

Request for Greater London Returning Officer (GLRO) Decision – GLRO 21-02

Title: Statutory Mayoral Address booklet for the 2021 GLA Elections

Executive Summary:

GLRO-20-06 approved expenditure of up to £2,500,000 to design, print and fulfil the statutory requirement that a booklet ("election booklet") containing Mayoral candidates' statements ("addresses") and other information about the 2021 GLA (Mayor of London and London Assembly elections) be delivered to every registered local government elector in Greater London in advance of the elections that were to have been held on 7 May 2020.

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 given as 6 May 2021.

This Form seeks the GLRO's formal approval for the additional expenditure required to deliver the election booklet in 2021.

In the first instance expenditure will be met from Election Reserve.

Decision:

The Greater London Returning Officer (GLRO):

Approves further expenditure of up to £565,000 to PSL Print Management Ltd in addition to the £2,500,000 agreed via GLRO-20-06 to design, print and fulfil the statutory election booklet for the 2021 GLA Elections and to deliver it to every registered local government elector in Greater London, including the project management of these activities. This figure comprises:

- £380,186 'sunken costs' from 2020, which cannot be recovered or fed back into the 2021 budget (as reviewed by GLA Policy and Finance officers and agreed with the GLRO)
- £181,053 anticipated increase for 2021, made up of:
 - Up to £86,140 for increased postage costs to deliver the Booklet to every eligible voter. This is an annual rate increase published by Royal Mail in January
 - £15,784 additional labour charges for printing the Booklet over the 2021 Easter bank holiday
 - Up to £78,979 for late cancellation to cover print standing time and labour charges

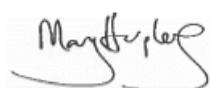
Notes:

This takes the revised overall expenditure on the election booklet to up to £3,065,000.

Greater London Returning Officer

The above request has my approval.

Signature



Date

13 November 2020

PART I - NON-CONFIDENTIAL FACTS AND ADVICE

Decision required – supporting report

1. Introduction and background

- 1.1. The election booklet is a statutory requirement under the Greater London Authority Elections (Election Addresses) Order 2003 (“the Order”). Article 3 states that “Each [Mayoral] candidate at an election shall be entitled (subject to and in accordance with the provisions of this Order) to have an election address prepared on behalf of the candidate included in an election booklet prepared by the GLRO delivered at the Authority’s expense.” The statement must be prepared by the Mayoral candidate’s agent and contain matter that relates only to the GLA elections and otherwise complies with the Order’s and GLRO’s requirements, including as to content and the format submitted. A photograph of the candidate can be submitted and printed. A Mayoral candidate’s right to have an election address included in the booklet is subject to payment of a non-returnable £10,000 contribution towards printing costs. The right does not apply to Assembly candidates (list or constituency). The Order states that the GLRO is protected from defamation and other potential legal action.
- 1.2. In addition to Mayoral candidates’ election statements, the election booklet must contain the following information:
 - statement from the GLRO, date of election, purpose of election booklet;
 - list of all Mayoral candidates in the order they will appear on the ballot paper and an election address supplied by each candidate;
 - a list of all Constituency London Assembly Member candidates;
 - a list of all London-wide Assembly Member candidates;
 - name and address of GLRO and printer (for information only); and
 - where you can vote (polling stations, post, proxy), what to expect at the polling station and an election-day guide.
- 1.3. Article 9 (1) requires that “The GLRO shall cause copies of the election booklet to be addressed and delivered to each elector at the Authority’s expense”. The election booklet must be delivered by a postal operator within the meaning of Part 3 of the Postal Services Act 2011. The mailing is expected to be in three batches, although these numbers are best estimate at time of writing:
 - first batch to postal voters (approx. up to 2million);
 - second batch to remaining registered electors (approx. 4.1); and
 - third batch to late registrations (approx. 100,000).
- 1.4. The GLRO will also make the booklet available as hard-copy at agreed public locations such as City Hall, TfL/council offices and public libraries. It will also be available in digital format on the London Elects website from 7 April 2021.
- 1.5. GLRO – 20-06 signed on 7 December 2018 approved the expenditure of up to £2,500,000 to an external print management organisation to design, print and fulfil the statutory election booklet requirements for the 2020 GLA Elections and to deliver it to every registered local government elector in Greater London, including the project management of these activities. This was based on a maximum estimated electorate of up to 6,200,000 and a booklet of up to 44 pages. This figure is based on the following workings:

- Estimated eligible electorate of up to 6,100,000 (based on most recent elections held in 2019). The actual number of booklets required will be determined by the size of the electorate following the voter registration deadline on Monday 19 April 2021.
- Booklet size of up to 44 pages (maximum pagination scenario allowing for 15 or more Mayoral candidate addresses and all statutory content, including GLRO introduction).

- 1.6. On behalf of the GLRO, the London Elects team and TfL Procurement ran a 2 stage OJEU Restricted Procedure to appoint a supplier for this project. The OJEU notice was issued on 29 April 2019 and PSL Print Management Ltd. was awarded the contract on 10 September 2019 to the value of £2,282,669.
- 1.7. As a result of the Covid-19 pandemic, the decision was taken by government in March 2020 to postpone the 7 May 2020 GLA elections by 12 months and a revised statutory timetable agreed, with a new election date given as 6 May 2021. PSL Print Management Ltd was advised of these changes and instructed its subcontractors to cease work on delivery for 2020.
- 1.8. Following postponement, a period of detailed discussion followed with the GLA London Elects team and PSL Print Management Ltd. to work together towards the common goal of successful delivery of the Election Booklet for the 6 May 2021 elections. The claim for sunken costs made by PSL was scrutinised by GLA Finance officers and approved by the GLRO on 21 April 2020 on the provision that detailed supporting evidence be supplied and open book accounting arrangements agreed. TfL Legal and Procurement were consulted throughout this process and due diligence was followed throughout.
- 1.9. Agreement on the way forward and the costs associated with the revised contract and project plan was agreed in principle by all parties on 30 July 2020. A contract variation to cover the extension period required and associated revised project costs will be completed by 8 September 2020 (subject to the GLRO's approval).

2. Objectives and expected outcomes

- 2.1. The objectives of this work are as follows:
 - Provide Londoners with statutory information about the elections, including statements by Mayoral candidates.
 - Deliver booklet to every registered voter in Greater London including attainers eligible to vote on the day and anonymous voters. Attainers are 16 and 17 year olds who will turn 18 during the period in which the register is in force.
 - As far as possible, ensure the booklet is delivered in advance of ballot papers being sent out to registered postal voters. There is no statutory delivery date, period or deadline for delivery of the booklets. The purpose of the election booklet is to inform voters about the choice and policies of Mayoral candidates and to provide listings of other candidates in the elections. Therefore, the booklet should at least be delivered before polling day (Thursday 7 May 2020), and in any event as soon as reasonably practicable after the publication of the statutory statement of persons (and parties) nominated before any postal votes can be cast.
 - Deliver copies of the booklet to the GLA (quantity to be confirmed) and a digital format suitable for inclusion on the London Elects website.
 - Deliver copies of the booklet to the Borough Returning Officers (quantity to be confirmed) who will be responsible for sending the booklet to a small number of voters with registered overseas addresses and voters who register late.

- Print the booklet to criteria complying with legislation and any directions as specified by the GLRO and ensure that it meets the Government Buying Standards for paper.
- Provide an environmentally sound and efficient solution for returned booklets that meets the requisite environmental requirements defined in TfL 91537 Volume 1 – Appendix 4 Responsible Procurement.
- Adhere to the London Elects brand guidelines.

3. Other considerations

a) Key risks and issues

3.1. **Delivery:** There will be a very high volume of critical delivery activity that will take place across London within a two or three-day timeframe. As there is a legal requirement to deliver a booklet to every registered elector (approx. 6.2 million adults) in a short space of time, there is also a requirement for resilience in ensuring this need is met in proposals and in practice. This is a NO FAIL requirement. For postal voters, the aim is to deliver booklets before any postal votes can be cast. Local authorities are responsible for sending out the ballot papers to voters. As a consequence of the Covid-19 pandemic, it is expected that the number of people choosing to vote by post will increase significantly, putting greater onus on the delivery of the first batch of booklets. The London Elects team will work closely with PSL and Boroughs to put measures in place to deliver the booklets before ballot papers are issued, however there is a slight risk that voters might receive their booklets after they receive their postal vote ballot papers. In addition, there is risk that a small number of late registrants, who may receive the booklet from their local authority, could receive this after they receive their postal vote.

Volume of booklets required and price

3.2. The number of booklets required is estimated at up to 6.1 million. The actual number of booklets required will be determined by the size of the electorate following the voter registration deadline on Monday 19 April 2021. For the purposes of this project, the London Elects team is working with PSL print Management to seek prices for print runs between 5.8 million and 6.1 million eligible electors, which is informed by the figures gathered from the elections that took place in 2019.

3.3. The cost of postage is set by Royal Mail on an annual basis and will not be known until the rates are published on 04 January 2021. Based on trends in previous years, the rate increase is expected to be between 5-7.5% (in 2020 it was 5.2%). For the purposes of this decision, an increase of 5.2% has been used in calculations, however it should be noted that this could be higher.

3.4. The price of paper is set on an annual basis in January. The global impact of the Covid-19 pandemic has disrupted the paper buying market, meaning that purchasing rates are currently uncertain. As of July 2020, there has been an encouraging shift towards resuming normal market movement, however future outbreaks could present further market disruption. For the purposes of this decision, the purchasing prices for 2020 have been used, however, it should be noted that they could increase in 2021.

3.5. Other key risks and issues remain as outlined in GLRO-20-06, a copy of which is attached at Appendix 1.

b) Impact assessments and consultations

3.6. As described above, there are external variables that could impact the purchasing price of paper required for the production of the booklets. On behalf of the London Elects team, PSL Print

Management has conducted early engagement with the relevant purchasing markets and its subcontractors to monitor this and most up to date information has been used to inform 2021 budget calculations.

4. Equality comments

- 4.1. Under s149 of the Equality Act 2010 (the Equality Act), as a public authority the GLRO and GLA 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 characteristic¹ and those who do not.
- 4.2. The booklet will only be produced in English. Multi-lingual materials presenting key information contained in the booklet will be produced and will be featured on the London Elects website. Printed versions of these are under consideration.
- 4.3. The GLA is committed to making our websites and applications accessible, in accordance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. All development work and all materials to be published online must as a minimum meet the [Web Content Accessibility Guidelines \(WCAG\) version 2.1](#) to AA standard, including
- 4.4. Large print, braille and audio versions of the booklet will be available on request.
- 4.5. The booklet design will adhere to the Royal National Institute of Blind People's (RNIB's) See It Right legibility standards.

5. Financial comments

- 5.1. GLRO approval is being sought for agreeing a further budget and expenditure up to £565,000 for the Elections booklet. This is via a contract variation with the current Elections booklet supplier: PSL to design, print and fulfil the delivery of the 2021 Mayor of London and Assembly Election statutory booklets.
- 5.2. This brings the total budget and expenditure approval for Elections booklet to up to £3,065,000 (original value of £2,500,000 approved under GRLO 20-06 plus the new budget of £565,000). The budget of £3,065,000 takes account of the value of spend to date (including sunk/ abortive costs- £380,000), contract variation of the additional £181,000 plus some contingency budget.
- 5.3. Every Mayoral candidate who exercises their right to have an election statement included in the booklet must make a contribution of £10,000 towards printing costs. Unlike a candidate's election deposit, this is non-returnable.
- 5.4. In the first instance all expenditure will be charged to the Elections budget and reserve. This is in line with MD2695 that approved £10m allocated from GLA Group reserves to Elections reserve.

¹ The protected characteristics covered by section 149 are: age; disability; gender reassignment; pregnancy and maternity; race; sex; religion or belief; and sexual orientation, and in certain circumstances civil partnership or marriage. Compliance with the PSED may involve, in particular, removing or minimising any disadvantage suffered by those who share a relevant protected characteristic, taking steps to meet the needs of such people and encouraging them to participate in public life or in any other activity where their participation is disproportionately low, including tackling prejudice and promoting understanding.

6. Legal comments

6.1 Every Mayoral candidate who pays a non-returnable £10,000 contribution has the right to include a statement or address in the booklet subject to compliance with the Order's and GLRO's requirements as to content and format of submissions, including containing material that relates to the GLA elections only, the use of registered political party descriptions and emblems and other restrictions about referring to other candidates, including advertising, material that is indecent, obscene or offensive or the distribution of which would amount the commission of a criminal offence. An address must contain a statement to the effect that it has been prepared by the candidate's election agent. The GLRO may issue requirements to candidates and agents about the format of their submissions.

7. Planned delivery approach and next steps

Action	Timeline
Approve decision	August 2020
Order paper for Booklet and envelopes	January 2021
GLA to provide final artwork for envelopes	January 2021
Envelopes go to print	March 2021
Batch 1 Data Supply by Boroughs	05/03/2021
Batch 2 Data Supply by Boroughs	26/03/2021
Candidates Confirmed	30/03/2021 @4pm
Order of Candidates in booklet confirmed	30/03/2021 @5pm
Hard Copy samples to City Hall	01/04/2021
Batch 1 Postal Voters: Booklet print run, packaging and fulfilment/envelopes for up to 2m postal voters	From 06 -09/04/2021
Upload of booklet to London Elects website	07/04/2021 @10am
Batch 2 Non-Postal Voters: Booklet print run, packaging and fulfilment/envelopes packed ready for despatch	From 12 - 19/04/2021
Distribution of accessible materials to the electorate	14/04/2021
Batch 3 Data Supply by Boroughs	26/04/2021
Batch 3 Late Registrants: Booklet print run, packaging and fulfilment/envelopes packed ready for despatch	From 29/04 – 01/05/2021
Election Day	06/05/2021
Project Evaluation Report	31/05/2021

Appendices and supporting papers:

[GLRO 20-06](#)

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)

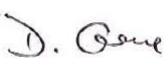
Part 2 Confidentiality: Only the facts or advice whose publication may be prejudicial or commercially sensitive should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:	Drafting officer to confirm the following (✓)
Drafting officer: Eleanor Killin 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**Date**

21 September 2020