

GREATER **LONDON** AUTHORITY

Request for Greater London Returning Officer (GLRO) Decision – GLRO 2016-09

Title: Ballot Paper Design

Executive Summary:

A number of changes to the legislation for the GLA Elections in 2016 are being proposed by Government. These include proposed changes to the ballot paper design, which have been discussed with the ecounting contractor, IntElect. Some of the proposed changes can be accommodated within requirements of the ecounting system, while others would cause difficulties in the machines accurately reading the ballot papers. In order to reflect as many of the anticipated changes as are possible, in time for them to be tested at the User Acceptance Testing (**UAT**) in November 2015, a decision is needed now on the ballot paper format. This form sets out the details of the ballot paper designs and the associated costs of these.

In addition, this paper sets out the GLRO's decision on the ballot paper official mark.

Decision:

1. That the GLRO approves the attached Request for Change (**RFC**) to the Ecounting contract for the 2016 GLA Elections with IntElect detailed in the attached letter dated 24 June 2015. This is at a cost of £34,100 and covers the changes to the ballot paper in anticipation of a change to the regulations, described in section 2.4 of this form
2. That the GLRO approves the Official Mark.

Greater London Returning Officer

The above request has my approval.

Signature



Date

22.9.15

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE GLRO

Decision required – supporting report

1. Introduction and background

- 1.1 The ecounting contract is an extension of the 2012 contract which was agreed on the basis that delivery in 2016 would be a repeat of that. Any changes to the contract need to be managed through a request for change process.
- 1.2 Discussions have taken place with Cabinet Office, the Electoral Commission and IntElect (the 2016 ecounting contractor for the GLA elections), on anticipated changes to the regulations on ballot paper design.

2. Objectives and expected outcomes

- 2.1 Changes to legislation were made nationally to ballot papers for the 2014 European elections, and the general election and proposals are being developed by Cabinet Office to roll these changes out to all other elections. The legislation has been drafted but has not yet been approved by parliament.
- 2.2 Some suggestions have also been proposed by the Electoral Commission, to try to reduce the number of spoiled ballot papers, and it was concluded that, as a pilot, some changes could be made.
- 2.3 The current ballot paper design is embedded in the counting software, which means that there is a lengthy lead in time for design, amendments to the software and testing. The User Acceptance Testing (UAT) for the system will take place in during week commencing 2 November 2015. Therefore, a decision on which form of ballot paper will be tested at that event is required as matter of some urgency to allow the development process to commence.
- 2.4 The changes that would be able to be made are:
 - Removing the numbers
 - Moving the logos
 - Changing the wording at the top of the paper and adding column A and Column B above the voting columns for the Mayor of London
- 2.5 The changes that are not possible due to the restrictions of the ecounting scanners are:
 - Shading around the boxes
 - Extending the lines on the Assembly ballot papers
 - Changing the text at the top to black text on white as the black box is an unscannable area
 - Adding an additional line of text instructing voters that 'you should not vote for the same candidate twice' (as proposed by the Electoral Commission)
- 2.6 A change also needs to be made to the official mark on the rear of the paper. The same official mark cannot be used on ballot papers within a five year period. The words LONDON ELECTS were used on the rear of the paper in 2012.
- 2.7 Options to make the ballot paper more secure were explored, including:
 - photochromic ink which fades when heated, meaning that it cannot be photocopied
 - watermarks in the paper
 - particular types of unique paper
 - micro-printing – adding small scale text or a pattern to the paper which cannot be clearly replicated in when photocopied

- 2.8 While these options all come at additional cost, the fourth, microprinting, will be included for only a marginal additional cost. For ecounting, each paper has a unique barcode which identifies the contest that the paper relates to and the individual paper. This is solely used to ensure that the same ballot paper is not counted more than once, regardless of how often it is scanned. Should a duplicate paper with the same barcode be found, it will be possible to identify the fraudulent paper by inspection of the microprinting.
- 2.9 The RFC requests the change of the official mark to the logo shown on the rear of the sample ballot printed using microprinting and combined with the unique barcode. The design is confidential so will be a part 2 appendix until after the election.
- 2.10 Details of the proposed changes and implications are set out in the attached letter from IntElect to the GLRO dated 24 June 2015. Sample ballot papers which show how the changes that are being approved by this form will be implemented are also attached, showing fictional names.

3. Other considerations

- 3.1 The risks relating to this have been considered:
- **The design is currently a proposal and does not form part of The Greater London Authority Elections Rules 2007.** The papers currently in the rules have been tested, through the development of the ecounting system and use at the 2012 election. If the rules do not change, it is possible to roll back to the current legal design prior to the election. However, the revised proposal aligns with the ballot papers used in 2014 European elections and the 2015 General Elections and there is a chance that the revisions will be made to align the elections. Testing an alternative paper would give us the robustness to cover both eventualities.
 - **Any changes to the drafts as they currently stand would require further changes to the software and could potentially trigger a second UAT.** These designs have been discussed with both Cabinet Office and the Electoral Commission. The implications of changes have been highlighted and an attempt made to get to the closest possible position in the paper agreed here.
- 3.2 Templates are developed and tested to cover a range of numbers of candidates, including numbers of candidates which would require two columns to fit on the A4 ballot paper.

4. Equality comments

- 4.1 Accessibility requirements for ballot papers are included in the legislation that governs the designs.

5. Financial comments

- 5.1 Indicative budget for 2015/16 of £34,100 has been allocated for this expenditure within the GLA Elections E-Counting Budget.

6. Legal comments

- 6.1 The proposed steps are designed to anticipate possible legal changes.
- 6.2 Officers should ensure they follow the procedure in the IntElect Contract in order to formalise the RFC.

7. Planned delivery approach and next steps

- 7.1 The ballot paper design software will be updated to reflect these changes and will be subject to User Acceptance Testing in November.
- 7.2 It is anticipated that the legislation to complete the changes to the ballot paper design will be finalised by November 2015, six months in advance of the election.

Appendices and supporting papers:

- 1. IntElect's Response to the Request for Change to the ballot paper design
- 2. Sample ballot papers (front and back) for each of the three contests, Mayor, Assembly Constituency Member and Assembly London Member – Reserved Appendix

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:

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 – YES

Partial deferral – The Official Mark needs to be confidential to prevent fraudulent replication of the paper. It is required by the Greater London Authority Elections Rules 2007 to be kept secret. The appendix setting out this will therefore be confidential until 6 May 2016.

ORIGINATING OFFICER DECLARATION:	
	Drafting officer to confirm the following (✓)
Drafting officer: <u>Lesley Rennie</u> has drafted this report in accordance with GLA procedures and confirms that the <u>Finance and Legal</u> 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. Allen

Date

21.9.15

