expected outcomes

- 2.1. The objectives of this work are as follows:
 - to support London boroughs and provide them with statutory and non-statutory resources they require for the polling stations and to inform voters and ensure safety of the electorate on polling day; and
 - to deliver the quantities and/or files of the individual materials requested as per the requirements of 32 London boroughs and the City of London.

3. Other considerations

Key risks and issues

- 3.1. Boroughs have a statutory duty to make available Tactile Voting Devices at polling stations to those voters that need such assistance.
- 3.2. Due to the COVID-19 pandemic, it is necessary to ensure polling stations are safe places to vote and to instil confidence in London's electorate that voting in the Mayor of London and London Assembly

elections will be safe. As such, COVID-19 safety signage to assist polling station staff and voters is paramount.

- 3.3. Adherence to strict timelines is compulsory and failure to do so would be a breach of legislation.

Impact assessments and consultations

- 3.4. COVID-19 safety signage requirements are a direct result of the COVID-19 pandemic. The GLA's contracted printed management supplier, CDS, was already working on all elections printed materials required and therefore it was most efficient for CDS to produce the COVID-19 safety signage and include in the existing ordering system for London boroughs and the City of London.

4. Equality comments

- 4.1. Under s149 of the Equality Act 2010 (the Equality Act), a public authority 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 protected characteristic and those who do not. A person who is not a public authority, but who exercises public functions, such as the GLRO must, in the exercise of those functions, have due regard to those matters.

5. Financial comments

- 5.1 GLRO approval is also being sought for agreeing a further budget and expenditure of up to £140,000 for COVID-19 safety signage and Tactile Voting Devices as detailed above in this GLRO. A related exemption from the requirements of section 10 of the GLA's Contracts and Funding code is also been requested to be approved as there are a limited number of suppliers in the marketplace for Tactile Voting Devices and this is a statutory requirement.
- 5.2 This brings the total budget and expenditure approval for print management, signage and Tactile Voting Devices for 2021 Elections to up to £290,000 (£150,000 approved under GRLO 20-09 for print management plus £140,000 being requested under this GLRO). The budget of £290,000 also takes account of spend to date including sunk/ abortive costs.
- 5.3 The expenditure will be funded from the 2021-22 Elections Budget.

6. Legal comments

- 6.1 The proposed budgetary request is consistent with and support the activities of the GLRO in the 2021 GLA elections.
- 6.2 More specifically, the officers are seeking approval of up to £140,000 of expenditure under two contracts for the provision of supplies for polling stations. The first contract is with CDS for safety signage and second with Pakflatt (UK) Ltd for tactile voting devices.
- 6.3 As set out in paragraph 1.3 above, the supply of signage by CDS was called off from the CCS Public Sector Managed Print and Digital Solutions framework (RM3785); a single supplier framework. To that end, the appointment of CDS complies with the requirements of the Authority's Contracts and Funding Code (the "Code").

- 6.4 Furthermore, the officers are seeking an exemption from the Contracts and Funding Code in order to spend up to £100,000 with PakFlatt (UK) Ltd for tactile voting devices. Section 10 of the Code provides that an exemption may be granted, inter alia, where the prospective supplier holds exclusive intellectual property rights. The officers have indicated at paragraph 1.12 above, that PakFlatt (UK) Ltd holds the patent for tactile voting devices and, as such is the only supplier, which meets the Authority's requirements. To the end, the exemption may be approved if the Greater London Returning Officer be so minded.

7. Planned delivery approach and next steps

Activity	Timeline
Delivery start date	March 2021
Final evaluation start/finish (self/external)	May 2021
Delivery end date	May 2021
Project closure	May 2021

Appendices and supporting papers:

GLRO 20-09

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? NO**

If YES, for what reason:

Until what date: (a date is required if deferring)

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:

Kelly McMorran Barnard 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

Date



6 May 2021