

2010 Elections in London Working Group – Informal meeting

Note of meeting, 16 December 2010

Present:

Andrew Boff AM, Chair

Jennette Arnold AM

Len Duvall AM

Roger Evans AM

Darren Johnson AM

Caroline Pidgeon AM

London election agent representatives from the Labour; Conservative; Green; and Liberal Democrat political parties.

Officers present: Mark Roberts, Executive Director of Secretariat; Richard Derecki, Scrutiny Team Manager; Camelia Thomas, Assistant Committee Officer

1. Days before the General and Local elections.

- 1.1 The Chair asked the experts how they felt the elections deadlines set by the Electoral Commission affected their campaign.
- 1.2 The experts discussed that a single cut-off date for registration to vote and returns of postal votes was their preferred approach to the management of electoral incoming administration. It was noted that although there was difficulty meeting the deadline no borough had failed at the last election – despite the cut-off date being so close to the date of the General Election. The experts suggested that a single date was helpful to provide a focal point for election workers and volunteers. This was an advantage for managing the elections and ‘staggered dates’ would make things complicated.

Quote: ‘With a single date, we know where we are’.

2. Polling Day

- 2.1 The Chair asked for comments on how polling day went.
- 2.2 Members and experts agreed that there remained concerns about the level of staff planning ahead of the elections, that not enough planning was done in anticipation of what would need to take place before the elections, at the polling stations, and after the polling stations were closed.
- 2.3 It was suggested that better use of historical voter turnout data could have been used to predict ‘pinch points’ during the day which would have indicated to Electoral

Registration Officers [ERO] and others planning the day if there was a need to increase staff resources at certain times.

Quote: 'The way to alleviate the problem is to anticipate the areas of stress'.

3. Queues

3.1 The Chair explained that there had been a range of different responses to the queues that were formed on election day and that the different steps taken by EROs to ensure members of the public were not disenfranchised was an issue for concern. That there was not a 'common approach' was a prevailing theme and a general concern throughout the discussion.

3.2 A comparison was made between Lewisham and Hackney, two boroughs that were affected by queues. In Lewisham no one had been disenfranchised, but in Hackney several members of the public were; EROs in Hackney took a very different approach to the EROs in Lewisham.

Quote: 'In a democracy this is a terrible thing to happen'.

3.3 Both experts and Members agreed that it was the job of the boroughs 'to organise properly'. It was felt that the boroughs had a responsibility to ensure the public were able to vote, that regardless of whether members of the public turned up at the last few minutes before polling stations closed or early in the morning, there should be processes in place to ensure they were able to vote. There needed to be a common approach across the nation, legislative change or further guidance if necessary – the Presiding Officer would then have a responsibility to ensure that correct processes were followed and people were able to vote.

3.4 The experts agreed that the Election Day was made more difficult because there had been multiple elections taking place at once, but that this was not necessarily an excuse. It was discussed that there had been varied examples of good and bad practice. Members explained that at the first meeting Returning Officers [RO] and EROs stated that they had employed staff above the recommended levels set by the Electoral Commission and that their staff had been trained above the recommended levels set but had still experienced problems. Funding was not available for any of the additional staff provided and that, in light of cuts and changes taking place, if there were to be an improvement in the way elections were run ahead of the next GLA elections funding would be an issue.

3.5 One expert suggested that in addition to queues and other factors affecting what happens at the polling stations, often members of the public turn up to vote for the most high profile election, to vote for the party they want to win or the person they want to be Mayor, but that when they arrive at the polling station they have not anticipated receiving one or two additional ballot papers, and that often causes additional problems at the stations; it increases the numbers of spoilt ballot papers, causes delays and creates queues.

4. About the day

- 4.1 The chair asked the experts whether they would give their views on issues of intimidation that may have been raised.

Quote: 'In Tower Hamlets and Hackney there were allegations of intimidation'.

- 4.2 Allegations of intimidation issues around Tower Hamlets and Hackney were discussed. The experts agreed that groups 'hanging about polling stations' and large groups of people loitering around polling stations and speaking to people making their way to polling stations could give rise to feelings of intimidation. The experts in particular felt that this could be managed with good communication with the local police and EROs understanding the powers they have and using them appropriately.
- 4.3 Experts and Members agreed that clarification was required on what 'the precinct' of the polling station actually was, so that the remit of power that EROs have was much clearer. It was suggested that: 'What we want is speedy intervention where intimidation is likely to take place; or where EROs feel uncomfortable, they should be able to act accordingly using their powers or call the police'. Members and experts agreed that legislation could not cover every eventuality.
- 4.4 Experts and Members agreed that although party volunteers and tellers were expected to conduct themselves appropriately at polling stations strict guidelines were unnecessary. It was also agreed that tellers and volunteers would benefit from training around conduct at polling station, and that this could be led by their political parties. It was felt that training given to staff and management arrangements at polling stations varied which led to 'a rainbow of small differences; it shows the latitude in the way things are run'.
- 4.6 Polling staff were not full time, there was a huge variation in the training that they received and this was considered a contributing factor to why problems or issues were dealt with differently at different polling stations. 'Perhaps Presiding Officers need refresher training – sometimes practices become fixed, myths go round amongst polling staff; a culture develops.'

5. Postal votes

- 5.1 The Chair asked the experts for their view on the issues of postal votes.
- 5.2 The experts agreed that there had been various reports that the management of postal votes was extremely difficult. A lot was expected of administrators over a short period of time and that those members of staff were often the same staff who are expected to go on to participate in the count on Election Day. One expert felt that there was a need to look at the system now as we are close to 'pushing it until it breaks'. Resources commitments have not kept up with the volume of work.
- 5.3 There was some support for a restriction on postal votes to 'those that need it, rather than on demand'. However, others felt that postal votes were brought in to make it easier for people to vote and this was an important point to focus on. 'Postal votes have become an enabling' tool in getting people to vote. The rolling registration had become a focus for concern. The introduction of individual registration might provide a useful point for a reassessment of who wanted/needed a postal vote.

- 5.4 It was agreed there were huge disparities in the organisation of postal votes, and that councils should begin to learn from one another and share best practice. There was potentially a role for London Elects or of the GLA pointing the way to best practice (around voter information, training and consistent management standards).

Quotes: 'Some authorities are very good and some authorities are not very good'.

6. Fraud

- 6.1 Concerns were raised about fraudulent activity with postal ballot papers. It was agreed that the current penalty of £5,000 for a first offence was reasonable; that there should be a thorough communication of the penalty wherever possible, and that discretion to levy higher fines should be available.
- 6.2 Members and experts discussed the issue that political parties could play a role in reminding their officers and volunteers of electoral fraud and the penalties.
- 6.3 Concerns were aired about the possibility of fraud in the household. It was suggested that the forthcoming 'Single Registration' process could help alleviate that problem if it was designed in a way that asked the right questions and provided the verification details required by administrators to process applications.

7. The Count

- 7.1 The experts and Members agreed that the evidence received from submissions suggested that staff were already exhausted by the time they went to count the ballot papers.

Quote: 'It's a bad system if people are working so long; it is too much to expect to get the system right'.

Quote: 'It's unacceptable to expect people to work like that'

- 7.2 The experts suggested that if staff worked on a shift basis or if new staff were to come in for the count only, that less mistakes would be made; people would work a lot faster. The experts agreed cut-backs had resulted in fewer staff and less space being made available.

Quote: 'People, space, machines, all mean extra money'

- 7.3 The experts agreed that while it was preferable for the election results to be made available straight away the next day, that should not be the priority. They agreed the media put pressure on all levels of local government to turn around the count quickly to build up the excitement.
- 7.4 The issue of training was raised, 'The counting staff did not know how to approach it.' It was suggested that it was inevitable that the count would take longer if more than one election was taking place at the same time, but that there seemed to be inconsistencies from borough to borough on how to manage the process. It was shared that in one particular borough they had decided not to separate the ballot papers, and they were collected in the same ballot boxes; it was explained that it took six hours to

separate the ballot papers before counting could commence, and this subsequently had a knock on effect on the overall count, re-counts and resulted in a serious delay in announcing the results.

7.5 Members and experts agreed that despite the other factors that may have affected the performance of the London boroughs, organisation remained an issue. They agreed that there should have been more forward planning for the mix of elections, and that the EROs ought to have approached the May elections differently to the way they have approached single elections in the past. It was also agreed however that there had been no precedent in London set for the holding of joint elections, as on 6 May 2010, so there had been no knowledge of what might happen.

7.6 The experts agreed that there were 'different levels of experience amongst Chief Executives and EROs', that their experiences varied, and this had affected their approach to such a big project, resulting in counts being conducted differently.

Quote: 'What's important is confidence; it can be done, what is needed is proper resources and organisation'

7.7 It was agreed that London Elects did an excellent job at the last Mayoral election; 'their expertise went a long way in assisting with the smooth running of that election', and that their expertise and advice on best practice should be shared.

8. Lessons for the GLA

8.1 The experts agreed that they would like the GLA to lead the way and get involved in the conduct of elections across London; that discussions need to take place with the Electoral Commission and pan-London. 'London Elects needs to get to every Presiding officer'. There was a general consensus that, 'London Elects is vital for improving the quality of information going out'. That 'London Elects have been great at issuing guidance for London' and that there should be clarification on its remit so that, during this current time of cut-backs, that it is focused on what is vital ahead of the next GLA elections: briefing, coordination of the boroughs to work in unison, and addressing issues of good and bad practice. The question was raised whether it was really necessary for London Elects to spend resources on advertising the election.

8.2 London Elects needs to give a very clear steer of when the election results should be made available; it does not matter so much when the result are due, just as long as a clear time is given and stuck to'.

8.3 The experts accepted that there were issues beyond the control of the GLA such as the legislation that governs how elections work, but that there were improvements that could be made at a national level – appropriate levels of funding for elections, for example.