

 Licensing & Regulatory Committee 11 April 2016		Agenda Item No. 6
Title	Review of the Management of the Elections held in 2015	
For further information about this report please contact	Chris Elliott, Chief Executive, Returning Officer, 01926 456000 chris.elliott@warwickdc.gov.uk	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No	
Date and meeting when issue was last considered and relevant minute number		
Background Papers		

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No
The report is for information only.	

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	1/4/2016	Author
Head of Service		
CMT	1/4/2016	
Section 151 Officer	1/4/2016	Mike Snow
Monitoring Officer	31/3/2016	Andrew Jones
Finance	1/4/2016	Mike Snow
Portfolio Holder(s)	1/4/2016	Andrew Mobbs
Consultation & Community Engagement		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. **Summary**

- 1.1 The report provides details of the 2015 elections administered by Warwick District Council, the issues that occurred and how they were resolved. It contains feedback from a variety of sources and sets out an action plan for improvement in the delivery of future elections in the District.

2. **Recommendations**

- 2.1 The Committee notes the unique circumstances of the 2015 elections for Warwick District, as set out in the report.
- 2.2 The Committee notes that the Returning Officer met all the performance objectives for the Electoral Commission for the 2015 elections, as set out at Appendix 11 to the report.
- 2.3 The Committee notes the Internal Audit report into the 2015 elections, as set out at Appendix 1 to the report.
- 2.4 The Committee notes the outcome of the Association of Electoral Administrators (AEA) Peer Review of Electoral Services at Warwick District Council, as set out at Appendix 12 to the report,.
- 2.5 The Committee supports the planned changes for 2016 and subsequent elections, as set out at Appendix 15 to the report.
- 2.6 The Committee notes that Warwick District Council has been selected, by the Electoral Commission, as an example of best practice for the work it undertakes with Nursing Homes and Students

3. **Reasons for the Recommendations**

- 3.1 Section 8 of the report details the arrangements put in place for the May 2015 election, the unique circumstances faced by the Council at that time along with the issues that arose and the lessons learned. Feedback was subsequently sought from all participants and in addition the review takes into account the Electoral Commission's views, an internal audit and an external peer review.
- 3.2 The Returning Officer is required to deliver elections in line with a number of performance standards set by the Electoral Commission. The two main themes of these standards are:
- Voters are able to vote easily and know that their vote will be counted in the way they intended; and
 - It is easy for people who want to stand for election to find out how to get involved, what the rules are, and what they have to do to comply with these rules, and they can have confidence in the management of the process and the result.

The Electoral Commission has concluded that these standards were achieved for the 2015 elections in Warwick District, its letter, to this effect, is attached as Appendix 11. The assessment on the 2015 elections from the Electoral Commission is available from their website. This reflects on the issues that occurred across the country and not any specific issues in Warwick District.

- 3.3 An internal audit report is undertaken after each Warwick District Council election. A "Substantial" level of assurance of was given to this audit. The full Internal Audit Report is set out at Appendix 1.
- 3.4 In addition, an external peer review (see Appendix 12) was commissioned to help improve Electoral Services.
- 3.5 This report reviewing the 2015 election was intentionally delayed until the above two pieces of work (as set out in paragraph 3.3 and 3.4) had been concluded in case any wider issues were raised that had not already been identified by this review.
- 3.6 From all of the work undertaken to review the management of the elections in May 2015, an action plan for improvement has been developed, set out at Appendix 15, for which the Committee's approval is sought.
- 3.7 Late in March 2016 the Council was notified, by the Electoral Commission, that the work it undertakes in regularly visiting nursing homes to ensure residents are registered to vote has been identified as an example of best practice across the Country. This will be written up in detail by Warwick District Council for the Electoral Commission to recommend to other Council's. It is directly relevant to this report as this is a continuous process and was taking place up to the deadline for applications to register to vote for the 2015 elections.
- 3.8 At the same time the Council was notified, by the Electoral Commission, that the work it undertakes in engaging with students from Sixth Form centres, colleges and Universities across the District, as well as the liaison with Coventry University and partnership working with Coventry City Council, has been identified as an example of best practice across the Country. This will be written up in detail by Warwick District Council for the Electoral Commission to recommend to other Council's. This is again relevant to this report as there is a national emphasis on getting young people to vote and the proactive engagement approach by the Council and the use of social media is key in this work.

4. **Policy Framework**

- 4.1 Policy Framework – The report does not impact on the Policy Framework of the Council.
- 4.2 Fit for the Future –The report sets out how a very significant election was delivered and reviewed in line with Fit for the Future's 3 strands:

Service – to maintain or improve services
The action plan will help the Council to improve its election services.

Money – to achieve a sustainable balanced budget
The report demonstrates how the Council will continue to deliver value for money and balance its budget.

People – to support through change
The report shows the efforts that staff made and how they can be supported in the future in delivering the election service.

4.3 Impact Assessments – No impact assessment is required.

5. **Budgetary Framework**

5.1 The report does not impact on the Budgetary Framework for the Council, but does impact on its budget.

5.2 Table 1, below, sets out the actual costs of the elections compared to those budgeted for. It should be noted that while the only election costs that Warwick District is responsible for paying are in relation to its own elections, it also includes an element of contingency for matters that may arise.

Table 1

	Warwick & Leamington Parliamentary election	Kenilworth & Southam Parliamentary election	Warwick District Council election	Parish & Town Council elections	Total
Budget	93,109	99,976	171,000	107,600	471,685
Actual	89,403	104,681	151,137	127,169	472,391
Variance	-3,705	4,705	-19,862	19,569	706

5.3 The Committee should be aware that the expenses incurred by the Council for administering the two Parliamentary seats are currently being assessed by the electoral claims unit. The Council expects these to be confirmed by late spring 2016.

5.4 It is worth noting the significant difference between the budgeted cost of Parish/Town Council elections, and the actual cost. This difference was primarily a result of the combined elections and it is recognised that improved estimates for these costs need to be made ahead of the next round of Parish/Town elections.

5.5 It is noted within the Audit report that at the time of the audit there was a difference of around £40,000 between total costs and ledger. This was corrected through the budgeting process for closing the accounts with the Electoral Claims unit (before 6 November 2016) and the values set out above are correct.

5.6 The Audit Report of the elections also states at 3.5.11 that "Payments with standard rate tax deduction accounted for 89 per cent of the polling staff. Checks were not performed on individual non-deducted payments, but the proportion was deemed a reasonable representation of a cross-section of valid non-tax payers". Councillors should be aware that all staff working on an Election have to complete a bank detail form and HMRC Declaration ESFF34, which confirms their taxable status. Those who do not work for the Council are required to provide evidence of their eligibility to work in line with HMRC requirements for proof of identity.

5.7 The Audit Report of the elections states at 3.5.6 that "A schedule of fees was submitted for approval by the Licensing and Regulatory Committee in February 2015, although these were subsequently increased. No known record exists of sign-off for this change, which is attributed to oversight rather than failure of proper authorisation". The report to Licensing & Regulatory Committee, on 25 February 2015, explains that the rationale for the revised fees following discussions between Warwickshire Elections Officers. The report was considered

by the Elections Project Board and approved by the Chief Executive of the Council, who was also Returning Officer and responsible for these fees prior to the report going to Committee. Clarification on this oversight should have been picked up during the drafting of the Audit report by the Elections Team.

6. Risks

- 6.1 The report is focused on reporting facts of what occurred at the election. The important factor that needs to be considered in terms of risk is taking the appropriate lessons learned forward in future elections especially as the majority of the issues will not arise again until the next General Election in 2020.
- 6.2 Both the risk register and project plan for the 2015 election are included for information as Appendices 13 and 14, similar risk and project plans are in place for both the PCC election and EU referendum.

7. Alternative Option(s) considered

- 7.1 The action plan could be varied but officers advise that the steps advocated are appropriate for the issues that the 2015 elections generated.

8. Background

- 8.1 The 2015 elections brought a unique number of circumstances together for Warwick District Council and its electors which meant it was the biggest set of elections ever administered by this Council. These circumstances were in summary, administering two parliamentary constituencies (over three District/Borough areas), new Ward boundaries for District Council elections, new Parish & Town Council boundaries combined with the effect of Individual Electoral Registration (IER). These particular circumstances were not matched anywhere else in the country.
- 8.2 Warwick District Council is responsible for administering two Parliamentary Constituencies (Warwick & Leamington and Kenilworth & Southam). While the Warwick and Leamington seat is a relatively simple one as all electors are within Warwick District. The Kenilworth and Southam Constituency is made up of 31500 electors from Warwick District, 7,900 electors from Rugby Borough from 3 of their fourteen Wards, and 25,670 electors from Stratford District from 10 of their 36 Wards. This means the Council had to administer additional polling stations within these areas as well as its own and also take responsibility for verifying the ballot papers from those council's Local Government elections (Both District/Borough as well as Parish/Town) taking place at the same time as the parliamentary election.. Therefore, as a total, Warwick District Council was responsible for 135,535 electors over the two parliamentary constituencies.
- 8.3 Warwick District Councils 2015 elections were contested on new Ward boundaries, based on new polling districts, with revised polling station allocations. The work on this was not completed until February 2015 due to the late completion of the work on the Community Governance Review Order. The order took longer than to complete for a number of reasons including additional public consultation and liaison with the Boundary Commission which enabled the Licensing & Regulatory Committee to take informed decisions on sensitive

boundary changes. Warwick District elections would see an electorate of 106,601; the highest in the Council's history.

- 8.4 The Parish & Town Council elections were contested on new boundaries following the Community Governance Review Order. There were a total of 22 contested elections at Parish and Town Council level, due to the number of Wards within Towns in Warwick District that were contested as well as some Parish Council's having their first elections in over 30 years..
- 8.5 In June 2014 Individual Electoral Registration (IER) was introduced which requires each person to register individually, instead of one person in a household supplying the details of all the people living at that address. Online registration was available from the start of IER. One of the main aims is to help everyone who is eligible to vote to have control over their own registration. At the time of the May 2015 elections, this was still being implemented, with this election being the first major test and as a consequence the Election Management System constantly being updated via fixes and upgrades from Xpress.
- 8.6 Due to all of the above factors the Returning Officer set up a project team to deliver the election and work started formally within this team in autumn 2014. However, a number of small scale tests had been undertaken over the previous two years' elections to try out ideas ahead of the 2015 election.
- 8.7 The Returning Officer was mindful of these challenges, recognising that elections in Warwick District always had above average turn out and he decided that the verification would take place after the close of poll, with the count for the Parliamentary elections held on Friday morning and the count for District & Parish elections taking place on the Saturday morning. For comparison the original planned and actual timings are set out below:

	Planned	Actual
Thursday		
Polling stations close	10.00pm	10.00pm
All ballot boxes arrived by	11.45pm	12.30pm
Verification complete by	3.00am (Friday morning)	Adjourned at 3.30am (Friday) Completed 12.00noon (Friday)
Friday		
Verification complete		12noon
Parliamentary Count start	10.00am	1.00pm
Parliamentary Count end	1.00pm	3.30pm
District/Parish Set up	1.00pm to 4.00pm	8.00am to 10.00am (Saturday)

	Planned	Actual
Saturday		
District/Parish Set up		8.00am to 10.00am
District & Parish Start	10.00am	11.00am
District and Parish End	1.00pm	2.30pm
Breakdown and move out of venue	1.00pm to 2.00pm	2.30pm to 4.00pm

8.8 In addition, because of the combination of all of these factors the Council would be monitored by the Electoral Commission throughout its preparation and delivery of the elections, with a senior member of their staff sitting on the project team to oversee and advise as required.

8.9 The project team incorporated officers from across the Council to ensure appropriate skills were used to deliver the project. The team comprised of

Chris Elliott	Chief Executive & Returning Officer
Graham Leach	Democratic Services manager & Deputy Monitoring Officer & Deputy Returning officer
Gillian Friar	Electoral Services Manager & Deputy Returning Officer
Fiona Clark	Customer Contact Manager (Leading on Media and Front line staff communications)
Sam Collins	Leading on venue security and event plan
Jon Dawson	Finance
Richard Southey	IT Planning for Council requirements to deliver postal voting

To compliment this; the delivery of the project was detailed to other officers including delivery to the venue, setting up ballot boxes and opening of postal votes.

8.10 To deliver the work the team met monthly, with more frequent meetings from March 2015 to May 2015, working with an agreed project plan and associated risk register (Appendices 13 and 14).

8.11 To deliver the election overall the team managed 177 polling stations, which included one portacabin with portaloo and generator. Each polling station had at least three members of staff with one polling booth (each polling booth has four places to vote), two or three ballot boxes, associated ballot papers and equipment.

8.12 Due to the Ward boundary changes affecting the Parliamentary constituency boundary, leaving a District ward split between the 2 constituencies, a number of Presiding Officers ran 2 polling stations within one location assisted by extra Poll Clerks.

8.13 The team checked in and processed over 900 candidates details and their associated agents. This led to checking, in a 12 hour window, 184 individual ballot paper proofs i.e. 22 District, 22 Parish or Town and 2 Parliamentary ballot papers for the polling stations, and the same number again for the tendered ballot papers for the polling stations, 22 District, 22 Parish or Town

and 2 Parliamentary ballot papers for postal vote packs and the same again for the electors who have a waiver postal pack i.e. do not sign their postal vote statement.

- 8.14 To administer an election of this size the Council employed 731 members of staff to work in polling stations, to open postal votes, to prepare equipment and paperwork for polling stations and to manage reception at Riverside House and the Customer Service Centre through to 10.30pm on Election Day. The Council only has 450 members of staff on permanent contracts and the majority of staff working on the election were employed from outside of the Council. To employ the staff for all of these elections cost £71,490.
- 8.15 As an example of the physical demands of the work the ballot papers for the three types of election in Warwick District, in total, weighed just under 3.5 tonnes. Each were moved from delivery at Riverside House to the election work room, appropriately bagged for each ballot and polling station, delivered to Stoneleigh Park for collection by Presiding Officers, taken to polling stations, brought back to Stoneleigh Park for counting, then bagged up again and taken back to Riverside House for secure storage for 12 months. Following which they will be securely destroyed, along with all other paperwork, by the Council's supplier for handling confidential waste.
- 8.16 The Council used 456 ballot boxes (at polling stations) with a further 144 in use for sorting and processing postal votes, compared to 150 (polling station and postal votes) which will be used for the Police and Crime Commissioner election in May 2016.
- 8.17 The Council normally has around 14,500 postal voters. For the May 2015 election this figure rose to 21,000, but this was in fact actually 42,000 because a separate postal pack had to be issued for the Parish or Town election from the Parliamentary and District elections.
- 8.18 The election workload reflected the national rise in Overseas Electors wanting to vote. At the 2014 elections the Council had 60 Overseas Electors registered to vote. This rose to over 600 for the elections in May 2015. A British citizen living abroad is entitled to be registered to vote if their last entry on the electoral register was in force within 15 years of the date given on their application to register as an overseas elector. They must not appear in any other electoral register for any other qualifying address since being last registered at the application address given on their form. Each individual application form has to be manually checked before being processed.
- 8.19 Between 13 April 2015 and 8 May 2015 the Customer Service Centre received 1,600 calls regarding elections, the most they had ever handled for an election. However, by contrast the elections team received, and responded to, 5,800 calls between three officers. This amazing effort has been recognised but also has to change in future elections and planning for this has been a key part of the calls returning from the Customer Service Centre in February 2016.
- 8.20 236,000 ballots were cast by the electorate in Warwick District. For the District Council election itself the highest number of ballot papers ever were issued; 75,391 with the second highest turn out for District elections 70.7% ever, compared to 65,968 with a 77.5% turnout in 1979. For reference comparison tables are included below:

Table 1 – Turnout in Warwick District compared to national average

	Actual	National average
Parliament Warwick & Leamington	71%	66.1%
Parliament Kenilworth & Southam	76.57%	66.1%
Warwick District	70.7%	67.63%
Parish & Town Council average	69.86	65.15%

Table 2 Turnout in Warwick District 1979 compared to 2015

	1979	2015
Parliament Warwick & Leamington	77%	71%
Parliament Kenilworth & Southam	(Formed part of the Rugby constituency) 83.9%	76.57%
Warwick District	77.5%	70.7%

Table 3 – Turnout in for local elections in Warwick District compared to Neighbouring Councils 2015

Authority	Turnout
Stratford on Avon	70.76%
Warwick District	70.7%
North Warwickshire	68.16%
Solihull	66.3%
Rugby Borough	66.03%
Coventry City	57.83%
Nuneaton & Bedworth	No local elections

- 8.12 The election count venue moved to the larger Halls at Stoneleigh Park, using Stoneleigh Park Hall 1- (3,100m²) and Hall 2 – (4536m²). For comparison, Hall 2 is nearly big enough for a premier league approved 11 a side football pitch. This change of venue was to ensure that the count could operate safely and securely.
- 8.22 At the count in addition to 300 members of staff on site, there were 700 candidates, agents and their guests invited. This was combined with managing a media presence from BBC News,, ITN news, BBC Coventry and Warwickshire, BBC Midlands Today, BBC Radio 5 Live, , Free Radio, Touch FM, The Courier Group and Leamington Observer and freelance photographers.
- 8.23 To ensure that this event was safe and successful there was a joint operation between Warwick District Council, National Agriculture and Exhibition Centre events team, their catering team, Securex (on site security and parking stewards). This was designed on advice from appropriate responsible agencies through the Warwick District Safety Advisory Group, but also from counter terrorism specialists at West Mercia Police.
- 8.42 Members should also be aware of the demands placed on the Council’s website. In 2011 the significant level of demand (20,000) unique visits had crashed the elections results pages, however this time results were published in real time with no issues at all. A summary of statistics is as follows:

- District results by ward: 31,166 page views (9279 visits)
- Overall district results: 2,434 page views (1951 visits)
- Elections 2015 15,173 page view (8838 visits)
- Parish council results: 8857 page views (4999 visits)
- Why did we count on Friday and Saturday FAQ: 1881 page views
- WDC election results had 73,021 page views (41,207 visits).

NB: During a visit to the website someone can make multiple page views which is why the pages viewed is always higher than the number of visits.

Issues Arising

- 8.25 There were some significant issues which arose during the election and these are discussed, in detail, in the appendices to the report. These were:
- Incorrect logo for a candidate on the Abbey Ward ballot paper (Appendix 2)
 - Delay in despatch of the parliamentary postal votes to some electors in the Rugby Borough area of the Kenilworth & Southam Constituency (Appendix 3);
 - Production of ballot boxes (Appendix 4)
 - Not completing the verification of the ballot papers by 3.00am on Friday morning (Appendix 5)
 - Not starting the count for District, Parish & Town Council election on time Saturday morning (Appendix 6)
 - Threat to burn down Riverside House on 7 May 2015 (Appendix 7).
 - Overseas voters (Appendix 8)
 - Overseas Postal Voters (Appendix 9)
 - Post Elections Surveys (Appendix 10)
- 8.26 The Council received a number of complaints from members of the public about the election. They can be summarised as follows:
- 40 complaints about overseas postal packs not being received;
 - 5 complaints about postal packs not received at alternative UK addresses;
 - 14 complaints about postal packs not received at normal addresses; and
 - 100 general queries and complaints which varied from confirming voter registration, complaints about tellers at polling stations, quality of Parish Council/Town Council election results, questions about why changes to polling stations and wards and the time taken to declare results, missing polling cards.
- All of these customers have been contacted individually and all matters have been closed. This includes four enquiries where, after several attempts to contact the individual for further information without response, the Council has closed the matter.
- 8.27 In addition to the above issues which arose during the election, members should also be aware of the summary of feedback received after the election, which was sought from all candidates, agents, media (who attended the count) and staff. This is set out at Appendix 10 to the report.

8.28 Not mentioned in the appendices is another issue members need to be aware of. Nationally there was an issue of Postal Votes being delivered by the Royal Mail to incorrect Council offices. In our case this meant that Warwick District Council had to send an officer twice to Kettering Borough Council to collect, in total, 600 postal votes with one visit being on the morning of Election Day. The Electoral Commission has discussed this with Royal Mail and made them aware of their responsibilities and need for this not to be repeated.



INTERNAL AUDIT REPORT

FROM: Audit and Risk Manager **SUBJECT:** Local Elections
TO: Chief Executive
Democratic Services Manager **DATE:** 18 November 2015
Electoral Services Manager
C.C. Deputy Chief Executive (AJ)
Head of Finance

1. Introduction

- 1.1. In accordance with the Audit Plan for 2015/16, an examination of the above subject area has been completed recently and this report is intended to present the findings and conclusions for information and action where appropriate.
- 1.2. Wherever possible, results obtained have been discussed with the staff involved in the various procedures examined and their views are incorporated, where appropriate, in any recommendations made. My thanks are extended to all concerned for the help and co-operation received during the audit.

2. Scope and Objectives of Audit

- 2.1. The purpose of the audit examination was to report a level of assurance on the adequacy of structures and processes in place to administer local elections economically, efficiently and effectively in compliance with relevant legislation and regulatory provisions.
- 2.2. The examination took the form of a risk-based overview of the relevant structures and key processes considering evidential material in the context of the following themes:
- § relevant policies, procedures and guidance;
 - § roles, responsibilities and training;
 - § procurement;
 - § management of polling staff;
 - § monitoring and review;
 - § information assurance.
- 2.3. The findings are based mainly on reference to the evidential material provided in respect of the combined Parliamentary, District and Parish/ Town Councils Elections in May 2015, including analytical review of financial and other data. This was supplemented to a limited degree by discussion with

relevant staff and, where applicable, drew on the recollection of the auditor as a member of the polling staff.

- 2.4 It should be emphasised that the examination was not intended as a project evaluation specific to the 2015 Elections (the Electoral Commission exercises close independent scrutiny in this area). The documents and records in respect of these Elections were used in the examination as an evidential base to support conclusions on ongoing assurance under the Council's wider governance framework.
- 2.5 The primary contact for the audit was Gillian Friar, Electoral Services Manager.

3 **Findings**

3.1 General Comments

- 3.1.1 Regulatory changes since the 2010 Parliamentary election have enabled parish council elections to be held on the same day as Parliamentary elections for the first time. For the 2015 combined election, this has presented the (Acting) Returning Officer and Council elections staff with unprecedented administrative, financial and logistical demands.
- 3.1.2 Given this and other factors (including cross-boundary challenges), it is fair to say that the 2015 election constitutes the most stringent test of the structures and processes in recent memory. On the other hand, greater predictability of Parliamentary election dates as a result of legislation from 2011 has better facilitated early planning.
- 3.1.3 The structures and processes for elections are substantially influenced by legislation and a wealth of guidance and toolkits produced by the Electoral Commission. The audit has considered what are seen as key aspects of Electoral Commission resources in the evaluation.

3.2 Policies, Procedures and Guidance

- 3.2.1 The conduct of elections is governed by legislation developed from a number of statutes going back to the early 19th century. The Electoral Commission was set up in 2000 under primary legislation as the national body overseeing the running of elections.
- 3.2.2 Electoral Commission guidance resources for the 2015 elections are grouped into six sections representing the following the themes:
- § Returning Officer (RO) role and responsibilities;
 - § Planning and organisation
 - § Administering the poll
 - § Absent voting
 - § Verifying and counting the votes
 - § After the declaration of the result.
- 3.2.3 From review of internal documentation and working knowledge of polling station duties, it is concluded that the Electoral Commission guidance has been followed in all its main essentials. Critically, the template Project Plan

and Risk Register have been utilised and all changes to content have are seen as reasonable adaptations and tailoring without any dilution of important control actions.

3.2.4 In tandem with this, the Electoral Services Manager maintains an outline 3-year ongoing programme tabulates the expected demands and challenges for all elections in that period. For the 2015 election, the main Project Plan has spawned a further series of themed plans covering marketing, media, ICT resources and set-up for the verification and count.

3.3 Roles and Responsibilities

3.3.1 Under the standing Council structure the role of Returning Officer is vested in the Chief Executive and, in the case of Parliamentary elections (under the current constituency boundaries), the Chief Executive has exercised the role of (Acting) Returning Officer for the constituencies of Warwick and Leamington and of Kenilworth and Southam.

3.3.2 The first section of Electoral Commission guidance for 2015 sets out the responsibilities of both of the above roles for combined elections in some detail. This section also defines the standards against which performance of Returning Officers is monitored by the Electoral Commission.

3.3.3 Going back to the standing structure, official job roles place the Electoral Services function within Democratic Services. The standing team exercising the function is a small one comprising the Electoral Services Manager (who is also designated Deputy Returning Officer) and one Electoral Services Officer. The post holders are highly experienced practitioners in their respective roles.

3.3.4 Cross-skills development over the years has facilitated use of the Democratic Services Team to support the work of Electoral Services when appropriate. For the 2015 election, the appointment of a second Electoral Services Officer was authorised on a secondment basis.

3.3.6 A 'Core Team' established for the 2015 election combined officers from both the Electoral and Democratic Teams with other Council officers providing expertise in important disciplines such as media relations, IT, finance and site security.

3.3.7 A Project Group, headed by the Returning Officer, was constituted to steer preparations for the election and first met formally in December 2014.

3.4. Procurement

3.4.1 It was advised that there had been consultations earlier in the year between the Electoral Services Manager and the Procurement Manager with a view to bringing electoral related procurement contracts more into line with the Code of Procurement Practice. This led to a commitment to review two of the relevant major contracts after the 2015 election.

3.4.2 The level of procurement for the 2015 election has shown a marked spike compared to previous elections, although this can be explained by known factors which effectively render any financial comparison with previous elections virtually meaningless.

3.4.3 The following procurements stand out in terms of scale:

	<u>Spend for 2015 Election to date (£000)</u>
<u>Idox (Opt2vote)</u> – production of postal vote packs & ballot papers	61
Stoneleigh Events – count venue hire, furniture/ equipment, security and related services	58
Electoral Reform Services (ERS) – delivery of poll cards	34

3.4.4 The contracts with Idox and ERS are to be subject to review as mentioned above. An exemption from the Code of Procurement Practice was obtained from the Executive to allow the hiring of Stoneleigh Park facilities for the count venue without competitive tendering.

3.5 Management of Polling Staff

3.5.1 Figures show just upward of 750 staff engaged on polling duties at the 2015 election of which around one quarter were Warwick District Council employees. Fees and expenses arising totalled in the region of £¼ million.

3.5.2 The Project Risk Register describes how the available duties were to be promoted. The traditional approach internal circularisation and writing to non-Council staff on the database that had previously performed election duty was repeated for 2015.

3.5.3 This was supplemented by a recruitment drive targeting local public sector organisations, further education establishments, schools, supermarkets and bank branches. A second approach to Warwickshire County Council and local supermarkets and bank branches to make up a shortage of numbers on certain duties is recorded.

3.5.4 Basic employment rights checks are built into process for recruiting staff from outside the Council, although they are applied judgementally depending on the reliance that could be placed on the applicants' employers having already performed such checks. This process was not tested in detail, although it was noted from staff data that passport numbers are entered into the database where they have been produced.

3.5.5 Appointments are notified in writing and an acceptance form is required to be signed and returned in each case. This in addition to the statutory appointment forms required for certain duties.

- 3.5.6 A schedule of fees was submitted for approval by the Licensing and Regulatory Committee in February 2015, although these were subsequently increased. No known record exists of sign-off for this change, which is attributed to oversight rather than failure of proper authorisation.
- 3.5.7 The approach to polling station staff training repeated the web-based sessions first used in the 2014 European Election supplemented by the traditional briefings dovetailed in with ballot box collection.
- 3.5.8 The staff duty, tax status, and fee details are processed in the election management application from which a file export is run and processed in the Council's payroll system (now hosted by Coventry City Council) and payment made by BACS. Tests successfully reconciled end-to-end totals.
- 3.5.9 Review of fees paid concentrated on consistency checks on mainstream polling day, verification and count duties which did not reveal any significant anomalies. A significant number of staff took on multiple duties across polling day through the verification and both count days, but it was established that none of the duties involved were mutually exclusive.
- 3.5.10 Travel and subsistence claims accounted for £9,317 (just under 4 per cent of the total fees and expenses combined). Checks on claims as part of this audit concentrated on those of exceptionally high amount. Only two cases showed inconsistency with normal distances between their home addresses and relevant venues, and these were explained by exceptional circumstances known about by the Elections Team. The validity of these have been confirmed by reference to the relevant forms.
- 3.5.11 Payments with standard rate tax deduction accounted for 89 per cent of the polling staff. Checks were not performed on individual non-deducted payments, but the proportion was deemed a reasonable representation of a cross-section of valid non-tax payers.

3.6 Monitoring and Review

- 3.6.1 The aforementioned Project Group became active in early December with recorded meetings initially at monthly intervals, then weekly from February up to the election date. Occasional attendance by a representative of the Electoral Commission is recorded.
- 3.6.2 The Group is scheduled due to reconvene in November to consider the post-election feedback and complete an evaluation of the 2015 election for reporting to Members. It has been advised that the feedback had been gathered in the immediate aftermath of the election, but that staff resource issues had delayed the formal evaluation process.
- 3.6.3 The Electoral Commission has produced its own assessment of Returning Officer performance and published its report in which the electoral authorities of Returning Officers deemed not to have met the standards have been named. It was advised that issues had been raised on certain aspects of Warwick District's performance, but these did not ultimately result in Warwick District being among those named.

- 3.6.4 At the time of this report, the schedule of final costs of the elections and expected central government and parish authorities' contribution have only just been completed.
- 3.6.5 With estimated support services recharges included, the gross cost of the combined elections (as represented in the ledger accounts) show a total of around £575,000. Expected contributions from central government and the parish councils are just over £200,000 and £124,000 respectively.
- 3.6.6 While the costings are still to be processed by Accountancy at the time of this report, an initial look showed an under-statement of costs compared with ledger expenditure of around £40,000 (some of this may be due to coding errors). A bottom-line overspend of approximately £40,000 against budget is indicated from the ledger figures.

3.7 Information Assurance

- 3.7.1 The entire electoral function is supported by an industry-leading software application supplied and maintained by Xpress Software and hosted on the internal server suite. This includes a module supporting the end-to-end process of running elections.
- 3.7.2 Access to this module is restricted by corporate client server configuration and by the logon process requiring entry of a valid user ID and password. Support for the system includes a sponsored user group in which the Election Team participates.
- 3.7.3 The election process is known to produce a substantial volume of paper records. Provisions on the handling, storage and disposal of this documentation are laid down in legislation and reinforced by Electoral Commission guidelines.

4 **Conclusions**

- 4.1 The findings give an overall picture of structures and processes in place that are suitably robust. Observations relating to the potential budget overspend are linked to unique factors specific to the 2015 election and it is not seen as appropriate that they should influence conclusions for ongoing assurance on the control environment.
- 4.2 On that basis, the findings give SUBSTANTIAL ongoing assurance that local elections are managed economically, efficiently and effectively in compliance with relevant legislation and regulatory provisions.
- 4.3 There are no recommendations arising from this examination.

Richard Barr
Audit and Risk Manager

Incorrect logo for a candidate on the Abbey Ward ballot paper

Postal votes are sent out in two batches; the first on the 12th day before the election and the second batch on the 7th day before the election.

The first batch of postal votes for the 2015 election were despatched on 20 April 2015. The Council was contacted on the afternoon of 22 April 2015 by a member of the public to question one of the candidates on the ballot paper, as the candidate Andy Tulloch listed as the Liberal Democrat Candidate but has a Labour Party logo shown next to his name.

Also on 22 April John Whitehouse, Liberal Democrat Agent, asked what action would be taken by the Council to rectify this error and when this would happen.

This was discussed internally by officers and advice was taken from the Electoral Commission on this matter. Their advice was to re-issue the District Council ballot paper in the ward affected, which ensured that the election complied with legislative requirements.

To do this the following actions were taken:

- On 23 April 2016 a letter was sent to all postal voters, candidates and agents (within the Abbey ward), to explain the position;
- A press release was issued which received good media coverage on local radio and newspapers;
- Information was presented via the Council's website;
- The postal packs were reissued between 23 and 28 April 2015;
- All Ballot papers for the Abbey ward were re printed in purple (to ensure that no postal ballots received back for this election (on yellow) could be incorrectly counted.

The returned postal vote pack received for the Abbey District ward election were processed separately to ensure that any returned yellow ballot papers were not included in the counting process.

Despite this problem the postal votes returned for the Abbey ward were still above the average for the District. The turnout for Abbey ward at District level was also still in line with the rest of the District. The problem cannot therefore have affected the election result of the level of participation.

It should be noted, as indicated in the Audit report at Paragraph 3.6.3 that the Electoral Commission had raised concerns about an aspect of the administration of the election. Their concern was solely about this matter and that there may have been confusion caused for electors. However they accepted evidence from the Returning Officer that turnout had been in line with the rest of the District and therefore accepted that the performance standards had been met.

How did this occur?

The matter was investigated by the team and the following is a summary of what occurred.

Firstly, for this election the quantity and number of ballot papers to be proofed far exceeded anything ever previously experienced by the Council. While project planning

had increased resources in every other aspect of the elections work, the proof reading was undertaken by one officer. The proof reading was undertaken in a busy office with a significant number of distractions taking place at the time.

Secondly, this problem was compounded by the fact that the file type export needs to be improved upon and will be a specific discussion with Xpress (the elections system provider). The specifics of this are as follows:

- Candidate information was correctly entered on to the elections management software used by the Council and the data export file was correct when it was provided to the Council's printers.
- The proof provided by the printers was incorrect and this was missed during the checking process of the ballot papers.

What officers established through discussions with the printing contractor is that the format of the file from the elections management system is in a format which means it has to be manually taken apart, put on a PC and copied into a new system. This has occurred for every election since the summer of 2010 but the printer had not previously informed the Council of this or the trouble it causes them. It should be noted that the information supplied to the printer was in line with the current contract.

What action is being taken to mitigate against this at future elections?

1. Future proof reading of ballot papers will be carried out in a quiet location away from the election office and will be undertaken by two officers.

2. In addition, discussions have taken already place with Xpress about the quality of export data for this process and the specification for this will be built into the new election printing contract. The tendering process for the new elections print contract will in future include the requirement that the files should not need to be taken apart and rebuilt in a new format by the printers.

Delay in despatch of the parliamentary postal votes to a number of electors in the Rugby Borough area of the Kenilworth & Southam Constituency;

Postal votes are sent out in two batches the first on the 12th day before the election and the second batch on the 7th day before the election.

The data for these postal votes is provided by Rugby Borough Council, by loading directly to a secure website for the printer to download and print the postal packs. Once printed the postal packs are handed over to Royal Mail for delivery.

Warwick Electoral Services were notified by its printer that all postal vote packs, including those in Rugby Borough Area and Stratford District Area, had been despatched in line with the deadlines.

The first batch of postal votes for the 2015 election were despatched on 20 April 2015.

The Council noticed an unusual spike in the number of enquiries about the non-delivery of postal vote packs in this specific area, but the Council had been notified by the Electoral Commission that nationally there was an issue due to the unexpected high level demand on Royal Mail. This combined with confirmation from contractors that the packs had been printed and passed to Royal Mail, left the Council reassuring voters that the packs were about to be delivered to them by Royal Mail.

The Chief Executive spent time trying to contact Royal Mail for confirmation of where these postal votes were within the system. This proved extremely difficult even with the support of the Electoral Commission.

At this time hearsay filtered through that a local postman had confirmed that there were no postal vote packs left in the Rugby sorting/delivery office.

During the week of the 28 April the Council had continued dialogue with the contractor responsible for issuing the postal packs. At this time, the contractor, contacted the Council firstly to provide the dockets showing the handing of postal packs to the Royal Mail, then shortly afterwards to say they had discovered the cause of the problem in Rugby Borough Area.

Rugby Borough Council had uploaded two sets of data for the contractor to print. However the contractor had only printed one of these sets of data. The printer accepted full responsibility for this error. The Council did have provision in its contract for notification of data being printed and despatched but this was only verbally from the contractor and there was no tally system to confirm number of uploads and number of files printed.

The Chief Executive discussed the matter, at length with the contractor and due to print capacity these were unable to be reprinted until late Friday 1 May 2015. The Council installed a plan with 11 members of staff, who volunteered, to deliver between 90 and 100 postal votes each on Saturday 2 May 2015. Due to the rural nature of the area involved, while most were delivered on the Saturday, a few in the rural areas were delivered on Sunday morning, one was not delivered until the Monday morning because the address was part of a secure compound with no post box or entrance

available over the weekend; and a few others that staff could not immediately find were delivered up to polling day.

How did this occur?

It is still unclear exactly how the printer failed to print both sets of data from Rugby Borough Council or how they managed to insist that everything had been printed. However WDC was not made aware that there were two sets of data by Rugby Borough Council. In future cross boundary working the Council will put in place agreements in place so that it is notified of what data is uploaded and when by the other authorities.

In addition it became apparent that the contractor was sub-contracting the printing to another company. This company had a significant amount of work to complete on elections and their capacity was an issue.

What action is being taken to mitigate against this at future elections?

The specification for the new printing contract requirements will confirm sub-contracting work is not acceptable and transparency of where data is in terms of printing and despatch will be required. Although outside the current agreement between the Council and its current supplier this will be in place during 2015 and this includes written confirmation of document despatch and figures from its supplier. This will be monitored and recorded by officers.

Production of ballot boxes & paperwork for polling stations

The delivery of the elections was divided into small deliverable sections with a Lead Officer for each section who had a clear deadline and set of requirements to deliver.

The officer who normally leads on this particular aspect had taken over as lead for delivering the opening of postal votes. The new officer leading this aspect should have been competent in delivering this area and should have received support and guidance from other members of the team.

While other events, see Appendix 2 and Appendix 3, were having an impact on the team in terms of limiting resources, the production of the ballot boxes needed to continue.

However, what did not occur was the usual level of checking of information being placed into the ballot boxes to ensure everything was in order and correct. At 7.15am on the Tuesday before election day, (the day ballot boxes were due to be issued to Presiding Officers) a random spot check found a significant number of errors within the paperwork and equipment to be provided to each polling station. The team responded by bringing in significant additional staff resources to re check all of the 456 ballot boxes and ensure they were delivered to Stoneleigh Park in time for despatch from 3.00pm that day. This was completed with the last boxes arriving at Stoneleigh Park at 5.00pm.

In addition each polling station had a different type of ballot box for each type of election. It was known that each type of ballot box required a different type of seal for it. What was discovered on the morning of the election was that a new set of ballot boxes purchased for this election, had a different type of seal within the same batch. With the late discovery of this problem, it caused some further problems on election morning for sealing ballot boxes.

How did this occur?

It is fair to say a significant level of trust had to be placed on an officer new to the role and one officer was left to produce over 400 ballot boxes with paperwork and equipment. Normally at least two dedicated officers would be responsible for producing the usual 118. It was envisaged that more officers would be brought in for this specific election from other roles in the team as time permitted. However at this critical time the other matters detailed in the 2 previous appendix had occurred and this left an inexperienced officer with adhoc and infrequent support from others.

While it is clear that the instructions with this process were either not understood or followed correctly, there was also no request for further help so assumptions were made that everything was okay and they were allowed to continue because of the issues outlined in Appendix 2 and 3. This removed the normal level of checking which is undertaken even when an experienced officer is undertaking the role.

What action is being taken to mitigate against this at future elections?

In future, increased resources will be provided to this task, to ensure each set of ballot boxes are double checked to ensure the correct seals are included together with the correct set of paperwork and equipment.

Not completing the verification of the ballot papers by 3.00am on Friday morning

The aim was to complete the verification of ballot papers by 3.00am on Friday morning after the close of poll at 10.00pm on Thursday 5 May.

To complete this work the count had been moved to a new larger hall to enable more staff to be used and also greater space to be available for storage, staffing and invited guests.

The size of the venue was an issue and provided great potential for ballot boxes to be lost or unaccounted for as had happened at other local authorities previously. The plan was that ballot boxes would arrive at the side of Hall 1, be checked in, transported to hall 2, checked in again then distributed to the correct table for opening and verification.

There were delays in getting all the ballot boxes back to Stoneleigh Park. The last one arrived significantly late (after midnight) because the Presiding Officer's car broke down and both they and the Chief Executive had been unable to contact each other to provide assistance. It is unclear as to the specific reason why one could not contact the other as the Presiding Officer had several contact numbers for the Elections Team and the Chief Executive had the contact phone number for the Presiding Officer.

Bringing the ballot boxes into the building took longer than usual because of the number of polling stations and volume of equipment.

This first part worked well although while greater than usual resources had been allocated, the distances involved to travel across Hall 1 into Hall 2 had not truly been appreciated until the evening and this caused a delay in moving the boxes.

In addition there was only one plan of the venue available to use to direct the ballot boxes to the appropriate tables.

This meant that all boxes were not at their tables until just before 1.00am.

To ensure that a count could start the next day the contents of all ballot boxes had to be verified to ensure no ballot papers had been put in the wrong box.

Once the ballot boxes were opened at the appropriate count table, each team would need to verify its contents. To do this they had to ensure it contained the correct colour of ballot paper, then count how many there were. After this the Clerk reported the total counted to the central verification table for approval (or not of the figure). The central verification was split into three sections (Parliament, District/Borough and Parish/Town).

The central verification aspect quickly developed significant queues due to the time taken to check each figure. This was for a number of reasons and on reflection this may have been that they were simply overwhelmed with demand. The verification had been split by type rather than polling station. This was because the need for splitting the data and not toggling between elections. However, this led to Verification Clerks queuing three times to verify a polling station, therefore meaning verification counting staff had to wait before moving on to the next ballot box.

There was a further complication in that the colour of ballot papers used by Stratford District Council were different to those used by Rugby and Warwick. Rugby and Warwick used Yellow ballot papers for District elections and Green for Parish, Stratford used Green for District and Yellow for Parish. Despite earlier requests at election planning meetings, as issues were anticipated, Stratford Returning Officer had been unwilling to change this. This led to people joining the wrong queue to have their figures checked. Further to this point the signage for the central verification was insufficient and needed to be clearer to enable everyone to be sure which line they were in.

Postal vote packs can be returned to the polling stations and there was a significantly higher than expected return of these on Election day. Polling Station Inspectors had collected postal votes three times during the day and these had all been processed. However after their final visit round at 7.00pm and before close of poll, over 300 were collected from polling stations. These then had to be sorted in to District ward, Parish or Town and Parliamentary Constituency before being processed and verified (meaning roughly 900 separate votes).

A big issue arises around postal votes in Ward based elections because they needed to be sorted into wards before they can be opened and processed. This ensures that they can all be tracked and accounted for correctly. To do this correctly time needs to be taken and in this instance significantly higher than expected volume was encountered resulting in more time being needed than had been planned for.

With the Kenilworth and Southam Parliamentary constituency being across the boundaries of 3 local authorities, the data for the postal voter details for the Rugby and Stratford areas has to be loaded into Warwick District election management system. This is to facilitate in the verifying of the postal voter signature and date of birth from the postal vote statement each elector completes.

Once postal vote checking had commenced, it was found that the system could not read all the data supplied by Stratford and many of the signatures had to be verified manually from paper copies. This process significantly slowed down the verification process.

There is a common theme at elections of the central verification not working as effectively as anticipated and therefore a member of staff will be managing this process and designing a suitable process for the future elections.

Having originally estimated that this stage of proceedings would be complete by 3.00am a number of the counting staff not employed by the Council had planned to go their usual work at 9.00am. Many indicated would not be willing to work throughout the night until the early morning. Based on what happened the following morning to have completed this stage would have taken until close to 6.00am. This would have meant a wholly inadequate amount of time to start the rest of the process at its scheduled time of 8.00am. The Returning Officer was also mindful that by this time the core elections staff had been working for nearly 24 hours without a break and that while other staff could be brought in to count, the core elections team could not be replaced.

Taking everything into account the decision to adjourn was taken by the Returning Officer after consultation with other Deputy Returning Officers, officers on the Project Team and after an inspection of how far the verification had progressed. The decision

was taken to adjourn to enable all staff to go home for a rest and be back at the count for 8.00am.

It is important to highlight that although representatives of Stoneleigh Park were involved in the discussions about adjourning the verification until the next day, they were willing to permit the Council to continue working through the night.

This decision had the subsequent knock on effect that instead of counting the Parliamentary ballot papers from 10am on Friday morning, the verification would continue at this time instead. The verification was completed by 12 noon.

Following a short break so the room could be reset, the Parliamentary count was completed quickly in line with the anticipated time scale for these counts in just over two hours.

How did this occur?

While Warwick District anticipated a high turnout for the election, the turnout in the District equated to over 236,000 ballot papers to verify and count. While significant additional number of staff were used to count (nearly double the usual number) it had been significantly difficult to recruit to the role of counters.

The Council did use the same number of counters per Ward and did not increase for areas where there would be more ballot papers to count. While this difference has been acceptable previously because of the variation in Wards and combination of some areas having two elections and others three on this occasion this disparity did not work this time.

The initial intention was to use Xpress (the Electoral Management System for the central verification). However, the live environment for multiple elections was not possible to use for 2015. This was because of the need to cross reference all data which did not occur because of the earlier complications with postal votes and also the need to amend the ballot paper allocation to a polling station which had occurred manually. Therefore the data was taken off line and managed through an Excel spreadsheet.

The postal vote system requires time and as there is a high level of postal voting compared to many other areas, the WDC count is inevitably going to be behind other areas time wise. It is difficult to predict the return rate of postal voting beforehand and decision making had to be made on a best estimate of time from previous elections.

A number of other events (related above) occurred which when combined had the effect of slowing the count by approximately 2 hours.

What action is being taken to mitigate against this at future elections?

There is recognition that this was a unique set of circumstances to Warwick District in terms of the combination of elections and number of elections being held on one day. Therefore to a large extent it is recognising this and taking forward appropriate learning for future elections. The importance of an election is always accuracy over speed but there are lessons to be learned.

The next time these elections are due to be combined is not until 2040 by which time it is anticipated that a significant number of changes in the electoral process will have taken place.

There is a combination of WCC and Parliamentary election in 2025 but this will be managing elections for 14 County electoral divisions and two constituencies compared to this year of two constituencies, 22 District wards and 22 Parish or Town elections. The District, Parish and Town elections do potentially combine with the European Parliamentary election in 2020 but this is dependent on the European Referendum outcome.

In future for Ward based elections the Council will use the Electoral Commission guidance for ratio of counters to electors and increase this as appropriate if there is more than one election being held at the same time.

A fundamental review of the project plan and processes will be undertaken before the County Council elections to allow for any lessons to be learned from the forthcoming PCC and EU Referendum elections.

Not starting the count for District, Parish & Town Council election on time Saturday morning

When setting up the Count on Saturday morning it was anticipated this should be a simple procedure of changing signs over and handing out the trays for bloc voting to each relevant area. This is followed by, at the appropriate time, handing out the ballot boxes, from the secure store, to the respective areas.

Members will be mindful of the earlier comments regarding the quality of data exports from Xpress and that to make this useable the printer had to take the data apart and re build it.

This was also experienced by officers producing the large ballot papers (for inclusion in the ballot boxes) and producing the ballot papers to use as a guide for bloc voting in multiple seat wards at District level.

When the data had been put back together again and the counting sheets for these produced they were discovered to be incorrect. However this was not until 8.00am on Saturday morning. This meant that officers had to reproduce these manually with printing assistance from Stoneleigh Park as quickly as possible and get the correct sheets to the correct tables.

How did this occur?

The printing of the colour coded bloc votes had not been checked and too much reliance had been placed upon the quality of the data coming from Xpress and the ability to manipulate this effectively for use by the Council.

This was combined with the fact that the elections team resources were significantly stretched to enable the usual level of quality checking to take place.

The ballot boxes had been stored securely in two piles within a room. However they had not been stored in a logical order in comparison to the Hall layout. This took time to hand out the boxes. In addition those boxes with postal votes had been secured with a padlock and only two keys were present therefore it took time to open all these boxes. Those with padlocks should have been changed over to normal plastic seals (which can be cut) at the conclusion of processing the postal votes but this was overlooked.

What action is being taken to mitigate against this at future elections?

Discussions are being held with the elections system supplier to resolve issues with the exports from the system to ensure they are in a more usable format.

For the 2017 election the ballot boxes will be stored differently to ensure they are in the same pattern as the count venue.

Threat to burn down Riverside House on 7 May 2015

Members should be aware that late morning on 7 May 2015 the Council received a recognised and genuine threat to burn down Riverside House.

The Police were notified and met with the individual concerned.

The Council responded to this by providing a security presence at Riverside House for the rest of the day combined with an increased local Police presence.

This also had a knock on effect as preparation work at the count centre had to be briefly halted as it was considered there was an increased risk to the count venue as well and the building needed to be secured earlier than anticipated.

This work diverted further resources away from delivering the election, albeit for a two hour window while appropriate measures were put in place.

How did this occur?

This was as a result of the individual being aggrieved that they could not vote at the election. They were unable to vote because they had not registered to vote by providing the information required under Individual Electoral Registration despite a number of reminders being sent from the Council.

What action is being taken to mitigate against this at future elections?

It is very hard to mitigate any potential threats of this nature however the important aspect is to ensure that the Council follows the correct procedure for Individual Electoral Registration and that it assists electors as much as possible.

It also emphasised the importance of having appropriate resources in place to respond to such threats which the Council did. The Council had been mindful of such a threat following the attack on South Oxfordshire District Council in 15 January 2015 which amongst many other things resulted in the loss of all their elections equipment.

In addition to this the Council will, as part of its HQ relocation discussions, look to moving elections equipment so it is stored over two locations to reduce impact of any such incident involving the loss of premises.

Overseas voters

As part of this election a new issue came to the fore nationally. This was the substantial increase in the number of Overseas Electors wanting to vote.

The introduction of Individual Electoral Registration and the ability to register on line had made the application to become an Overseas Elector much easier. This saw a local increase in overseas voters from 60 to over 600.

While this proportion of electors may not be significant, the impact and work of this was. This is because the Council received many more applications from people who believed they may have lived and been registered within Warwick District within the last fifteen years. Each person had to be verified at an address and for any address older than five years required a manual search of the register. In most cases when a request was declined a person would then suggest a second, third or even fourth address for officers to check.

There was no way that this could be avoided due to the change in electoral registration practice and the government taking an increasing interest in ensuring those parties overseas who were entitled to vote, could. The increase has continued since the May 2015 election and the Commonwealth Office has been actively promoting this to Overseas Electors.

At present there is a 15 year time limit i.e. you have to have been registered to vote in the UK in the last 15 years before moving abroad, however it is anticipated that the government will be bringing forward regulations to remove this time limit.

How did this occur?

The General Election clearly raised interest in UK citizens living abroad and with easier registration this generated increased voter demand on this and other Councils.

What action is being taken to mitigate against this at future elections?

For certain elections, officers will now need to anticipate a workload generated by overseas voters. This will be difficult to estimate in advance but can be mitigated by the restructured elections team and revised allocation of resources which has taken place for the 2016 PCC election.

Overseas Postal Votes

A National issue at the May 2015 election was that of Overseas Electors either not receiving their postal votes or receiving them very late.

This was a national issue that the Electoral Commission has taken forward with Royal Mail.

In summary all postal votes are issued in line with the elections timetable and despatched via air mail and returned via priority mailing. However while the Electoral Commission can influence mail delivery within the UK they have no influence on overseas mail services.

The Council is aware of examples of some overseas letters taking in the region of 3 months to arrive in mainland Europe.

What action is being taken to mitigate against this at future elections?

The Council has been informed by the Cabinet Office and Electoral Commission that we should advise overseas electors to appoint a proxy in the UK to vote on their behalf. Electors are strongly opposed to this and in a majority of cases do not have a person in the UK they could appoint. The Council has also been informed that a review will be undertaken of overseas voting arrangements but that electronic voting will not be considered.

Post Elections Surveys

After the election on line surveys were offered to all members of staff who worked on the election, the Media who attended the count and all candidates and agents.

Below are the points raised that have not already been covered in this report or appendices:

Press survey

The feedback from the press survey was very positive overall they were very pleased with the communications from the Council and the facilities provided for them at the Count venue.

They were pleased with the information they received on how the count was progressing.

The only negative was the level of detail available about previous Parish & Town Council results. Consideration is being given to how best to publish this information in a central deposit.

Candidates & agents

Broadly the feedback from the Candidates and Agents was supportive and understanding of the challenges faced by Warwick District Council.

A new process for checking nominations papers had been tested and this was very well received. For the next elections where the District Council is expecting a significant volume of nomination papers (WCC Elections in 2017) the Council will refine this by making two rooms available for checking papers rather than one room with two computers.

Concerns were raised about having the Parish/Town Postal vote in a separate pack to the Parliament and District. Our current supplier is unable to provide a postal pack with three ballot papers in, however this is part of the specification for the new contracts which are working their way through the procurement process.

At the count it was noted that the Council ran out of paperclips this is despite having a significant amount in stock at the election. The reason for running out was simply that we did not unclip the Local Government ballot papers already verified and passed to Stratford and Rugby along with postal vote statements held at the count. That said more were ordered and arrived in time on Saturday morning before the count started

The resource allocation at the count did not reflect the size of the Ward or the number of candidates/seats up for election. This will be changed for the next election of multi member wards.

It was suggested that the Council should have recruited more staff to undertake the count, therefore having a different team of counters on Thursday, Friday and Saturday. Councillors will be aware that despite advertising and working with local employers, colleges and universities the Council was only just able to recruit the minimum number of staff required to undertake the counts

It was also suggested that the District and/or Parish/Town Council election counts should have been held Friday afternoon or evening. This is a valid point and one which was considered by the project board at the time. The reason for splitting them to the Saturday was to provide some set up time for the core elections team and provide them with a break to recover. This on balance was the correct decision considering that the majority of the core team worked over 20 hours on Thursday 5 May and a further 12 hours on Friday 6 May, not forgetting they had worked in excess of 30 hours each between Monday 2 and Wednesday 3 May.

Several candidates fed back that the elections of this nature should not be held on the same day and that the Parliamentary election should be a standalone election. This is a matter that political parties need to consider and make representation on because as explained earlier legislation has now changed to enable multiple elections on the same day primarily to increase turnout but also to reduce cost.

Staffing survey

A number of the points have already been included within the overall review report however below is a summary of the other points raised in the staff survey.

There was a consistent message of being able to contact the elections office right up to the close of poll and indeed after. Warwick District always aim to have a senior member of the elections team available up to the close of poll to respond to questions. But this needs to be amended to guarantee there is contact available with at least two officers available to respond to last minute enquiries. This will be a challenge because the Council has limited resources available to undertake this role, and this resource is also required at the count venue. Therefore the Council will look at establishing an office base at Stoneleigh Park with phone line to enable queries to be responded to.

Contacting the elections office via phone was difficult if not almost impossible because of the volume of calls coming into the team. The team structure will have changed by May 2016 and additional temporary resources is being looked at for, subject to funding, responding to phone enquiries now the telephone calls have been repatriated.

There were some issues with polling station locations and their capacity for major elections. The main issues were the portacabin at Myton School and parking at Kenilworth school. Polling stations locations are constantly under review to find the most suitable locations. The polling station at Myton School will be moved to Myton Fields Car Park for May 2016 and rather than one portacabin there will be two to improve ease of movement inside.

Some polling stations suffered from broken or insufficient polling booths. All polling booths were checked before they were sent out from Warwick District Council. Those which were broken were later found to be from Stratford or Rugby. In terms of not having enough polling booths all available stock was in use and there was no spare capacity. If funding permits more will be purchased ahead of the 2020 parliament election.

There was some feedback about the competencies of Polling Station staff however without providing names or polling station details. That said a consistent theme was about getting the balance of training correct taking into account of previous election experience. This is careful balance however the presentation before handing out ballot boxes is to be much reduced to last minute changes and questions/issues with polling stations.

A lot of new staff were used for the count itself. This was because we needed more staff but in addition we struggled to recruit to the roles. Training was not able to be provided on the day as anticipated and therefore staff had to rely on paper instructions. There was the usual level of Management Structure in place with each clerk reporting to a Deputy returning Officer. However, it was obvious that because of the distances involved this did not work and another level of support was needed for the Clerks to resolve simple matters. They also needed a simple step by step procedure for verifying ballot box content, which will be introduced for May 2016.

At the Count it was recognised that finding key members of staff, was at times difficult because of the size of the venue, the number of people and the inability to hear mobile phones ringing. Therefore, at the 2016 elections the Elections Manager and Democratic Services Manager will experiment being in a fixed position for the duration of the count.

The process for checking candidate's nomination papers was overall well received with a few minor points to amend. The only challenge was managing changing times and number of appointments for booking candidates in. To further improve this in future these will be managed via an electronic diary rather than paper based diary.

Communications between the core elections did not happen as anticipated. An example of this is that the scheduled team meetings did not occur close to the election primarily because to the need to respond to other matters and the significantly higher than expected demand on the team. Therefore during PCC election in May 2016 an experiment will be undertaken of holding a weekly then daily catch up. To achieve this, telephone calls will put through to the answerphone for a short time period.

Part of the project planning did miss allocating and setting up the process for candidate refunds. This will be built in for future elections to ensure it can be completed more quickly. This will include getting the details of accounts to return the money to when the deposit is initially made.

At the Count venue there were a number of Facilities Management issues that need to be looked at in detail for future elections. The majority of these were staffing issues and supplies. For this reason two officers will be responsible for this at future election count venues. In addition, how staff are brought into the venue will change to get them inside more quickly followed by holding them in a waiting area before allocating resources appropriately.

Polling stations

In terms of Polling stations there was an issue where one small pocket of properties in Leamington was allocated the incorrect polling station. This has been amended but was due to the large number of changes occurring on the register at that time which is unlikely to be repeated.

Castle Farm polling station in Kenilworth, is not ideal.. However, during the last 12 months the Council has looked at this and relocated some polling stations and is introducing two new polling stations in Kenilworth to resolve this problem.

The room used at the Chase Meadow Community Hall was not big enough for the Parliamentary election however this will be resolved in the future by use of the larger room.

A number of members of the public have as always raised concerns about schools being used as polling stations. Where possible we now avoid using school facilities, as the impact of this is recognised. It should however be noted any decision to close the school is one taken by the Head of the School and not Warwick District Council.

The final issue is that the Council has lost three polling stations at Brunswick Healthy Living Centre because Chris White MP has moved his office into the building. Therefore the Council cannot in terms of good practice use this building in future. As a result the Council will be using three Portacabins in the locality to provide these polling stations.

Dear Chris [Elliott]

Performance standards for Returning Officers

On 18 December 2014 we wrote to inform you that you were part of the sample of Returning Officers whose performance we would be monitoring at the May 2015 polls. As part of this process we asked you to submit a series of monitoring returns. I would like to thank you for taking the time to provide these to us.

During the election we became aware of an issue in your area relating to approximately 1,090 postal ballot papers which were sent out to electors in the Abbey Ward in Kenilworth which included a Labour party emblem against a Liberal Democrat candidate standing in the ward.

We subsequently contacted you regarding this and invited you to inform us of any relevant additional information in relation to the issue and your assessment of the impact upon voters and those standing for election in your area, to which you responded on 1 May.

Having considered both the details of the issue and your response to us, we have reached our final assessment, agreed with a panel of members of the UK Electoral Advisory Board, that you **did not meet** one of the elements of the performance standards, as set out below.

Performance standard 1: Voters

This standard aims to ensure that planning for and delivery of the poll enables voters to vote easily and know that their vote will be counted in the way they intended. One of the elements of the standard is:

- *Voters receive the information they need, in an accessible format and within time for them to cast their vote*

To be able to achieve the outcome set out in performance standard 1, Returning Officers need to ensure that they have robust processes in place for ensuring that there are no errors on voter materials.

We have concluded that you did not meet this element of the standard because whilst you carried out a full re-issue of postal ballot papers in the affected ward, this error may have caused voter confusion.

As part of your review of these polls you should take all necessary steps to prevent a re-occurrence of this issue in the future and your local Commission team should be included as part of your review process.

As you will be aware, information on preparing for the election can be found in Part B of the Commission guidance and information on the production of postal vote stationery can be found in Part D – both available on our website at <http://www.electoralcommission.org.uk/i-am-a/electoral-administrator>.

The Commission will continue to support Returning Officers in delivering well run elections, working with Returning Officers, where necessary, to recommend improvements and to help them to put arrangements in place to ensure the provision of a consistently high quality standard of service for voters and those standing for election.

Should you require any further information or support regarding any element of Returning Officer delivery, please contact your local Commission team. We will be publishing our report on the administration of the May 2015 polls before the summer recess of the UK Parliament, which will include summary information about the performance of Returning Officers.

If you have any comments about the accuracy of the information in this e-mail please contact me by no later than **6 July**.

Yours sincerely

Chris Hinde
Regional Manager (Midlands)

Dear Chris [Hinde]

Performance Standards for Returning Officers

Thank you for your e-mail and enclosed letter of 23rd June 2015.

The enclosed letter states that I have failed a particular performance standard as the error over the wrong emblem for one candidate in one ward may have caused confusion amongst voters. I am disappointed with this and I take issue with your conclusion.

The performance standard you have quoted is "*Voters receive the information they need, in an accessible format and within time for them to cast their vote*" and that to do this the "*Returning Officers need to ensure that they have robust processes in place for ensuring that there are no errors on voter materials*". In proportionate terms we had 46 separate ballot papers covering 348 candidates to check and we erred on one candidate in one ward only. Whilst regrettable, it hardly suggests the lack of a robust process.

I take issue with your statement that the incorrect logo and reissue of postal vote packs may have caused voter confusion for several reasons and this is the reason for failing the performance standard.

Firstly your letter sets out the criteria for this standard which does not refer to voter confusion, but says "*ensure that they have robust processes in place for ensuring that there are no errors on voter materials*", therefore I cannot establish why possible voter confusion demonstrates a failure to meet this criteria.

Secondly you have offered no evidence that the incorrect logo did cause voter confusion.

You will know that upon being advised of the problem we took immediate action and reissued the postal ballot paper in plenty of time before the election. The problem did not affect ballot papers being issued via polling stations. The turnout in the affected ward (Kenilworth Abbey) was 72% which is above the District average of 70% and was the same as the turnover in the Kenilworth St John's ward in the same town and only marginally behind that for the Kenilworth Park Hill

ward. Eligible postal voters (1,000) represented 1/6th of the overall electorate of Kenilworth Abbey ward. The level of postal ballots returned was a very healthy 79% which is higher than the overall turnout for the ward. The level of spoilt papers was miniscule. The turnout is very high and I think many Returning Officers elsewhere would be proud to have such returns.

Thirdly the standard says "*Voters receive the information they need, in an accessible format and within time for them to cast their vote.*" We have not received any complaints from electors in Kenilworth Abbey Ward, that they were not able to vote because of the need to reissue the postal votes.

With this evidence I ask that you review your position and should you decide not to so do, then I ask for the information demonstrating confusion. To fail a standard by saying it **may have** caused something is itself not evidence.

I would be very happy to have a discussion upon this matter.

Kind regards

Chris

From: Chris Hinde
Sent: 07 July 2015 11:48
To: Gill Hale
Cc: Graham Leach; Gillian Friar; Chris Elliott
Subject: RE: Performance standards for Returning Officers

Hi Chris,

Thank you very much for your e-mail of 30 June in regard to the Performance Standards for Returning Officers. This is currently being considered by my colleagues in the Commission's London Office.

As part of their consideration my colleagues have asked me to clarify the timeline for the actions that you took in regard to the re-issuing of postal vote ballot papers in the Kenilworth Abbey ward. Our understanding is that you became aware of the emblem issue on or around 22nd April when Gill Friar contacted us for advice. That advice was provided on the same day but we do not have any dates in regard to the further action that you then took. In your letter you say that you "*took immediate action and reissued the postal ballot paper in plenty of time before the election*" and we would appreciate dates for those actions and any other relevant information you may wish to provide. That information will then be used to enable us to come to a final conclusion on the assessment.

We look forward to hearing from you.

Regards

Chris Hinde
Regional Manager (Midlands)
The Electoral Commission

From: Chris Elliott
Sent: 09 July 2015 15:09
To: Chris Hinde
Cc: Graham Leach; Gillian Friar; Gill Hale
Subject: RE: Performance standards for Returning Officers

Dear Chris,

These are the steps and the time line for them in response to the issue of the logo on one candidate in one ward.

Wednesday 22 April

- First made aware of the incorrect logo for the Lib Dem candidate on the Abbey District Ballot Paper – by 2 electors who had received their postal pack and rang office for advice on what to do.
- Returning Officer and Deputy RO informed / Electoral Commission contacted
- Printers contacted
- Data run for mail merging letter to electors affected

Thursday 23 April

- Uploaded data file to Printer for reprinting of District postal pack
- Confirmed colour with printer for reprinted postal and polling station ballot papers
- Letter confirm with RO to electors to inform of logo/print/start to be posted out

Friday 24 April

- All letters posted out or hand delivered to electors

Thursday 23 April – Tuesday 28 April

- Prints re print postal packs and send out to affected electors within Abbey Ward.

In addition, the following information demonstrates the lack of confusion amongst the electorate as it shows that spoilt ballot papers for the ward were amongst the lowest across the District.

Spoilt Ballot Papers - District Elections 2015						
Ward	Want of Official Mark	Voting for more candidates	Writing on bp & be identified	Un marked or uncertain	rejected in part	TOTAL
Myton & Heathcote	0	20	1	53	0	74
St. John's	0	9	0	48	7	64
Saltisford	0	27	1	47	0	75
Aylesford	0	19	0	38	0	57
Park Hill	0	17	0	36	10	63
Arden	0	0	0	33	1	34
Whitnash	0	29	0	30	3	62
Sydenham	0	2	0	29	9	40

Newbold	0	2	0	27	5	34
Budbrooke	0	3	0	25	0	28
Leam	0	2	0	25	12	39
Clarendon	0	1	0	21	3	25
Emscote	0	6	0	19	0	25
Stoneleigh & Cubbington	0	3	0	18	3	24
Manor	0	1	0	18	6	25
Brunswick	0	9	0	17	3	29
Abbey	0	9	0	16	7	32
Woodloes	0	25	1	16	0	42
Radford Semele	0	0	1	11	0	12
Bishops Tachbrook	0	2	0	11	0	13
Milverton	0	2	0	10	5	17
Crown	0	3	11	4	0	18

We did have 6 re-issue postal packs for Abbey Ward, but this was at the beginning when we found out about the logo.

I hope that this helps.

Kind regards

Chris

From: Chris Hinde
Sent: 09 July 2015 17:41
To: Chris Elliott
Cc: Graham Leach; Gillian Friar; Gill Hale
Subject: RE: Performance standards for Returning Officers

Hi Chris,

Many thanks for the information and for getting back to us so promptly.

Regards

Chris Hinde
Regional Manager (Midlands)

Chris Elliott
Chief Executive and Returning Officer
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HZ

By e-mail only

17 July 2015

Dear Chris

Performance standards for Returning Officers

On 23 June 2015 we wrote to inform you that you had not met one of the elements of the performance standards in relation to the issue that arose in your area during the election. Our original assessment was based on the potential impact of the error and the lack of information we had at that point in relation to the actions taken to rectify the issue and timeframes for this action.

You subsequently contacted us regarding this and provided us with additional information relevant to the issue which has shown that you acted promptly to mitigate the error.

Having considered this new information and upon reapplying the assessment criteria, in line with our decisions in cases of Returning Officers who experienced similar issues, and in agreement with a panel of members of the UK Electoral Advisory Board, we have amended the assessment and can now report that you **do meet** the relevant standards.

As set out in our letter of 23 June, we would suggest that as part of your review of these polls you take all necessary steps to prevent a re-occurrence of this issue in the future.

Should you require any further information or support regarding any element of Returning Officer delivery, please do not hesitate to contact us.

As you may know our report on the May polls was published on Wednesday together with the supplementary paper in regard to Returning Officer performance standard assessments. If you have not seen them yet they are available on our website. Given our decision above you will be pleased to know that there is no mention of Warwick in that paper.

Yours sincerely

Chris Hinde
Regional Manager (Midlands)

chinde@electoralcommission.org.uk
Direct dial : 0207 271 0560