

Scrutiny Committee		Agenda Item:
Meeting Date	11 November 2015	
Report Title	Election Review 2015	
Cabinet Member	N/A	
SMT Lead	Abdool Kara, Chief Executive and Returning Officer	
Director	Mark Radford, Corporate Services Director	
Lead Officer	Katherine Bescoby, Democratic Services Manager	
Key Decision	No	
Classification	Open	
Forward Plan	N/A	
Recommendations	That the Scrutiny Committee notes this report and the action that will be taken by the Returning Officer.	

1 Purpose of Report and Executive Summary

- 1.1 This report provides a review of the whole of the election process; what worked well and what we can learn from it for next time. In preparing this report, the Returning Officer has taken into consideration feedback from the candidates, agents, political parties, presiding officers, table supervisors, and the core election team.
- 1.2 Candidates/Agents were invited to respond to an on-line survey, and 55 responses were received. All Presiding Officers were asked to complete a survey and 48 responded. All Table Supervisors were asked to give feedback.
- 1.3 The Association of Electoral Administrators has also produced a report which sets out in great detail the complexities of the elections, and the problems and difficulties experienced in the administration of elections across the country. The report can be viewed here: <http://www.aea-elections.co.uk/wp-content/uploads/2015/07/aea-report-elections-and-ier-challenge-of-2015.pdf>
- 1.4 The Electoral Commission's report on the elections can be reviewed here: http://www.electoralcommission.org.uk/__data/assets/pdf_file/0006/190959/UKP-GE-report-May-2015-1.pdf

2 Background

- 2.1 The combination of elections taking place on 7 May 2015 was the most complex set of elections ever held in Swale, with Parliamentary, Borough and Parish/Town Council elections all taking place on the same day. Traditionally parish elections

- have been held on a different date to parliamentary elections, but legislation had been changed to allow all to take place on the same day.
- 2.2 This was also the first election held since the introduction of Individual Electoral Registration (IER), which was a huge change to the electoral registration system.
- 2.3 For Swale there were a number of additional complexities to take into consideration, including:
- new ward boundaries following a review by the Local Government Boundary Commission;
 - new parish boundaries, with some parish councils now split across borough ward boundaries (into wards). Some of these changes were as a result of the Local Government Boundary Review, whilst others were as a result of the Community Governance Review;
 - the boundary changes required a polling district review. This in turn required the restructure of the Electoral Register, which was re-published on 2 February 2015; and
 - the parliamentary boundary is not coterminous with the Borough, and so part of the area falls within the Faversham and Mid Kent parliamentary constituency. This requires working closely with the Acting Returning Officer's staff at Maidstone Borough Council.
- 2.4 A further factor is that the Council now holds its Borough and Parish elections once every four years, as introduced in 2011. Prior to that the elections were held in thirds. So this was the first time that parliamentary and Borough elections were held on the same day since the electoral cycle was changed, and the first time ever that parish and parliamentary elections have been held on the same day. Therefore this combination of polls had never taken place before.

Lead up to the election

- 2.5 It is well documented that the last year has been a time of constant change for electoral administrators, in particular with the introduction of IER. This did present significant challenges for the team in terms of being able to allocate sufficient time to election preparations.
- 2.6 As a snapshot of the last year, this included:
- changes to legislation to delay the canvass, with publication of the electoral register on 17 February 2014;
 - the Community Governance Review consultation and report to Council;
 - European elections on 22 May 2014;
 - earlier submission of election accounts (within six months of the European election);
 - planning for introduction of IER on 10 June 2014, and the first IER canvass;

- the polling district review started earlier in the year with a full consultation process. Suggestions for new stations were made in October 2014 when the report was considered by Members;
- Borough by-election in October 2014 (the first under IER);
- updated electoral management software and procedures, which had lots of teething problems and continues to have some 'unknown defects' although some improvements have been made. In particular, many workarounds have been required to be able to implement IER;
- restructuring of the electoral register to reflect the outcome of the polling district review/new borough and parish boundaries and re-publishing the register on 2 February 2015;
- demands for detailed electoral data for KCC boundary review prior to the re-publication of the register;
- requirement to undertake a household notification exercise prior to the elections in May 2015; and
- complex election preparations for 7 May 2015.

Review findings

2.7 The Appendix sets out what we see as having worked well, and what requires further attention for future elections, grouped by the different stages of the election process. However, the key issues are set out below.

- **Cross-boundary arrangements with the Returning Officer for Faversham and Mid Kent:** whilst initial meetings were held between officers of both Swale and Maidstone Borough Councils (with Tunbridge Wells too as they also 'give away' part of their area to the Returning Officer at Maidstone), it is clear that we need to review those arrangements in the future. An election debrief meeting has been held with relevant officers, and work will be undertaken to look at what can be done differently for the next parliamentary election (see the proposals section), in particular with postal voting, information for electors, and collection/return of ballot boxes to the Maidstone count. Maidstone are reviewing their own arrangements. It should be acknowledged that under the previous proposals for revised parliamentary boundaries, it was suggested that the part of the Borough currently 'given away' to Maidstone may fall to Canterbury. A consultation is expected after publication of the electoral register on 1 December 2015.
- **Resources and capacity in the Elections Team:** whilst the volume of registrations and postal vote applications will always be significant for parliamentary elections, the actual volume was higher than anticipated. The introduction of IER placed significant additional work on the team in the run up to the election, as did the complexity and volume of the postal vote opening process; the issues caused by the problems with the delay sending out ballot papers by Maidstone; and the issues caused by the error in the postal vote instructions issued by Maidstone, which affected four Borough

wards. There was also a significant increase in telephone calls and emails during the lead up to the election, with 1,170 emails being received from 1 April to 7 May. In addition to calls made direct to the Elections Office, the Customer Services Team recorded 1,002 election related calls, with 127 on election day itself. However, due to the complexities of the polls and IER, a large percentage of the calls to the CSC were put through to the Elections Office because CSC did not have the means to look up the necessary information. Work is ongoing with the CSC and ICT to improve the information available to them (such as the polling station look up and councillor look up), but there will always be some calls that only the Elections Team can help with due to the nature of the call. We will also look at purchasing additional software licences for postal vote opening.

- **The Count:** Swale has a reputation for a well-run count, which has been endorsed over the years by positive comments from candidates, agents and members. Overnight counts are always particularly difficult in terms of recruiting experienced count staff and the impact on the core team. Negative feedback has been received regarding the arrangements for the count, in particular regarding 'down time' and the length of time taken to declare results. Whilst we were not seriously out of step with other local authorities we will nonetheless look at how we can improve on this. However, the overriding concern in election law is that the results declared are accurate, and the methodical approach taken ensured a very high degree of accuracy, which must not be compromised.

Looking ahead

- 2.8 The combination of parliamentary, borough and parish elections will next happen in 20 years' time. During that time a review of parliamentary boundaries will have been undertaken, and no doubt legislation will have changed significantly, including perhaps the introduction of electronic voting systems.
- 2.9 The next elections will be as follows:
- Police and Crime Commissioner Elections (May 2016);
 - Kent County Council (on new boundaries) in May 2017;
 - EU Referendum – date unknown but 2016 or 2017;
 - European Parliamentary elections in May 2017; and
 - Borough and Parish elections in May 2019.
- 2.10 There will also be neighbourhood planning referendum(s) to organise.

3 Proposals

- 3.1 In addition to the areas identified in the 'what could have worked better' sections in the Appendix, arrangements will be reviewed to provide for:

- additional resources in the run up to the elections, to provide more resilience in the Elections Team should any problems arise. In particular, the problems experienced as a result of the postal vote delays in the Faversham and Mid Kent area (which were being managed by the Maidstone team) had a significant impact on the Swale Team, who as a result were diverted from other work. The Team also worked many additional hours (evenings, bank holidays and at weekends). Also to consider areas in the election preparations that other teams can assist with that will free up time in the run up to the election (for example, ballot box preparations, organising delivery of polling booths, as well assisting with postal vote opening, particularly on election day when many staff are helping on polling stations);
- learn from colleagues who have ‘whole council elections’ and ‘give away’ part of their area in terms of how we will manage parliamentary elections in the future - in particular, we want to be in control of the postal vote process. Given the complexities, feedback from Kent colleagues has shown that cross-boundary elections are generally problematic even if issuing separate postal vote packs;
- reconsider the timing of the count. Whilst we are required to verify all boxes and count overnight for a parliamentary election, we will learn from other authorities that chose to carry out their counts differently. For example, some counted their borough overnight too; some started their borough count later in the day on Friday; and some counted their parish ballot papers on a separate day to the borough elections;
- set more realistic expectations in terms of how long the count will take, whilst also reviewing arrangements at the count to minimise any ‘downtime’ of count staff. It is clear that the expected declaration time was overly optimistic, and this added to the frustration of those at the count. However, it should be acknowledged that the processes to provide an accurate count require figures to be checked against ballot paper accounts/ verified totals, and so this will mean a delay whilst this is checked before the counting team can move on to the next count, or is asked to check/re-count the result; and
- undertake a review of polling districts in 2016, when the outcome of the Kent County Council boundary review is known, which will also pick up on some of the issues identified in the appendix to this report.

4 Alternative Options

- 4.1 Specific proposals will be developed for each election each year, and all options considered at that time.

5 Consultation Undertaken or Proposed

- 5.1 In preparing this report, the Returning Officer has taken into consideration feedback from the candidates, agents, political parties, presiding officers, table supervisors, and the core election team.

6 Implications

Corporate Plan Implications	Whilst the Returning Officer has personal responsibility for the running of elections, public perception is that this a service run by the Council and so there are reputational issues in addition to legal requirements, This service falls within the corporate priority 'A Council to be proud of'
Financial, Resource and Property Implications	The costs of the parliamentary election are claimed back from the Government; and each constituency is set an amount as stated in the fees and charges order. Budgetary provision is made for borough and parish elections. There is a Kent Scale of Fees which apply to borough and parish elections, which set maximum amounts in terms of what can be spent on various aspects of the election.
Legal and Statutory Implications	The Returning Officer/Electoral Registration Officer has personal responsibility for the running of the elections, however, the Council is required to provide resources to enable the Returning Officer to fulfil that role. The running of elections/electoral registration is governed by a wealth of legislation as well as guidance from the Electoral Commission and the Cabinet Office.
Crime and Disorder Implications	NA however meetings are held with the Police on the run up to the election regarding polling station venues and count arrangements.
Sustainability Implications	NA
Health and Wellbeing Implications	The intensity of the elections meant that some members of staff were at risk of burnout with some staff starting work at 6am on election day and finishing at 11pm on Friday night.
Risk Management and Health and Safety Implications	Risks are managed as part of the preparations for the election, in terms of training of staff; arrangements with contractors; etc
Equality and Diversity Implications	Polling station staff are trained in how to assist voters who may need additional help at the polling station. Postal Vote Statements do ask electors to contact us if they require any additional help.

7 Appendices

- 7.1 Appendix I: Review of 2015 Election Processes: What worked well and what could have been better.

8 Background Papers

- 8.1 None.

Review of 2015 Election Processes: What worked well and what could have been better

Description	What worked well?	What could have been better?
Nomination process		
<p>Every candidate standing for the election is required to submit a nomination paper.</p> <p>Given the volume of nominations expected for the borough (47 seats) and parish/town council (235 seats), the Notice of Election was published earlier than the statutory requirement to allow more time for this process. The Notice of Election cannot be published earlier for the parliamentary election as this depends on when the Writ is issued.</p> <p>All parliamentary, borough, parish/town nomination papers were given an informal check by the (Acting) Returning Officer's team.</p> <p>New legislation is in place which meant that all nomination papers had to be hand delivered, and there is no option to withdraw a nomination after close of nominations.</p>	<ul style="list-style-type: none"> ▪ Nomination packs were issued and distributed earlier than in previous elections. ▪ Informal checks and appointment system – every paper was subject to an informal check and this worked well as there were more candidates/agents/parish clerks that had not previously completed nomination papers. ▪ All statutory notices were published on time. 	<p>No suggestions to make</p>
Electoral Registration and Absent Voting		
<p>From the period February to the election, the electoral register increased by around 8,000 voters, with a record of</p>	<ul style="list-style-type: none"> ▪ Everyone who applied to go on the electoral register was added in time to be able to vote in the elections. 	<ul style="list-style-type: none"> ▪ Printer capacity – resources clearly stretched in terms of preparations, proofing, and printing. This is a

Description	What worked well?	What could have been better?
<p>1,500 applications on one day. This is an unprecedented level and a considerable demand on the Team.</p> <p>Whilst registering to vote is easy to do on-line www.gov.uk/register-to-vote - this did create lots of duplicate registrations from people who were already on the register. For the applications that could not be matched against government records, the team contacted all electors and asked for supply of copy of ID to be able to determine the application before polling day.</p> <p>There was also the additional complexity in that there are some electors on the register that are not IER electors, and so whilst they can still vote in the elections, non-IER electors cannot vote by post or proxy. This also applies to the person appointed as proxy, and this required additional checks with other councils to ensure that people who are exercising a proxy vote are IER registered.</p> <ul style="list-style-type: none"> ▪ The deadline for registering to vote for the election is just 12 working days before the election – as outlined above Swale saw a significant increase in the volumes of registration on the run up to the 	<p>This included around 200 registration applications for overseas voters which are very time consuming under the IER system (approximately seven/eight working days).</p> <ul style="list-style-type: none"> ▪ Additional wording was added to the invitations to register to encourage people to supply ID should there data not match against government records ▪ All applications for postal votes and proxy votes were processed on time to take effect for the elections. ▪ Data was uploaded to the printers on time for ballot papers and postal vote packs – election staff stayed late into the evening (10.30pm) to ensure that deadlines were met. ▪ Data was given to Maidstone on time, although Maidstone had not provided the ballot paper numbers for their constituency on time. ▪ The way in which Swale responded to the error in the postal voting pack sent out by Maidstone (two member wards) - this included personal delivery of a letter to every postal voter affected. ▪ Postal votes were sent out direct by 	<p>national issue.</p> <ul style="list-style-type: none"> ▪ Printers had a slight delay in sending out the 'late additions' to postal voters in Sittingbourne and Sheppey due to capacity issues as a result of the volume of additional postal votes to print across the country. ▪ Difficulties with despatch of postal votes to voters in the Faversham and Mid Kent constituency – an error that could have been picked up in proofreading resulted in the late despatch of postal votes; incorrect information on postal voting statement would have been picked up if Swale had had sight of the postal vote pack; delays resulted in many overseas electors not receiving ballot papers on time to be able to cast their vote and so were disenfranchised. Understandably, this has generated some complaints. ▪ Confusion for electors in Faversham and Mid Kent area about where to go for replacement postal vote packs (Maidstone). ▪ Confusion for electors and candidates in Faversham and Mid Kent area as a result of poor

Description	What worked well?	What could have been better?
<p>election. The deadline for applying to vote by post/cancel a postal or proxy vote is just 11 working days prior to the election. There was a significant increase in demand for postal votes, with a 14% increase in Sittingbourne and Sheppey and a 17% increase in Faversham and Mid Kent between 13 March and the deadline for postal voting.</p> <ul style="list-style-type: none"> ▪ The deadline for applying for a proxy vote is just 6 days before the election. There was a surge in proxy vote applications, particularly from those who had missed the deadline for applying to vote by post. <p>There is also a facility now for emergency proxy votes for people who are taken ill or are asking to go away for work after the deadline for proxy votes has passed. This applies up until 5pm on polling day, and so we have to make arrangements to notify the presiding officers at polling stations if an application is approved. This also applies for clerical errors that can be made up until 9pm on election day.</p> <p>There is very limited time between the deadline for nominations and the need to send off data to printers for printing of</p>	<p>printers for Sittingbourne and Sheppey in good time for electors to be able to cast their vote.</p> <ul style="list-style-type: none"> ▪ Postal vote opening sessions worked well with the additional external help provided; software for checking personal identifiers worked well after an initial teething problem. 	<p>communications from Maidstone to voters about late/replacement postal votes.</p> <ul style="list-style-type: none"> ▪ An additional well trained and diligent temporary member of staff would have relieved some of the pressure on the Team. ▪ An additional software licence will speed up the checking of personal identifiers which is required as part of the postal vote opening sessions.

Description	What worked well?	What could have been better?
ballot papers which creates significant pressure on the team who are also dealing with electoral registration/absent voting applications.		
Supply of Registers and Absent Vote lists to parties, candidates		
A form was included in the nomination packs for candidates to complete if they wished to receive a copy of the register/absent vote lists. Separate arrangements are in place for political parties. The legislation does create some difficulties for independent candidates.	<ul style="list-style-type: none"> ▪ All requests for registers/absent vote lists were dealt with in a timely manner. 	<ul style="list-style-type: none"> ▪ The Faversham and Mid Kent Constituency Office was not aware that the register had been re-published in February 2015, and so had not requested a copy of the latest register until close to the election. ▪ Improve the functionality of the electoral management IT system to produce absent vote lists in a more user friendly format.
Candidate briefing		
In addition to the prospective candidate event that was held earlier in the year, a candidate briefing was held and this was aimed at parliamentary and borough candidates/agents. This was held after the deadline for nominations.	<ul style="list-style-type: none"> ▪ Positive feedback from those who attended. 	<ul style="list-style-type: none"> ▪ Perhaps the time of day could be changed to improve the level of attendance. ▪ Whilst we did cover the procedure to be followed at the count, from the feedback received there appears to be misunderstanding around the verification procedures required by legislation. ▪ An error made in the posting of letters to candidates may have meant some candidates did not

Description	What worked well?	What could have been better?
		<p>have enough notice of the briefing, although it was mentioned in the nomination pack.</p>
<p>Polling Stations – venue, layout and helpfulness of staff</p>		
<p>Polling stations are required to be open from 7am to 10pm.</p> <p>Additional flyers were sent out with poll cards to highlight any change to their usual polling station. Some voters were voting in new polling stations, or different polling stations, due to the new arrangements in place to reflect the new ward boundaries.</p>	<ul style="list-style-type: none"> ▪ All polling station staff were trained (72 presiding officers, 147 poll clerks), and the Electoral Commission ratio re number of staff was met. A comment has been received regarding help given to first time voters, and this will be picked up at future training sessions. ▪ All stations were visited by experienced polling station inspectors (training will be reviewed to pick up feedback that display of information was not always the same at each station). ▪ New polling booths in use at every station, which replaced the old wooden booths, although a few comments received around some perceived lack of privacy. ▪ All polling stations were booked well in advance, open on time, and until close of poll. ▪ Despite some difficulties on the day before the election with delivery of portacabins due to the high winds, 	<ul style="list-style-type: none"> ▪ There was confusion at the polling station in Minterne School in terms of the number of electors allocated to that station, and issue of ballot papers for the Tunstall Parish Council election. The problems regarding the issue of parish ballot papers at this station have been picked up by the Electoral Commission, and as a result the Returning Officer has been identified as not meeting elements of the required performance standards. ▪ Despite booking letters clearly stating that main halls were to be used, given the expected turnout at the general election, it has come to light that this was not the case at Minterne School and a side room was used instead. ▪ There was some confusion from electors in understanding why they had been allocated a different polling station (as a result of the new ward boundaries), in particular

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	<p>all venues were ready for election day. This did cause some delays for staff in setting up of polling stations, and for the Elections Team in being able to confirm all in place.</p> <ul style="list-style-type: none"> ▪ Although some specific difficulties at certain polling stations, the new polling arrangements for the new wards worked well overall. Flyers were despatched with poll cards to give additional information to voters regarding venues. 	<p>in the Homewood Ward.</p> <ul style="list-style-type: none"> ▪ Some suggestions received to review arrangements for voters using Minterne School, the portacabin at Vincent Gardens, St Judes in Faversham, and polling stations in Minster. ▪ Some specific feedback from presiding officers regarding facilities at venues will be looked into.
The Count – welcome note; communications/process		
<p>The Acting Returning Officer is required by legislation to conduct an overnight count for parliamentary elections.</p> <p>The Returning Officer sets the timing of the count for borough and parish elections.</p> <p>Legislation provides that all ballot papers must be verified for polls taken on the same day.</p>	<ul style="list-style-type: none"> ▪ All ballot boxes were verified (including unused ballot papers). ▪ Statutory requirement to commence the parliamentary count by 2am was met. ▪ Count was conducted accurately and in accordance with legislation. ▪ Welcome note was provided to set out the process to be conducted. ▪ Everything was checked back in, in accordance with legislation. ▪ Separate team for postal vote checking, and IT systems for checking personal identifiers worked well. 	<ul style="list-style-type: none"> ▪ Due to the combinations/complexities of 7 May the Elections team did not have sufficient time on election day for count preparations due to the volume of calls and postal votes received on election day. Some members of staff were up for 42 hours and had worked long and intensive hours in the run up to the election. ▪ Arrangements for checking in process for ballot boxes at end of polling day– whilst this worked well it did take up resources of core Election Team, which may have

Description	What worked well?	What could have been better?
	<ul style="list-style-type: none"> ▪ Having additional count staff trained in postal vote opening procedures. ▪ Ballot boxes kept secure overnight. ▪ Display of election results for parliamentary and borough elections were published on-line as soon as they were declared. 	<ul style="list-style-type: none"> ▪ been better utilised elsewhere. ▪ Postal vote opening – there was a late surge in postal votes being returned to Swale, and so the opening session at the count took much longer than anticipated, and so additional staff would have helped. We also need to review the process for adding the postal votes at the count to the ballot boxes. ▪ Clearer job roles for senior team at the count, and a review of workflows at the count. ▪ Consider additional training for counters – many were new/ inexperienced; many experienced staff also work on polling stations and so were not able to help on the overnight count. An additional count team may have helped, although it is not clear where additional staff would be obtained from as many worked on polling stations throughout the day. ▪ Review training of table supervisors to include more detailed training regarding grass skirts, and their role in communicating to agents/ candidates throughout the process. ▪ Despite providing a welcome note

Description	What worked well?	What could have been better?
		<p>which explained the process, it is clear that there are mixed views on the level of detail, and some people did not see a copy.</p> <ul style="list-style-type: none"> ▪ Announcements were made regarding which table was counting which ward, but additional signage to be provided to make it more visible. ▪ Arrangements for return of ballot boxes from Maidstone's count and paperwork could be improved. ▪ Review the arrangements to speed up the check-in process for candidates/agents/guests whilst ensuring all sign in. ▪ Some feedback to suggest the PA system could be improved. ▪ Publish the parish election results on-line in the same way as for parliamentary and Borough. ▪ Estimate of time that the count would take was overly optimistic, and raised expectations of when results would be declared.