

Transcription of the Election Review Working Group - 12 July 2012

Agenda item 3 – Review of the London 2012 Elections

Moving on to item 3, which is our main business for this afternoon's hearing, there are a number of questions that we want to pose to the people before us. Just to set the scene, we have a number of core questions. There may well be some questions that arise from your answers and we will try to facilitate business. I think, Duncan [Wilson], you may be able to leave earlier than the others who may have to stay for the full session and the way the questions go. We will indicate when we think our questioning has finished concerning the venues.

Let us begin with the first set of questions. Andrew?

Andrew Boff (AM): Alexandra Palace was perceived to be the count centre on the evening of the count which delivered the latest results and we did get reports back that there were a number of problems with the centre. First among those was the fact that we had a power cut. Could you tell us how and why the electricity supply was cut to Alexandra Palace on that morning? What happened?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): Obviously, we very much regret that it happened and it happened because a contractor ignored instructions not to carry out any maintenance work and was let onto the site by our facilities contractor. A consequence of that was that we lost power at, I think, 7.52am for 16 minutes but the implications of that were that the screens, as I understand it, had a lot of security protection on them and rebooting them and resetting the security protocols took nearly two hours.

Andrew Boff (AM): So you are saying it was cut for 16 minutes? When it was restored, are you saying that after 16 minutes as far as the --

Duncan Wilson (Chief Executive, Alexandra Palace and Park): The power was back on.

Andrew Boff (AM): The power was back on and the venue was operational after 16 minutes?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): Yes, but the computer systems had to be rebooted, yes.

Andrew Boff (AM): Do you have any kind of resilience in place to prevent that happening?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): There is a backup power supply which has to be manually switched and I think actually the power supply was restored just about the time that switch was about to be thrown. We do not have an instantaneous backup power supply, no.

Andrew Boff (AM): Is any action being taken against those contractors with regard to this?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): Yes, definitely, and the two managers concerned have moved elsewhere.

Andrew Boff (AM): OK. When you say “managers”, Alexandra Palace managers or the contractor’s managers?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): No, the contractor’s managers, yes.

Andrew Boff (AM): OK. There is a question about the time it took to switch the machines back on, to power up. How long should it take to restore the systems to their previous state after a power cut?

Sonya Anderson (Head of Elections, IntElect): The servers that support the system have an uninterruptable power supply, a battery, basically, that keeps them going and that is rated to last about 30 minutes. So, for a minor interruption, certainly with regards to the servers themselves, they would continue to run and they did. The challenge that we had was, although the interruption had been around 16 minutes, it took between about 8.00am and 8.30am. We were trying to ascertain what had been the cause of the power cut and we were unsure at that point whether it would be repeated. We did not know what the cause was, so we were nervous and concerned that there might be a repeat power cut. So, a decision was made to take the servers down in a controlled fashion because if the battery runs out after 30 minutes on an uninterruptable power supply you would encounter greater problems, so the decision was to take the service down.

Gary [Brighton], would you like to talk a little bit about the process of then bringing those servers back up?

Gary Brighton (Director of Operations, IntElect): Yes. The expected time to recover from an emergency shutdown procedure, which is what was enacted properly at the time, and I think it was fairly quick that we got a response finally as to what had happened, why the power was restored and that there was confidence the power would remain. But, we had already commenced our emergency shutdown and one has to finish that process before you can begin the process of cycling back up again. We had stated that we would require about two hours as a contingency period to recycle all the servers. In the end, we would have completed that in well under those two hours apart from having a different issue which I will come on to.

But just to explain it, the server setup consists of three physical servers, a storage array, two fibre switches, two core switches, all of which must be powered up in a strict sequence. In addition to this, we have 36 separate virtual servers which, again, all require starting in a strict sequence, so it is quite a complex process. It is not just turning a personal computer (PC) back on again. They all have to be done in a series of checks by the information technology (IT) staff.

In fact, we began that recovery process. The order was given about 8.30am when we had been given instructions and were confident that the power would remain on. The process was essentially complete by 10.15am. Unfortunately, when we got to 10.15am and we had actually brought up a series of sites, one at a time prior to that, so we had sites coming up from 9.45am onwards, the final site, Brent and Harrow, when it came up, we were struggling to find that and have a network connection. Investigation on that very quickly found that the two main switches that run the network for that individual site, the plug sockets that they were plugged into had their own individual trip switches and they had tripped as part of the overall power cut. We had not realised that they had individual trip switches and the problem there was those switches themselves take a further 20 to 25 minutes to come up and reboot and format ready to run, so there was an additional delay from about 10.15am through to just before 10.45am for Brent & Harrow to come back online.

Len Duvall (Chair): Can we just be very clear? I think you mentioned some communication issues, which comes up time and time again in the evidence we have. So, in terms of the line of command, you obviously have your key person onsite.

Gary Brighton (Director of Operations, IntElect): Yes.

Len Duvall (Chair): You have a key person onsite and we also then have the various constituency key people onsite.

Duncan Wilson (Chief Executive, Alexandra Palace and Park): : Correct, yes.

Len Duvall (Chair): ... and you have someone onsite who is there. How did we not know what caused the outage?

John Bennett (Greater London Returning Officer): London Elects was represented by a deputy, who was Richard Harbord on this occasion, at Alexandra Palace (Ally Pally). He was liaising, I think, with your key person and the contractor's centre manager was also in that loop. But I think there was some uncertainty upon the immediate power outage as to what the cause had been and therefore how long it would take to return. It was during that time of uncertainty that the contractor took, I am sure, the right decision to do a graceful exit on the system and that is what required then this sequence that Gary [Brighton] has described of rebooting and recycling the system. So, yes, people were talking to each other but I think there was the issue of getting hold of the contractors who were undertaking the test and ascertaining what exactly had gone on to establish the cause of the outage in the first place.

Len Duvall (Chair): Are we quite clear about who took the final decision? It was contractors or a contractor working with the people onsite from our side, as in London Elects.

John Bennett (Greater London Returning Officer): Clearly, the Deputy Greater London Returning Officer (GLRO) onsite was involved but the key decision was properly with the contractor who was then responsible for the security of the system.

Andrew Boff (AM): That was interesting. Pleased you did that in terms of lines of responsibility. You are saying that the system takes, for a graceful exit, a certain amount of time. How much time does it take to power off?

Gary Brighton (Director of Operations, IntElect): About 20 minutes to go through the process of shutting everything down.

Andrew Boff (AM): So, you must have taken that decision within the first ten minutes, therefore, of the power outage?

Gary Brighton (Director of Operations, IntElect): That is correct.

Andrew Boff (AM): What this exposes is that there seems to be an issue with the location of the data, surely. If there is so much hardware that needs to be onsite, I was surprised that it is all there, on one site, if you know what I mean, rather than at a datacentre and that you were not communicating with that data at a datacentre, rather than having to wheel all the stuff out onto site. Why did you go for such a distributed system?

Gary Brighton (Director of Operations, IntElect): It was not a distributed system. It was an enclosed system, which was from a security point of view a necessity. We minimised any external contact to the systems from a security point of view. There was only one link out to the central site that went through two separate firewalls on the way out and further firewalls on the way in. So, from a security point of view, it is better to keep the system isolated.

The logistics of it are not particularly complicated. The actual servers are held in a box which is about a metre square footprint and about one and a half metres high, so it is one single chassis that comes in on a pallet.

Andrew Boff (AM): Is it not a weakness that it can take such a long time to both close the system down and start it up again? It does seem a long time. I am sure it is necessary in terms of the way the system is written or constructed, but it just does not --

Sonya Anderson (Head of Elections, IntElect): I think it a consequence rather than a weakness. I think it is a consequence of security. As you know, London Elects worked with a third party, Actica, who understood a third-party audit and review of the system. Really, at every step of looking at the system architecture and the hardware being deployed, huge importance was placed on security, so really ensuring that the security that surrounded the system and the inability for there to be any penetration on the system was placed at very high importance. The consequences of that are your resulting system, whilst best of breed, is extremely complex. So, yes, actually once the system is take down, there is a reasonable time of rebooting.

Of course, we felt the time was reasonable and there have been lots of discussions with London Elects and Actica [an independent technical consultancy] about our perception. Is it a uniformly-held perception that two hours is a reasonable time to bring the system back online?

Initial feedback from Actica, and from the GLA's IT team, is that actually, with a methodical approach, two hours is a reasonable time to bring a complex infrastructure like that back online.

Gary Brighton (Director of Operations, IntElect): In addition, our contingency planning which we had been going through for a year beforehand, Alexandra Palace was a venue that was identified as having a backup generator, so we really did not expect both the main power and the backup generator to not be available in a window. I think, on the issue of testing the fire sprinkler system, I am not entirely sure of the details, but I would expect that a backup generator cannot come straight back on if the power has been cut deliberately as part of a process for testing a fire process.

Duncan Wilson (Chief Executive, Alexandra Palace and Park): As I understand it, no backup generator switches over instantaneously. Our backup generator did require manual intervention to switch it in. Had we instantly identified the source of the problem you would probably not have had to take the whole system down, but it takes ten minutes to walk from one end of the building to the other, so realistically it was going to take a while given the circumstances that occurred.

John Bennett (Greater London Returning Officer): I am not a technical type, as Members will appreciate, but the basic concept was very much that each count centre could be, and was for most purposes isolated, and the dependence on internet traffic of data was minimised so that if anything happened to the network overall or indeed any one site, if it was penetrated or hacked into each one could operate independently. The results from that centre would then be transported by courier, if necessary, to bring them back to City Hall so the data could be aggregated and the results calculated. It was an intentional part of the design that each one should operate independently as far as it could onsite under the risk assessment procedure such that, if anything happened at one site, as I say, other things could operate and the counts from that site could be transferred to another site if necessary and the process resumed from there.

Andrew Boff (AM): Just one thing. Bearing in mind that effectively because of the uninterruptible power supply (UPS) lasts for only half an hour and the shutdown process being 20 minutes you only have a 10-minute window for making a decision, does that not appear a terribly small amount of time?

Sonya Anderson (Head of Elections, IntElect): I think, again, we really cannot comment too much about the arrangements of switching over to a backup generator. Whilst it was our understanding that there was not probably automatic failover, I think our understanding was that failover to the generator at Alexandra Palace would be, whilst not instantaneous, a very quick process.

Andrew Boff (AM): How did you glean that information? Where did you get that?

Sonya Anderson (Head of Elections, IntElect): Really just through discussions, I think, between London Elects and ourselves about the backup that was across all three sites. We had talked about contingencies that were in place at all three of the count venues.

John Bennett (Greater London Returning Officer): We had understood that there were backup generators at Excel and Alexandra Palace. There is not at Olympia. To hire in a generator that would be adequate for Olympia would have cost £25,000, so we took a conscious decision not to spend money on that. If anything happened to take the power supply of Olympia down, that would have closed and transferred to Excel and would have carried on at the end of the Excel counts. That was part of our business continuity plan. As I say, there was, as I understood it, this uncertainty about how long the power would be out. I think the lights were still on but it was the floor power circuits that were taken down at Alexandra Palace, so there was naturally a degree of confusion. It clearly was not a total power failure, in which case I am sure the management would have rectified that straight away by switching to the generator. But it was a partial outage.

Andrew Boff (AM): If this had happened at Olympia, you are saying -- sorry, Olympia ...

John Bennett (Greater London Returning Officer): Does not have a generator, correct.

Andrew Boff (AM): If we had been operating this on a site that did not have a backup, then as soon as the power outage had come along you could take that decision in two minutes, not ten.

Sonya Anderson (Head of Elections, IntElect): To shut down, yes.

Andrew Boff (AM): And then you would shut down?

Sonya Anderson (Head of Elections, IntElect): Yes. Then it would be a case of deciding on investigation do you sit and wait knowing power is likely to come on or are you then moving into the activation of more advanced contingency plans of relocating to alternative sites.

Andrew Boff (AM): Did people start to look at alternative sites on the day?

John Bennett (Greater London Returning Officer): I think when the news came through within the half-hour that indeed, whilst the graceful exit was still being conducted, the cause of the problem was understood and known and could be remedied, the need to pursue the relocation fell away. We did have the companies identified for coaches, lorries and so on, so if we had needed to transfer to Excel we could have done so.

Len Duvall (Chair): Just in your contingency plans, did you identify, if you needed to transfer out of Olympia to Excel, what the impact would have been on the timings of announcements?

John Bennett (Greater London Returning Officer): There clearly would have been a fairly substantial impact because, whichever of the sites transferred to Excel, whether it was Ally Pally or Olympia, they would have been end-on and each constituency configuration would have had to have been reprogrammed for that constituency's data so that they could work, essentially, into and if necessary through the night. But at Excel we had taken the rental through the whole of the Saturday, whereas the other two sites, the rentals were closing down at lunchtime.

Andrew Boff (AM): Still on Alexandra Palace, a number of people have commented that Alexandra Palace was quite chaotic and we have heard from London Elects that the venue was not ready for staff at 6.30am. How would you respond to that?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): I think that is a very unfair comment, to be honest. We had an event manager who was dealing with co-ordination of the whole event. We had a number of sub-managers dealing with different issues. A number of issues were raised by us but did not appear in the report because I felt that we had satisfactorily answered them. We responded to the fire officer. We had on one occasion conflicting instructions about admitting people and we responded as a venue manager should. It is a very big site and there are parts of it that are not in instant communication from one to the other, but I think we had a well set up organisation that responded to one particular circumstance which should not have happened.

Andrew Boff (AM): But with regard to getting set up to be ready, what time had you agreed for the site to be ready for?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): Can I refer to my event manager who is sitting in the audience?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park) : We did actually have an event manager covering during the night for when all the papers came in and that was handed over to myself, so there was no break between the site being managed from the events department side and the venue side. The contractors were in half an hour before and the security was in place half an hour before the doors were agreed to be opened.

Andrew Boff (AM): What time was it that they had agreed to be opened? What time was it?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park) That was at 6.00am for people actually working on the event, 6.30am for people actually doing the count.

Len Duvall (Chair): I think we might need you to come to the table because we are not sure if our mikes are picking this up in the sense of the webcast. I think we got the gist of your answer.

Andrew Boff (AM): Yes. This is not me making the accusation. This is what we have heard. It is that when people arrived at Alexandra Palace they found it in an unready state at the time they assumed it would be available for people to start work.

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park) : I think where this has come from is when the doors were actually unlocked. I was working with London Elects colleagues, about when to open those doors. The doors were supposed to be open at 6.30am. They may have been opened slightly later than that but I wanted a go-ahead before opening those doors.

Andrew Boff (AM): When you say “slightly later than that”, what does “slightly” mean? Ten minutes?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park) : No, in terms of minutes. Everyone was in position internally within the venue. It was just a case of when we actually unlocked the door.

Andrew Boff (AM): What time was that? It was 6.30am, was it?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park): It was 6.30am, yes.

Andrew Boff (AM): So by 6.35am, say, the doors were open and it was available and up and ready to go?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park) : That is right, yes.

Andrew Boff (AM): Is that how London Elects sees it?

John Bennett (Greater London Returning Officer): Members may have had comments direct from constituency returning officers who were actually based there. From London Elects staff who were present onsite I think we understood there were two issues. One was an issue which was fairly easily overcome which was staffing of the cloakroom because the staff were delayed in arriving.

But the other point about staff actually getting access into the main count venue part was the timing of the fire officer’s briefing. There is a lack of corporate memory as to exactly what time that was scheduled for but I gather that staff were not actually allowed into the hall until they had had that briefing, rather than a cascade briefing which is what we had previously understood.

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park) There are two separate issues there. One was the manning of the cloakroom. We got let down by the people that we subcontracted that to. One person did not arrive until about 7.00am. Obviously, the main point of having a cloakroom was for people doing the count to be able to go there and put their items in before going and doing the count. I took the decision to open the cloakroom by pulling some of our floating security staff into that. They and I opened up the cloakroom and I then left them to do that.

That was delayed because of the need to do the fire briefing before allowing people to go into the Great Hall where the count was taking place. I was under the guidance of the fire officer who was there onsite and who made it clear to me that before allowing everyone into their individual constituencies, the head of each constituency needed to be properly fire briefed so that they could then relay that information on to the rest of the people in their counting staff.

Len Duvall (Chair): This was a fire officer, was it?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park): Yes, I think the agreement ahead of the --

Len Duvall (Chair): Was the fire officer a fire brigade officer? Sorry, I just want to get the terminology. Of course, it is not about blame. We are just wondering about whose responsibilities are whose. So the fire officer is who, in these circumstances?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park): To enable us to operate events, it is part of our licensing to contract fire officers who are part of the London Fire Brigade.

Len Duvall (Chair): Fine, OK.

John Bennett (Greater London Returning Officer): I think our understanding had been that the staff would be allowed into the hall and then briefed in the hall at 7.30am. In the event, the fire officer said, no, they had to be briefed before they entered the hall. I think that was the point, was it not?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park): Yes, that is the point.

Andrew Boff AM: I see. So we have identified the misunderstanding.

John Bennett (Greater London Returning Officer): Yes.

Len Duvall (Chair): Just for clarity, then, your responsibilities were opening up the doors, providing security. Of course, there was the outage and those issues. The cloakroom: you sorted that. There were no other issues. The issues of the organisation and we have had evidence of the setup and all the rest of it is down to London Elects and not down to Ally Pally?

John Bennett (Greater London Returning Officer): The days before the count, if we are talking about the Wednesday and Thursday and organising that, yes. That is something we can answer to.

Len Duvall (Chair): I am talking about this from one of the chief execs, "Arrangements for the count at our venue were somewhat haphazard. It did not appear to have been there was sufficient grip on what was required in terms of what was going-on on the day or at the beginning of the day". Other people wrote that the arrangements at the start of the count were "particularly chaotic with no proper reception arrangements resulting in long queues, no briefing from IntElect around that, but it could apply to others".

John Bennett (Greater London Returning Officer): Clearly, on the admission side of things, I am happy to speak to that. On this occasion, we thought it a good idea to try centralising the accreditation and admissions arrangements for all staff, media, candidates, agents and so on. In all honesty, I do not think it worked very well and it is not something that

we would not repeat. We would put it back to the constituency returning officers to deal with locally.

Len Duvall (Chair): OK. I just want to be clear about the questions we are asking of Ally Pally, asking of you and asking of IntElect. OK.

Andrew Boff (AM): We are on the final straight on Ally Pally. There was a problem that affected the Brent and Harrow count between 9.00pm and 10.00pm. How was it discovered and dealt with.

Sonya Anderson (Head of Elections, IntElect): A problem that affected Brent & Harrow between 9.00pm and 10.00pm? Can you be a bit clearer about the problem?

Andrew Boff (AM): There were problems in completing the count but it was not clear at the time why and it gave rise to rumours going around that two ballot boxes had been lost, as I heard, in this building. I was not there. I was in here. The news reports I was getting was that two ballot boxes had been lost and of course everybody threw up their hands and said, "Bloody hell. It is the Olympics and we cannot even do this". You know, that is the kind of response that we got. I since understand that it was not the case but could you tell me how that problem came to pass.

Gary Brighton (Director of Operations, IntElect): It might be worth pointing out, Chair, at this point that that is not a venue-related question and if you want to complete the venue part of this, we are very happy to answer it afterwards but it is your choice. I am happy to answer it now or later.

Andrew Boff (AM): If you are saying that it was nothing to do with the venue, then, yes, absolutely. I just wanted to make sure because it was there at that count venue.

Sonya Anderson (Head of Elections, IntElect): We can certainly address that.

Andrew Boff (AM): But it was not venue-related. It was nothing to do with the venue.

Sonya Anderson (Head of Elections, IntElect): No.

Len Duvall (Chair): Yes, it is not to do with the venue.

I think this question we probably need to be asked later. We have covered that. So, one other question, on the submissions around certain areas of Ally Pally work which were open to flooding or to that storage problems. Is that a red herring? I am just relying on the submissions we have had. Is that not another problem to do with Ally Pally or is it?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): There was an issue with a minor spillage of water but it was not flooding. I think it was less than is in that jug. We were clearing a blocked gutter in one corner into some buckets. It sounds a bit "Heath Robinson", but we have to do that from time to time in case we had a deluge and it overflowed. I think

there was a spillage from that height which dripped onto the floor. I honestly do not think it was anything more than that.

Sonya Anderson (Head of Elections, IntElect): I probably have to refute that a little bit. I think on arrival at the site on the day of setup there were some large pools of water on the floor of the Great Hall, and we have some photographs of them, a number of metres in diameter.

These are the setup days, so certainly on our arrival at the site to commence setting up and connecting the electronic systems, there was some diversion of managerial resources in understanding why there were some large pools of water on the floor, whether there would be recurrence once they had been cleared up because it took some time to clear them and the risk, obviously, to the systems onsite if that water was to penetrate again. There were quite large pools of water.

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park): Sure. I would agree with you and I did liaise with Simon onsite. But as to the source of where this water came from, I think there is a misunderstanding of how this came to be. Basically, we contract Outback Riggers. It is slightly archaic but there are certain areas in our roof which do leak from time to time. As a measure, we do have buckets in case at strategic points around the venue. We know from past experience that it needs at least three days of constant torrential rain for this to present the problem of overflowing--

Duncan Wilson (Chief Executive, Alexandra Palace and Park): Which of course is very unlikely?

Tom Hopkins (Senior Events Manager, Alexandra Palace and Park): But as a measure to prevent that having an impact, we got Outback Riggers in the day before you came in. In fact, the morning before you started setting up your equipment, they unloaded all the buckets. Unfortunately, on a couple of occasions they were careless with doing that, which resulted in puddles on the floor. There were some residual drips from the draping. I know that you guys had a gazebo over your equipment. Speaking to Simon [Head, DRS, Director, IntElect] about that onsite, I did not feel there was a need to do that, but it was the main bit of kit powering the whole event so there was no harm in actually having an extra failsafe, if you like. It was not really necessarily to do that but I think .--

Duncan Wilson (Chief Executive, Alexandra Palace and Park): I suppose just to summarise that, they were both spillages, both the incident I referred to and the one Tom was referring to. I understand your concern at the time, but they were not water leaks descending from the roof.

Len Duvall (Chair): One of the issues is that in 2016, we have to discuss venues and all the rest of it. So, tell me the lessons learned on venue-related issues in terms of responsibilities and what would you do differently if you were in a position to be holding the count again in there? What changes have you made into your organisation and what would you handle differently if you could?

Duncan Wilson (Chief Executive, Alexandra Palace and Park): We clearly need to make sure that everybody involved on the day is present at least one if not more event pre-briefings because I think the problem with contractor access was that there was a security person who had not been at the briefing even though his manager had and the message had not cascaded, so we need to make the system more fool-proof and we have taken steps to do that. We need to have more kind of real-time information about any contractors that are onsite direct to us, the venue management, not necessarily to just our facilities subcontractor.

On the rest of it, we perhaps need to over-cater for staff in the cloakroom, for example, so that if one does not turn up, we are not subject to late opening or only a few minutes. We need to be more flexible and perhaps have a little bit more resource onsite to deal with issues such as that and make sure there is better real-time communication. Given the scale of the event and that it was the first time it had happened on that scale, I suppose, with the exception of the power-down which must not ever be repeated, I would say that we responded reasonably effectively to the issues that were raised with us at the time. It would have been surprising if there had not been any.

I think it is also fair to say in the report that it refers to “conducting an electronic count in a venue with an interruptible power supply” as if Alexandra Palace is special in that respect. Any venue has an interruptible power supply because, living in North London as I do, I know that power cuts are not infrequent. The question is about whether we can tighten up procedures sufficiently to satisfy you internally but also between us whether we can agree a better backup system that avoids this risk in relation to an interrupted power supply.

John Bennett (Greater London Returning Officer): Chair, just to say that obviously there were some unique challenges on the day at Alexandra Palace and maybe if there was some investment in the property, so there is a waterproof roof and so forth that would be very helpful. However, in many respects Alexandra Palace are very good people to deal with because they are a single house, a one-stop shop, if you like. Whether it is catering, security and so forth and so on, everything is organised through the management company, whereas for Excel and Olympia one has to go through a tendering process for every single service or facility that one is looking for. In many respects, they have been very good to deal with, but we do need that reassurance and comfort that for the future we have a way forward in which we can have great confidence.

Len Duvall (Chair): Generally, I suppose, just in relation to venues, we hear that you had contingency plans. The boroughs in their submissions to us say that actually you should have contingency plans, so it never quite got across to them that they felt they were there. I think the wording was that they wanted “better project management and contingency planning”.

So, in relation to the venues, I think we have heard from Ally Pally in terms of what they are saying about their response. Let us start with you because you certainly had a contingency plan with a gazebo that you had in your back pocket or other interesting issues of that. What do you say to that in terms of the boroughs around the venues issues? What would you say about contingency planning and project management? Do you think you had it about right? Was there a bit more in terms of lessons learned around venues? What would you say?

Sonya Anderson (Head of Elections, IntElect): We cannot really comment too much on venues because we are not involved in the selection of the venues. They are selected by London Elects and certainly at the time of London Elects going out to tender in 2010, the decision had been already made to use those three venues.

Of course, there is then lots of discussion about how we are going to set up and configure those venues and much as with a manual count, for an electronic count the requirements for a count venue, many of them, are very similar. Obviously we are probably more concerned with the differentials between an e-count, i.e. installing a large IT infrastructure, probably far more than maybe accommodating candidates, media and agents and those sorts of things whilst we know that the Greater London Returning Officer. (GLRO) has to consider all those things. I think it is probably fair to say that maybe a site such as Excel which by its nature is just a much newer site is probably a little more easily set up for a large IT infrastructure.

Again, I think we have worked very well with London Elects to talk through some of the challenges that we had on the three different venues and certainly we felt that contingency on power with the generator onsite was sufficient. Again, I would agree that really the lesson learned was how we try to make some of the communication a bit more immediate so that all parties are informed about what is happening.

John Bennett (Greater London Returning Officer): We worked very closely on risk registers, project plans and so forth with IntElect. We acted effectively as an intermediary between the constituency returning officers and the Electoral Commission who for the performance standards for returning officers required the submission of various documents from the boroughs on a sequential basis, as indeed from us as well. They went into the Commission. The Commission when they reviewed them if they had any concerns would feed that back to us and we would then deal with the boroughs direct.

We also received those and certainly there are two things there. One is that we went back to boroughs if there were any issues, development needed, greater detail, things of that sort. What we did not give was the positive feedback, the stroking, if you like, to confirm that everything was fine. It was by exception and maybe a learning point for the future is that we would be giving positive feedback as we went.

The business continuity plans we tried, bearing in mind that London Elects is operating at a strategic level, we tried to keep everything at a high level to make sure that we captured the nuances of difference which each constituency returning officer (CRO) brought to the process. So this was the last version that we circulated in the middle of April to the boroughs by way of our London Elects business continuity plans and, yes, they may have looked at that and seen under "backup resources" the emergency transportation of ballot papers from count centres on count day and thought that that was all there was to it. In point of fact, as I say, we knew which companies we would go to for lorries, coaches, etc. We knew that. It was not all explicit in the document they received. If we need to do more by way of communication with boroughs to comfort them that we have those plans in place and we have the processes that we need, then clearly that is something that we will take on.

It may come up later but the resourcing of London Elects is all credit to Keith [Hathaway, London Elects] and the other colleagues that we did survive with one person short because the permanent senior elections officer post which was agreed for appointment back at the end of 2010, although we went through three recruitment exercises, we never managed to fill. So other people had to cover larger areas of work. Borough liaison was one of those and this is the sort of example of something which suffered as a result, I am afraid.

Len Duvall (Chair): On your risk register or risks here, it seems to me on all the venues that really your main risk would have been, given what we have heard around the importance of the infrastructure for e-counting, Olympia. Is that not the case? Weren't we, even though it was a manageable risk, riding by the seat of our pants that nothing went wrong at Olympia because there was no backup generator?

John Bennett (Greater London Returning Officer): Correct. Olympia was used in 2004 by two constituencies, in 2008 by five constituencies and just by four this time. There has not so far, thankfully, been a power cut. Clearly, we knew it was an exposure to risk which would be, in terms of the very tight budget on which we operate, a relatively expensive item to mitigate. So we decided not to.

Len Duvall (Chair): I think at this stage, Mr Wilson and your colleague, you can leave us or you can watch our deliberations further as we go into issues around the count process and other items. Thank you very much. OK. Let us turn our attention to the count process, then.

Andrew Boff (AM): It is kind of the tail end of that one. Back to that question about the Brent and Harrow count, the problems between 9.00pm and 10.00pm and the two "lost" ballot boxes ...

Sonya Anderson (Head of Elections, IntElect): "Misplaced", I think, is probably a more ...

Andrew Boff (AM): ... or virtually misplaced ballot boxes. Can we find out from you now what happened with regard to those?

Sonya Anderson (Head of Elections, IntElect): I would like to just put a bit of context, if I may, back really to the start of the day and we have obviously discussed at great length the power cut. Probably our starting position if we could have really all the constituencies in Alexandra Palace commencing their count, let us say for argument's sake around about 11.00am, so working on the basis that we were all aiming for a ten-hour count, probably, if everyone worked on the basis of commencing at that point, all the Alexandra Palace constituencies were up and running by that point. Brent and Harrow had commenced with their registration just before 11.00am at 10.59am.

In Brent and Harrow, as I am sure you will have picked up from the feedback, their constituency returning officer and others did experience a number of administrative challenges through their count, the first being the number of manual entries that they had to perform, which was exceedingly higher than any of the other constituencies in London. They had to manually enter

around 7,500 ballot papers compared to the average across London of around 650. As a result, that I think fairly diverted an awful lot of their managerial resources and time --

Andrew Boff (AM): Do we know why there were a large number of manual entries?

Sonya Anderson (Head of Elections, IntElect): A large number of the postal ballot papers were damaged during the opening of postal votes which either resulted in the ballot paper being cut in half or a portion of the ballot paper being removed from the top or bottom or top and bottom of the ballot paper. When the ballot papers went through the scanner, they failed the security and authentication checks.

Andrew Boff (AM): From which borough, do we know?

Sonya Anderson (Head of Elections, IntElect): Brent. As a result of that, I think a lot of the managerial resources were diverted to dealing with and managing that particular challenge. Brent and Harrow then, through the natural course of their count, placed a fairly large amount of their batches on hold.

That is part of the procedure of all of the counts. Once the batch is returned from the scanning process, if they fail to verify, i.e. the number of ballot papers scanned does not match what is on the ballot paper count, the batch is placed on hold and an investigation ensues as to why that could be. Brent and Harrow placed quite a large amount of their batches on hold. Through training and guidance and the process we had been through, the advice had been that when batches were placed on hold they would be dealt with immediately and so having a dedicated management team dealing with batches on hold. In Brent and Harrow, I think it is probably fair to say that they stayed on hold for considerably longer, which unfortunately meant that a lot of those on-hold batches bottlenecked at the end of the count process.

When we started to then work through with them, we had been advising them through the count that they needed to deal with the batches on hold. When they then started to look at the batches on hold, it was identified that two of the batches that had been placed on hold were not on the on-hold racking where they should be, so, it was then a case of locating where they were in the count. Those had been misplaced into the storage area. Brent and Harrow had made the unique decision to begin the repackaging of their ballot papers before the conclusion of their count, so I think that added maybe to some of the time in trying to identify where these batches are and returning them to the correct location in the count so that they could be dealt with. So, the system had identified which batches they were and there was a process ...

Andrew Boff (AM): When you say "repackage the ballot papers", could you tell me what that means? What do you mean by "repackage"?

Sonya Anderson (Head of Elections, IntElect): When the ballot boxes are opened, they were opened, taken out of the ballot boxes and put into a labelled ballot paper tray. That then transits through the workflow process and gets to racking at the end labelled "storage". The training and guidance given was to put those into storage in a methodical order until the point when the count was concluded and the results were announced, at which point borough staff

would then take those ballot papers, would return them to the original ballot boxes and using an alternative-coloured seal would reseal the boxes ready for them to go into permanent storage.

So the lost boxes were not lost; they were misplaced. It happens. In all of the counts in London, we are dealing with a very large number of batches, 600 or 700 individual batches to move through a correct procedure. Boxes are misplaced and the system is able to help with the identification of that. If the system says there are six boxes on hold, you would expect six boxes or six trays to be on the on-hold racking. If they are not there, then we can advise the returning officers of that so they can begin their investigations of locating them within the count area.

Generally speaking, that happens through discussions with other constituency returning officers and that happened elsewhere. But I think that that issue in isolation has a very minimal impact, then, on the CROs delivering their counts in the time expectations. I think Brent and Harrow had a sequence of issues, exceptionally high numbers of manual entries, large numbers of batches placed on hold and then, when discovering boxes had been misplaced, it was very late in their count procedure in identifying those so it had a far greater impact than it would have on any others, I think.

Gary Brighton (Director of Operations, IntElect): It was further complicated by the fact that both of the boxes that had been misplaced were postal ballots that contained a large amount of these manual entries. So, normally at the end of a count there is a process of simply reconciling and if there is a box or two that has missed a step, it is recovered. It goes through its final step and then all the numbers reconcile and everything is complete, so it is a short period of 20-25 minutes to just reconcile the final numbers. The problem here was that the boxes when they were discovered had hundreds of manual entry ballots, which is a time-consuming process, so it was a double whammy in that regard.

Simon Hearn (Director, IntElect): It should also be said, that when they had been packaged away in the ballot boxes, the manual entries that would have been identified through the scanning process had been taken out of the red wallet that they are stored in as exceptions and just put into the batch, so, we could not just get the batch and say, "These are the ones that need to be manually entered". We had to reset the batch and rescan it to determine about 800 of one batch and 700 of another batch which needed to go through this manual entry process, so we had to go right back to the beginning. If we were just finding that batch that had been put on hold and it had been in the box, we would have expected to go, "There it is and here is the one that needs to be dealt with manually", but we had to go right back to the beginning of the process to rescan it, which is the process you saw at the end and is why we had to go back to the beginning.

Andrew Boff (AM): OK, so we have two. One is not really error; it is just a fact of life. But the next seems to be an error. One is that you have a high number of ballot papers which had to be put in for manual entry. That is going to happen. It is just a disproportionate amount of time and there is something in wrong in the way that, presumably, the envelopes work. I have seen that myself in previous elections when they have opened the postal vote envelope in the wrong way. So that is that.

But secondly, there is an absolute error here whereby it sounds like those boxes were not put in the storage area. This is a crash course for me on your processes. Sorry. They were not put in the racks. They were put in the storage area and the storage area is meant for completed batches.

Sonya Anderson (Head of Elections, IntElect): Yes, they were put in the storage area meant for completed batches that have nothing outstanding.

Andrew Boff (AM): How did that happen?

Gary Brighton (Director of Operations, IntElect): The recommendation in the training was to leave the ballots in their trays in the state that they had been in at the end of scanning or at the end of manual entry. So, if they had been left in that form, then the red wallet containing the manual entries would have been sitting on top of the ballots and therefore would have been immediately apparent. We could have just taken those and moved to the manual entry stage and processed them. Because they had taken the unique decision to decant all of their cardboard boxes back into the original ballot boxes at a much earlier stage of the count, when all of the other constituencies waited until the results had been announced before their teams went through this process, it meant that, as Simon [Head] said earlier, you could not tell which were the ballots that originally had been segregated for manual entry and which ones had been successfully scanned, so the process had to start right back at the beginning for those batches.

Len Duvall (Chair): Can I just be clear about what happened between 9.00pm and 10.00pm? It starts off with one of your staff deleting a box.

Sonya Anderson (Head of Elections, IntElect): No.

Len Duvall (Chair): So it is not a technical issue.

Gary Brighton (Director of Operations, IntElect): If I could be just clear on that point...

Len Duvall (Chair): No one deleted any information off the system...

Gary Brighton (Director of Operations, IntElect): Mr Chair, if I could be clear on this point ...

Andrew Boff (AM): If I can understand it, then you have explained it well. You are saying that because those boxes on hold had not been dealt with as they occurred, you had a build-up of boxes on hold and therefore you could not see until about 9.00pm or 10.00pm the fact that there were two missing. Is that right?

Gary Brighton (Director of Operations, IntElect): That is correct.

Sonya Anderson (Head of Elections, IntElect): Exactly, yes.

Andrew Boff (AM): That is as I understand it. If, however, they had been dealt with in a timely fashion, that error would have been exposed earlier. Is that correct?

Sonya Anderson (Head of Elections, IntElect): Yes. The error would have been exposed earlier and, much as you would not want it to happen, it is an error that sometimes happens but the impact is very minimal because you are able to work with the CROs to say, "The system is reporting these two batches require action still. They are not on the rack. Where are they? They have made their way into storage but they have retained their batch integrity. Let us get them back and put them on the on-hold rack so we can deal with that as quickly as possible".

Andrew Boff (AM): So the responsibility now for that bit is what we need to establish. Who is responsible for putting those batches into storage or on the rack?

John Bennett (Greater London Returning Officer): But, as we said, this is not an unprecedented situation. It happens every election, unfortunately, even if we use acceptance testing.

Andrew Boff (AM): Well I personally have never made a mistake in my life.

John Bennett (Greater London Returning Officer): There are two issues, if I can finish off. The usual exceptions testing in the boroughs is the sort of thing that we were talking about with our borough colleagues: "How do we stop this happening?" They said, "Maybe have an extra member of staff guarding the storage racks so they make sure that only boxes which should be there are there and so forth", and we came back with a procedure. The system will identify any that are outstanding that have gone to storage that should not have as a means of tracking and so forth.

Sonya Anderson (Head of Elections, IntElect): There was a tick-box on the control sheet, John, you will recall to identify that it was ready to go to storage.

John Bennett (Greater London Returning Officer): Yes. Of the batches, we are talking about something like 0.1% that needed manual entry. It is just that when you get some batches and you are actually finding them - and there is another story to that - but when we were eventually finding that it was not 0.1% that needed manual entry but it was 75% or something that needed manual entry or more and that is what caused the delay. It happened to be at the end of the evening. Because of the lack of separation of those that needed manual entry and those that did not, that is why some batches had to be reregistered. This is why people talked last week about seeing 100% registered go back down to 98%. They had to be deregistered, as it were, registered and scanned over again so that the accurate results could be ascertained.

Len Duvall (Chair): Take us through, then, that period in the hour which has been described to us as phone calls and discussions with various people over an hour-long period. It was during that time that someone took a decision to start packing away the ballot papers. Is that not true?

John Bennett (Greater London Returning Officer): They were packing away as they went during the course of the day. That interlude - and Gary [Brighton], perhaps, can expand further on this - was clearly to identify and to go through a procedure that we had set up post-user acceptance testing (UAT) to be able to identify easily any batches that did go to storage prematurely. We needed to be able to see exactly which batch reference it was on the system. Again, uniquely, the labelling or coding of the batches had taken more than the characters that were visible on screen. I think this was it. So a patch had to be installed to enable the full description to be viewable on screen so that one could identify which batches they were looking for in storage.

Gary Brighton (Director of Operations, IntElect): That is correct. The naming convention that had been adopted by Brent and Harrow was different to the naming convention that had been recommended and was used by other boroughs and resulted in a much longer name. The unique characters of that name were truncated and the system needed to identify exactly which box it was.

Andrew Boff AM: You had to patch the system while it was running?

Gary Brighton (Director of Operations, IntElect): It was a very minor patch that we had in place and it was implemented within a very short period of time. I note comments about discussions and activities that were going on between 9.00pm and 10.00pm, but up to that point, just to put it in context, at 6.30pm in the evening there were still 39 batches or almost 10% of all the batches in the count on hold, so there was a very large number of boxes that had spread off the shelf and onto the floor, so it was quite difficult to get a view of exactly what was there and compare it back against where the system was. Over a period of time up until 9.00pm, there was a concerted effort at that point to clear those down. Only when they had finally run out and there were a number of boxes that were moving around as a result of dealing with the on-holds did it become clear that there were now no more boxes that were on hold or being actioned and yet the system still reported two missing batches. That was what led us to about 9.00pm.

From 9.00pm to 10.00pm, we had identified that the batches were misplaced. We then identified that the non-standard naming convention meant we could not identify exactly which those boxes were. We called down a patch from the central site and went through the authorisation process with the GLA to allow that patch to be implemented and there was a standard communication process to do that. Once we had applied that patch and identified the exact boxes that were misplaced, those were then located within the storage area. We then identified the fact that they were in their ballot boxes and also that they contained a high number of manual entries that were going to be required.

We then identified an acceptable workaround process for those ballots because if we had dealt with them in the normal process, i.e. a single batch would have its manual entries dealt with at a single polling centre (PC), there would have been a much longer wait for a final result. So, we made a number of suggestions about possible workarounds to Brent and Harrow. They agreed on one of our solutions, which was to split the batches into ten different sets, which I think probably was why there was such a difference in the numbers of batches that had been seen to

be closed. We used some spare batches that were not used and had been closed and then reopened them to allow us to use those batches to spread the ballots out so that we could get ten concurrent PCs working on the manual entering instead of only having two, which would have greatly slowed the result. We then set up those batches, reregistered them and set up ten work stations.

All of that was conducted within that period between 9.00pm and 10.00pm. That, for me, is a very well-organised, regimented response to the issues that we saw. It was not people standing around not sure what to do. It demonstrated the experience and the knowledge and the flexibility of that staff that were dealing with the issues.

Len Duvall (Chair): If we could we go back, then, to a stage before that action was taken to rectify the situation, what was going on during the day to build up to that issue? Why was this count so uniquely different in decisions than other counts that were going on in the same building and in other locations? I do not quite understand that.

John Bennett (Greater London Returning Officer): If I can start on that one certainly. First of all, all praise to the constituencies because they recovered from the power outage and, although all delayed, three of them finished well within the targeted 10-hour duration for the counts. Brent and Harrow were the last ones to get running. 11.35 am, I have it, is the time at which all the scanners were running. Some were running before that, but they were fully functioning. 08.45 was the original target for all constituencies to have all scanners running. They only hit that at 11.35am, albeit they started coming up earlier than that.

Most of the issues they faced were the result of things that had happened before the count; indeed before polling day in terms of the opening of postal votes. They had responsibly reported, in advance, that there would be something of the order of 1,800 that had been cut in half. Maybe they did not notice or whatever, but what they did not report was that 6,000 more or so had had tops and/or bottoms of the ballot papers sliced as well. Now, maybe they thought they would go through without problems because they were issued in two pieces. The fact is that we had set the security on the system up very high so that an A4 sheet needed to be recognised and if anything came through which was less than an A4 sheet ...

Andrew Boff (AM): Excuse me. I just have to clear this one up. We have all these ballot papers in multiple parts. Do you remember that filling station promotion they used to run? It was called Match Money. You know, you had to get two sides of the same note and then you won the amount. So they had to match those up. Was there any explanation as to why they were torn in half?

John Bennett (Greater London Returning Officer): As we understand it, they were sliced by the envelope opener. When colleagues and I went up to meet Gareth Daniel (Chief Executive, London Borough of Brent) and his team --

Len Duvall (Chair): Sorry. There are two issues here. One is about the postal votes and the perforated ...

John Bennett (Greater London Returning Officer): This had nothing to do with the ...

Len Duvall (Chair): So, this was the way that they have opened up envelopes in that place.

John Bennett (Greater London Returning Officer): Yes.

Len Duvall (Chair): Did we have any problems with that with other boroughs?

John Bennett (Greater London Returning Officer): Yes, there were ...

Len Duvall (Chair): There were?

John Bennett (Greater London Returning Officer): Central had --.

Sonya Anderson (Head of Elections, IntElect): We believe West Central maybe had. We do not know.

Gary Brighton (Director of Operations, IntElect): West Central had 1,210 ballots that required manual entry, but that does not necessarily mean that they were all damaged during opening. There may have been other reasons why they may have needed ...

Simon Hearn (DRS, Director, IntElect) I think we just need to be clear that we believe about 1,800 had been sliced in half and about the remaining 6,000, which is what John was detailing there, had had the bottom sliced off. If you imagine if you are opening an envelope with a machine, you can either open that way and it takes that bit off and it cuts it in half or the ballot paper is that way and it takes that bit off and it takes a bit off the top and the bottom. Just to again clarify, a lot of the time when it was taking that off it was not taking it off in a nice neat 2 mm, 3 mm, straight across, 4 mm. Some of them were jagged. Some of them of them were sloped. So when they are going through the scanner, the scanner just says, "I don't really know what this is", and it rejects it.

John Bennett (Greater London Returning Officer): What we do know from meeting with Gareth Daniel (Chief Executive, London Borough of Brent) and his team is that the ballot papers - three ballot papers in the envelope - were very tight in the envelope and maybe that was the problem. Electoral Reform Society (ERS) in particular have experience of many postal ballots and maybe what we put in place for a future time is slightly more generous envelopes so that they can be knocked down before they are put through the slicer and ...

Len Duvall (Chair): I have a recommendation to test the opener.

John Bennett (Greater London Returning Officer): Having reported 1,800 sliced an hour, most of which have been sellotaped together again to be fair but still needed manual entry, that is what the system on the count day was geared up for, to deal with 1,800. When it proved to be closer to 8,000 then obviously it was a much longer job, especially as some of those only became apparent towards the end of the day.

Andrew Boff (AM): This is a very long question 1, is it not? I am trying to see where the problem was here. People make mistakes. That is accepted. It always happens at elections. There are always mistakes. They do not tend to have the impact that this one did. So the problem was not so much that we had problems with the sliced up ballot papers and not so much that it was placed in the wrong area. I see you are saying the problem was attention to those manual entry ballots throughout the day and it sounded like they were leaving them too late to deal with. Is that what you are saying?

Sonya Anderson (Head of Elections, IntElect): I think where you do not experience, maybe, such the issue with a large number of manual entries and those challenges is when you look at the processes and the efficiencies of the very fast constituencies, like Merton and Wandsworth who delivered their count in under seven hours, they were managing their counts very concurrently. They had a management team dealing with on-hold batches, a management team dealing with storage and a management team dealing with manual entries and so everything happening concurrently and everything moving along in line and keeping up with the technology.

I think that, as a result of issues that Brent and Harrow faced and the amount of time it took up for their management team, it probably meant that they operated slightly more serial. So, it meant that, yes, there was a bottleneck in resolving manual entries and some of these issues towards the end of the count.

Andrew Boff (AM): So, actually we could take this back that one of the plausible explanations is still the power cut, even for that?

Sonya Anderson (Head of Elections, IntElect): I hate to admit it. I think it is a bit of a perfect storm. They started late. If we say an 11.00am start, we know that all of the counts, as John [Bennett] mentioned, worked exceptionally hard. There was a human factor. With the loss of power there is a slowing down, I think, of the staff. Actually, I think those counts that you saw starting at the other sites, they came in. They were very geed up, they start very, very efficiently and very quickly and I think there is an element to Alexandra Palace where you needed to sort of re-motivate the count teams to get them going. I think then you layer on at Brent and Harrow the manual entry issue, the bottlenecking of the on-hold batches and the misplacing of some of their batches into storage, the decision to start repacking the ballot papers into ballot boxes earlier than anyone else, I think a combination of that all resulted in their delay.

Gary Brighton (Director of Operations, IntElect): The perfect storm round really, from start to finish; from the power cut that happened, where they were the last to be restored, which was pure coincidence and it turned out they had the biggest mountain to climb because of the manual entries. Their start was then further delayed because of the trip switches on the network, which added a further 30 minutes to their start time. Whereas the other three sites in Alexandra Palace managed to start around about 10.00am, they started about 11.00am. So, that added an extra hour in there. You then have the damaged postal ballots, combined with the naming conventions, combined with their decision to repack during the court--

Len Duvall (Chair): The two scanning machines that had to have particular attention, is that a myth? Is that not true, compared to other counts?

Sonya Anderson (Head of Elections, IntElect): There would definitely have been a scanner on that site at some point that required maintenance. I feel there would be no doubt.

Len Duvall (Chair): What about two?

Sonya Anderson (Head of Elections, IntElect): Basically, all of the scanning across London exceeded expectations. I mean you are looking, obviously, at all areas of the count technology and looking for single points of failure and contingency. There are three main things that you apply to the scanning technology. Every site had what we call an operational spare. It means that you could lose one scanner in its entirety and still complete the count in the expected time, but it is better to have it on a desk working rather than sitting in a box not doing anything. All of the venues have venue spare scanners. So, if a scanner is lost you can bring that into a particular constituency and change it over.

Then you apply a conservative and what is a realistic estimate to your throughputs on the scanners. The scanners have a theoretical throughput for around about 9,000 A4 ballot papers per hour, but real evidence of real elections shows that you do not achieve that and that is a whole combination of reasons. It is because there are gaps between finishing one batch and starting the next. Postal ballots take a bit longer to scan because they have marmalade on them and various things.

All of those factors add into the fact that you need to use a more realistic guestimate. So we used an estimate for this project of 3,500 ballots per scanner and that takes into account the fact that you will stop the scanners occasionally, clean them, do some preventative maintenance. There are rubber wheels on the scanners. If we are seeing some wear we will take them off and replace them. So it brings that 9,000 threshold down to a realistic and achievable throughput of 3,500 and across London the scanners achieved a throughput of about 4,074 ballots an hour.

So, we exceeded what we hoped to achieve. That would have been one of the contributing factors to the fact that Merton and Wandsworth delivered their count in under seven hours and Bexley and Bromley in around seven hours rather than ten, because they gained some of that sort of efficiency back.

Andrew Boff (AM): I think that is number 1.

Len Duvall (Chair): All right. We might come back to you more about some of the issues around the monitoring during the day, around the dashboards, what was controlling who and some of those issues. We might follow up on that.

Let us turn to the continuation of the count process in some ways. Look, the borough electoral officers have indicated to us that a wholesale review of the flow of the count process would be a good idea. We have had it suggested in their submissions that some of the processes are too

cumbersome. Do you know what I mean; there are steps in the process that do not need to be there. Would it be good idea? If so, what would be the thinking to go about it and who should conduct it?

John Bennett (Greater London Returning Officer): The contract that we have has a right on the Authority's part to extend the services of IntElect to 2016. That will, of course, be subject to a cost benefit analysis, the available budget and so on, but if it is decided to use e-counting for 2016 then I think a review of the process, in part certainly, though that may have cost implications if we substantial re-engineered it; particularly the actual workflow, the lifting and carrying of boxes or trays of thousands of envelopes and so forth.

One could look again at that and I know there are observers out there who think maybe the boxes can just simply transit between the scanner and the racking and maybe a dispatch control sheet and the manual entry papers that need to be carried around rather than the whole box. Those are certainly things that need to be looked at and we can do so as we have done with borough colleagues on various other issues - postal votes, funding and all sorts of things - in the past. Do so in participation with them again to try to refine and improve that process.

Sonya Anderson (Head of Elections, IntElect): Also, while we await the decision on the recommendations of whether e-counting will be used in 2016, which I think comes around autumn next year, we are very happy to engage in that process and obviously if we can identify opportunities for improvement to the workflow process. One thing I would note is that, even during this project and through the use of acceptance tests, there were a number of suggestions that were made by constituency return officers which maybe felt that it would diminish the transparency of the count process. Maybe it would streamline it but, from an observational point of view, observers would maybe see slightly less. It is balancing all of those factors, of course, and what can be done technically, but we are very happy to engage in that process.

Len Duvall (Chair): When you had to reconfigure about Brent and Harrow and take the decisions, did you have to use other count staff or were they all gone and you just used the existing Brent and Harrow count staff to do that? One of the issues that has been raised with us how feasible is it for staff and equipment from completed counts to go on to other counts? You talked about adding other scanners in if need be and all this. How feasible would it have been to relocate or redirect staff into helping difficult areas?

Sonya Anderson (Head of Elections, IntElect): There is a technical feasibility and a physical feasibility, I think. Technically, yes, you can move PCs and scanners from one constituency area to another. I have to say, from working through the audit process with Actica, they were very, very keen to see very vigilant security delimiting the constituency areas from a system point of view. So, they did not want you to have visibility from one constituency to the next within the network. They wanted them to be very discrete for security reasons.

So that adds some challenges in picking up a scanner and moving it, but there are physical challenges. If you pick up a scanner and move it to another constituency, have you got a table to put it on? Have you got a power socket to plug it into? With regards to movement of our staff, yes, our staff can transit with great ease from one constituency to the other and we have

venue-level support so that we have that cross-constituency contingency. What I cannot talk about and John [Bennett] might be able to comment on is the feasibility of constituencies sharing borough staff and how local authority staff might supplement.

John Bennett (Greater London Returning Officer): Clearly, part of the preparation, the training sessions and briefings and so forth is about sharing best practice. So hopefully, as far as one can see when looking ahead, we do get borough staff to talk to each other to try and overcome any issues and achieve best practice. Having said that, I think once a count has actually started, if one finds themselves to be running somewhat slower than others for whatever purpose, it might be problematic to change the management teams and alter things in terms of the hierarchy at that point. If it is simply more adjudicators or more carriers, that fairly easily fixed and can clearly be done if the CRO were happy to receive them, but I do not think one could necessarily, very easily, alter the management structure at the top end for the CRO and his/her immediate team.

Gary Brighton (Director of Operations, IntElect): : One of the things raised last week was the number of count centres and, while a single count centre has a great deal of appeal, it also has a big risk, clearly, that if there is one site and the power goes down that is a big problem. Nonetheless, one can get some economies of scale by concentrating effort. Certainly concentrating technical resource in, say, might have appeal. There may be a cost advantage as well, I do not know. Again, if you have CROs able to talk to each other and whether a deputy or otherwise to facilitate those discussions if issues are emerging then that could be useful.

Andrew Boff AM: Does it really have those risks on only having one? I mean, if it was one count centre and the power went you do not get a Mayor of London. If just one of three goes down and you cannot get a result you still do not get a Mayor of London.

John Bennett (Greater London Returning Officer) I think the arrangement this time was if, say, Ally Pally had gone down we would have had the data produced by the count centre and, as in 2004, we would have had Sonya [Anderson] in her leathers on the back of a motorbike bringing it across on a hard drive and we would have plugged it in here and calculated the results. That could be done. One site does have a lot of appeal and I do not want to be drawn on that at this point but it certainly will feature as part of our cost benefit analysis, financial and non-financial factors.

Len Duvall (Chair): I just want to go back on the last issue that seems to rankle, a press release issued at 10.30pm on the night by your team, John [Bennett], in terms of that. What was the purpose? I think Brent and Harrow feel that it was more about blame culture or whatever.

John Bennett (Greater London Returning Officer): It is not at all blame. Excuse me, I am just trying to find it now. The first we heard about it here, I am told by any of my team, was from a police officer upstairs who said that he had heard from a colleague from Alexandra Palace that two boxes had been lost and that concerned us somewhat. So, we immediately tried to establish the facts and it was fairly late in the day at that point.

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 centre co-ordinator. I could not get hold of anybody there, although I think IntElect were able to communicate with Simon [Hearn] up there, but what we did establish was what had actually happened. Indeed, I think the update that was issued at 10.30pm that night was factually correct. It said two batches went to storage without some ballot papers being manually entered as required and that was the fact of it.

As I say, to us it was not an unprecedented situation. It was not intended to point a finger at anybody. It was a statement of fact that human beings are human beings and these things happen. It was not the only constituency that had that issue this year and it certainly was not the first year that it had happened. We did not feel that that was anything more than trying to put the record straight. Boxes were not lost. We knew where they were, the general area. It was finding the actual boxes within those storage racks.

Now, how the media reported that, I gather, was somewhere else. The word "lost" then did come into play. I confess I did not speak to many media myself here, but, the agents that I spoke to here, I remember handing this update out to them and making plain that they were not lost. They were simply in store and we were tracking them down so that we could complete the manual entries.

Andrew Boff AM: Was there not a better way to say that? The piece that actually went out in the media was there was a couple of boxes lying on some siding on Kensal Rise or something like that that somebody had forgotten and that is how it ended up. It just did not give a really good impression of the process and I am wondering, much as that is factual, ultimately they do not want facts, the media. They want the story. If the story was, "There is a reconciliation problem within the computer that resulted in 10 million ..." I only understood what you said by that press release because I have been made aware what the process is. I cannot say this live, but some journalists are not the sharpest knives in the box and they will just make a story up with what they have.

John Bennett (Greater London Returning Officer): Yes. Clearly, I did not visit the ninth floor myself but I gather, somehow or another, the media managed to get some alcohol into the building and were imbibing it and may indeed have added two and two and made five. We were trying to allay misplaced rumours that we were hearing from Alexandra Palace. That was our attempt. It clearly did not work hugely successfully. All I can say is that as we handed it out individually we were able to explain.

To me, the one error, if you like, in terms of looking in the rear-view mirror was sending it as widely as we did. It was the standard distribution list but, having sent it to so many people who were not on site here or at Alexandra Palace, that was a mistake for sure. I think the benefit of e-counting and the way we actually mobilised it and delivered it on this occasion was that it provides a huge amount of detail. Every action gets attributed to an individual whose Smart Card was inserted at that time; so every adjudication can be tracked back to an individual at a time at a particular PC. It does ensure that nothing goes missing. That is the guarantee and we built in all the sanity checks, the reality checks and so forth.

If Members read the media at the time about e-counting used elsewhere in the UK on the same day, clearly something did go wrong there and I do not know quite what processes they were following, but to enter a ward's votes as zero was a mistake and the RO had, properly, to go to court to get permission to open up that batch. Nothing like that happened here. We had double-checking to make sure that everything was recorded properly.

Sonya Anderson (Head of Elections, IntElect): Absolutely. The system is pedantic in that every single batch and every single ballot paper has to be resolved before you can produce a result. So the manual stories, which we would all have heard at various times, of declare the result, "Oh, look, I've just found the ballot box under the table", just simply cannot happen in the structure of the system that is there.

Len Duvall (Chair): It does beg the question why a police officer needs to tell you - even though it is an issue that is under control, knows where it is, does happen from time to time - of a significance like that on top of everything else that has gone on in that count. There is a problem with communication here. Whether batteries go down or not, what is the centre told at different times and where are you in the loop of those issues? Communication feature strongly in these elections.

John Bennett (Greater London Returning Officer): Indeed. Despite our best efforts, we have not been able to ascertain who first told the police or media at Alexandra Palace that there was any concern over two batches. Clearly the managers knew. The agents I believe were told at the time what was going on. They were getting updates. Our press people and our deputy and council co-ordinator are adamant that they did not have any communication with the media or the police at Alexandra Palace on this subject, much less use the word "lost". So I am afraid I cannot help as to how that came out in the first place, but, as I say, as soon as we picked up that that was being talked about, this is the way we responded. I think we would do it differently on another occasion.

Andrew Boff (AM): Returning officers and staff generally have been very complimentary about training from London Elects and I think you should be proud of yourself for doing that. It has made a huge contribution. There were, however, some concerns about training. That is why I did that introduction. We have reported back that they felt that some of their suggestions had not made it into the training that they had made on previous occasions. How can you ensure that the feedback from boroughs on the strengths and experience of this year's training is reflected in the development of the training plans for 2016?

Keith Hathaway (London Elects): As we always do after each election, we do have a review of the whole election process with managers. We had that at the end of May and, of course, training featured a lot in that; so all the suggestions from there will go forward for the next type of election. As this is a public forum as well, I would like to pay tribute to our colleagues in the boroughs because what we have done for all elections is get borough representatives be on working groups and we have borough managers on the working groups to develop the training strategy. It is them we need to pay tribute to as well.

I think that is something we must always bear in mind. I think that is something we must always bear in mind. So we will work with them. We will set up work groups again and take these things forward for the future and it is certainly something we would take on board. There are two elements to training, of course. There is the polling station training element as well as the e-counting training element. So, we will work with the e-counting contractor to learn lessons and that is the one around movement of ballot boxes at the count. That will be part of our training strategy to look at for future elections.

Andrew Boff (AM): One returning officer said to us that even though the relationship between themselves and London Elects was excellent - there is nothing to criticise - and the relationship between London Elects and IntElect was excellent, they did not perceive the relationship between them and IntElect being as strong as it could be. Is that a criticism you recognise or have heard before?

Keith Hathaway (London Elects): Not in any strength. As we all know, elections is a wide range of tasks and it all comes to fruition towards the end of the process where we procure certain things for polling stations and IntElect will procure e-counting things. It is at that stage, perhaps, communication may not have been at its best. Again, one of the lessons we have probably been looking at already is thinking how we improve on that. Perhaps we need to have smaller workshops here at City Hall in the period three months before the election, sharing the minute detail of how you do your polling station box naming, those sorts of things.

Andrew Boff (AM): You do need to do that.

Keith Hathaway (London Elects): Yes, but they are to a much more local level. They also get ownership as well.

Len Duvall (Chair): I do want to get clarity because it might feature as part of what we say. In terms of the naming of the batches and the rest of it, is that because it is the constituency returning officer's decision on that or is that your decision on it? We seem to have had consistency somewhere else but we did not have consistency then.

John Bennett (Greater London Returning Officer): You said "guidance", there was guidance about the naming of the batches.

Len Duvall (Chair): There is a choice, is there?

Keith Hathaway (London Elects): Clearly the batch will revolve around the name of polling station. So if you have some areas in "St Peter's School" --

Len Duvall (Chair): I have the gist of it.

John Bennett (Greater London Returning Officer): What we did ask for was a suffix, as I recall, if there was going to be more than one ballot box from a polling place because this for verification purposes, the ups and downs ...

Andrew Boff (AM): I do not understand that. If every single polling station has a code number and the longest code number I have ever seen for a polling station is probably seven characters ...

Len Duvall (Chair): Is it not a case of just making sure that somebody just sticks to one system and there is no discretion on that? Clearly there is not, because everyone else has opted to do it one way and only one has opted to do it the other.

Keith Hathaway (London Elects): Do not forget, the boroughs work on election management systems. We have three different systems and, of course, they use their ballot box numbering process for different types of election. So, at a previous election they might use a very short prefix, whereas for e-counting they want a bit more to identify it. So it is just moving that goalpost.

Len Duvall (Chair): I understand. Thank you for that.

John Bennett (Greater London Returning Officer): Can I just add to it? I think Government departments a few years ago were working towards what was then going to be called CORE, the computerised online register of electors, to produce common EML for all the management system suppliers. I think, as with e-counting, if there is to be a future for e-counting in this country then a national framework would be very valuable and that national framework should tie in with the EMS suppliers so that we have common protocols and common standards for all of these things. It would overcome some of these issues, I am sure.

Andrew Boff (AM): Islington has a really long polling district number and that is only five characters on their polling. It is not as though it is unfamiliar to the returning officer what their own polling district code is. It is just peculiar.

Len Duvall (Chair): Just in terms of the training and liaison so we get a flavour of this and understand this when we come to look at recommendations. When are you put in the room with the people that you are going to be working with on the day so you get to eyeball each other and understand each other needs and how often are you in that room in the run up to the election or do you just come together for the day and --

Sonya Anderson (Head of Elections, IntElect): No.

Len Duvall (Chair): Some may be forgiven to think that.

Sonya Anderson (Head of Elections, IntElect): Yes, possibly. Certainly that is not the case. There are lots of opportunities where see the whites of each other's eyes. London Elects hold a series of briefings and workshops in the lead up to the election event and very often, if we know that e-counting or the count itself is going to be discussed, we are asked to attend those. That can be either constituency returning officers (CROs) or Borough Returning Officers (BROs) or it may just be the administrative team who are in attendance at those. So we tend to be involved in all of those.

I think it is probably fair to say, as Keith [Hathaway] mentioned there, that they are very busy times and lots of the constituencies and boroughs are very keen on working in a particular way. The count, in their mind, comes at the end. So, when they turn their attention to count issues, which are at the forefront of our minds, it tends to be much later in the process than maybe we would like to engage. So maybe trying to engage them slightly earlier in that process would be beneficial, but we understand they have a lot to do.

When we deliver the live count training, which again is tiered - there is training for scanner operators, scanner supervisors and entire count teams and returning officer briefings - we would always make every attempt that the team who would work with a CRO is present at their training event so that they go through training together. Also, obviously trying to make sure that that training is representative and that you create an environment that looks very much like a live count; that you put into the training, realistic experiences of where batches have been misplaced or things can go wrong and how you rectify them. So making sure that the training is as much about the unhappy path as the happy path.

Len Duvall (Chair): Is there any one meeting in that process you have described to me of where you are in the room with your representative for the count and the constituency officer where you are talking about, "Okay, this is the final bit"? Some of those constituency returning officers are chief executives, are they not? So is there anywhere, whether it is one place, where the senior people of those venues come together for 10 or 15 minutes, rather than on the day, to say, "Right, this is where we are"?

I would imagine some of those chief executives use other people to turn up at some of those meetings you are at. If they are going to take crucial decisions on the day that may affect either your operations or our operations, how does that work if you do not know how they are going to operate or they do not understand how they are going to operate because they are relying on someone else, or you are relying on someone else, telling them it is going to operate and they change their mind or, say, have a particular view of how they are going to operate?

Keith Hathaway (London Elects): Can I come back in just quickly on that? We set up a day's training for each constituency where we invite everyone along who is going to be involved who can be. Again, you always have to bear in mind that the numbers in a constituency count can be 80-plus people. You will not get everyone there. That is why you have to have support tools to help them. We invite everyone including the CRO, if they want to come along. As you say, they are very busy people, but this time we did have quite a representative number of CROs come along to that big group training session.

On top of that, we also had separate briefings for CROs at Hercules House. John [Bennett] did an overall briefing of election arrangements, but then that was supported by a walk-through again of the e-counting system; the role that we felt was theirs - that is the dashboard, the monitoring role - for them to have a better understanding. I think, without exception, all CROs signed into that. Sonya took them around and showed them the system again. So, there is that. Then we also had a couple of days in April, which was a sort of drop-in day, for those people who felt a little unsure.

Len Duvall (Chair): What we would like in terms of a note from you is questions asked at that meeting by those CROs and the attendance in terms of percentages of those people. It might well be a joint note in some ways. Everyone has their respective decisions they take on that day. We hope, and you are telling me, that everyone understands what they are doing and how it all works. What I am trying to ascertain in terms of my questioning is, in terms of key people, how often you come together and how far that understanding penetrated down.

Keith Hathaway (London Elects): Of course, notice of election goes up on 20 March this year, so we try and avoid the nominations period, so you start your actual training quite well in advance of early March for the first training session. It does concern us sometimes whether that is too far out from count day, for people to come in on the first session and then not have any more practical training for two months until they go out to the site. Again, from surveys that we conducted internally after the election, they feel that is about right.

Len Duvall (Chair): What I would also like to ask is, and you can put that in a note to us, at that key meeting did you break down to deal with issues about the practical nature of the venues where these people were operating on the day and some of those issues. I think we would just like get feedback about that, because I do almost think the events of the day are about some individual decision-making. We are not here to seek blame but we want to understand how we learn the lessons in the future about that. It has happened. We cannot turn back the clock.

Actually, in the wrap up of things, these are reputational issues that are from all parties involved, to be honest, and how they reflect on us and I think what we want to do is minimise these happening again. If individual decisions contributed to that, then we want to try and work those through. It is not our job to go round beating people up over the head, so I want to reassure people about that, but it is about trying to get back to those issues about when and where people were briefed in terms of some of the issues and their opportunity to raise issues around the venues. Some of our submissions have said there are always problems with Alexandra Palace. If they have not been raised then we would like to see evidence of whether they were raised or not raised. Also, how you interact with each other when you come together on the end process, of the democratic process in many ways.

John Bennett (Greater London Returning Officer): In terms of the sharp-end build-up Keith has described. Working backwards, certainly through last autumn I had meeting with chief executives and the Commission myself about the directions going to be issued to CROs, about the reduction in their fees and things of that sort, but then during those last six months there were meetings on the count sites with the relevant people, IntElect and so forth included, so they could work through and tick off the menu they wanted for breakfast and so forth and so on. They did have the opportunity this time, first time, to actually go through that level of detail.

Len Duvall (Chair): OK. Well, maybe you can provide a note to us around that and some of those issues and I would appreciate if we could try and bring those together in either one note or if you feel you have to do separate notes do so. Sorry, Andrew [Boff]. Have we finished with count training?

Andrew Boff (AM): Yes.

Len Duvall (Chair): I think you have the gist of where we are. Project and contingency management I think we have covered. We all feel we need to do a little bit more. Can I just say, in terms of some of the processes arising from that, you requested from the boroughs their plans. Did we give them any feedback on their plans and did we share your own plans with the boroughs? They say it was too late when you shared it. I am not sure why, but that is one of the submissions. I would just like to get that in my own mind around project management and contingency planning.

John Bennett (Greater London Returning Officer): Yes, Chair. As I say, the project plan that we operate from is a very full project plan, based on a MS project for 430-something lines; some of which cover a multitude of sins, as it were. That is London Elects plan. IntElect and any of these other contractors will have their own project plans, which we here try to ensure mesh and are complementary. We have project plan, we have a risk register and we have a business continuity plan. I have mentioned the business continuity plan earlier on, but that is fairly high level and boroughs may not think it goes into the same level of detail as theirs does and that is absolutely true. They do not.

The Electoral Commission, on the other hand, require ROs to submit a project plan, in particular a template which includes their contingency plan, and a separate risk register. Now, this multiplicity of documents means that we had to be fairly light-footed to try to ensure some symmetry, some complementarity. Our directions, which require business continuity plans, project plans and risk registers, were sent out to CROs at the end of November and the Commission's standards were issued on 20 December. That is where we found that there was some lack of consistency between the two sets.

It was meant to amend this time. It is something we have agreed with the Electoral Commission. Ahead of any future election, we will ensure we have a good run at and make sure we are asking for the same things over the same timescales. Now, that is the starting point. I admitted earlier on, I think, that we could have done more by way of positive feedback to boroughs on their business plans, project plans and so on because they were, in the vast majority, entirely satisfactory. There were very few, two or three occasions I think, where we had to go back to boroughs and say, "Actually, could you strengthen this bit or modify that".

Len Duvall (Chair): Could you supply copies of the relevant documents you have?

John Bennett (Greater London Returning Officer): Our documents?

Andrew Boff (AM): Yes, please. To what extent did London Elects draw on the resources available across the GLA and to what extent can this be developed further for the 2016 elections?

John Bennett (Greater London Returning Officer): We had, traditionally, a very strong working relationship particularly with IT and they were absolutely fantastic and devoted a huge amount of time to the whole project; finance project management, we had support from

resources directed on that; facilities; HR; and indeed, at the very end of the process, the Intelligence Unit came in with a freebie, the Polling Station Finder which was on the website and was very well-used. For the last couple of years obviously legal and procurement services are provided by TfL. Legal has also been entirely satisfactory: timely advice, access to Tim Straker when required and so forth.

Procurement was different, I think. We were not asking for signalling systems or fleets of buses or anything like that, so there was a certain lack of familiarity at the beginning, on their part, I think, of our needs and, on our part, of their processes, because it is far more document-oriented than the arrangements we have had in place for previous elections. So there is learning to be taken on board on both sides for that and, I think, for that purpose we would certainly be proposing that there be a senior procurement manager on the election steering group here so that they could be party to the programme right the way through.

We did lose time, undoubtedly, on procurements as we went along and some of the contracts for the count centres were actually only signed a week or so before the counts themselves. Thankfully we did get there. We did have all the furniture in place, the security, catering and everything else, but that really is not the way it should be and we did encounter some problems along the way. So that will need to get better.

Andrew Boff (AM): Why was it not possible to appoint one of the permanent posts in the team prior to the 2012 election? You alluded to it earlier, but what impact has that had?

John Bennett (Greater London Returning Officer): When it was agreed that we should have a senior elections officer, as well as an elections operations manager, as permanent members of London Elects with myself the only permanent member of London Elects, it was very much envisaged that that person would, with Keith Hathaway, play a key role, particularly in borough liaison. The structure then for the 2012 project was that we were going to or did eventually continue to use the services on a part-time basis, on a fixed-term basis as well, Pat Parker and Pieter Loveday [former London Elects staff], who have been part of the teams in 2004 and 2008. The concept was that they would hand over some of their experience and knowledge and skills to the Senior Election Officers (SEO) by then appointed.

When we advertised - and we advertised three times - we unfortunately did not get the sort of field that we were hoping for. We did not get candidates with the breadth of vision we were looking to fulfil that role, with a view to succession planning as well. Therefore, what we did do through last year, the 2011 calendar year, was increase the hours of the part-timers that we already had on board by that time, but all of them moved up to full-time working anyway in their own right by the autumn of last year. So, this last six months we were effectively operating one full time equivalent (FTE) short and the impact, I think, was clear.

You have heard boroughs, some last week and through written evidence I am sure, that some of the aspects of liaison with the boroughs could have been improved upon. The constant stream of emails rather than having it all consolidated through one person responsible for stakeholder management, for borough liaison, was regrettable. Clearly, that did not help boroughs whose staff are themselves going to be under a lot of pressure as they build up to these very complex

elections. So the nature of the role, indeed the creating of the role because I am sure that had a material part to play in our failure to recruit, are things that we have to revisit.

Very helpfully, we have had a number of borough colleagues who volunteered for secondment for a day or two a week, but that did not really fit the bill. They are wonderful people, but just for them to come in for a day or two each week - bearing in mind that those functions do not go away for the days that they are not here - would not have provided the continuity we needed. It is a very intensive last six months. So we needed somebody here full-time and that we did not have.

Andrew Boff (AM): We know that we will not be having the same staff in 2016. How are we going to guard against that loss of expertise? There are not many elections like this one.

John Bennett (Greater London Returning Officer): I hope there are no other elections like this one, triple elections or triple time. We have to look at what is required. There clearly needs to be, for London Elects, a combination of electoral practitioner expertise, some project management and contract management expertise and some communications expertise. How they are blended together and wedded together and whether permanent or fixed term is something we will need to review over the coming months. Certainly if we do not have a third permanent person in post by the end of this calendar year I think we will certainly have lost something in terms of the Authority's preparation for 2016.

Pieter Loveday will be coming back in December, I think, for six months, primarily to oversee the borough expenses returns; validate those, check them and see if they are due any more money or whether they have been overpaid and so forth. So, he will be around and be able to pass on those particularly unique skills in terms of the financial dimension. I think it was 2004 that role was undertaken through finance by Deloitte's and, to be frank with you, they have no understanding or experience or elections finance. So there is nobody else in the building who knows that and so we need to get somebody in fairly quickly so they can take over that element at least and then learn the issues such as training that we mentioned before and so forth. The rest we can hand over.

Len Duvall (Chair): On rules and directions, I want you to write to the Committee to outline around issues of inconsistency. I think we understand the issues between the Electoral Commission and your advice that you sent out. We will have to talk to my colleague, but in my person view it is commonsense versus standards issues. I understand that, but there are other inconsistencies and approaches that have come up, not just today, it seems to me, in terms of account, but in terms of people behaving on behalf of London Elects during this election. Of course, boroughs do things a certain way but they are contracted no differently, to be honest, than our contractors in some ways. So, can you drop us a line around those inconsistencies as you see them and how we get some commonsense in. I think you heard some of the evidence given to us last week. We will deal with that in a written form.

Just on communications, I think we would like something in writing about communications because there are two forms. I think we have heard some general issues of communications in the run-up via training, communications on the day, communications in general. In terms of

your written response for that, basically let us just give you a little pen picture. It may well be unfair, but I think you need to address those around communications. From the submissions of evidence, we have had issues around make provisions of key documents and information, lack of clarity on some of the processes, unclear and incomplete email communication, lack of regular updates, last-minute changes to insurance rates (admittedly it is a specific issue), and then the relationships with IntElect.

I have to go back over the submission because it is either claiming that your relationship is not stronger with IntElect or there is a lack of communication between yourselves, IntElect and them. You have seen the submissions that we have had before us. They are open and I do not think we need to give you any more guidance, but I think somehow you need to address the communication pitch overall from your perspective in terms of working on this particular issue and from your perspective of dealing with some of those charges or not. I think really explanations are in order around what led to those, if they are correct, or if not, why they are not correct. The reason why I think we need that, communications is probably such a key part of some of the issues and learning lessons. I would like to see how we are going to deal with those.

Let us move on then. Yes, this is a particular issue: provision of supplies to the boroughs. Some borough election teams raised concerns about the timing, quantity and quality of supplies for the boroughs. London Elects yourself report that supplies were sporadic. So what lessons are we going to take from that and what do you think we need to do differently?

John Bennett (Greater London Returning Officer): I am not quite sure which supplies we are talking about here. We had an agreed programme for the supply of ballot papers, for example, and I know in some cases we said that we hoped we would be able to do something that was earlier than scheduled. Some were earlier than scheduled, but some were not. It was within a day or so; there may have been some uncertainty as to whether it was to be the Thursday or the Friday, that sort of thing. I think the issues around the delivery of ballot boxes, seals, et cetera, and all the rest, that was Hammersmith and Fulham. I think those issue were resolved, were they not?

Sonya Anderson (Head of Elections, IntElect): Absolutely. If it is about those sorts of stationery issues, I think we had some issues where the amount of supplies required by each borough was consolidated by London Elect. It was confirmed by London Elect back to the boroughs and I think then, when deliveries took place, some of the boroughs then communicated to say, "Actually, in retrospect, it is not enough. Could we have more?" So then there was maybe some delay in them getting those additional supplies; maybe we had exceeded what was in stock and so we needed to do additional production on some of those supplies. I am not aware of any other issues in that everybody had all the materials they required and a timetable had been agreed and communicated with the boroughs of when those were being delivered.

Len Duvall (Chair): There are various issues raised by a whole host of boroughs: problems with supplies about ballot papers, issues around delays in finalising key contracts, problems with some of the materials provided - I think this refers to the postal votes and I think we have a

recommendation that you are working, but they talk about insufficient quantities - a lack of flexibility, requiring early orders, those issues; quality issues, London electoral resources, which I think are specific around some issues that you may have been providing the boroughs; insufficient flexible allocation of ballot papers to boroughs is a key one from a whole host of boroughs. You may wish to reflect further on that, again, if you want to provide us with any further written evidence around those issues, I think it is quite clear in the submissions that they are pointing to an issue, an overall issue around the conduct of the electoral process and I think we need to address it.

John Bennett (Greater London Returning Officer): I think it is a significant one, Chair. The Commission takes the line that there should be 100 per cent provision of ballot papers for any electoral event, so in the referendum last year on alternative vote (AV), I mean it is 100% ballot paper provision. We stepped up this time from 75% to 80% of the estimated electorate, and so in effect the estimates at electorate were higher than actually happened, so I think they ended up with 83% provision for their electorate. Obviously postal voters, of which there are over 800,000 in London, they all get it, their sets of ballot papers, so they get 100%. It does mean therefore that the provision for those entitled to vote at polling station is around the 78% mark. That is still very much enough, I would suggest, for the vast majority of polling stations, but within the allocation each borough is able to say, "We will put more into one ward and less into another", if that is the way it works out. We could do 100%, It would cost I think something like an extra quarter of million pounds to provide 100% ballot papers, and it would be something over - I think we worked out earlier, 20 tonnes more paper that would be required.

Keith Hathaway (London Elects): Equally, it is the timing issue of course.

Andrew Boff (AM): How can it be a quarter of a million pounds, the contract is only -- how much does it cost to run the election?

John Bennett (Greater London Returning Officer): The contract is about £3.7 million.

Andrew Boff (AM): You pay the ballot paper --

Sonya Anderson (Head of Elections, IntElect): Yes, about £800,000.

Andrew Boff (AM): The increase is not going to be £250,000.

John Bennett (Greater London Returning Officer): 3.6 million ballot papers at the unit price under the contract works to almost a quarter of a million pounds.

Andrew Boff (AM): Sorry, if the price is included in the contract of £3.7 million and there are how many ballot papers printed; you are saying 80%?

John Bennett (Greater London Returning Officer): 14.8 million.

Andrew Boff (AM): You are adding another --

John Bennett (Greater London Returning Officer): 20%. I will confirm the figures from the contract.

Andrew Boff (AM): I do a lot of printing, right, and it is almost as cheap to print 20,000 as it is 15,000, it is the start-off fee that is the cost that is the expensive bit, but to print the additional is not going to be £250,000, it cannot be £250,000.

John Bennett (Greater London Returning Officer): Under the contract is a unit price, so I just took the contract unit price. This was a restricted tender exercise, not a negotiated tender exercise, and we have talked about the price of ballot papers, have we not, in the past.

Andrew Boff (AM): Sorry, it just struck me that --

Len Duvall (Chair): I am not sure whether it is 80% or 100%, it is just the reflections that run through the core of submissions, there is such weight given to some of the problems that were there, I think we would like to see some of those issues back in writing to us. I think there are submissions arising; I think they are coming through. In the nature of the contract, the provision, everyone is looking at the cost of these elections, and it may well be something further that you take onboard.

I think we are interested in terms of the smooth running, the trust and confidence within the people that are working together in delivering these elections, never mind the trust and confidence that arise when things may go wrong.

Andrew Boff AM: We must never, ever, ever have 2010 again when we had those appalling scenes of people not being able to vote. It must never, ever, ever happen again. If I thought the only way to do that was to print the 100%, and then it is worth printing 100%, you cannot put a cost on democracy.

Len Duvall (Chair): OK, shall we move on?

Andrew Boff (AM): Yes. There were troubles with the IntElect web portal, as I understand. What went wrong? Because we have had a number of calls back from boroughs about this, and what are the lessons that you learned from that?

Sonya Anderson (Head of Elections, IntElect): There were some issues. As Keith Hathaway already mentioned, the objective of the web portal was a number of things. It was a method in which the constituency returning officers and London Elects could, with great ease, produce the ballot paper templates and sign off the ballot paper templates, so we can greatly reduce the time it takes to get proofing of the ballot papers to print basically, so that the presses can start very quickly, rather than the sort of old-fashioned method of printing of proofs and marking them over and someone physically looking at them, signing them, and I think for that regard, the production of the ballot paper designs and the proofing process, I think worked very well.

But what we had also attempted to do through the portal was to gather all of the unique data that we need from the boroughs to set up the structure within the e-counting systems, so that is batch names, polling station names, names of staff, numbers of ballot papers, all of these sorts of things. To do that, what we wanted to do was take direct data feeds from the election management system. Keith [Hathaway] mentioned, there are three main systems that are used in London. We began engagement through London Elect with those three suppliers in February 2011, and what we had worked through with them is that, could we agree a standardised data import based predominantly around the election management language (EML) format, which is an eXtensible Markup Language (XML) data format really.

London Elect has led those engagements because there was a possibility that they would need to contract with some of those suppliers if some additional work needed to take place, so they led those communications. I think it is probably fair to say that it took longer for certainly one of those suppliers to engage in those discussions; it was not their priority, I think they had lots and lots of work, there is an awful lot going on with individual registration at the moment, so it probably was not at the top of their list of priorities, so it took a little longer for them to engage. We did get to a position where we had three agreed data import formats.

Once we got to the process of actually receiving the data imports from the boroughs and from the constituency returning officers, it became clear that there were far greater differences in those data formats that we were receiving than had been pre-agreed. Through lessons learned and discussions, we believe that is down to a greater level of customisation at a borough level on their EMS systems than we had realised. I think it is fair to say, with the web portal, we should have worked, I think in reflection, to have done more testing with the election management system providers and taken more sample data prior to the sort of uploading of the data, and I think the problem maybe would have revealed itself then. But we did not, we had taken some samples, they matched the format, we assumed them to be correct across London, and the ones that did match the format uploaded very quickly and automatically.

As a result of that, when we realised the problem, we then set aside additional resources to work with the boroughs to allow them to send the data to us, and if we needed to do any changes to their data format to import it to the portal, that is what we did, which resulted in all the data being collected, all the systems being established, and all the e-counting systems being ready on time. But appreciating that I think it was frustrating for some of the borough returning officers that had hoped to see a very slick and automated process and it needed now some intervention with us to get their data into the e-counting systems.

Andrew Boff (AM): I think, for the record, we should know that is the second time that criticism has come up, of the systems in London, that there is not a standard export, if you like, from their systems, and you have confirmed it, so I like it when that happens.

Sonya Anderson (Head of Elections, IntElect): It goes back to John's [Bennett] point really; I mean right back to the pilot projects that have been taking place. 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.

John Bennett (Greater London Returning Officer): This caused a problem also for Sarah and her comms team in terms of the booklet, because the export from the different systems was not compatible. A lot of work had to be done here to be able to transmit that on to the fulfiller; the ones who actually addressed the booklets, the envelopes, etc, to go out.

Andrew Boff AM: You do not have to tell me that, I think I said, look, all the registers have been astonishing to me, how you managed to get them all together, to be honest, in widely different formats.

Len Duvall (Chair): At this stage, we have some further questions for London Elect. You do not need to be here but you are welcome to stay. If you want to leave, is there anything you wish for us to understand about aspects of your operations in these elections that you feel that you just want to put across to us?

Sonya Anderson (Head of Elections, IntElect): I think the only point really we would like to put on record here in the public forum really is about the successes. I know Keith [Hathaway] mentioned this, about the hard work and dedication demonstrated by the constituency returning officers and the borough returning officers. The challenge that we were given in sizing the technology and the resources was to support a ten-hour count, and what we saw in London this time was some huge successes. We saw Merton and Wandsworth come in, in six-plus hours; we saw Bexley and Bromley come in around seven hours; Croydon and Sutton. These were constituency returning officers and management teams that worked with us, worked with London Elect, harnessed the power of their e-counting system, and worked hard to put in place a management and workflow process that really made the robust use of that technology, and far exceeded our expectations of what they could deliver, and I am sure, as part of this review process and the lessons learned, it is very much going to be about as much attention to the success stories as maybe some of the challenges that were seen in Alexander Palace and particularly Brent and Harrow. So I think it is just a word to say, we will certainly be doing everything we can to bottle what happened in those constituencies to try and ensure that is what is replicated at any future events.

Andrew Boff (AM): Very fair comment.

Len Duvall (Chair): OK, well thank you.

John Bennett (Greater London Returning Officer): Chair, just before IntElect disappear, I think, picking up on something mentioned last week, this idea of being able to track postal votes back to wards is something we have been discussing.

Sonya Anderson (Head of Elections, IntElect): Yes, I know that, again, talking about sort of the immense benefits that London receives from the use of e-counting, one of the real benefits clearly is the amount of data analysis that can take place post the event, clearly being able to take results, performance, statistics, all of this, down to a ward level is only possible

through the use of e-counting and obviously would not be possible through a manual count. I know it has been expressed that certainly the data that came on to the system this time, while broken down to a ward level, postal ballots at a constituency or borough level.

There are probably three approaches that you could use to break down your postal ballot information to ward level. You could do some additional encoding on the ballot papers at print production stage; it is probably not the most practical solution, it will add cost to the production of those ballot papers and it comes back to some of the things we talked about earlier where the boroughs would have to be very accurate in the estimates that they wanted for their ballot papers, because they would be estimating postal votes down at a ward level to get the right numbers for each ward. So I think probably a costly exercise and maybe not practical for all of the boroughs to do that.

When the postal ballot papers are returned to the borough level, they could batch them at ward level, and you can use identifiers on the inbound envelope to do that, to Royal Mail effectively pre-batch them. Again though, what you can get as a result of that is considerably more batches to have to scan at the count, because you are now breaking your postal ballot papers down to a ward level. If you did five opening days in the lead-up to your election, you have 20 wards, you multiply that out, that is now how many postal batches you have to process, so that would definitely add time to the count.

But what you could do is a post analysis. What you would be able to do is take information from each of the electoral management systems, which would be anonymised, which would identify which ballot paper numbers had been allocated to which ward. We would then be able to use the count data to say, "These were the votes cast on those particular ballot papers within those wards". So you would be able to get that breakdown as a post analysis. There would be, I think, some costs involved in that, again working with election management systems, and some query writing beforehand, but I think probably perfectly feasible to do that.

Len Duvall (Chair): Thank you, that is very useful, and thank you very much for the way you have answered the questions. Are there any more questions that you want to ask?

Andrew Boff AM: There was one I was just thinking, it might be anonymised, but it depends which index number you are using as the reference, because you cannot really, under those circumstances, use the polling number.

Sonya Anderson (Head of Elections, IntElect): No, not the polling number. The ballot paper number allocated to the ward, but it would have no tie to the voter.

Andrew Boff AM: The ballot paper number to the ward rather than to a person?

Sonya Anderson (Head of Elections, IntElect): Yes.

John Bennett (Greater London Returning Officer): We know the sequence of numbers that has been issued for a ward.

Len Duvall (Chair): Thank you very much.

(Simon Hearn, Gary Brighton and Sonya Anderson leave the room)

Len Duvall (Chair): Advertising and media. What was the main reason for the website being set up this time around than in previous years? How useful would it be to keep the website ticking over between elections rather than starting afresh each time?

John Bennett (Greater London Returning Officer): Sure, if I can take the last point first. The design this time has been as future-proofed as can be done, so, unless there is a remarkable development in technology over the next few years, it should be this time a good platform on which to run the 2016 election campaign. It was late; there were some difficulties with the contractors who were designing and building the website, and two successive account managers effectively left without a proper handover, so there were delays and the basic contract was fulfilled, but it was not extended as was being considered, rather the work was brought in-house.

The intention had been to soft-launch back last autumn but then that we would do the hard launch at the hundred days to go; that latter objective was indeed still achieved, but it was not available for boroughs and others to test and play with before mid-December, so it was a little bit later for the boroughs' purposes, but it was not ever going to be made public, or publicly promoted, before the latter part of January, which was indeed achieved.

The cost this time was actually less than half of what we spent on the website for 2008, so we think in the overall pattern of things, although there was a fair bit of work in-house, it still was a fairly good deal, and certainly it achieved over 3.2 million views, 750,000 unique visits, 500,000 people checked on it for the live progress during the count day, and over 100,000 used the polling station finder. So overall it was a good story. If it needs to be maintained in the meantime, we can find a way of doing it, it is all controlled in-house.

Len Duvall (Chair): Let us move on. In terms of some of your publicity, you have received praise for. One aspect of the publicity, "How do you like your London" campaign, it's been suggested that it was quite slightly biased and not impartial. Can you tell us the process that you went through there in commissioning this work, and what lessons you have learned, because you clearly have had representations direct?

John Bennett (Greater London Returning Officer): We went to competitive tender for the creatives, and during the pitch process WCRS [Advertising Agency], who ultimately received the contract, we procured them through the framework, they had this idea, this concept across a number of different service areas or topics. As you know, obviously once we had awarded the contract we worked with them, we narrowed it down through independent market testing to ensure that we were touching on the subjects, the topics, which were most relevant to people, to the average Londoner, and the things that would attract their attention, get conversations going, and encourage them to engage with the sorts of issues, which are about London.

Clearly there has been comment made and questions were asked during the campaign period, during the statutory timetable, while these adverts were running, about the use of the “How do you like your London?” or “How do you like ...” whatever else it may be. I think the intent was, and certainly what worked during the testing, was the idea of an open question rather than a closed question. If you drop the “how” and just said, “Do you like your transport? Do you like your policing?” That would have been a very closed question, pejorative in terms of the incumbent. To ask “how” makes it an open question and is a conversation stimulator. I think the analogy to me would be to ask somebody who is queuing up at a café, and say, “How do you like your coffee?” you know it is something about what they are going to receive. If you ask somebody who is sitting down at a table drinking their coffee, “How do you like your coffee?” that is something post hoc, it is something else. So we are talking here about an election where people are voting for what they are going to get rather than a recall referendum where you are actually saying, “Do you actually like what you are getting and should we do an MP recall?” or whatever.

Len Duvall (Chair): The prime submission is saying that the interpretation has an effect upon the incumbent, because, even though we are having an election and we are voting on a new set of people, fair enough, you can all change if the public choose to change the lot, or you can all stay the same if the public choose to stay the same, but that terminology forms a judgment upon the incumbent that it does not form upon the competitors. That was the point.

John Bennett (Greater London Returning Officer): I understand. I would take the view, as I have described, that I think if one dropped the “how” it would indeed be a problem, we would not have used it essentially. We did not use some of the other ideas that were put forward; we very much vetted them as we went through, both from a legal and also a commonsense perspective. I think on this one, in terms of getting a discussion going with the thousand or so people on whom it was tried and so forth, indeed those interviews were filmed and so forth so that we could see people’s reactions, and the view was taken they encouraged debate. I do understand the points being made, but, having said that, the incumbent at the time during the election campaign had no entitlement to hold office beyond the second day after the count, so it was, rather than a recall type situation, it was, “How do you like it? If you like it you have more, if you do not like it you may want to consider something different.” But it was a stimulant for discussion.

The raising, the identification of key topics, is something that has featured in each of our advertising campaigns, 2000 the Government for London office for London campaign, 2004 and 2008, presented in different ways obviously, but it did feature police and transport amongst other things. Just to emphasise, because I think there has been suggestion to the contrary, but we did not run the “How do you like your public transport” on the tube or in a tube station or anything like that, because that would have been potentially too provocative.

Len Duvall (Chair): So you actually made that judgment because you thought that would have been provocative. Could you give us a copy of those notes of the ‘thousand’ as a background to it, and we may well be commenting further on this particular issue. We might come back to you about that. Were there any other areas where you felt you restrained yourself or rejected other advertising because you thought it was probably --

John Bennett (Greater London Returning Officer): Everything passed the legal test before it came to me, I have to say. On the commonsense test, there was one suggestion for a script for a radio advert from Nelson on the top of his column talking about various things that he saw below, including “bobbies” walking to and fro. I pulled that on the basis that some people might feel they did not see enough “bobbies” walking to and fro.

Andrew Boff AM: Probably some feel there are too many?

John Bennett (Greater London Returning Officer): Some people might. But, yes, we exercised both the legal and the commonsense judgment, and you may have views on that I am sure.

Len Duvall (Chair): How realistic is it to expect the government to change the requirements of the delivery of the booklet in the context of whether it goes to an individual or to a household rather than to an individual?

John Bennett (Greater London Returning Officer): I am advised by civil servants that Messrs Clegg and Harper, just in November, decided that things should stay the same. That said, clearly those Ministers in control of the Home Office, in terms of the police and crime commissioner elections for November outside London have clearly decided that budget constraints are significant and are basing the candidates’ manifesto arrangements on a website with printed copies only on request. So, maybe there is a move possible, I think it is certainly worth asking again whether there should be a booklet at all, and, if so, whether it should be one per elector addressed, one per household addressed, one per household unaddressed, each would come with their own price tag obviously.

Andrew Boff (AM): Yes, can you just confirm if there were any significant allegations or concerns about the integrity and security of the electoral process in particular?

John Bennett (Greater London Returning Officer): We have had one group of people, I think it would be fair to say, who seem to be aligned, and we conclude that simply because they are cross-referring to each other, whose full number - was it 3, 2 - who have concerns or have expressed concerns, and have now complained to the Electoral Commission about the way the ballot boxes were handled after the close of count in Tower Hamlets and Newham. It revolves around the fact that the boxes were gathered, collected, at the respective town halls, council offices, and observers were not allowed inside the building while they were being stacked and checklists ticked off and so forth. The view I think is that there is the opportunity for ballot box stuffing - I think is the expression for it - and the respective returning officers have not given these complainants answers that they regard as satisfactory.

There are several things, there is the issue about electoral registration, which was raised in the media and so forth a few weeks before the elections, those complaints have been referred to the Metropolitan Police Service who are investigating. I know Keith [Hathaway] had a meeting, or you attended a meeting at Tower Hamlets with the Electoral Commission and the auditors there and --

Keith Hathaway (London Elects): Shall I just briefly come in on that one. Bear in mind that John [Bennett] as GLRO has no involvement on the registration process, but as the registry can be used for that election, it is felt right that we were informed of the processes. I was invited to a meeting at Tower Hamlets on 6 March 2012 when they explained to me the processes they went to, to get people registered, and identified properties where they felt extra work needed to be undertaken. Irrespective of the GLA election, prior to the close of registration on 18 April, Tower Hamlets carried out three special canvasses to properties where there were more than six persons registered in a household. That is their usual practice before every election anyway, and they also got seven, this sort of thing, so they do identify those properties. They visited 611 properties, which equated to about 4,700 electors, and the outcome of their canvas was 890 electors were deleted, 2,000 were no change to the electors anyway, they were actually authorised electors, and as a result of that 334 were added to the register.

The deletions against the total of the electorate were about 18.7%. What they were demonstrating to us, and it was also attended by the Electoral Commission, was that the robustness of what they undertook to ensure this was addressed as soon as they saw them, and it was not in isolation just for this election, they do this at all elections. As in most London boroughs, the turnover of electorate in properties is very high anyway, so they are very much on the case and they are constantly reviewing those processes. Equally, they review the same processes when they get applications for postal votes.

Andrew Boff (AM): Is 18.7% deletions a high figure in your experience, or a low figure?

Keith Hathaway (London Elects): No, that is pretty average for a borough like that, I mean even coming from my borough days. That is quite high because you have to bear in mind that the register is published on 1 December; there is then the sort of rolling registration up until March, and it is at that stage of course there are adds and deletions, and there is always the net change of often more deletions than additions, so they are cleansing that register constantly.

Andrew Boff (AM): How feasible would it be to carry out a manual sample to verify the count machines are returning accurate results?

John Bennett (Greater London Returning Officer): Anything is possible. I think the challenge would be that essentially a count has to be conducted under either, electronic count rules or manual count rules. At the moment there is no hybrid that provides for a little bit of each. So what are the principles? The principles are secrecy of the ballot and so forth. That means that, before you start looking at actual votes cast, you need to mix the votes from more than one polling station. So the mixing of the boxes in a manual count so you are not actually counting the votes from St James' Church Hall or whatever; you are counting the votes from whatever number of polling stations within a particular ward. So it is not a case of just counting one batch and looking at the votes; this time what we did - there seemed to be no problem, no challenge about it - was to do the verification stage; that is easy, ballot papers face-down so you do not see the actual votes, you are just counting the numbers of bits of paper of each of the three types.

To be able to do the count of the actual votes cast, one has to get into a mixing situation; there has therefore got to be a different reporting system put into the IntElect system so that they can amalgamate the results from more than one polling station and then one can look at the individual ballot papers. On that case, it would be a case of hiding the serial numbers so that there can be no tracing back of the actual votes cast to the individual. So it is not impossible, it just needs a little bit of a change to the arrangements so that the data from two or more polling stations are mixed to achieve that desired effect.

What I would say is that the usual acceptance testing, with well over a million ballot papers in total run through, was very thorough testing undertaken under the observation of Actica, accompanied obviously, so I think we have high confidence, very high confidence, that the machines are counting accurately; that the software that is deployed to detect marks and so forth and so on is exactly that, which has been signed off by the independent auditors, put into escrow and taken out again, ready to load on to the scanners and so forth. So we have that confidence. But what you are saying I think is the public confidence that what is marked on the ballot paper is actually what is counted. It would be another stage in the --

Andrew Boff (AM): So it will be another stage, and some redesign of the ballot paper and processes would have to take place.

John Bennett (Greater London Returning Officer): I am not sure that the ballot paper itself would need redesign, no.

Andrew Boff (AM): You reference, ballot papers always have serial numbers on them, do they not?

John Bennett (Greater London Returning Officer): Yes, it is generally on the back.

Keith Hathaway (London Elects): On the back, it is the coding on the back.

Andrew Boff (AM): OK, thank you.

John Bennett (Greater London Returning Officer): You can actually do the verification bit a bit by deduction, the address of the borough papers face-up and then just add up the totals and say, "OK, we will send the number that the machine has counted in total".

Andrew Boff (AM): Just going back to Tower Hamlets, you were saying that they had no reports of any problems at polling stations or anything like that; it was just the transfer of the ballot boxes?

John Bennett (Greater London Returning Officer): That is the one incident at the polling station at Tower Hamlets that the police and PCSO had to deal with.

Len Duvall (Chair): But there were issues raised in the London Electoral Commission's report about them offering advice, not just about Tower Hamlets, there were submissions around some other polling stations I think. Is that not what they say in their report? They are thinking of

offering guidance to local returning officers about issues around polling stations. I think we had some evidence at our last session, officers raising some concerns around family members venturing into the polling booths and -- I presume that is what this was alluding to. I cannot quite find the page.

John Bennett (Greater London Returning Officer): I know what you are talking about.

Len Duvall (Chair): Yes, there is a case outside London.

Well thank you for that. If we can now look at the budget. Apart from the booklet, which is obviously a major cost, are there other areas where there may well be potential areas for reduction in this budget in 2016, or is it, actually, this is more likely going to continue, it is not going to decrease?

John Bennett (Greater London Returning Officer): Booklet or otherwise, an election is made up of mostly mandatory activities, functions. The only discretionary elements, if you like, in terms of the type of activity, is the fulfilment of the section 69 duty to promote participation. At the moment, we do spend money on public relations (PR) and advertising and so forth. The advertising is a little over half of what we spent last time. Some of the other items are indeed less than last time. But some money is spent on that and members may have a view as to whether that is appropriate or not.

The risk that is a large element of it, apart from the e-counting the ballot papers, the ballot marks and so forth, is people, the spend on people, and we have reduced the sums available that we pay for people drastically over the last eight years, or 12 years if you like. For 2000, the Government Office, in their wisdom, set the fee rates double that which would be paid for the Parliamentary election, on the basis that a combination. Just to take this year compared with 2008, polling station staff rates of pay in cash terms were down 25% and the allowance we made for count staff was down 60%, dramatic reductions.

Len Duvall (Chair): Could you give us some written commentary back on those issues around the savings where you have, because that is quite interesting. I do not think anyone would have thought that you had reduced your publicity bill by 50% in that sense, so around some of those issues. It will be interesting to see, I presume the increase is about people then?

John Bennett (Greater London Returning Officer): There is price inflation, and pay deflation in this particular case. Yes, the electorate goes up every time, so far it has gone up, now it is just over 5.8 million, so, yes, everyone gets a booklet, Royal Mail put their prices up, and --

Len Duvall (Chair): If you could give us some commentary about that, it would be very useful I think. Andrew?

Andrew Boff (AM): I can remember myself asking this question four years ago. I know what the answer is and we are going to disagree. What is your opinion about the balancing arguments between manual and electronic counting for 2016?

John Bennett (Greater London Returning Officer): I do not remember my precise words for each year. What I do remember is that overall I would expect, no, that electronic counting is, despite the problems at Alexandra Palace, it is faster, it is more accurate, and I would hope that over the course of time the public's and the special interest groups' concerns about e-counting will be allayed. I think the Electoral Commission report this time is somewhat less critical than the report last time; it raises fewer questions about e-counting. I was here to hear Jim Killock's [Open Rights Group] comments last week, we have not seen his report yet, and I do not know what line he will take. E-counting I do believe has a future. When one looks at the discrepancy, for example, take last year's referendum, for example, the discrepancy between the verification total and the total of votes cast and ballot papers rejected, there are big differences, sometimes four-figure differences, in any one borough. This is purely the fact that people are human beings and need to count bits of paper more than once and they come up with different answers.

Perhaps if they were checked here they might maintain, I do not know that their machines are 100% accurate, but I certainly believe the scanning is 99.999% accurate and it is of a far higher order than human beings are ever going to be able to achieve. So, yes, I believe that if it is cost-effective it is certainly worth considering. Cost-benefit analysis is something that we will, as I say, rework. The benefit of the current contract is that there is something of the order of the price difference for 2016, if the same software is used, is about £800,000 less than this time. Clearly, we might want to have some improvements, the postal vote tracking and various other bits and pieces, which might erode that price differential, but it would project face value at the moment as being cheaper than the manual count at current pay rates.

Andrew Boff (AM): The only thing that made it cheaper of course was - I remember the negotiation - that it was a two-election deal, rather than just for one election, because beforehand, we cannot predict exactly, but the manual count looked cheaper than the electronic count. Does the count contract include the possibility of a recount?

John Bennett (Greater London Returning Officer): Yes. The recount can either be just that very simple recalculation for the second preferences or the d'Hondt formula for the London Members and so forth, or effectively a total rescans. Clearly, there is a price to be paid for a total rescans, but that is possible.

Andrew Boff (AM): Hold on; there is a price?

John Bennett (Greater London Returning Officer): Yes.

Andrew Boff (AM): So, it is not included in the contract, it is an additional amount to count again if Boris Johnson had won by ten votes, Len [Duvall] would be jumping up and down and saying, "Recount".

John Bennett (Greater London Returning Officer): If I could draw Members' attention to the fact that the GLRO, him or herself, has no power to order a recount across London, such any request for a recount has to be made at the constituency returning office level, and --

Andrew Boff (AM): But, if it is that narrow, the losing party, what do they have to lose if there is only ten votes in it? That is plausible. It was a fine-run thing this time. It was close; there was a point where I was thinking I would start shredding things.

John Bennett (Greater London Returning Officer): That is only of course known after the 14th constituency declares, and the chances are that 13 constituencies will have packed up and gone home by then, and so after the declarations are made there can be no further call for a recount.

Len Duvall (Chair): There is a problem and a flaw, is there not? There is a flaw here about recounts and who injuncts who and all the rest of it, and we were told anecdotally of what was occurring at City Hall during those final moments around going on. Is that not - particularly if there is a close election - sort of wrong then? Is there not some other provision that allows for those who participate in the democratic process to demand their right if it is appropriate? There must be some sliding scale here, I mean 3% is close in that sense, I do not think even we would have demanded or even thought about contemplating that on --

Andrew Boff AM: No, but it is not as though this never happens, you get ten-vote margins on very bid constituencies.

Len Duvall (Chair): What is the plan; what is the contingency in respect of a recount?

John Bennett (Greater London Returning Officer): The Committee pressed Government that there should be a change in the approach to legislation, because if you take the sort of situation of any tiered election, so whether we are talking European, Parliamentary, just looking at the police and crime commissioner elections, and so forth, it is initially at the local returning officer's area that the challenge would come; it is not where the regional returning officer, the police area returning officer, the Greater London Returning Officer, whoever, aggregates the figures.

Andrew Boff (AM): So recount really is practically impossible.

Len Duvall (Chair): It is wrong in theory that you have to go down a court route. My understanding is the Conservatives would have injuncted you or tried to injunct whatever or whoever to get back into the courts, and then a judge instructing a recount, which would have been done, rather than go down the constituency routes, because, as you said, they had all packed up and gone home.

John Bennett (Greater London Returning Officer): Clearly, if I had not known that the Mayor's working majority after the 13th constituency was more than could ever be eroded by the 14th constituency's results, I would have been approaching it much more cautiously, but I did know what I did know and I could not tell agents that because that was not common knowledge at that point.

To say that the European Parliamentary rules and the GLA election rules are very unclear, what they are clear about, and Queen's Counsel's opinion is absolutely categorical, under no circumstances can the Greater London returning officer order a recount of the ballots cast. That is his very firm view. European elections, similarly, it is the local returning officer who would need to recount the results of the individual borough. But the police area --

Len Duvall (Chair): So, in theory, if we ever came to that, if there was a close call, the legal officers, on behalf of the Conservative Party that are present in this building need not have been in this building, they needed to be waking up a judge somewhere or dragging a judge out of a club to actually get them to do -- no, because I think this is very important about people's rights. Because they needed to get a judge to say, "Actually, I think you have a case here", and then it would have been -- it is to apply to the electoral courts, is it not, to get a session of the electoral courts to do a session?

John Bennett (Greater London Returning Officer): I am not a lawyer, and I do not know whether a lawyer who is present could advise on that one. If I could say that, in trying to clarify --

Len Duvall (Chair): Could you give us some narrative here, because I take the Andrew [Boff] approach, you prepare for everything, or one day we will be caught short.

Male Speaker: One day, in the next 50 years, the Mayor of London margin is going to be so tiny as to be inside that level of doubt on the accuracy of an electronic count.

John Bennett (Greater London Returning Officer): I think there is some shift in thinking. The police elections order for this year's says that,

"The police area returning officer may give a direction to a local returning officer that a vote is recounted only if the police area returning officer has reason to doubt the accuracy of the counting of the votes in the voting area for which the local returning officer acts."

So there is some movement from where we were before, but I still take your point. I think you do not know where the inaccuracy has occurred --

Andrew Boff AM: We do not want to end up in the situation of the hanging chads of Florida, do we? We just do not want to have that.

Len Duvall (Chair): So will you give us some commentary around that?

Andrew Boff (AM): Just to finish off, of course, have we ever - just to get this on the record - in London, apart from outside the City of London, run a situation where we have done counts in the polling stations?

John Bennett (Greater London Returning Officer): In my experience, no.

Keith Hathaway (London Elects): No. By-elections, they tend to do it

Andrew Boff (AM): But not at polling station level?

John Bennett (Greater London Returning Officer): No.

Keith Hathaway (London Elects): No.

Andrew Boff (AM): Thank you very much.

Len Duvall (Chair): OK. On the issue of spoilt ballots, what further work could be applied to reduce the proportion of rejected ballots for the GLA elections?

John Bennett (Greater London Returning Officer): I think the first task really has to be some very early post-election survey work. The margin of error, statistical error, etc. But to try and find out whether those who do not make a mark in the second preference column, for example, on Mayoral ballots, because that is the one we are talking about, whether they really intended to abstain or not. It has plateaued. Things improved in 2004 over 2000, but now more or less the percentage that is apparently abstaining on the second preference vote has more or less plateaued. The unmarked 31%, compared with 31.6% this year, and we had 31.8% last, is fairly static. It may well be - I think we used to hear Sally Hamwee [former GLA member] say she would only ever mark her first preference, that was it, full-stop. It may be there are a lot of voters such as that.

The percentage rejection rates for constituency and London members are really not that different from your average Parliamentary or other election, so I do not think much work needs to be done on that. It is understanding certainty, now is probably not the time for me to make a pitch for e-voting, given one-half of the Committee's membership, but at least one could be sure that people were abstaining, they could not move from a particular page or screen shot until they had indicated that they were clearly abstaining.

Andrew Boff (AM): I was a dreadful hypocrite in this election. You are not supposed to reveal what you vote, I will not say who I voted first preference then, but I actually did not exercise my second preference. I was completely ashamed when I left the polling station; I really should have because I go around telling everybody they should. But I just could not do it. I think it is perfectly valid. Can you just answer one thing, what is the absolute line on no votes in the first column, but votes in the second column?

John Bennett (Greater London Returning Officer): If there is a one and a two --

Andrew Boff (AM): Second preference, but no first preference.

John Bennett (Greater London Returning Officer): If the digits 1 and 2 are marked in the second preference column, the new guidance issued on 25 March, which we applied, or tried to, was that they should accept it as first and second preferences. If there are two crosses in the second preference column, that is clearly over-voting. If there is only one mark in the second

preference column that is a rejection for uncertainty, albeit we know that something like four or five ballot papers in northeast constituency were allowed on that basis and that was the subject of your subsequent concern.

Keith Hathaway (London Elects): Just on stats, we have the police elections in November using this voting system, so it will be interesting to see what the rest of the country cope with first and second preferences and see if there is a similar model coming in to this. We will watch that with interest.

Andrew Boff AM: It has improved, has it not, over the years? I mean it has improved in London, has it not? It was pretty dire the first time around and not that much better the next time around, but it really improved in 2008.

John Bennett (Greater London Returning Officer): In terms of voter education, if that is the right term, there are those levels, clearly you want people to mark their ballot papers in a way that is valid, but you want them to mark them in an effective way, and what is then distressing is to see the hundreds of thousands who are exercising second-preference candidates. Maybe, they are just saying, "I have a second preference, so I will use it".

Andrew Boff (AM): How would you, in a completely impartial way, relate that message? I think it is a valid thing to say and it is a shame. How do you say it impartially?

Keith Hathaway (London Elects): We had only two or three phone calls on election-day saying, "Polling station staff were not helpful in helping me to use my second-preference vote", and it is very difficult, without getting political. I think that is our problem in trying to explain that.

John Bennett (Greater London Returning Officer): After 2000, we met the two professors, Patrick Dunleavy and Helen Margetts, who designed our combination of electoral systems and they say, "You should have clearer voter instructions". "OK, what are the clearer voter instructions?" Their idea was you effectively vote with your heart first preference, and then you make an assessment as to who is to get through to the second round, and then vote for the least-bad option. I am not sure how we can put that.

Len Duvall (Chair): What we might have to put there is "the best of a bad lot" situation. Their first preference on the vote of their heart.

Andrew Boff AM: I do not know if it is just time, but there is this incredible level of sophistication with regard to the way the Irish use their single transferable vote (STV), and it seems to have permeated all through Irish society, southern Irish, and there is a level of sophistication where they use those preferences in a very adept way to achieve their particular ends, and I do not know if there is something we can learn from them --

John Bennett (Greater London Returning Officer): STV is an acquired taste and I think the Scottish people are getting used to it, or Scottish parties are getting used to it. When Keith and I were observing the Northern Ireland Assembly elections in March 2007, the parties were

outside the polling stations handing out sheets to the voters, suggesting to them how they should cast their votes, and because they have the quota system and everything else, that was quite crucial. I think we were very close to a candidate of Sinn Fein in the count, who was expressing a particular view in his own vernacular that too many people have voted for him. Nonetheless, they still got all the seats in West Belfast, but the voters had not done what they were told. So, I think there is a big role for the parties to play in communicating the system, but that is not only the parties. It is the media, it is also the --

Andrew Boff AM: That is our issue. It is extraordinarily hard for a political party like Labour or Conservatives to actually say, "This is how you should use your second preference", we cannot really do something like that.

Len Duvall (Chair): All right, if you think, the smaller parties do it.

Andrew Boff AM: The Greens do.

Len Duvall (Chair): Well they do, but they do not. If you look at their electoral material that goes through doors, it is not implicit. What they say verbally is different. I do not think I have seen it printed they say for any other candidate.

I have one or two other questions, just issues again, communications, what happened in this building, and arrangements on the night. I think we have a flavour of the communications between you and the outposts, and there are communications in this building about people with information, of course you had the agents here present, you were relying on people giving you information from what was going on at Alexandra Palace. How do you think the communications went within this building about some of the things that you could communicate or not communicate?

John Bennett (Greater London Returning Officer): About the count itself?

Len Duvall (Chair): Yes.

John Bennett (Greater London Returning Officer): About the build-up to it or whatever, yes. As you say, I think the arrangements with the count centres were better, but essentially we had more people on the ground than we had done previously, so they should have worked a bit better. Within the building, I am not sure whether either of you were present when the first constituency's result came through, but the announcement that went out over the tannoy that the Labour candidate had won in Wandsworth I think was somewhat embarrassing; they had been given the wrong bit of paper or had misread it. Certainly, there are things that happened within the building that should be better. Improved communication, even though we had personal radios, they did not always work very well. Communication between ourselves and the media centre was not very effective. So, yes, things could be better. We will look at it again next time if we use this building, or if we happen to use ExCel that will be a whole different ballgame that would need to be planned and organised.

I think in many respects, the - I was going to say "distraction" but that is entirely the wrong word - but the display of screens on the map area seems to be very well appreciated, and gave the casual observer a lot more information more efficiently.

Andrew Boff (AM): There is one point on that though, that was very good, those displays, but the comment - and I have already had a discussion with you but I might as well say it here - people were complaining that they could not see their numbers; they could not see the numbers of the counts, all they could see was the graph, and what they really wanted to see -- and I understand that there is a problem expressed with that.

John Bennett (Greater London Returning Officer): Yes, the legal advice we have had is that we should not be showing real numbers, but that is what we followed this time. Those who were looking at it on the website found a way around it.

Andrew Boff (AM): Absolutely, view hypertext meta language (HTML) and there were the numbers, but not many people know that.

Len Duvall (Chair): My last question was, you sought legal opinion about the contents of the Mayoral booklet of one of the candidates following complaints from people. Of course you have gone back to those people to explain the action you have taken. Of course the process within that, are you happy with the process that you followed and that the right outcome took place?

John Bennett (Greater London Returning Officer): In terms of the input to the booklet, the first two submissions from that particular candidate were rejected for different reasons, around authorisations - I will have to be careful what I say I guess - of photographs and quotes and so forth. However, the third submission was passed for legal advice and was given the clearance. So that is what we did, because that is what the GLRO understood was his duty.

There were something like 100 complaints I think over a period of the last ten days or so, and the complaints sought explanation, the vast majority of those complaints were, if not satisfied with, at least did not follow up on, our initial standard response. We did then receive one freedom of information (FOI) request, which, because it came in from an individual, legal protection - I do not know what the word is - but we did not share the counsel's opinion, which was what was being sought, we did not give that out because we did not feel that was right. It was an exemption within the FOI arrangements and we have applied FOI arrangements, the FOI does not apply to the RO. But we did also indicate to that individual - who happens to be an Assembly Member - that if the Assembly, through this working group, as a representative body, made the request then we would be willing, without setting precedents and so forth, to share that advice. I know ROs in other areas who have had similar sorts of requests, similar sorts of issues, have stopped at simply giving a summary of the advice rather than the actual opinion itself.

Len Duvall (Chair): We need to have a discussion among ourselves to see whether it is appropriate and if it is a matter for public -- but I am glad essentially you have given us some

answers on what your view would be and we need to consider if we think it would be appropriate. We will have a further discussion about that outside this meeting.

Is there any more further questions, Andrew, that you wish to ask?

Andrew Boff (AM): No, I am intrigued, because I do not know what you are talking about. We will review that afterwards. Yes, I am finished.

Len Duvall (Chair): OK, well can I say thank you for the way you answered our questions. If there is anything that comes up afterwards on further reflection then we will write further to you.

John Bennett (Greater London Returning Officer): We will try and get these written briefings to you as soon as we can.

Len Duvall (Chair): Thank you very much; that would be very useful. We have come to the end of this session. There is no other business; I can announce we are closing this meeting. Thank you.

DRAFT