

# Licensing & Regulatory Committee

Monday 11 April 2016

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A meeting of the above Committee will be held at the Town Hall, Royal Leamington Spa on Monday 11 April 2016 at 2.30 pm.

## Membership:

Councillor Illingworth (Chairman)	
Councillor Mrs Falp	
Councillor Ashford	Councillor Mann
Councillor G Cain	Councillor Murphy
Councillor Mrs Cain	Councillor Quinney
Councillor Davies	Councillor Mrs Redford
Councillor Gifford	Councillor Mrs Stevens
Councillor Gill	Councillor Weed
Councillor Miss Grainger	

## Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

## Agenda

### 1. Apologies & Substitutes

- (a) To receive apologies for absence from any Councillor who is unable to attend; and
- (b) To receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting

### 2. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter. If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

3. **Minutes**

To receive the minutes of the Licensing & Regulatory Committee meeting held on 17 February 2016  
**(Item 3/Page 1)**

4. **Presentations from Interested Parties**

To receive presentations from Warwickshire Police, Warwickshire Trading Standards and Public Health England

5. **Request to permit the showing of an unclassified film**

To consider a report from Health and Community Protection **(Item 5/Page 1)**

6. **Review of the Management of the Election in 2015**

To consider a report from Health and Community Protection **(Item 6/Page 1)**

7. **Public and Press**

To consider resolving that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Item Nos.	Para No.	Reason
8	5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

8. **Minutes**

To receive the confidential minutes of the Licensing & Regulatory Committee meeting held on 17 February 2016  
**(Item 8/Page 1)**  
**(Not for publication)**

Published Friday 1 April 2016

**General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.**

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**Enquiries about specific reports: Please contact the officers named in the reports.**

**You can e-mail the members of this Committee at  
[landrcommittee@warwickdc.gov.uk](mailto:landrcommittee@warwickdc.gov.uk)**

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**The agenda is also available in large print, on request, prior to the meeting by calling 01926 456114.**

# Licensing & Regulatory Committee

Minutes of the meeting held on Wednesday 17 February 2016, at the Town Hall, Royal Leamington Spa at 2.30pm.

**Present:** Councillor Illingworth (Chairman); Councillors Cain, Mrs Cain, Davies, Mrs Falp, Gifford, Gill, Miss Grainger, Mrs Knight, Mann, Mrs Redford, Mrs Stevens and Weed.

## 24. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillors Ashford and Murphy; and
- (b) Councillor Mrs Knight substituted for Councillor Quinney.

## 25. **Declarations of Interest**

There were no declarations of interest.

## 26. **Minutes**

The minutes of the meeting held on 9 December 2015 were agreed with the following amendments and signed by the Chairman as a correct record:

### Minute Number 18

It was agreed that the inclusion of Councillor Quinney's statement relating to the Renewal of a Sex Establishment Licence for Shade's Gentleman's Club should not be permitted because his comments were made during closed session;

### Minute Number 20

Paragraph 8 should read 'this was now null and void'; and

Resolution (3) should have been a recommendation to Council because it was a change to the scheme of delegation and should include the words 'Vice Chair' instead of 'nominated committee representative';

### Minute Number 21

Resolutions (1) and (2) should be amended to read 'Recommend to Executive'; and

Resolution (3) should have been a recommendation to Council because it was a change to policy.

## 27. **Introduction of Mandatory Safeguarding Training**

The Committee received a report from Health & Community Protection which requested agreement to introduce a mandatory course on safeguarding training for all applicants of a Hackney Carriage / Private Hire Drivers Licence.

The report explained that one of the reasons for introducing this training was because a number of high profile recent safeguarding cases around the country

had been publicised in particular relating to Child Sexual Exploitation (CSE), some involving hackney carriage and private hire drivers. The inspection report into Rotherham Metropolitan Borough Council highlighted that local authorities were not doing everything that they could to safeguard the users of hackney carriages and private hire vehicles.

The Regulatory Manager introduced the report and explained that Licensing Officers had been working with the Drivers and Operators Forum to review what could be done to spread the message of the 'Something's Not Right' campaign. In addition, Warwickshire Police and Barnardo's had been working with the team to identify methods and approaches to increase awareness of Child Sexual Exploitation and ensure that all licence holders were helping to protect our vulnerable members of society.

The Council provided six prevention of CSE training events in January 2016, free of charge, with 314 of the 488 licensed drivers attending. This report brought forward a recommendation to ensure that drivers undertake a Prevention of Child Sexual Exploitation (CSE) training course provided by the Warwick District Council's nominated trainer, prior to their licence being renewed or granted.

In addition, all private hire operators and call handlers employed by private hire operators must be trained in safeguarding and a condition to this effect be applied to their licence upon renewal.

The intention would be that if any PH/HC driver refused to undertake, or failed to attend the prevention of CSE training course, they would be required to appear before the Licensing and Regulatory Committee.

Councillor Mrs Falp endorsed the report as one of the Council's Children's Champions but queried the cost of the course and whether the course would cover the life of the licence. The Regulatory Manager advised that the team had been unable to secure funding to cover the cost of delivering the course and this would result in a charge of £15 per head. The intention was to run the course once but officers were establishing best practice with other authorities as to whether or not to run refresher courses.

Members queried the requirement for drivers of school contracts and were advised that because these contracts were owned by Warwickshire County Council, relevant training would be provided by them. Members noted that officers had been advised that the course provided by Warwick District was more detailed and tailored towards taxi drivers. The Regulatory Manager explained that the course provided by Barnardo's had been tailored in conjunction with the Nightwatch Organisation.

Following a query from Councillor Mrs Redford, the Regulatory Manager advised that the course would need to be undertaken before the licence was issued. Officers had been assured by the Charity that a sufficient number of courses would be provided across the District to ensure it did not hinder the application process.

The Democratic Services Manager provided clarification on the recommendations being proposed and explained that 2.1, 2.2 and 2.4 were recommendations to Executive. However, recommendation 2.3 was a recommendation to Council because it was a change to the Scheme of Delegation.

It was therefore unanimously

**Recommended** that

- (1) the Executive agree that from 1 April 2016 a Hackney Carriage Private Hire Drivers Licence (HCPH DL) will not be renewed or granted unless the driver can demonstrate that they have undertaken a Prevention of Child Sexual Exploitation (CSE) training course provided by the Warwick District Council's nominated trainer;
- (2) the Executive agree that all private hire operators and call handlers employed by those private hire operators must be trained in safeguarding and that a condition to that effect is applied to a Private Hire Operators licenses upon renewal;
- (3) Council agree to delegate to officers the power to refuse the licence of a person who fails to or refuses to attend the prevention of CSE course, in the same manner that officers have delegated powers to refuse the licence of a person who fails to attend the disability awareness course and the Scheme of Delegation be amended accordingly; and
- (4) the Executive acknowledge that current licensed drivers will be sent before the Licensing and Regulatory Committee if they refuse to undertake or fail to attend a prevention of CSE training course with the nominated trainer.

**28. Public and Press**

**Resolved** that under Section 100A of the Local Government Act 1972 that the Public and Press be excluded from the meeting for the following item by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below:

Minute No.	Para Nos.	Reason
29	5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.


The full minute for the following item would be set out in the confidential minutes of the meeting.

**29. Operation of the Licensing & Regulatory Committee**

The Committee received a report from the Democratic Services Manager and Deputy Monitoring Officer updating Members on the advice received regarding the structure and status of the Licensing & Regulatory Committee.

**Resolved** that the report be noted.

(The meeting ended at 3.10 pm)

 <b>Licensing &amp; Regulatory Committee</b> <b>11 April 2016</b>		<b>Agenda Item No.</b> <b>5</b>
<b>Title</b>	Request to permit the showing of an unclassified film.	
<b>For further information about this report please contact</b>	Emma Dudgeon, Licensing Enforcement Officer, Health and Community Protection. Tel: 01926 456113 Emma.dudgeon@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>	None	
<b>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?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	N/A	
<b>Background Papers</b>	None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality and Sustainability Impact Assessment Undertaken</b>	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive		
Head of Service	29.3.2016	Marianne Rolfe
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)	29.3.2016	Moira-Ann Grainger
Warwickshire Legal Services	29.3.2016	John Gregory
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
Suggested next steps - None		



## 1. **SUMMARY**

- 1.1 Warwick District Council Licensing Authority has received a request to permit the showing of an unclassified film.
- 1.2 Under the Licensing Act 2003 any film which has not been given a classification by the British Board of Film Classification (BBFC) must receive permission from the Local Authority before it may be shown in that Local Authority.

## 2. **RECOMMENDATION**

- 2.1 Officers recommend that permission be given for the showing of the film, Fear Itself, in Warwick District Council and that the classification of 18 is given.
- 2.2 Subject to permission being granted the committee classify the film in accordance with the BBFC guidelines.

## 3. **THE APPLICATION**

- 3.1 On 24 February 2016 Warwick District Council Licensing Department received a request from filmmaker, Mr Charlie Lyne to permit the showing of his film, Fear Itself, at Vue Cinema, Leamington Spa.
- 3.2 The letter received from Mr Lyne and subsequent information is attached as appendix 1.
- 3.3 Officers have viewed the film, which is around 1 hour 30 minutes long. The film is constructed from existing horror films from global cinema and is narrated throughout. The film has been made available for members to view prior to making this decision. The viewings took place on 30 March 2016 and 8 April 2016.
- 3.4 Officers have spoken with Mr Lyne who has confirmed that Carlisle City Council, Hinckley and Bosworth Council and Merton Council, have given permission for the film to be shown in their local authority, however, other Councils are considering the request. Mr Lyne has also confirmed to officers that he would recommend the age classification of 18 for the film.
- 3.5 The BBFC performs a national Film Classification role on behalf of the Licensing Authority, classifying films shown in the District for public exhibition under the Licensing Act 2003. However, when a film is not classified by the BBFC the decision falls to the Licensing and Regulatory Committee.
- 3.6 A film which is locally made or which is submitted for approval by students or art groups may not have been classified by the BBFC due to the cost of applying for the film to be classified or because the film may have limited release.
- 3.7 When considering classification requests, the Committee must do so having regard for the BBFC guidelines, attached as appendix 2 and with a view to promoting the relevant licensing objective(s). In terms of film exhibitions, the most relevant licensing objective is the protection of children from harm.
- 3.8 Under Section 20 of the Licensing Act 2003, a mandatory condition is applied to all premises licences that authorise the exhibition of films. The mandatory

condition relates to the restriction of the admission of children. Children are defined as persons aged under 18. The condition is as follows:

The admission of children under the age of 18 to film exhibitions permitted under the terms of this licence shall be restricted in accordance with any recommendations made

A. By the British Board of Film Classification (BBFC) where the film has been classified by that board, or

B. By the Licensing Authority where no classification certificate has been granted by the BBFC, or, where the licensing authority has notified the licence holder that section 20(3) (b) of the Licensing Act 2003 applies to the film.

The Licensee shall comply with such provisions of the Cinematograph (Safety) Regulations 1955 as restrict the use of the premises

- 3.9 Premises must restrict the admission of children to the exhibition of any film to either the film classification recommended by the BBFC or the Licensing Authority.
- 3.10 The Council have not considered a request under the Licensing Act 2003 for the showing or classification of a film, therefore the procedure in place for dealing with requests needs to be updated. Officers are working to bring a report with the updated procedure to the Committee in due course.

#### 4. **POLICY FRAMEWORK**

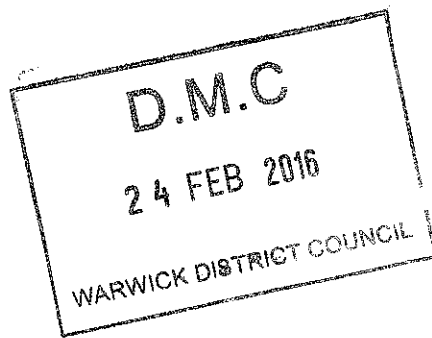
- 4.1 When considering the application the panel must give appropriate weight to:-
- a) Statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
  - b) The Council's Licensing Policy Statement (attached as appendix 3)
  - d) The Licensing Objectives, which are:-
    - i) The Prevention of Crime and Disorder.
    - ii) Public Safety.
    - iii) The Prevention of Public Nuisance.
    - iv) The Protection of Children from Harm.

#### 5. **BUDGETARY FRAMEWORK**

- 5.1 There is no right of appeal to the decision made by the Committee, therefore no costs may be sought.

#### 6. **RISKS**

- 6.1 The wrong Film Classification might result in psychological harm being caused to members of the public. In particular children, through film exhibitions containing strong language, horror/violence or sexual images.



Arts Representative

Warwick District Council, Riverside House, Milverton Hill, Leamington Spa, CV32 5HZ

22<sup>nd</sup> February 2016,

Dear Sir or Madam:

My name is Charlie Lyne and I'm a filmmaker based in London. I'm hoping to release my new film *Fear Itself* in select UK cinemas later this year, and one of the venues I'm considering is the Vue Leamington Spa, which lies within your local authority.

As I intend to release the film without a certificate from the British Board of Film Classification, I need permission from the council before I can show the film in Warwick. I would therefore like to request this permission.

Please don't hesitate to contact me using the contact information above. If you would like to watch *Fear Itself*, you can do so online at [vimeo.com/142058424](https://vimeo.com/142058424) with the password 'blindbeast'. Alternatively, I can send you a DVD copy of the film upon request.

Yours,

Charlie Lyne



## Fear Itself

Constructed entirely from existing films, *Fear Itself* is a journey through fear and cinema that asks whether horror movies know us better than we know ourselves. Encouraging viewers to interrogate a diverse range of images and sounds sampled from a hundred years of global cinema, *Fear Itself* informs and unnerves in equal measure, changing the way you watch horror movies for good.

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88 minutes

Written, directed and edited by Charlie Lyne

Narrated by Amy E Watson

Produced by Catherine Bray, Anthony Ing and Daniel O'Connor

Executive produced by Janet Lee and Victoria Jaye

Original music by Jeremy Warmesley

Sound mix by Peregrine Andrews

**Director's biography:**

Charlie Lyne is a filmmaker and film critic living in London. His first film, *Beyond Clueless*, premiered at SXSW 2014 and went on to play at more than fifty international festivals including Rotterdam, CPH:DOX and HotDocs. *Fear Itself* is his second film.

**Director's filmography:**

*Beyond Clueless* — 2014

*Copycat* (short) — 2015

*Fear Itself* — 2016



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**Guidelines**









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## Introduction

The British Board of Film Classification (BBFC) is an independent, non-governmental, not-for-profit, co-regulatory body. We are funded through fees charged to those who submit films and video works for classification.

### **We classify:**

- films, trailers and advertisements on behalf of local authorities who license cinemas
- video works under the Video Recordings Act 1984
- video works which are distributed over the internet under a voluntary, self-regulatory service
- commercial and internet content distributed via mobile networks under a voluntary, self-regulatory service

Our Classification Guidelines follow extensive public consultation, as well as other research, expert advice and our accumulated experience over many years. The Guidelines, and our practice in applying them, pay particular attention to changes in public taste, attitudes and concerns, and changes in the law. They also take account of new evidence from research or expert sources. The Guidelines are reviewed periodically, and how we apply them is reviewed when necessary.

We take responsibility for the Guidelines and for their interpretation. This responsibility is subject to normal considerations of fairness and reasonableness.

Here, and throughout the Guidelines, video works are taken to include films and programmes released on DVD or Blu-ray, or distributed by means of download or streaming on the internet.

The Guidelines cannot be a comprehensive account of everything that may at any time be of concern. If issues arise which are not specifically covered here, they will be dealt with by us on their merits and in line with the standards expressed and implied in these Guidelines. The Guidelines are not a legal document and should be interpreted in the spirit of what is intended as well as in the letter.

We will provide guidance on the interpretation of these Guidelines on request.

## Guiding Principles

### **Our guiding principles are:**

- to protect children and vulnerable adults from potentially harmful or otherwise unsuitable media content
- to empower consumers, particularly parents and those with responsibility for children, to make informed viewing decisions

We fulfil these roles by providing age classifications and publishing advice (known as BBFCinsight) for individual films and videos. We do this without infringing the right of adults to choose what they view provided that it remains within the law and is not potentially harmful. We seek to ensure that films and videos reach the widest audience that is appropriate for their theme and treatment.

Media effects research and expert opinion on issues of suitability and harm can be inconclusive or contradictory. In such cases we must rely on our own experience and expertise to make a judgement as to the suitability of a work for classification at a particular age category, taking into consideration whether the availability of the material, to the age group concerned, is clearly unacceptable to broad public opinion. Our extensive research into public opinion guides us as we seek to ensure that classification decisions generally reflect public sensibilities and expectations as these change over time.

In relation to harm, we will consider whether the material, either on its own, or in combination with other content of a similar nature, may cause any harm at the category concerned. This includes not just any harm that may result from the behaviour of potential viewers, but also any moral harm that may be caused by, for example, desensitising a potential viewer to the effects of violence, degrading a potential viewer's sense of empathy, encouraging a dehumanised view of others, suppressing pro-social attitudes, encouraging anti-social attitudes, reinforcing unhealthy fantasies, or eroding a sense of moral responsibility. Especially with regard to children, harm may also include retarding social and moral development, distorting a viewer's sense of right and wrong, and limiting their capacity for compassion.

We will not classify material which is in conflict with the criminal law, or has been created through the commission of a criminal offence.

We act as a regulator across the United Kingdom. However, the United Kingdom does not have a single legal system, and so we take account of the different legal systems that coexist in the UK. Further details about the applicable legislation can be found in the Annexe.

## General Classification Considerations

There are general factors that may influence a classification decision at any level and in connection with any issue. These factors are of particular importance when a work lies on the borderline between two age categories.

### Context

Context is central to the question of acceptability of film and video content. When considering context therefore, we take into account issues such as public expectation in general and the expectations of a work's audience in particular.

We consider the context in which an issue (such as sex, language or violence) is presented within a film or video. In doing this we take account of factors such as the setting of a work (historical, fantasy, realistic, contemporary); the manner of presentation (for example, an aggressive and directed use of bad language may result in a higher classification than a light-hearted and self-referential use of the same term); the apparent intention of the film; the original production date of the work (for example, outdated attitudes might be considered less offensive, and consequently classified at a lower category, in an old, obviously dated, work); and any special merits of the work.

### Theme

Classification decisions will take into account the theme of a work, but will depend significantly on the treatment of that theme, and especially the sensitivity of its presentation. The most challenging themes (for example, drug misuse, sexual violence, paedophilia, racial hatred or violence) are unlikely to be appropriate at the most junior levels of classification. However, there is no reason in principle why most themes, however difficult, could not be presented in a manner which allows classification at 18 or even, where suitable, at lower levels.

### Tone and impact

The overall tone of a work may also affect the classification decision. While the presentation of specific issues, such as sex and violence, may not be problematic at a particular category, a work with a dark or unsettling tone may receive a higher classification. Other tonal considerations which might have an influence on classification include the extent to which the work presents a despairing view of the world or the extent to which transgressive or harmful behaviour is condoned or made to appear normal.

We take into account the impact of a work (i.e. how it makes the audience feel), for example in relation to horror films where threat may be more significant than the level of violence.

## Specific Classification Considerations

This section of the Guidelines identifies concerns which apply, to a greater or a lesser degree, at all classification levels, and sets out the general approach that we take. The concerns are listed in alphabetical order.

Pages 12 to 24 of the Guidelines provide specific guidance for U through to R18 with regard to such concerns. This should be read together with the General Classification Considerations.

### **Discrimination**

Potentially offensive content relating to matters such as race, gender, religion, disability or sexuality may arise in a wide range of works, and the classification decision will take account of the strength or impact of their inclusion. The context in which such content may appear also has a bearing. Works with such content may receive a lower category where discriminatory language and behaviour is implicitly or explicitly criticised; or the work as a whole seeks to challenge such attitudes; or the work is obviously dated, with little or no appeal to children.

### **Drugs**

No work taken as a whole may promote the misuse of drugs and any detailed portrayal of drug misuse likely to promote the activity may be cut. Works which normalise or glamorise drug misuse are likely to receive a higher classification than works which show drug misuse while emphasising the dangers.

Where smoking, alcohol abuse or substance misuse feature to a significant extent in works which appeal to children, this will normally be indicated in BBFCinsight. Classification decisions will also take into account any promotion or glamorisation of such activities.

### **Imitable behaviour**

Classification decisions will take into account any detailed portrayal of criminal and violent techniques, and glamorisation of easily accessible weapons, such as knives. Works which portray anti-social behaviour (for example, bullying) uncritically are likely to receive a higher classification. Works which, taken as a whole, actively promote illegal behaviour may be cut or refused a classification.

Portrayals of potentially dangerous behaviour (especially relating to hanging, suicide and self-harm) which children and young people may potentially copy, will be cut if a higher classification is not appropriate.

## **Language**

Language which people may find offensive includes the use of expletives with a sexual, religious or racial association, derogatory language about minority groups and commonly understood rude gestures. The extent of offence may vary according to age, gender, race, background, beliefs and expectations brought by viewers to the work as well as the context in which the word, expression or gesture is used.

For these reasons, it is impossible to set out comprehensive lists of words, expressions or gestures which are acceptable at each category. The advice at different classification levels, therefore, provides general guidance taking account of the views expressed in public consultation exercises.

## **Nudity**

Nudity with no sexual context is in principle acceptable at all classification levels, but will not generally occur more than occasionally at U.

Nudity with a sexual context will receive a higher classification. Strong detail in such a context will usually only be passed at the adult categories (18 or R18).

## **Sex**

The portrayal of sexual activity can range from kissing to detail of unsimulated sex. The normalisation of overtly sexualised behaviour is a concern at the junior categories. The classification system allows progressively stronger portrayals of sexual behaviour as the categories rise.

Sex works (works whose primary purpose is sexual arousal or stimulation) will normally only be passed at the adult categories. Sex works which only contain sex which may be simulated will usually be passed at 18. The R18 category is suitable for sex works containing clear images of real sex, strong fetish material, sexually explicit animated images, or other very strong sexual images. R18 video works may be supplied only in licensed sex shops which no one under 18 may enter. R18 films may be shown only in specially licensed cinemas.

We will apply these Guidelines in relation to sex to the same standard regardless of sexual orientation of the activity portrayed.

## **Threat**

Where films are targeted at a younger audience, classification decisions will take into account factors such as the frequency, length and detail of scary or otherwise unsettling scenes as well as factors such as the impact of music and sound, and whether there is a swift and reassuring outcome.

The classification of threat and horror will take account of the general tone, impact, realism and supernatural elements of a work as well as the level of detail in individual scenes. Fantasy settings may be a mitigating factor.

## **Violence**

Classification decisions will take account of the degree and nature of violence in a work.

Works which feature the following are likely to receive higher classifications:

- portrayal of violence as a normal solution to problems
- heroes who inflict pain and injury
- callousness towards victims
- the encouragement of aggressive attitudes
- characters taking pleasure in pain or humiliation
- the glorification or glamorisation of violence

Sadistic or sexual violence is likely to receive a higher classification. Any depiction of sadistic or sexual violence which is likely to pose a harm risk will be subject to intervention through classification, cuts or even, as a last resort, a refusal to classify.

We may refuse to classify content which makes sexual or sadistic violence look appealing or acceptable, reinforces the suggestion that victims enjoy sexual violence, or invites viewer complicity in sexual violence or other harmful violent activities.

We are also unlikely to classify content which is so demeaning or degrading to human dignity (for example, it consists of strong abuse, torture or death without any significant mitigating factors) that it may pose a harm risk.

## Other Matters

### Education videos

When classifying an education video, including a sex education video, for use in schools, we will take account of the educational purpose of the video and the context in which it is to be viewed (for example in the classroom mediated by a teacher).

### Music videos

The classification of a music video will take account of any elements which are of concern to parents, including glamorisation of behaviour which they consider inappropriate. Where music videos are short and self-contained, material may be less likely to be justified by context.

### Photo or pattern sensitivity, motion sickness and reactions to low frequency sound

A small number of viewers are sensitive to flashing and flickering light, or some shapes and patterns, and may experience seizures or other serious physical effects. Some viewers experience feelings of motion sickness or other symptoms when viewing works which feature hand held or otherwise moving camerawork, or which feature very low frequency sounds.

It is the responsibility of film makers and distributors to identify works in which such issues arise and to ensure that, when required, appropriate warnings are given to viewers. However, if it is obvious during viewing that the work contains strong examples of such imagery or sounds, we will advise the distributor of the need to ensure that appropriate warnings are in place. Where necessary, we may require assurances regarding the display of appropriate warnings as a condition of classification.

### **Release format**

Classification decisions may be stricter on video works than on film. This is because of the increased possibility of under-age viewing as recognised in the Video Recordings Act (see Annexe), as well as the increased possibility of works being replayed or sections viewed out of context. Accordingly, a video work (either packaged or online) may occasionally receive a higher classification than on film, or require new or different cuts. (Video works may also receive a higher classification because they contain additional content.)

The screen format or visual presentation of a submission may also alter a classification, for example, if the image has been processed in the 3D format or is shown with an altered aspect ratio such as on an IMAX screen.

### **Titles**

We will require changes as a condition of classification if the title of a work incites racial or religious hatred, or other criminal behaviour, or encourages an interest in abusive or illegal sexual activity.

If the title of a work is likely to cause significant offence to a significant number of people if displayed in a public place, we will advise the distributor to consider carefully the places in which it is likely to be seen and to take appropriate action, for example, by obscuring certain words on packaging or marketing materials. (This advice is not given in relation to video works classified R18 as such works may only be supplied or offered for supply in a licensed sex shop.) Where necessary, assurances on public display of the full title, or changes to the title, may be required as a condition of classification.



### **Trailers and advertisements**

Audiences may choose to see a full-length feature based on expectations of the particular genre at the given classification and on the published BBFCinsight. In contrast, audiences have no choice, and often no expectation, about the accompanying trailers or advertisements which may be very different in tone and content to the film the audience has chosen to view. In addition, because trailers and advertisements are short and self-contained, material is less likely to be justified by context and more likely to cause offence.

For these reasons, classification decisions for trailers and advertisements may be more restrictive than for equivalent material in a main feature. Strong language will not be allowed in trailers at the U, PG and 12A/12 categories.

The more restrictive approach set out above may be relaxed where an advertisement is part of a public information campaign or has a charitable purpose.

Cinemas are responsible for the exhibition of cinema trailers and advertisements, and we have no involvement in deciding which films they precede. Questions or complaints about the exhibition of trailers or advertisements should be directed to the cinema management in the first instance.

## **Video games**

With a few limited exceptions we do not classify video games. We consider for classification those video games contained on discs which feature primarily linear video content and pornographic video games which include for example:

- images of unsimulated human sexual activity involving genitals or anus
- sexual fetish material, including bondage or sadomasochistic activity, urination and other bodily functions
- material likely to encourage an interest in sexually abusive activity
- the portrayal of sexual activity which involves lack of consent whether real or simulated
- sexual threats, humiliation or abuse
- penetration by any object associated with violence or likely to cause physical harm
- images of sexual activity with animals

whether such images or material are of real events or activity or are animated.

We also advise the Games Rating Authority on the classification of linear video footage contained in games which is not integral to the game. This includes, for example, rewards and video content in games which is designed to be viewed in its own right, without taking forward the narrative drive of the game.

## The Classification Categories

We endeavour to classify submitted works in one of the following categories:





The following pages set out guidance on how the specific classification considerations (for example, sex and violence) are specifically applied from U through to R18. The criteria should be read in combination with the general approach set out earlier under ‘Guiding Principles’, ‘General Classification Considerations’ and ‘Specific Classification Considerations’.

Because works from time to time present issues in ways which cannot be anticipated, these criteria will not be applied in an over-literal way if such an interpretation would lead to an outcome which would confound audience expectations.





## **U Universal – Suitable for all**

**A U film should be suitable for audiences aged four years and over, although it is impossible to predict what might upset any particular child. U films should be set within a positive framework and should offer reassuring counterbalances to any violence, threat or horror.**

**If a work is particularly suitable for pre-school children, this will be indicated in the BBFCinsight.**

### **Discrimination**

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of.

### **Drugs**

References to illegal drugs or drug misuse must be infrequent and innocuous, or have a clear educational purpose or anti-drug message suitable for young children.

### **Imitable behaviour**

Potentially dangerous or anti-social behaviour which young children may copy must be clearly disapproved of. No emphasis on realistic or easily accessible weapons.

### **Language**

Infrequent use only of very mild bad language.

### **Nudity**

Occasional nudity, with no sexual context.

### **Sex**

Only very mild sexual behaviour (for example, kissing) and references to such behaviour.

### **Threat**

Scary or potentially unsettling sequences should be mild, brief and unlikely to cause undue anxiety to young children. The outcome should be reassuring.

### **Violence**

Violence will generally be very mild. Mild violence may be acceptable if it is justified by context (for example, comedic, animated, wholly unrealistic).





## **PG Parental Guidance – General viewing, but some scenes may be unsuitable for young children**

**A PG film should not unsettle a child aged around eight or older. Unaccompanied children of any age may watch, but parents are advised to consider whether the content may upset younger, or more sensitive, children.**

### **Discrimination**

Discriminatory language or behaviour is unlikely to be acceptable unless clearly disapproved of, or in an educational or historical context, or in a particularly dated work with no likely appeal to children. Discrimination by a character with whom children can readily identify is unlikely to be acceptable.

### **Drugs**

References to illegal drugs or drug misuse must be innocuous or carry a suitable anti-drug message.

### **Imitable behaviour**

No detail of potentially dangerous behaviour which young children are likely to copy, if that behaviour is presented as safe or fun. No glamorisation of realistic or easily accessible weapons such as knives. No focus on anti-social behaviour which young children are likely to copy.

### **Language**

Mild bad language only. Aggressive or very frequent use of mild bad language may result in a work being passed at a higher category.

### **Nudity**

There may be nudity with no sexual context.

### **Sex**

Sexual activity may be implied, but should be discreet and infrequent. Mild sex references and innuendo only.

### **Threat**

Frightening sequences or situations where characters are in danger should not be prolonged or intense. Fantasy settings may be a mitigating factor.

### **Violence**

Violence will usually be mild. However there may be moderate violence, without detail, if justified by its context (for example, history, comedy or fantasy).









## **12A/12 – Suitable for 12 years and over**

**Films classified 12A and video works classified 12 contain material that is not generally suitable for children aged under 12.**

**No one younger than 12 may see a 12A film in a cinema unless accompanied by an adult. Adults planning to take a child under 12 to view a 12A film should consider whether the film is suitable for that child. To help them decide, we recommend that they check the BBFCinsight for that film in advance.**

**No one younger than 12 may rent or buy a 12 rated video work.**

### **Discrimination**

Discriminatory language or behaviour must not be endorsed by the work as a whole. Aggressive discriminatory language or behaviour is unlikely to be acceptable unless clearly condemned.

### **Drugs**

Misuse of drugs must be infrequent and should not be glamorised or give instructional detail.

### **Imitable behaviour**

No promotion of potentially dangerous behaviour which children are likely to copy. No glamorisation of realistic or easily accessible weapons such as knives. No endorsement of anti-social behaviour.

### **Language**

There may be moderate language. Strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification.

### **Nudity**

There may be nudity, but in a sexual context it must be brief and discreet.

### **Sex**

Sexual activity may be briefly and discreetly portrayed. Moderate sex references are permitted, but frequent crude references are unlikely to be acceptable.

### **Threat**

There may be moderate physical and psychological threat and horror sequences. Although some scenes may be disturbing, the overall tone should not be. Horror sequences should not be frequent or sustained.

### **Violence**

There may be moderate violence but it should not dwell on detail. There should be no emphasis on injuries or blood, but occasional gory moments may be permitted if justified by the context.

Sexual violence may only be implied or briefly and discreetly indicated, and its depiction must be justified by context.



## **15 – Suitable only for 15 years and over**

**No one younger than 15 may see a 15 film in a cinema. No one younger than 15 may rent or buy a 15 rated video work.**

### **Discrimination**

The work as a whole must not endorse discriminatory language or behaviour, although there may be racist, homophobic or other discriminatory themes and language.

### **Drugs**

Drug taking may be shown but the work as a whole must not promote or encourage drug misuse (for example, through instructional detail). The misuse of easily accessible and highly dangerous substances (for example, aerosols or solvents) is unlikely to be acceptable.

### **Imitable behaviour**

Dangerous behaviour (for example, hanging, suicide and self-harming) should not dwell on detail which could be copied. Whether the depiction of easily accessible weapons is acceptable will depend on factors such as realism, context and setting.

### **Language**

There may be strong language. Very strong language may be permitted, depending on the manner in which it is used, who is using the language, its frequency within the work as a whole and any special contextual justification.

### **Nudity**

There are no constraints on nudity in a non-sexual or educational context. There may be nudity in a sexual context but usually without strong detail.

### **Sex**

Sexual activity may be portrayed, but usually without strong detail. There may be strong verbal references to sexual behaviour, but the strongest references are unlikely to be acceptable unless justified by context. Works whose primary purpose is sexual arousal or stimulation are unlikely to be acceptable.

### **Threat**

There may be strong threat and horror. A sustained focus on sadistic or sexual threat is unlikely to be acceptable.

### **Violence**

Violence may be strong but should not dwell on the infliction of pain or injury. The strongest gory images are unlikely to be acceptable. Strong sadistic violence is also unlikely to be acceptable.

There may be detailed verbal references to sexual violence but the depiction of sexual violence must be discreet and justified by context.











## 18 – Suitable only for adults

**No one younger than 18 may see an 18 film in a cinema. No one younger than 18 may rent or buy an 18 rated video work.**

**Adults should be free to choose their own entertainment. Exceptions are most likely in the following areas:**

- where the material is in breach of the criminal law, or has been created through the commission of a criminal offence
- where material or treatment appears to us to risk harm to individuals or, through their behaviour, to society. For example, the detailed portrayal of violent or dangerous acts, or of illegal drug use, which may cause harm to public health or morals. This may include portrayals of sadistic or sexual violence which make this violence look appealing; reinforce the suggestion that victims enjoy sexual violence; or which invite viewer complicity in sexual violence or other harmful violent activities

- where there are more explicit images of sexual activity in the context of a sex work (see below) or where the primary purpose of the images in question is sexual arousal

In the case of video works, which may be more accessible to younger viewers, intervention may be more frequent than for cinema films.

### **Sex education at 18**

Where sex material genuinely seeks to inform and educate in matters such as human sexuality or safer sex and health, explicit images of sexual activity may be permitted.

### **Sex works at 18**

Sex works are works whose primary purpose is sexual arousal or stimulation. Sex works containing only material which may be simulated are generally passed 18. Sex works containing clear images of real sex, strong fetish material, sexually explicit animated images, or other very strong sexual images will be confined to the R18 category. Material which is unacceptable in a sex work at R18 is also unacceptable in a sex work at 18.



**R18 - To be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults only**

**The R18 category is a special and legally-restricted classification primarily for explicit works of consenting sex or strong fetish material involving adults. Films may only be shown to adults in specially licensed cinemas, and video works may be supplied to adults only in licensed sex shops. R18 video works may not be supplied by mail order.**

**The following content is not acceptable:**

- material which is in breach of the criminal law, including material judged to be obscene under the current interpretation of the Obscene Publications Act 1959 (see Annexe)
- material (including dialogue) likely to encourage an interest in sexually abusive activity which may include adults role-playing as non-adults
- the portrayal of sexual activity which involves real or apparent lack of consent. Any form of physical restraint which prevents participants from indicating a withdrawal of consent
- the infliction of pain or acts which may cause lasting physical harm, whether real or (in a sexual context) simulated. Some allowance may be made for moderate, non-abusive, consensual activity
- penetration by any object associated with violence or likely to cause physical harm
- sexual threats, humiliation or abuse which do not form part of a clearly consenting role-playing game. Strong physical or verbal abuse, even if consensual, is unlikely to be acceptable

These Guidelines will be applied to the same standard regardless of sexual orientation of the activity portrayed.





## **Advice Viewings**

**A customer may submit works for advice at any stage of the production process.**

We will inform them of the likely classification a work will receive, and where appropriate any changes required to achieve the customer's preferred classification. However advice given in such circumstances is not binding and we reserve the right to reach a different decision when the final version of the work is submitted formally for classification. If the final version of the work submitted for classification differs in any significant respect from that seen for advice, and if those changes appear to reflect advice we have given, then details of the changes will appear on our website.

## **Intervention**

**Where possible we will carry out our responsibilities through appropriate use of the classification categories, particularly in order to protect children from any potential harm. If necessary, however, we may cut or even refuse to classify a film or video work.**

**In some cases, we require assurances, cuts or other changes (for example, the addition of warning captions) as a condition of classification, or as a condition of classifying at a particular category. In some circumstances we may refuse to classify a work at any category. We publish details of all interventions on our website.**

### **Cuts for category**

If the submitted work is suitable for classification, but only at a category higher than that requested by the customer, we will consider whether a lower category could be achieved through relatively minor or simple changes. If so, we may offer the customer a choice of accepting either the higher or lower category (the latter with defined changes as necessary).

Cuts for category are unlikely to be available if the required changes would be very extensive or complex, or would not address for example, a tonal or thematic issue running throughout the work.

### **Compulsory cuts**

If a submitted work raises issues or concerns that cannot be addressed by classification at a particular age category, we may require cuts or other changes as a condition of classification. Such intervention is most likely when the submitted work contains:

- material which may promote criminal activity
- material which is obscene or otherwise illegal
- material created by means of the commission of a criminal offence
- portrayals of children in a sexualised or abusive context

- material which makes sexual or sadistic violence look normal, appealing, or arousing
- graphic images of real injury, violence or death presented in a salacious or sensationalist manner which risks harm by encouraging callous or sadistic attitudes
- material which reinforces the suggestion that victims enjoy sexual violence
- material which invites viewer complicity in sexual violence or other harmful violent activities
- sex works which contain material listed as unacceptable at R18

When the issue relates to the circumstances of filming (for example, in relation to animal cruelty or public indecency) the customer will normally be given an opportunity to present evidence before a final decision is reached.

### **Refusal to classify**

As a last resort, the BBFC may refuse to classify a work, in line with the objective of preventing non-trivial harm risks to potential viewers and, through their behaviour, to society. We may do so, for example, where a central concept of the work is unacceptable, such as a sustained focus on sexual or sadistic violence. Before refusing classification we will consider whether the problems could be adequately addressed through intervention such as cuts. In deciding whether to refuse to classify, we will keep in mind the inherent difficulty of using behavioural research to draw conclusions about real world risks, and will have regard to the full range of available evidence, including the views of the public and our own knowledge and experience.

## **Appeals**

**We offer a formal reconsideration procedure which is open to any customer dissatisfied with the determination made in respect of their work. The reconsideration is free of charge and will normally take fewer than 10 working days.**

A customer may also appeal directly to an independent authority. Such an appeal may take place following, or instead of, our reconsideration. In the case of films, the customer (or any member of the public) may address itself to the local authority which licenses cinemas in a particular area. In the case of video works a customer may appeal to the Video Appeals Committee. The VAC is independent of the BBFC and can be contacted by post at **VAC, PO Box 6949, London, W1A 3TZ** or by email at **[enquiries@vacappeal.co.uk](mailto:enquiries@vacappeal.co.uk)**

Customers should note that a reconsideration or an appeal involves looking at the issues afresh. This means that the outcome could, in some circumstances, be more restrictive than the original determination.

## Engagement with the Public

As part of our role we provide consumers, particularly parents, with as much information as possible to enable them to make a fully informed decision about what they will view. We therefore publish detailed information about the content of every film we classify. This is called BBFCinsight.



# insight

### BBFCinsight consists of the following:

- short content advice on film posters, some film advertising and video packaging, for example:



Strong language and sex references

- more detailed information, aimed particularly at parents, found on our website and free App

BBFCinsight is a short description of the issues found in a film or video work. It explains why an individual title received a particular classification. It highlights the key issues in a film, and gives examples of the content in the film, avoiding where possible any potential plot spoilers.

BBFCinsight also notes any other issues that might be important for parents, or those wishing to take younger viewers to see a film. This may include, for example, themes of divorce or bereavement, a film's overall suitability for family viewing and the likely familiarity of the audience with the film's source material or cast.

We encourage viewers to check BBFCinsight for a clear idea of the issues a work contains.

## Websites



### **BBFC Website - [www.bbfc.co.uk](http://www.bbfc.co.uk)**

Our website gives detailed information about every classification decision.

The website includes an online version of our Guidelines, detailed information about the different classifications, a library of our research, education tools and resources for use in the classroom and independent study, and a media centre including news and press releases.



### **Children's BBFC – [www.cbbfc.co.uk](http://www.cbbfc.co.uk)**

This website offers children clear information about how age classifications work and our role and history. It includes interactive elements, and material especially adapted for younger filmgoers and families.

The site also has an area for adults which contains information about BBFCinsight, the classification categories and details of our education and outreach work (for example, video conferencing) for schools.

### **BBFC App**

We have a free App available to download for iOS and Android devices. It lets users check the latest film and video classifications on the go, along with BBFCinsight.

### **Twitter**

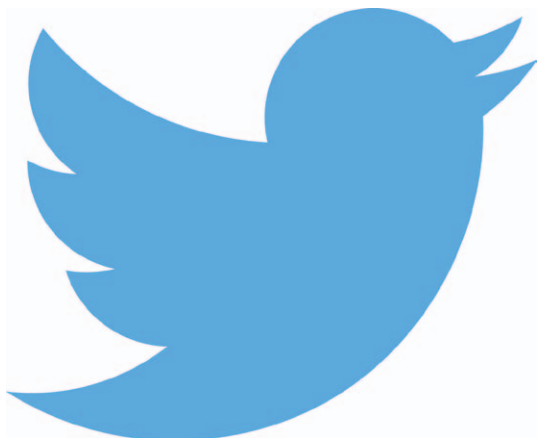
We regularly update our Twitter account, **@BBFC**, with BBFC news and the latest film and video classifications.

### **Newsletters**

We produce regular newsletters for the industry, for those involved in education and for the general public. These give details about recent BBFC classification decisions as well as our resources, workshops and events. To sign up for any of the newsletters visit **[www.bbfc.co.uk](http://www.bbfc.co.uk)**.

### **Podcasts**

We produce themed podcasts which feature guest interviews, discussion of recent decisions and current classification issues. The podcasts can be downloaded from the website.





## Feedback

We welcome all feedback, whether positive or negative, and any comments can be sent to **feedback@bbfc.co.uk**, or in writing to the **Director's Office, BBFC, 3 Soho Square, London, W1D 3HD.**

For further details see the 'Contact Us' page on **www.bbfc.co.uk**



## Annexe

### Legal Considerations

The following legislation is not listed according to chronology or importance. Instead, it reflects a useful way of explaining the structure of the legal framework that applies to our work.

#### **The Licensing Act 2003 – England and Wales Cinemas (Northern Ireland) (Order 1991) – Northern Ireland**

#### **Cinemas Act 1985 – Scotland**

Cinemas require a licence from the local authority in which they operate. The licence must include a condition requiring the admission of children (anyone under 18) to any film to be restricted in accordance with our recommendations or those of the licensing authority. One of the key reasons for the licensing requirement is the protection of children, including from potentially harmful content in films.

#### **The Video Recordings Act 1984**

Video works (including films, TV programmes and some video games) which are supplied on a disc, tape or any other device capable of storing data electronically must have a BBFC classification unless they fall within the definition of an exempted work.

When considering whether to award a certificate to a work, or whether a work is suitable at a particular category, we are required by the Act to have special regard to the likelihood of works being viewed in the home, and to any harm that may be caused to potential viewers or, through their behaviour, to society by the manner in which the work deals with:

- criminal behaviour
- illegal drugs
- violent behaviour or incidents

- horrific behaviour or incidents
- human sexual activity

In considering these issues we have in mind the possible effect not only on children but also on other vulnerable people.

#### **The Obscene Publications Act 1959 & 1964 – England and Wales**

#### **The Obscene Publications Act 1857 – Northern Ireland**

#### **The Civic Government (Scotland) Act 1982 – Scotland**

It is illegal to publish a work which is obscene. A work is obscene if, taken as a whole, it has a tendency to deprave and corrupt a significant proportion of those likely to see it. Under the Obscene Publications Act 1959, no offence is committed if publication is justified as being for the public good on the grounds that it is in the interests of science, art, literature or learning or other objects of general concern.

In Scotland, case law implies a similar test would be applied. In Northern Ireland, while there is no express defence of “public good” it is likely that English law would be taken into consideration.

#### **Criminal Justice and Immigration Act 2008 – England, Northern Ireland and Wales**

#### **Criminal Justice and Licensing (Scotland) Act 2010 / Civic Government (Scotland) Act 1982 – Scotland**

It is illegal to be in possession of an extreme pornographic image. Under the Criminal Justice and Immigration Act 2008 an extreme pornographic image is one which is pornographic and grossly offensive,

disgusting or otherwise of an obscene character, which features an apparently real person, and which portrays, in an explicit and realistic way, an act which:

- threatens a person's life
- results, or is likely to result, in serious injury to a person's anus, breasts or genitals
- involves sexual interference with a human corpse
- involves bestiality

In Scotland, the Civic Government (Scotland) Act 1982, includes as "extreme" for the purpose "an act which takes or threatens a person's life" and "rape or other non-consensual penetrative activity".

Works we classify under the Video Recordings Act are excluded from the scope of the offence across the UK.

### **The Protection of Children Act 1978 – England and Wales**

#### **Protection of Children (Northern Ireland) Order 1978 – Northern Ireland**

#### **Civic Government (Scotland) Act 1982 – Scotland**

It is illegal to make, distribute, show or possess indecent photographs or pseudo-photographs of a child. It is also illegal to make, distribute, show or possess indecent images of children which have been derived from a photograph or pseudo-photograph (for example, by tracing). Offences relating to the possession of such images are contained within the Criminal Justice Act 1988 (England, Wales and Scotland), and the Criminal Justice (Evidence, Etc.) (Northern Ireland) Order 1988. A child is defined as a person under the age of 18.

### **The Coroners and Justice Act 2009 – England, Northern Ireland and Wales**

#### **The Criminal Justice and Licensing Act 2010 - Scotland**

It is illegal to be in possession of a prohibited image of a child. A prohibited image of a child is a non-photographic or non-pseudo-photographic image which is pornographic and grossly offensive, disgusting, or otherwise of an obscene character, and which focuses solely or principally on a child's genitals or anal region, or which portrays specified sexual acts by, of, or in the presence of a child, including masturbation, oral sex or penetration, including sexual acts with animals. A child is defined as being under 18 and an image of a child or other person can include imaginary representations. Works we classify under the Video Recordings Act are excluded from the scope of the offence unless images have been extracted from such works for the purpose of sexual arousal.

### **The Sexual Offences Act 2003**

It is illegal to expose oneself with intent to cause alarm or distress – this offence augments the common law misdemeanour of indecent exposure. The Act also prohibits a person recording the private act of another, where the intention of the recording is for the sexual gratification of himself or a third party and where the recorded party has not consented to so being filmed.

### **The Public Order Act 1986 – England, Scotland and Wales**

#### **The Public Order (Northern Ireland) Order 1987 – Northern Ireland**

It is illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening, abusive or insulting if the intention is

to stir up racial hatred or hatred on the grounds of sexual orientation, or if racial hatred or hatred on the grounds of sexual orientation is likely to be stirred up. It is also illegal to distribute, show or play to the public a recording of visual images or sounds which are threatening if the intention is to stir up religious hatred.

In Northern Ireland the relevant group of persons may be defined not only by colour, race, nationality or ethnic or national origins, but also by “religious belief” or “sexual orientation” or “disability”.

In Scotland, the communication of material that is threatening and is intended to stir up hatred on religious grounds is an offence under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012.

### **The Cinematograph Films (Animals) Act 1937**

It is illegal to show any scene “organised or directed” for the purposes of the film that involves actual cruelty to animals. This Act applies to the exhibition of films in public cinemas but we also apply the same test to video works. For the purposes of this legislation and The Animal Welfare Act 2006, only vertebrates which are domesticated or otherwise under the control of man are defined as “animals”.

### **The Animal Welfare Act 2006 – England and Wales**

### **The Welfare of Animals Act (Northern Ireland) 2011 – Northern Ireland**

### **The Animal Health and Welfare (Scotland) Act 2006 – Scotland**

It is illegal to supply, publish or show or possess with intent to supply a video recording of an “animal fight” that has taken place within the UK since 6 April 2007.

### **The Tobacco Advertising and Promotion Act 2002**

It is illegal, in the course of a business, to publish a tobacco advertisement.

### **Blasphemy**

In Scotland and Northern Ireland, the common law crime of blasphemy exists but has not been utilised for prosecution in modern times. The offences of blasphemy and blasphemous libel under the common law of England and Wales were abolished in The Criminal Justice and Immigration Act 2008.

### **Human Rights Act 1998**

The Act permits such restrictions on freedom of expression as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

### **Other unlawful material**

In carrying out its responsibilities, we will have regard to whether the material itself appears to be unlawful in the United Kingdom, or has arisen from the commission of an unlawful act.







Age Ratings You Trust

**British Board of Film Classification**

**3 Soho Square, London, W1D 3HD**

**T 020 7440 1570**

**[www.bbfc.co.uk](http://www.bbfc.co.uk)**



# **STATEMENT OF LICENSING POLICY**

**Reviewed May 2014 &  
Approved by Warwick District Council on 25 June 2014**



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## **1. Summary and purpose**

- 1.1 Warwick District Council (the Licensing Authority) makes this Statement of Licensing Policy in pursuance of its duties and powers under the Licensing Act 2003, (the Act) and the guidance issued under Section 182 of the Act.
- 1.2 Warwick District Council (WDC) is situated in the south of Warwickshire in the centre of England. Appropriately for England's heartland, Warwick District Council's boundaries are roughly heart-shaped, embracing an area of some 28,253 hectares with a population exceeding 138,000 people. The District covers four towns, Royal Leamington Spa, Warwick, Kenilworth and Whitnash as well as a large rural area with 18 Parish Councils. It is acknowledged that the town centres have a large proportion of residential premises.
- 1.3 The policy will relate to current legislation, and, where possible, to local factors, allowing flexibility and the potential to expand and augment the local economy and promote cultural issues.
- 1.4 The aim of this Policy is to demonstrate how WDC, will promote the four licensing objectives. These objectives are:
- prevention of crime and disorder;
  - public safety;
  - prevention of public nuisance; and
  - protection of children from harm.

WDC recognises that the promotion of the Licensing Objectives relies heavily on a partnership between license holders, authorised persons, responsible authorities and other persons in pursuit of common aims.

- 1.5 In making this Policy, the Licensing Authority recognises the following:-
- that residents within, and visitors to the District, need a safe and healthy environment to live, work and visit; and
  - that safe and well run entertainment premises are important to the local economy and vibrancy of the District.
- 1.6 This Statement provides guidance to Responsible Authorities, applicants for and holders of premises licences, objectors and residents on the general approach that the Licensing Authority will implement through its Licensing Committee
- 1.7 When making its decisions on licensing applications, the Licensing Authority will have regard to the matters contained in this Statement, the Act, the guidance issued under section 182 of the Act, the provisions of the Human Rights Act 1998 and in particular, Article 6 (right to a fair and public hearing); Article 8 (right to respect for home, private and family life) and Article 1 of the First Protocol (right to peaceful enjoyment of property and possessions), and the Race Relations Act 1976 and the Race Relations (Amendment) Act 2000.
- 1.8 This Statement covers the period up to 30<sup>th</sup> August 2018 and will be kept under review and revised as required, following consultation where necessary.

## **2. Licensing Policy & South Warwickshire Community Safety Partnership**

- 2.1 The 1998 Crime and Disorder Act and subsequent amendments require the Police and local authorities to work together and with others to reduce crime and disorder. To this end, Crime & Disorder Reduction Partnerships were formed and are now called Community Safety Partnerships.
- 2.2 South Warwickshire Community Safety Partnership (SWCSP) was formed in September 2008 when the district crime and disorder partnerships for Stratford & Warwick districts merged following years of close collaboration. The vision statement for SWCSP is *'that the districts should be an attractive, environmentally sustainable, desirable area to live in, work and visit, with a sense of safety which reflects the low risk of becoming a victim of crime in the area'*.
- 2.3 Tackling violent crime has remained a priority in Warwick District since 1998 with Leamington Town Centre as the main focus of partnership activity. Tackling violent crime and specifically street violent crime is one of three SWCSP priorities. A 60 point partnership action plan is in place to reduce violent crime and rowdy behaviour in our town centres.
- 2.4 The policy of working with licensees in South Warwickshire has delivered national best performance and practice.
- 2.5 The age group most likely to be victims and perpetrators of violent crime is 18-30. A key initiative to engage with this group is Operation 'Your Town, Your Choice' which takes place on pay-day weekends in hot-spots at the busiest times of 9pm to 4am. An early intervention approach is used utilising direct to leave dispersal authorities together with designated public places powers and has a real impact on reducing violence and rowdy behaviour.
- 2.6 This best example of partnership working across all agencies in South Warwickshire illustrates the commitment to tackling on-street violent crime. In addition enhanced policing, Street Marshals, Street Pastors and CCTV control rooms support this approach.
- 2.7 Joint Licensing Enforcement visits are a key feature of these evenings ensuring that licensees are taking their responsibilities seriously. Engagement with 18 to 30 year olds is carried out on roads closed to traffic. Health related activities are offered in exchange for completing questionnaires on particular themes, for example, pre-loading. Results from these activities and questionnaires inform how and when the hot-spots are staffed and how young people can be assisted in having an enjoyable and safe night. A unique partnership pilot with St John Ambulance Service has provided a care and repair service on busy nights in Leamington called 'The Cabin' and staffed by up to 10 volunteers.
- 2.8 A further developing part of this approach is the Street Pastor Scheme introduced in 2013. The scheme provides a vital service, and integrates well into the overall multi-agency approach adopted. Further information about Street Pastors may be obtained on their website at [www.leamingtonspa.streetpastors.org.uk](http://www.leamingtonspa.streetpastors.org.uk)

### **3 Delegation of Functions for Regulatory Matters**

- 3.1 The Council has established a Licensing Committee with delegated powers to deal with licensing matters
- 3.2 The Licensing Committee has delegated the decision making to Licensing Panels when a hearing is required. These Panels are sub-committees consisting of three members of the full Committee. All other matters that do not require hearings have, upon Home Office advice, been delegated to officers.

### **4 Further Strategies**

- 4.1 WDC has adopted the following strategies that it feels will help it to achieve its desired goals:
- It will work together with all partners as well as local businesses and residents to try to achieve an acceptable level of harmonisation between the two, accepting that this may not always be possible.
  - It accepts that an active and successful Crime and Disorder Partnership is one of the key factors in achieving its desired goals.
  - It recognises the importance of working with other agencies and holds and organises a Multi- Agency Licensing Group on a regular basis to discuss any problems that may arise within its district.
  - The value of action plans as a method of obtaining compliance from premises is recognised and used whenever they become necessary.
  - An Enforcement Policy which incorporates the Regulator's Compliance Code has been adopted. Both of these may be found on WDC's website,
  - In recognising the need to minimise late night noise nuisance, WDC would expect that after 23.00 all persons outside the premises would move indoors, and that any sound, amplified or unamplified, from within the premises should not disturb residents in neighbouring domestic properties. However, any conditions added to the premises licence to achieve this aim will be proportionate, enforceable and relevant to that particular premise.
  - WDC has adopted a special policy addressing the cumulative impact of the number of licensed premises in Leamington Spa Town Centre. Full information on this policy may be found at paragraph 10 below.

### **5. The four Licensing Objectives**

#### **5.1 Prevention of Crime and Disorder**

- 5.1.1 In addition to the requirement for the Licensing Authority to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to exercise its functions with due regard to the likely effect of the exercise of those functions, and to do all it reasonably can to prevent crime and disorder in the District.
- 5.1.2 The Licensing Authority will expect all licensed premises to be managed responsibly.

- 5.1.3 When considering applications for premises licences for late night refreshment the Licensing Authority will take into account the potential for high levels of disorder that this type of premises may cause to the night time environment.
- 5.1.4 The Licensing Authority will consider attaching conditions to licences and certificates to prevent crime and disorder. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place. Any conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.
- 5.1.5 The Licensing Authority recognises that there are a number of mechanisms for addressing unlawful or anti-social behaviour that occurs away from licensed premises, qualifying clubs and temporary events. These include:–
- planning controls;
  - enforcement of Environmental Protection legislation (e.g. on noise nuisance);
  - positive measures to provide a safer and clean town centre;
  - environmental controls, in partnership with local businesses, transport operators and other departments of the Council;
  - powers to designate parts of the District as restricted alcohol areas
  - police enforcement of the law with regard to disorder and anti-social behaviour, including the issue of fixed penalty notices;
  - dispersal of people quickly and safely from town centres to avoid concentrations which may produce disorder and disturbance;
  - the prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk;
  - confiscation of alcohol from adults and others in designated areas;
  - all current police and local authority powers of closure in force at the time
  - the power of police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

## **5.2 Public safety**

- 5.2.1 The Licensing Authority will consider attaching conditions to licences and certificates to promote public safety. Any such conditions will be tailored to the style and characteristics of the premises and the type of activities expected to take place there and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

## **5.3 Prevention of public nuisance**

- 5.3.1 The Licensing Authority will take an objective view as to the potential for nuisance and will seek to attach appropriate and proportionate conditions to licences and certificates where necessary in order to prevent it. The conditions added will be precise and enforceable and will be unambiguous and clear in what they intend to achieve. Any such conditions imposed will be tailored to the style and characteristics of the premises and the type of activities expected to take place there. In each individual case that arises following representation, the Licensing Authority will:
- consider the potential for nuisance associated with the style, characteristics and activities of the licensable activity involved;
  - examine the potential steps which could be taken to reduce the risk of nuisance, particularly in areas of dense residential accommodation; and

- consider restricting the hours of the licence or the licensable activity only as a last resort because of the potential impact on disorder and anti-social behaviour from fixed and artificially early closing times.

5.3.2 By way of guidance, the Licensing Authority would expect that after 23.00 all patrons of a licensed premises will move indoors, and any amplified sound to be inaudible in neighbouring domestic properties.

5.3.3 Any exceptions to this would need to be justified in an operating schedule showing how the licensing objectives were still being achieved.

5.3.4 The Licensing Authority expects that premises should usually be closed within half an hour of the end of the last licensable activity.

5.3.5 The Live Music Act 2012 removed live music from the scope of the Licensing Authority, subject to the satisfaction of certain criteria, so it is recognised that its controls in this respect have been reduced. However, conditions may be added or reinstated at a review hearing which will bring live music for that particular premises into the licensing regime. This means that it would be within the licensing Authority's powers, at a review hearing, to place a condition on the premises licence prohibiting the playing of live music at any time. This may arise, for example, if the premises is not suitable for the live music being played; or if frequent disturbance is being caused by the music.

## **5.4 Prevention of Harm to Children**

5.4.1 Nothing in this statement of policy limits the access of children to licensed premises unless it is necessary for the prevention of harm to children. However, this authority does not consider that children should be encouraged to mix in areas that are frequented by the adult drinking public, such as busy town centres. For this reason, birthday parties, etc., for the 18 and under demographic will be actively discouraged in these area.

5.4.2 Areas that may give rise to particular concern in respect of children include premises:

- With a known association with drug taking or dealing;
- Where there is a strong element of gambling on the premises;
- Where entertainment of an adult or sexual nature may be provided (e.g. topless bar staff, striptease, lap/table/pole dancing, strong and offensive language).

5.4.3 It is acknowledged that complete exclusion of children will be rare but the options to be considered by the Council for limiting access of children, where regarded as necessary for the prevention of harm to children, may include any of the following:

- Limitations on the hours when children may be present;
- Age limitations (below 18);
- Limitations or exclusions when certain activities are taking place;
- Restrictions or exclusions in respect of parts of premises;

- Requirements for an accompanying adult;
- Full exclusion of people under 18 from the premises when any licensable activities are taking place.

- 5.4.4 The Licensing Authority cannot impose conditions requiring the admission of children to any premises. Where no licensing restriction is necessary, this will remain a matter for the discretion of the individual licensee or club.
- 5.4.5 In the case of premises giving film exhibitions, the Licensing Authority expects licensees or clubs to include in their operating schedules arrangements to ensure that children will be restricted from viewing age-restricted films classified according to the recommendations of the British Board of Film Classifications.
- 5.4.6 Where a number of children are expected to attend regulated entertainment (e.g. theatre production, 'junior disco', film shows), the Licensing Authority may consider the need to require a specified number of adults to be present at the place of entertainment to control the access and egress of children and to assure their safety. The number of adults required will need to be calculated on the basis of a risk assessment by the applicant and will need to take into consideration the size of the venue, the number and ages and ability of the children present and the type of activity involved. These matters will need to be addressed by the applicant as part of the operating schedule.
- 5.4.7 The Licensing Authority will consider attaching conditions to licences and certificates to prevent harm to children. Such conditions will be appropriate to the premises and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.
- 5.4.8 The Licensing Authority expects all premises to comply with statutory conditions requiring that a policy must be adopted, laying out how they will address underage drinking. This must be shown in the operating schedule of any premises licence application or variation.

**NOTE:** In the event of any variation submitted to remove any conditions where a hearing is necessary, evidence would be expected to be submitted to the Licensing Panel by the applicant that the change would not impact on the licensing objectives

## **5.5 Health**

- 5.5.1 The Licensing Authority recognises the role of Public Health England acting in its role as a Responsible Authority. Public Health England can make representations in response to either a full licence application or an application for a variation in the conditions of an existing licence. They can also call for the review of a licence if they feel it breaches a licensing objective. Any representation must relate specifically to the premises in question and cannot be a general objection.
- 5.5.1 Representations made by Public Health England must be evidence-based and must demonstrably refer to one or more of the licensing objectives. As there is currently no licensing objective directly relating to public health, Public Health England must ensure their representations are relevant to one of the four existing objectives.



## **5.6 The Licensing Authority as a Responsible Authority**

- 5.6.1 The Licensing Authority are empowered to make representations against new applications for and variations applications to premises licences, as well as call for a review.
- 5.6.2 A procedure has been put into place to ensure that any representation made by the Licensing Authority as a Responsible Authority will be made without prejudicing its ability to determine the application in a fair and objective manner.

## **6. Other Considerations**

### **6.1 Live Music, Dancing & Theatre**

- 6.1.1 This Policy recognises the need to encourage live music, dancing and theatre for the wider cultural benefits of the community generally. In addressing such issues, the potential for disturbance to residents will try to be balanced with the wider cultural benefits to the wider population.

### **6.2 Integration of Strategies**

- 6.2.1 The Licensing Authority will secure the proper integration of this policy with local crime prevention, anti-social behaviour away from licensed premises, planning, transport, tourism and cultural strategies by:
- Liaising and consulting with Warwickshire Police, Community Safety Forum, and considering any guidance from the crime and disorder strategy document; and
  - Liaising and consulting with the appropriate Council Officers, the Planning Committee, the Executive, and considering guidance in the Local Plan.
- 6.2.2 Specific conditions may be attached to premises licences, where appropriate, to reflect local crime prevention strategies. Such conditions may include
- the correct use of well installed closed circuit television cameras;
  - the provision and use of shatterproof drinking receptacles;
  - a drugs and weapons search policy;
  - the use of ID scanners
  - the use of registered door supervisors;
  - specialised lighting requirements;
  - restrictions on hours of opening and licensable activities.
- 6.2.3 Certificates issued to club premises will reflect local crime prevention strategies and may include any or all of the requirements listed above. The Licensing Authority will have regard to any local orders and/or strategies relating to street drinking.

## **7 Other regulatory regimes**

- 7.1 This policy will avoid duplication with other regulatory regimes wherever possible. The following advice relates to specific regimes but is not exhaustive:-

## **7.2 Health and Safety**

- 7.2.1 Premises will normally have been visited by the Council's Health and Community Protection inspection staff with regard to health and safety enforcement at the premises. Certain premises will not fall under this regime and will be the subject of health and safety enforcement by the Health and Safety Executive (HSE). These regimes place a range of general and specific duties on employees, employers, operators of venues and members of the public. Matters arising out of the Health and Safety at Work etc Act 1974 and associated Regulations should not be the subject of conditions that duplicate statutory H&S requirements.

## **7.3 Fire Safety**

- 7.3.1 Premises and their operators will have statutory duties under the current fire safety regime to ensure the safety of patrons visiting the premises. The operating schedule should state the precautions that will be taken to ensure the safety of the public.

## **7.4 Food Hygiene**

- 7.4.1 Premises selling alcohol and/or premises engaged in a food business must be registered with WDC and subject to risk-based food hygiene inspections at regular intervals. The inspections are carried out by the council's Health and Community Protection officers.

## **7.5 Noise**

- 7.5.1 Statutory and public nuisances are dealt with by the Council's Health and Community Safety Section under the Environmental Protection Act 1990 and associated legislation.

## **7.6 Planning**

- 7.6.1 Premises that apply for a licence or a variation of a licence should be aware that they may also need planning permission to carry out the activities applied for.

## **8 Standard Conditions**

- 8.1 The Licensing Authority does not support the use of blanket conditions which, if imposed, may be seen as disproportionate and overly burdensome. Conditions attached to licences will be tailored to the individual styles and characteristics of the premises and events concerned and will be precise and enforceable and will be unambiguous and clear in what they intend to achieve.

## **9 Enforcement**

- 9.1 Inspections of premises will be on a risk assessed basis, to be undertaken when and if judged necessary, assisted by information provided by the Multi Agency Licensing Group.

## **10 Special Policy Regarding Cumulative Impact**

- 10.1 The Licensing Authority recognises that there is a difference between the cumulative impact of premises and commercial need. The latter is a function of market forces and is not a factor the Council may take into account in the discharge of its licensing function.
- 10.2 The Licensing Authority adopted a special policy regarding cumulative impact in November 2005 at the commencement of the Licensing Act 2003 where it considered that a significant concentration of licensed premises would have an impact on the licensing objectives and granting of further licences in that area would add to this impact. When adopting the special policy reference to the steps outlined in the relevant part of the guidance issued under section 182 of the Act.
- 10.3 The Licensing Authority formed two saturation zones, based on information supplied in 2005 on crime and disorder and other related matters. The area and its necessity has been ratified by further figures supplied to the Licensing Authority in January 2009 as part of its review of the cumulative impact policy.
- 10.4 The two zones, when joined together, form the same area as the Leamington Safer Neighbourhood area. In the interest of clarity and transparency, the two zones have been amalgamated into one cumulative impact zone. Properties on both sides of any road which borders the zone are deemed to be included within the zone. A plan of the zone may be found at the end of this policy as Appendix 1.
- 10.5 It is considered that the cumulative impact of further new licences in this zone may lead to the area becoming further saturated with premises of a certain type, including pubs, clubs, takeaways and off licences, making the area a focal point for large groups of people, thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves.
- 10.6 The special policy regarding cumulative impact will not be used to try to revoke an existing licence or certificate when representations are made about the way the premises are being operated. However, the special policy may be a justification to refuse an application or to vary a licence or certificate.
- 10.7 The Licensing Authority will not operate a quota of any description including the special policy, that would pre determine an application. Each application will be considered on its individual merits. Proper regard will be given to the contrasting styles and individual characteristics of the premises concerned, and the differing impact they will have on the local community.
- 10.8 If an application for a premises licence within the cumulative impact zone is made, the Licensing Authority will expect the applicant to demonstrate in their operating schedule, the steps to be taken to prevent problems of nuisance and public safety and the steps to be taken to promote the reduction of crime and disorder. **The onus of proof will be on the applicant to show that the application will not impact on the four licensing objectives**

10.9 The Licensing Authority will consider the individual merits of all applications and where it feels to grant the application would be unlikely to add significantly to the cumulative impact in light of the licensing objectives, the Licensing Authority may grant the application.

10.10 The policy will be subject to review.

## **11 Responsible Authorities**

11.1 A list of contact details for Responsible Authorities authorised under the Act is attached to this policy as Appendix 2.

11.2 Responsible Authorities are able to make representations regarding new or variation applications for premises licences and also to seek a review of a current premises licence.

11.3 Representations will only be relevant if they relate to one or more of the licensing objectives referred to in paragraph 5.

## **12. Early Morning Restriction Orders (EMROs) and Late Night Levy (LNL)**

12.1 Following a report from officers, Warwick District Council's Licensing Committee recommended to full Council that it was felt, at the current time, the application of a LNL or EMROs was not appropriate for the council's area.

12.2 The Licensing Committee's recommendation was accepted by full Council during 2013.

12.3 However this Council, in March 2014, has requested officers to review the situation subsequent to Central Government's current consultation on licensing matters and to bring forward an updated report at the earliest possible time on the implications of introducing a late night levy in Warwick District.

## **13 Restricted Drinking Zone**

13.1 The Criminal Justice and Police Act 2001 includes a number of powers to combat crime and disorder, including measures to deal with alcohol related problems. The act gives local authorities the power to designate areas 'Restricted Drinking Zones' where it will become an offence for any person to drink alcohol after being requested not to do so by a police officer.

13.2 The entire area covered by Warwick District has been designated a Restricted Drinking Zone.

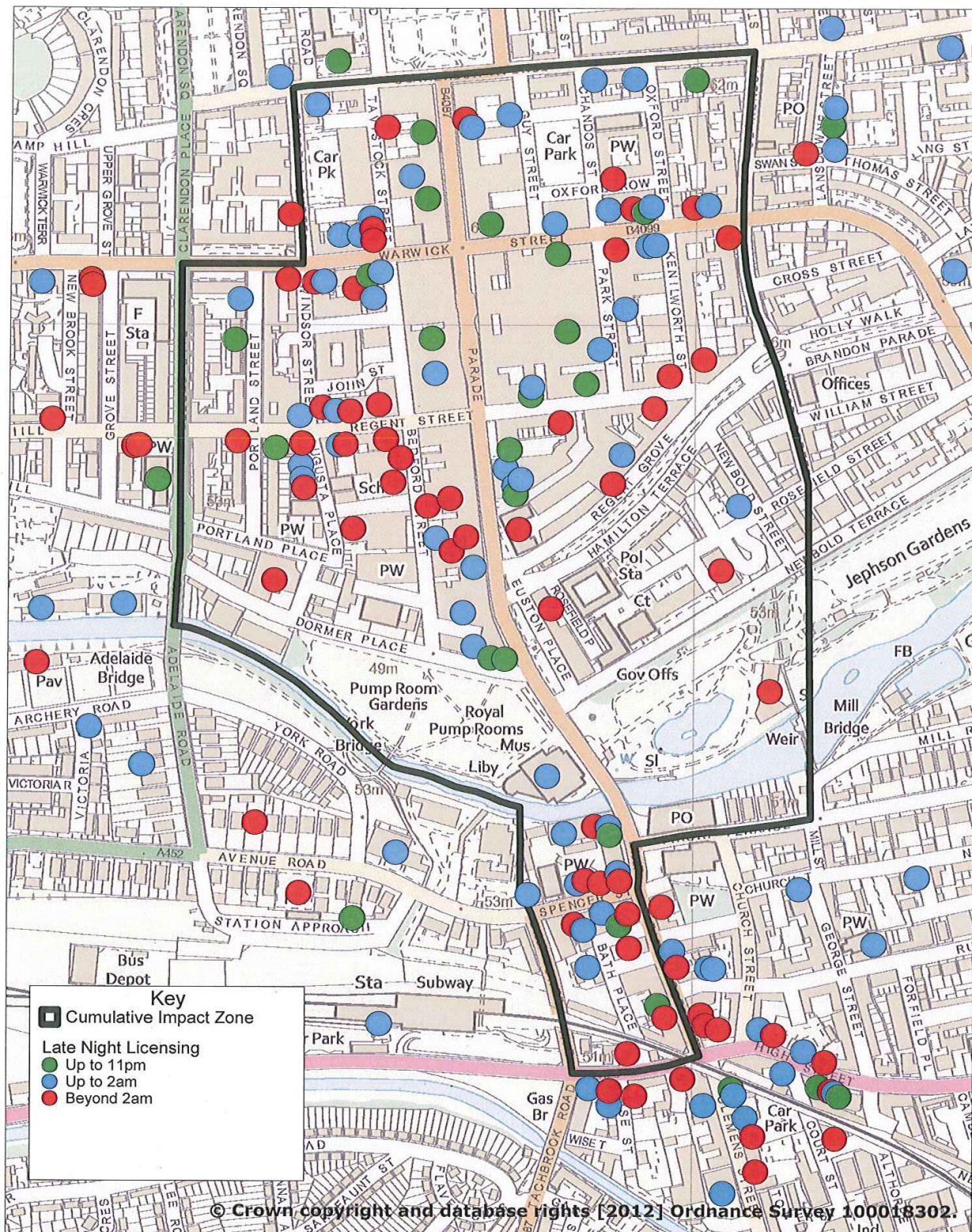
13.2 This means that, anywhere in the district, it is an arrestable offence to fail, without reasonable excuse, to comply with a police officer's request to cease drinking alcohol. The police also have the power to confiscate and dispose of any alcohol and containers in the person's possession.

## **14 Further Information**

- 14.1 The Licensing Authority has produced guidance documents for applicants.
- 14.2 The Council's Health and Community Protection Section offers advice on the process for, and, progress of, applications and as to whether particular activities need to be licensed. If detailed advice on the requirements of the legislation and how it affects you and your premises is required, independent legal advice should be sought.
- 14.3 The granting of a licence under the Licensing Act 2003 does not obviate the need for permissions or consents required under other legislation.



## Appendix 1 – Cumulative Impact Zone (current for 2013)



### Late Night Licences & Cumulative Impact Zone

Scale: 1:5000

Date: 16 October 2012

Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire. CV32 5HZ

Tel: 01926 410410





## **Appendix 2 – List of Responsible Authorities**

### **POLICE:**

Chief Officer of Police  
Warwickshire Police Licensing Team  
Warwickshire Justice Centre Leamington Spa  
Newbold Terrace  
Leamington Spa  
Warwickshire  
CV32 4EL

Tel: 01926 684033

Fax: 01926 684038

Email: [Liquor.Licensing@warwickshire.pnn.police.uk](mailto:Liquor.Licensing@warwickshire.pnn.police.uk)

### **FIRE AUTHORITY:**

County Fire Officer  
Warwickshire Fire & Rescue Service  
Warwick Street  
Leamington Spa  
CV32 5LH

Tel: 01926 423231

E.Mail: [firesafety@warwickshire.gov.uk](mailto:firesafety@warwickshire.gov.uk)

### **ENFORCEMENT AGENCY FOR HEALTH AND SAFETY:**

Regulatory Manager  
Health and Community Protection  
Warwick District Council  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ

Tel: 01926 456707

Email: [ehsafety@warwickdc.gov.uk](mailto:ehsafety@warwickdc.gov.uk)

### **AUTHORITY RESPONSIBLE FOR ENVIRONMENTAL HEALTH:**

Environmental Sustainability Manager  
Health and Community Protection  
Warwick District Council  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ

Tel: 01926 456714

Email: [ehpollution@warwickdc.gov.uk](mailto:ehpollution@warwickdc.gov.uk)

### **THE LICENSING AUTHORITY:**

Safer Communities Manager  
Health and Community Protection  
Warwick District Council  
Riverside House  
Milverton Hill

Royal Leamington Spa  
CV32 5HZ

Tel:  
Email:

**AUTHORITY RESPONSIBLE FOR PLANNING:**

Gary Fisher  
Group Leader Development Control  
Warwick District Council  
Riverside House  
Milverton Hill  
Royal Leamington Spa  
CV32 5HZ

Tel: 01926 456541  
Email: [gary.fisher@warwickdc.gov.uk](mailto:gary.fisher@warwickdc.gov.uk)

**BODY RESPONSIBLE FOR THE PROTECTION OF CHILDREN FROM HARM:**

Keith Edwards  
Assistant Head of Service  
Planning and Performance Children  
Young People and Families Directorate  
Saltisford Office Park,  
Ansell Way  
Warwick  
CV34 4UL

Tel: 01926 731139  
Email: [sslicensingapplications@warwickshire.gov.uk](mailto:sslicensingapplications@warwickshire.gov.uk)

**WARWICKSHIRE COUNTY COUNCIL (WEIGHTS & MEASURES):**


Simon Coupe  
Divisional Trading Standards Officer  
Old Budbrooke Road  
Warwick  
CV35 7DP

Tel: 01926 414040  
Email: [simoncoupe@warwickshire.gov.uk](mailto:simoncoupe@warwickshire.gov.uk)

**PUBLIC HEALTH ENGLAND:**

Public Health Department (Licensing)  
NHSWarwickshire/Warwickshire County Council  
PO Box 43 – Shire Hall  
Warwick  
CV34 4SX

Email:  
[PublicHealth5PMPUBLICHEALTHWARWICKSHIREPCT@warwickshire.nhs.uk](mailto:PublicHealth5PMPUBLICHEALTHWARWICKSHIREPCT@warwickshire.nhs.uk)

 <b>Licensing &amp; Regulatory Committee</b> <b>11 April 2016</b>		<b>Agenda Item No. 6</b>
<b>Title</b>	Review of the Management of the Elections held in 2015	
<b>For further information about this report please contact</b>	Chris Elliott, Chief Executive, Returning Officer, 01926 456000 chris.elliott@warwickdc.gov.uk	
<b>Wards of the District directly affected</b>	None	
<b>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?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>		
<b>Background Papers</b>		

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

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
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
<b>Consultation &amp; Community Engagement</b>		
<b>Final Decision?</b>		Yes
<b>Suggested next steps (if not final decision please set out below)</b>		

## 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 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**

	<b>Warwick &amp; Leamington Parliamentary election</b>	<b>Kenilworth &amp; Southam Parliamentary election</b>	<b>Warwick District Council election</b>	<b>Parish &amp; Town Council elections</b>	<b>Total</b>
<b>Budget</b>	93,109	99,976	171,000	107,600	471,685
<b>Actual</b>	89,403	104,681	151,137	127,169	472,391
<b>Variance</b>	-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:

	<b>Planned</b>	<b>Actual</b>
<b>Thursday</b>		
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)
<b>Friday</b>		
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)

	<b>Planned</b>	<b>Actual</b>
<b>Saturday</b>		
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- (3,100m<sup>2</sup>) and Hall 2 – (4536m<sup>2</sup>). 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

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### 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 19<sup>th</sup> 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 judgementslly 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 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 1/6<sup>th</sup> 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 22<sup>nd</sup> 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

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

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.

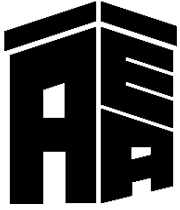
Should you require any further information or support regarding any element of Returning Officer delivery, please do not hesitate to contact us.

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](mailto:chinde@electoralcommission.org.uk)  
**Direct dial : 0207 271 0560**



**THE ASSOCIATION OF ELECTORAL ADMINISTRATORS**

# **Report of review into the provision of electoral services at Warwick District Council**

**John Turner  
Chief Executive**

**January 2016**

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# **Report of review into the provision of electoral services at Warwick District Council**

## **Part 1 - Introduction**

1. In October 2015, the Association (AEA) was approached by Warwick District Council with a view to carrying out a review of the provision of electoral services by the Council. The Association was formally appointed to undertake the review and it was agreed that I would be the person to carry this out. By way of background, I am the Chief Executive of the AEA. Until 2004, I was the Returning Officer and Electoral Registration Officer for the City of Norwich.

2. The terms of reference for the review were based on a paper provided by the Council "Warwick District Council Electoral Services Feasibility Study 2015". The paper states that the reason for the study is to "To ascertain the most appropriate service delivery processes going forward, given the need to reduce costs for Warwick District Council and increase resilience within the small team."

The paper then indicates that the study should:

- Focus on the operations of Electoral Services, methods of electoral registration and details of elections, and processes used for these.
- Focus on the working relationship between Electoral Services and their contracted and non-contracted outside partners and the appropriate full use of systems which adds value to the Council.
- Focus on the provision of an appropriate Electoral Service which provides a value for money service for the Council and its residents.
- Position the service to allow for future development, in terms of service provision, staff resilience, their relationship between organisations the service works with or the service is provided for and define the resources required to deliver the service.

## **Part 2 – Background**

3. Warwick D.C. covers an area in central Warwickshire based on the four towns of Kenilworth, Royal Leamington Spa, Warwick and Whitnash and includes the rural areas around those towns. It is bordered by the districts of Stratford upon Avon and Rugby, the metropolitan borough of Solihull and the city of Coventry.

The following facts relating to the Council are pertinent to the subject matter of

this report.

- There are some 100,668 electors on the Electoral Register;
- The Council has 46 members who are elected at all out elections held every four year, representing 22 wards;
- The Council is also responsible for the conduct of elections to 24 town/parish councils. At the last elections in 2015, there were contested elections in eight of the towns/parishes totalling 22 separate parish elections;
- Warwick District has a large student population based on the universities of Coventry and Warwick and Warwickshire college;
- The district has a sizeable European citizen base with 3,330 registered to vote;
- The number of postal voters at the May 2015 elections for the two parliamentary constituencies was 22,133;
- The area has two parliamentary constituencies;
- The response rate for the annual canvass for the electoral register in 2015 was 76%;
- The council uses electoral management software provided by Xpress.

4. For the purposes of the elections for the Council, the Chief Executive has been appointed as the Returning Officer. He has also been appointed as the Electoral Registration Officer (ERO) under the appropriate provisions within the Representation of the People Act 1983. As a result of this appointment, that officer automatically becomes the Acting Returning Officer for the Parliamentary elections held within the two constituencies administered by the District.

5. The staffing resource of the Elections Office is effectively 1.6 full time equivalent (f.t.e.) posts. This consists of a post of Electoral Services Manager supported by a post of an Electoral Services Officer (3 days per week). Additionally, there are two temporary posts of Electoral Services Officers (both three days a week), one based on a secondment from another service and one on a fixed term contract. The resources are supplemented at the time of the annual canvass and at elections by temporary assistance and by staff from the wider Democratic Services Team.

### **Part 3 – Methodology**

6. In terms of conducting the review leading to this report, the following methodology was employed:

- a) collation of relevant written material relating to the arrangements for the provision of electoral services at the Council;
- b) assessment of the above material;



c) personal interviews with the Chief Executive, Democratic Services Manager and members of staff in the Electoral Services Team.

## **Part 4 – The Legal Position**

### **The Electoral Registration Officer/Returning Officer**

7. Each Council is required to appoint one of its officers as the Returning Officer for the purposes of local government elections at principal area level and to appoint one of its officers as the Returning Officer for the purposes of any parish council elections within the district's area.<sup>1</sup>

8. The Council is also required to appoint one of its officers as the Electoral Registration Officer.<sup>2</sup> As explained above, the Electoral Registration Officer of the Council becomes the Acting Returning Officer for the purposes of the conduct of UK Parliamentary elections.<sup>3</sup>

9. The Council which has appointed that officer is required to provide the officer with sufficient resources to conduct local government elections and to pay the costs thereof.<sup>4</sup> In terms of UK parliamentary elections, the costs are borne by Government through the Consolidated Fund.

10. The Returning Officer may appoint deputies to assist with the conduct of the election. Such deputies may be appointed with "full powers" (i.e. the power to undertake any duties which are formally the responsibility of the Returning Officer) or with "limited powers" (i.e. the powers specifically identified in the form of appointment).<sup>5</sup>

### **Relationship of the Electoral Registration Officer/Returning Officer to the Council**

11. As noted above (paragraphs 7 to 9), a Council has to appoint one of its officers as the Returning Officer for its elections (or parish council elections) and then provide the necessary resources to allow that officer to properly conduct the election. Once appointed, the Returning Officer is in a statutory office and has a separate legal entity to that of the Council which appointed him/her. The same principle applies to that officer's appointment to the role of Acting Returning Officer (ARO) as it is held directly by virtue of the officer's appointment as Electoral Registration Officer.

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<sup>1</sup> Representation of the People Act 1983 (RPA), section 35(1)

<sup>2</sup> RPA 1983, section 8

<sup>3</sup> RPA 1983, section 28

<sup>4</sup> RPA 1983, section 36(4)

<sup>5</sup> RPA 1983, section 35(4)

12. On this basis, it could be suggested that the Electoral Registration Officer or the Returning Officer are not fettered by the Council's normal procedures in terms of carrying out electoral registration duties and conducting elections or subject to direction or instruction from members of the Council in respect of the discharge of the responsibilities falling to the statutory offices. This reflects the position enshrined in statute that an independent officer is responsible for the proper conduct of these matters "without fear or favour". This position was tested and confirmed by a case heard in the Queen's Bench Division of the High Court in 1993<sup>6</sup> and involving Milton Keynes Borough Council and its Electoral Registration Officer.

## **Part 5 – The Findings of the Review**

### **Introduction**

13. The main findings of the review are set out below. The findings are based on the results of:

- (1) the interviews undertaken;
- (2) examination of the documents provided to me as part of the review.

### **Electoral Registration**

17. The Electoral Registration Officer's (ERO) personal responsibilities include the following:

- the duty to maintain a list of UK Parliamentary and local government electors for the area for which s/he acts and to maintain a list of relevant citizens of the European Union entitled to vote at European Parliamentary elections
- the requirement to take reasonable steps to obtain information for that purpose
- the requirement to conduct an annual canvass
- the administration of absent voting applications
- the requirement to take steps to encourage participation by electors in the electoral process
- the requirement to meet such standards of performance as set by the Electoral Commission.

18. In terms of the maintenance of the electoral register, this largely includes three major elements:

- the transition to individual electoral registration

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<sup>6</sup> Case CO 1781/93

- the conduct of the annual canvass
- the process of rolling registration.

19. The IER system <sup>7</sup> was introduced in England and Wales from 10 June 2014. IER replaced the Household Electoral Registration system in 2015 to make the process of registration more convenient and more secure. IER 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.

20. The canvass is normally carried out between July and November in each year. The ERO is then required to publish a revised copy of the register by 1st December of each year. The main legal requirements relating to the annual canvass are that:

- applicants must be generally resident in the property for which they are registering
- the canvass is not concerned with prisons, mental hospitals or declaration electors
- the form is prescribed
- the ERO must send the form more than once to any address from which no response has been received and make on one or more occasions house to house inquiries.

21. I was advised that:

- Forms are processed as they are returned. This is particularly important in terms of any elections which may be called during the canvass period
- House to house inquiries are made on a routine basis
- Additional temporary office staffing resource is provided to cope with the canvass administration, largely clerical activities and scanning
- The 1 December deadline for publication of the revised register is always met.

The second bullet point is an important one as the Electoral Commission often draws attention to those authorities where this important step is not taken, either in full or part. As noted in the previous paragraph, the ERO is required to make house to house inquiries on one or more occasions. This is a statutory requirement under the provisions of section 9A of the Representation of the People Act 1983. This approach is normally undertaken at Warwick and therefore the ERO complies with this general “duty to take necessary steps”.

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<sup>7</sup> <https://www.gov.uk/government/collections/individual-electoral-registration>

22. I would expect, as a minimum, the following documents relating to the electoral registration function to be in existence:

- Activity Plan (based on Electoral Commission template)
- Timetable for carrying out the canvass
- Risk register and assessment (based on Electoral Commission template)
- Integrity Plan
- Communications Plan

23. Good practice for the process for electoral registration should include:

- a comprehensive project plan
- a comprehensive timetable and action plan
- a lone working policy
- a participation plan with evidence of publicity
- an integrity plan based on the Electoral Commission's template
- evidence of activity undertaken in relation to the canvassing process in recent years
- detailed instructions for canvassers
- payment details for canvassers
- canvass response rates and evaluation records
- processes for using the i.t. system
- evidence of the return of performance standards data to the Electoral Commission

24. So far as I could ascertain, there is no single procedure manual for the electoral registration function although it could be argued that one could simply be created by using the above documents mentioned in paragraphs 22 and 23 as a basis for the preparation of such a manual.

25. The introduction of IER presents a major change to the way in which electoral services are provided. Change management of this nature will require a review of the permanent resources required for electoral services.

26. Three issues arise from the review of this function.

**a) Office staffing resource** – There does not appear to be any contingency arrangement or resilience within the current permanent staffing structure. This means that all the knowledge and experience is restricted to the two members of staff within the current establishment. If either of these members of staff were to be absent for any significant length of time during the three months of the canvass period, it is difficult to see how the statutory requirements could be satisfactorily met.

**b) Resources** - Although there is no suggestion that adequate resources are

not being made available for the electoral registration function, it is an area of concern that the pressures on local government finance generally and within the authority itself could affect the ability of the ERO to carry out the canvass in the same way and with the same results in future years. As noted above, the ERO is under a duty to take the necessary steps. Those steps should be taken and the costs of so doing have to be met by the Council. This was the point of law tested by the Milton Keynes case. It is important that all those eligible to be registered are in fact registered and this now takes on even more importance as the final transition to individual registration is made over the next 12 months.

- c) *Procedure manual*** – The fact that there is no single procedure manual for electoral registration is a major concern which is closely linked to the issues raised in b) above. It is important from a succession planning viewpoint and for contingency planning reasons. It is also important in terms of being able to measure processes and actions against that which is documented and required. Without this tool, it is virtually impossible for those responsible for the overall management of the function to determine whether the appropriate and necessary actions have been taken and in accordance with a properly agreed work plan and timetable.

## **Absent Voting**

27. The ERO is responsible for the administration of absent voting applications. These are largely for postal votes but also include proxy voters as well. At the elections in May 2014, there were nearly 55,000 absent voters – this equates to some one in five electors using absent voting facilities.

28. The administration of absent voting is carried out as part of the use of the electoral management software (EMS). The postal vote packs are produced by another external contractor. A quality control system is in place for both to check the postal vote packs before they are despatched. The checking of postal voting statements when postal votes are opened is by use of specialist software supplied and supported by the same company that provides the EMS. No problems were identified in terms of the performance of the EMS contractor used for dealing with absent voting requirements (scanning of returned statements). However, a problem with the printing of the postal ballot papers for one ward occurred at the May 2015 elections. It should be noted that this contract ends in June 2016 and procurement of the new contract is underway.

## **Elections**

29. The Returning Officer (RO) must be impartial and his/her role is to ensure that the conduct of an election is in accordance with the law. If the RO fails to

perform certain of the duties satisfactorily, e.g. the counting of the votes, then his/her conduct may well be the subject of court action. As noted in paragraph 11, the RO's responsibility is one of a personal nature distinct from his/her duties as an employee of the council. The parameters of the responsibility are defined by legislation and a breach of duty is a summary offence subject to a £5,000 fine. There can, on the other hand, be no action for damages against the RO.

30. Elections in Warwick are organised on the basis of a very detailed Project Plan prepared by the Electoral Services Manager on behalf of the Returning Officer. The plan was based on the template provide by the Electoral Commission. The planning for the UK Parliamentary election and the local government elections in May 2015 was based on this approach. Good practice for the process for the conduct of elections should include:

- Project plan
- Risk register
- An action list duly completed on a regular basis
- Postal vote opening plan and instructions
- Engagement and participation plan
- Integrity plan
- Polling station training presentation
- Ballot box collection arrangements
- Polling station guidance manual
- Polling station protocol
- Close of Poll instructions
- Guidance Notes for Tellers
- Inspecting Officers' instructions
- Election day telephone log
- Count instructions
- Results document
- Process for the storage, security and inspection of election documents
- Post election review meeting minutes

31. A comprehensive procedure manual for the elections function does not appear to exist.

32. I have been provided with a copy of an internal audit report from November 2015 on the conduct of local elections. The report is thorough and paints a picture of an effective and efficient electoral service in terms of the administration, management and conduct of elections in the Warwick D.C. area. There are no issues identified in the report which would give me any cause for concern.

33. Three issues arise from the review of this function.

- a) **Office staffing resource** – The same issue as raised in paragraph 26b applies to the elections function. Given the current arrangements, if one member of staff were to be absent for any significant length of time during the five months or so of the preparation for and conduct of the elections, it is difficult to see how the statutory requirements could be met.
- b) **Procedure manual** – The fact that there is no procedure manual for the conduct of elections is a matter for concern which is closely linked to the issues raised in a) above. It is important from a succession planning viewpoint and for contingency planning reasons. The various documents which currently exist in relation to the elections function should be converted to a procedure manual. The same comments as in paragraph 24d apply.
- c) **Elections control and review** – A full post election review on a lessons learned basis and to identify any new actions that need to be taken should be carried out after each election. Regular election based meetings take place between the Returning Officer, Deputy Returning Officers and the Electoral Services Manager during the election period. In addition to that, a systematic approach to reporting needs to be introduced so that progress reports are made to senior management on a regular basis. The record of the post election review meeting needs to be annotated with timetabled completion dates and a responsible officer for each action.

## **Information Technology support**

34. The internal arrangements for I.T. support and back up appear to work well as do most of the arrangements with the electoral management software contractor. I was advised that that the ballot paper export file from Xpress is not ideal. This is because the format led to the print suppliers to have to manually take apart files and rebuild them. It was this process that led to a problem of the incorrect candidate party logo appearing on the ballot paper for one ward. This also caused problems with the large ballot papers and ballot papers for block voting at the count, both of which I understand are mentioned in the Council's final review report of the election. I further understand that the Electoral Commission indicated to the Council that this was not uncommon when working with the Council's EMS contractor no matter who the printer was.

## **Election fees**

35. The Representation of the People Act 1983 (RPA) makes provision for Orders to be made entitling an Acting Returning Officer at a parliamentary election to receive a fee in respect of the services rendered by that officer (section 29). For

such elections, this is achieved by reference to a Returning Officers' Charges Order. This Order sets out how such a fee is calculated and the maximum amounts which can be claimed.

36. For local government elections, it is usual for the above practice to be replicated by reference to a similar scale of election fees adopted and approved by the local authority in question. Section 34 of the RPA 1983 provides that every principal area local authority shall appoint one of its officers to be the Returning Officer for purposes of elections to that authority. Section 36 provides that the cost of such elections shall be met by that authority provided that the expenditure does not exceed any scale fixed by the Council for the purposes of meeting the costs of the election. It follows that, if no such scale exists, there is no limit on the level of expenditure. For that reason, it is sensible in financial and budgetary terms to have an approved scale. It also adds transparency to the electoral administration process and removes doubt of what can legitimately be paid to officers responsible for and working within the process. Warwick D.C. has adopted and approved a scale of election fees for elections to the Council and to the Town/Parish Councils within the area. This approach accords with good practice. For example, in "Managing Electoral Services" formerly issued by the Electoral Commission, it was suggested that a scale of fees should be fixed and agreed annually. The same advice is provided by the AEA in its Foundation Course manual (module EA3, paragraph 10.11).

## **Development and Capacity Issues**

37. The current staffing structure of the Elections Team undoubtedly delivers the services required both for electoral registration and the recent elections. However, I have a serious concern about how that happens and whether there is sufficient capacity to deal with the challenges presented by IER, further changes to the franchise and the various elections and the European Union referendum to be held over the next four years.

38. My analysis of the present situation identifies two major issues, namely:

- a) The lack of contingency and resilience particularly in relation to the Electoral Services Manager and the next most senior post
- b) The uneven spread of work carried out by members of the team which, in itself, contributes to further resilience issues at a lower level.

39. To accommodate the changes that would be necessary to deal with the issues identified above, I would recommend that an urgent review of the current structure of the Elections Team is undertaken with a view to:

- addressing the issues that have arisen as a result of this review



- future proofing the provision of electoral services given the significant changes that lie ahead over the next few years
- considering the changes to the structure and the overall resource that would be necessary to meet the significant challenges that lie ahead.

40. Such a review needs to consider the approach that should be taken to the way in which the team is organised with clear lines of reporting and responsibilities. To operate effectively, a function of this nature needs to be properly resourced with well-trained staff that have a sufficient level of knowledge and expertise. This equally applies to those who have management responsibility for the service.

41. Additionally, those responsible for the day to day management of the service and those working within it need the support of a proper staff development plan to build up the necessary expertise and knowledge within the service. The plan needs to identify the qualifications and training requirements at all levels. It further needs to ensure that the appropriate staff take full advantage of the services available to keep abreast of and up to date with legislative and administrative change and to ensure that good practice is embedded within the culture of the organisation.

42. There is also the question of the actual formal establishment of the Elections Office. As a rough rule of thumb from my past experience, I consider that, in addition to the manager, there should be one member of staff for around every 40,000 electors. On that basis and given the electorate of the District, the establishment should be 2.5 members of staff plus the manager post. This would represent an increase of more than doubling the current establishment.

43. Although temporary staff are used at peak times, I believe that it is also less than satisfactory to rely on such staff. Temporary staff are never likely to be as reliable or effective as permanent staff, require more training and supervision and place greater demands on the system as a whole. In addition, the use of temporary staff does not necessarily provide value for money.

44. In considering any new structure, I would suggest that the Council refers to the Electoral Commission publication "Designing a new Electoral Service". Pages 21 to 25 deal with staffing issues and provide clear and sensible advice on these matters.

### **Senior Management approach**

45. As part of the review process, I had meetings with the Chief Executive and the senior manager responsible for the service. The outcome of those meetings indicated that some careful thought and consideration had been given to the

corporate and strategic direction for the provision of electoral services within the authority. This is encouraging as it is not always the case that senior managers within local government demonstrate such a careful interest in the provision of these services.

### **Involvement of other areas of Council**

46. There are clearly skills and expertise held within other areas of the Council which are usefully employed to assist and support the Elections Team in its major responsibilities relating to the conduct of elections and also at canvass time in respect of the compilation and maintenance of the electoral register. These include but are not restricted to the following services:

- Logistics (In relation to securing venues etc. for major events such as the parliamentary election count and in terms of storage required for election purposes and a secure area for electoral documents)
- Communications (In relation to the provision of public information and dealing with the media)
- Human Resources (In relation to the recruitment and employment of staff, both permanent and temporary)
- Information Technology (In relation to the support required for the electoral management software systems)
- Finance (In relation to election accounts)
- Payroll (In relation to the payment of election and electoral registration fees to temporary staff).

47. Where the above services are employed as part of the elections process, representatives of those services are invited to Project Board meetings, as appropriate. Subject to the nature of the involvement, this would be either as a permanent member of the Board or on an as and when required basis.

48. I am advised that the Council is likely to move to smaller office accommodation. This raises an issue in relation to the first bullet point in paragraph 46. It is critical to the proper working of an elections office that there is sufficient and secure space in which to carry out the day to day activities of the office and for the storage of both equipment and historical documents that are required to be kept for legal reasons. The issue which arises is that careful consideration needs to be given to the space requirements for the Elections Team in terms of the move to new office accommodation.

### **Part 6 – Conclusion**

49. My overall conclusion from this review is that Warwick D.C. already has in place the necessary arrangements to be considered a well performing authority in

terms of the delivery of electoral services. It has demonstrated its ability to provide effective and efficient electoral services. The Council could easily aspire to exemplar status as a model of how to deliver high quality electoral services within the challenging environment now faced by local government.

50. The undertaking of this review is a positive step in itself given that it indicates a desire by the Council to examine the current arrangements and to identify areas for improvement or change. The various issues identified as a result of this process now need to be addressed. The issues of resources, management arrangements and adopting good practice in terms of documenting the processes and full compliance with statutory requirements are critical to effecting any improvement to the present position.

51. Aspiring to an ethos of continuous improvement and delivering that improvement should become the normal course of events in terms of the provision of these key elements of the democratic process. Attention to detail is critical to good electoral administration. The recommendations which I make relating to resources and procedural approach need to be implemented to ensure that the Council and its officers are not exposed to undue risks or problems in the future. The issues identified in this report simply underline the importance of ensuring that good practice within electoral administration needs to be followed at all times and that the electoral services function is properly resourced.

## **Part 7 – Recommendation**

52. That the issues outlined in this report as part of the review process and summarised below are considered and acted upon.

### **Electoral Registration**

- a) A review of the permanent staffing structure is undertaken.
- b) Appropriate resources are provided to enable the Electoral Registration Officer to ensure that the necessary statutory steps are undertaken.
- c) A procedure manual for electoral registration is produced and maintained.

### **Elections**

- a) A review of the permanent staffing structure is undertaken.
- b) A procedure manual for the conduct of elections is produced and maintained.
- c) The lessons learnt from the elections in May 2015 are fully used in preparing plans for future elections.

### **Involvement of other areas of Council**

- a) The plan for physical space for the Elections Team in any new office

accommodation is carefully considered to ensure that the space is sufficient and provides for efficient and effective working arrangements.

**John Turner**

**Chief Executive  
Association of Electoral Administrators**

January 2016

## (A)RO Project planner

## Warwick District

### Scheduled polls in Great Britain on 7 May 2015

Date:	Jan-15
Author:	Gillian Friar
Document version:	1

Reviews:			
Name	Role	Date	Sign-off ( )
Gillian Friar (GF)	Electoral Services Manger	Jan-15	
Chris Elliott (CE)	Returning Officer	Jan-15	
Graham Leach (GL)	Deputy Returning Officer	Jan-15	
Sam Collins (SC)	Contingency Manager	Jan-15	
Richard Southey (RS)	ICT	Jan-15	
Fiona Clark (FC)	Media Communications	Jan-15	
Maggie Welding (MW)	Electoral Service Officer	Jan-15	
Mike Snow (MS)	Deputy Returning Officer	Jan-15	
Jon Dawson (JD)	Finance	Jan-15	

Lorraine Henson (LH)	Finance	Jan-15	
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## Using this template

This template project planner is designed to support (Acting) Returning Officers (ROs) in planning for and delivering UK Parliamentary and local government elections. The template includes a number of example deliverables and tasks to demonstrate how the template can be used. Your project plan should capture all of the work that you will need to undertake in planning for and delivering the election.

## Objectives and success measures

Before compiling a detailed list of deliverables and tasks, the objectives of the project need to be established, i.e., what you want to achieve. The plan should be treated as a 'living document' and you should assess whether the stated objectives are being met, updating your plans and processes as necessary. The template provides some example objectives, which you can adapt and add to to fit your local circumstances.

## Deliverables and tasks

Once the objectives have been identified, individual tasks can be planned for and owners allocated to these. This tab identifies a number of example deliverables and tasks that should be undertaken. In addition to the deliverables and tasks identified, you should also add in all other deliverables and tasks you identify as necessary (to do this, highlight a row, right click and select Insert). Tasks that are required to be undertaken at or by a particular time by the statutory timetable are highlighted.

## Dependencies and contact details

The delivery of the elections is dependent on a number of internal and external service providers. This tab should be populated with the names and contact details of all internal and external service providers.

## Evaluation

This tab can be used to inform the evaluation of the elections or, if you have not yet reviewed your last electoral event, to inform that review. The example content should be adapted to ensure that it reflects the main deliverables and tasks contained in your plan, and assesses whether your stated objectives have been met. The outcome of this evaluation can then be used to feed back into your project plan for future electoral events.

Objectives	Tools for measuring success	Achieved ( )	Comments / supporting evidence
Run the elections in accordance with the legislation and Commission guidance	• Completion of tasks by deadlines		
	• Plan and risk register reflect key areas set out in guidance		
A good experience for all voters, with anybody who is entitled to vote able to do so	• Feedback from voters		
	• Feedback from candidates and agents		
	• Feedback from staff		
	• Feedback from organisations with an interest in the voting process, including disability organisations		
	• Plans for delivering public awareness activity		
Transparency	• Feedback from stakeholders		
	• Any records that could be of interest to stakeholders and can be made available, are made available		



Professional delivery	• <i>Clear audit trail</i>		
	• <i>Communications strategy</i>		
	• <i>Project plan</i>		
	• <i>Risk register</i>		
	• <i>Management structure</i>		
	• <i>Record of project team meetings</i>		
	• <i>Contracts in place for any outsourced work</i>		
	• <i>Contingency arrangements</i>		
Consistency	• <i>Plans</i>		
	• <i>Training schedule and materials</i>		
	• <i>Clear management structures and escalation procedures</i>		
Accurate results	• <i>Clear audit trail</i>		
	• <i>Postal vote paperwork</i>		

	• <i>Ballot paper accounts</i>		
	• <i>Verification statements</i>		
	• <i>Worksheets</i>		
	• <i>Results</i>		
Results in which all stakeholders are confident	• <i>Record of complaints</i>		
	• <i>Feedback from voters, candidates and agents and other organisations with an interest in the election, including disability organisations</i>		
	• <i>Feedback from staff</i>		
	• <i>Minutes of evaluation/review and other relevant meetings and lessons learnt document</i>		
	• <i>No negative media reporting</i>		
	• <i>No legal challenges</i>		

Deliverables	Sub-deliverables	Task / Action	Lead officer	Start date	End date	Comments
Learn lessons from previous electoral events	Consider processes used at previous electoral events, and feed lessons learnt into project planning	Discuss outcomes from previous electoral events and lessons learnt	GF GL CE		01/01/2015	Lessons learned log, needs to be created for all to comment on and provide feedback for project team to consider. - 7 April 2015 Action GL to let people know where this and devise questionnaire for staff
		Discuss experiences of other areas at previous electoral events	GF GL CE		01/01/2015	These have not been discussed but built in from experience. New arrangements to set out above. Electoral Commisison trainign for DROs and ACRO.
		Amendments to plan - identified as necessary as a result of these discussions	GF GL CE		01/01/2015	on going and documented in project team meetings minutes
Prepare plans to support the effective delivery of the polls	Identify project aims and objectives, and plan for the tasks that will need to be undertaken to achieve these	Develop project plan	GF GL CE SC FC		01/01/2015	However this reviewed at project board and updated as required
		Project plan takes account of objectives and success measures for the election	GF GL CE SC FC			on going
		Develop risk register	GF GL CE SC FC		01/01/2015	on going consideration of the register at project board meetings
	Consider specific context of May 2015 polls and identify implications for planning and delivery of the polls	Consider changes in legislation and electoral processes since last UKPGE & LGE polls and the impact of these changes	GF GL CE	01/04/2015		
		Consider scrutiny from voters, candidates, political parties, and the media and the possibility of particularly close contests in constituencies/wards, will impact your planning including your integrity, count, and communication planning.	GF GL CE FC			Training and instructions in place for all staff. Guidance on conduct and behaviour provided to all candidates and agent.
		Consider implications of the possible higher turnout than at other recent elections	GF GL CE FC		07/04/2015	Changed venue for both postal vote opening and count to provide more capacity due to increased turnout and combined elections. Increased size of core team with allocated support from other key teams in the Council to reduce burden.
		Identify parish council elections being held on the same day as the UKPGE & the implications	GF GL CE			TBC on 9 April at 4.00pm
		Plan for Neighbourhood Planning Referendums held on 7 May.	CE		07/04/2015	None
		Plan for dealing with a significant number of new or less experienced political parties, candidates and agents	GF GL CE	25/03/2015	14/04/2015	Briefing with canidates and agents in both March and April.
		Meet expectation and legal requirement to start the counting of the votes at the UKPGE by 2am	CE		07/04/2015	While the verification is taking place on Thursday evening with the main Count starting at 10am on Friday morning, the ARO will ensure that a ballot box in each constituency will be counted by 2am on Friday 8 May 2015.
Allocate sufficient resources	Financial	Identify projected costs	GF CE JD LH	01/01/2015		
		Once ECU fees and charges received/confirmed - set up budget , reconcile projected costs for activities against the available budget	GF CE JD LH	01/01/2015		
	Staffing	Identify staffing requirements, robust recruitment processes and comply with all legal requirements (seek advice from HR department as necessary)	GF MW GL	01/03/2015		Completed less the number of staff for Saturday 10 May which will be confirmed once the number of elections in Parish Councils are known
		Take into account potential peaks in e.g. registration enquiries/applications around televised leaders' debates and registration and absent vote deadlines.	GF GL CE MW			on going - working with Media and contact centre/Warwickshire Direct Offices/Receptions
	Project team	Identify staff for all roles	GF GL		01/02/2015	
		Contingency plans for unplanned Election staff absence (office based and Polling/Counting staff)	GF GL		07/04/2015	As set out in risk register

		Kenilworth & Southam (cross-boundary constituency), liaise with the ERO(s) and elections staff in Stratford and Rugby	GF			ongoing - through Warwickshire Election Officer Meetings
	Staffing requirements for specific processes	Determine staffing requirements for specific processes, including polling station, postal voting and verification and count staff	GF MW GL			must be in place by end of Feb
		Write to staff used previously and consider re-appointing, checking availability	GF MW		01/12/2015	completed - letters out at christmas and notice on Intranet for WDC staff. Forms submitted by 30 Jan 15. though will take if returned after date.
		Appoint staff and dispatch letters of appointment	GF MW		01/03/2015	
	Support Staff	Identify support staff	GF MW GL		01/03/2015	Support from media & web team for communications, OD team for nomination papers, DMC for processing orders for polling station.
		Draw up an escalation procedure for complex enquiries	GF MW GL	07/04/2015		7 April 2015 - GL write up the current informal procedure and email to team
		Appoint support staff and dispatch letters of appointment as appropriate	GFMW GL	26/02/2015		
Provide training to all relevant staff	Training	Ensure project team is familiar with election framework and legislation, and assess training needs	GFMW GL	01/04/2015		part of Project Team Agenda
		Identify training needs for all other staff	GFMW GL	01/04/2015		ongoing
		Prepare training schedule	GFMW GL	01/04/2015		ongoing
		Prepare training sessions	GFMW GL		Apr-15	ongoing Postal Vote staff/ Count clerks for different count processes - Xpress count /PO briefing at ballot box collection @ Stoneleigh Park, briefing before each sessions starts as well
		Training of polling station staff	GFMW GL		01/04/2015	Halarose Web based Polling Staff training and arrange with WDC ICT to hold sessions @ riverside House for non computer user polling staff. Plus short top up session as ballot boxes are collected on 5 May
		Training of postal vote issuing staff	GFMW GL			N/A as issued by third party company
		Training of postal vote opening staff	GFMW GL		29/04/2015	All openers briefed on role at start of each session plus written procedure given to them.
		Training of verification and count staff	GFMW GL		30/04/2015	Clerks to go through procedure at Verification & Count with staff - full instructions to all staff.
Managing contractors / suppliers	Poll cards / ballot papers / postal ballot packs	Clear specification setting out what is required and by when	GF GL	01/01/2015	01/01/2015	ERS (Poll Cards) Opt2Vote (Postal Vote Packs & Ballot Papers) ERS for electoral reg weekly HEFs & ITRs & Confirmation Letters
		Written contract(s) with companies	GF		01/01/2015	
		Make contingency arrangements	GF GL CE			ongoing through Risk Management Reg
		Document all stages of the production process, including any variations	GF			ongoing
		Contact with Royal Mail	GF	01/01/2015		Meetings set up - Dave Curtis - Royal Mail Field Officer for this area
Identify and book venues	Polling station venues	Evaluation of suitable polling stations	GF	01/02/2015		ongoing
		Book polling stations	GF		01/02/2015	Polling stations booked 2014 - have now got new locations through Ward Boundary Review and Polling District Review. New member of staff to take on polling stations
		Make contingency arrangements and an emergency protocol	GF GL CE			ongoing through Risk Management Reg
	Postal vote openings	Book venue				Town Hall Assembly Hall and stoneleigh park booked

		Make contingency arrangements, including preparing a list of alternative venues and an emergency protocol	GF GL		07/04/2015	ongoing through Risk Management Reg
		Finalise layout of Room/workflows/IT and security requirements	MW RS Amy Carnall		07/04/2015	ongoing - (Opening from Thursday 30 April/Friday 1 May & Tuesday 5 May/Wednesday 6 May all day - will open on Saturday 2 May. Opening from 6pm on 7 May at Stoneleigh Park)
	Verification and count	Confirm arrangements for management of verification and count processes, plan when and where are to take place	GF GL CE MS		01/04/2015	ongoing
		Book venue	GF		01/12/2014	Stoneleigh Park Exhibition Halls 1 & 2 booked
		Make contingency arrangements and emergency protocols	GF GI SC CE			ongoing - other premises in Stoneleigh Park available
		Finalise layout of Verification and Counts	CE GL CE SC		01/04/2015	ongoing - Floor plans to be given to Stoneleigh Park for building - including number of tables and chairs once close of nominations has passed and site visit on 14 April completed
Appropriate allocation of electors to polling stations	Managing polling stations	Allocate electors to polling stations (having regard to the Electoral Commission's guidance)	GF MW		01/02/2015	Re publishing electoral register in Feb to reflect the new Ward and Polling District Boundaries - new polling station locations and number of electors voting at each polling station. Also taking in polling stations and electors from Stratford and Rugby for UKPGE.
Identification of potential integrity issues	Maintain a good working relationship with local police Single Point Of Contact (SPOC)	Make contact with local police SPOC	GF MW GL CE		01/04/2015	ongoing - Diane Knight attending Warwickshire Election Officer meetings - also attending Candidates & Agents meetings in April.
		Schedule regular communications and have in place plans to respond to issues that arise, being prepare for the integrity of the elections to be scrutinised.	GL GF CE SC		01/04/2015	ongoing - Electoral Commission/Cabinet Office advice and SPOC
		Review previous security arrangements and identify any risks	GF CE GL SC		01/04/2015	ongoing
		Make specific arrangements for police presence at polling stations, the verification and the count	GL GF CE SC	09/04/2015		Meteign with police to confirm details on 9 April
	Security of ballot boxes and ballot papers	Secure storage at Town Hall for Postal ballot papers and Stoneleigh Park for verified ballot papers	GL GF CE SC		07/04/2015	See event plan
		Systems to ensure that ballot papers cannot be interfered with during production and once they are 'live'	GL GF CE SC		07/04/2015	see event plan
Encourage participation	Raise awareness	Plan and coordinate local public awareness activity and working with Media Team	GF GL FC			ongoing - Media Team - reaching HMOs and Students/OAPs
		Outgoing communications provide appropriate contact details to allow anyone to respond and obtain further information	GF FC			Media team
		Carry out targeted work to encourage individual registration applications from those not yet registered individually & under age groups	GF			Media and elections team now have continuing campaign with local students from 16 upwards to engage and promote registerign to vote
		Update and maintain web pages with information on the elections	FC GF GL			ongoing - working with Media Team
	Managing enquiries from the public / candidates	Identify and train front line staff to deal with enquiries, provide them with key information (FAQs, locations of polling stations, key dates in the election timetables) and ensure processes are in place to escalate enquiries to the elections team	FC GF GL			ongoing - working with Media Team & Contact Centre
	Media liaison	Send out press releases to local media to raise awareness	FC GF GL			ongoing - working with Media Team

Ensure all necessary equipment and stationery is in place	Stationery / equipment	Checklist of all stationery/equipment to be used	GL			Awaiting confirmation of Parish/Town contested elections otehrwise complete. Sufficient stationery and equipment in store to cover elections in all Parishes
		Check general stock levels and conduct equipment audit	GF GL	30/09/2015		
		Provision of ballot boxes/ Polling Screens, fittings and compartments	GF			ongoing - working with Recycling Team and Property
		Prepare ballot boxes and other polling station equipment and forms for collection/delivery	GF	08/04/2015		Started design and plan for setup work settign starts formally on 11 April
		Produce paperwork to be used during the verification and count processes - test Xpress Count on test election	GF	01/04/2015		test to be arranged to run through the count
		Test equipment, including equipment to be used for postal vote identifier verification	RS MW	01/04/2015		To be completed on 23 April 2015 when last equipment arrives back
Ensure all official documents are in place	Poll cards	Arrange for proof-checking of poll cards	GF		23/03/2015	working with ERS
		If outsourcing poll card production, ensure software can produce data tha printers can use	GF		23/03/2015	working with ERS - 11 March
		Dispatch data to printers (ensuring system is in place to send updates after registration / absent voting deadlines)	GF		23/03/2015	working with ERS - 11 March
		Finalised process for proof-checking poll cards	GF		27/03/2015	working with Elections Team for proofing
		Sign-off proofs	GF		27/03/2015	working with ERS
		Make arrangements to check actual stationery produced to highlight if any of the signed-off proofs have been inadvertently altered	GF		01/03/2015	working with ERS
		First dispatch of poll cards	GF		30/03/2015	working with ERS
	Postal ballot packs	Arrange for proof-checking of postal vote stationery	GF		March	working with Opt2vote - Easy print web based sytem for uploading data and checking proofs - another member of Election Team - new eyes!
		Send data to printers	GF	Feb	23/03/2015	working with Opt2vote -Test election in Feb - Easy Print for uploading data
		Sign-off proofs	GF	08/04/2015	09/04/2015	working with Opt2vote -
		Commence printing (having ensured systems are in place to communicate data updates resulting from applications received close to the deadline)	GF		April	working with Opt2Vote
		Make arrangements to check actual stationery produced to highlight if any of the signed-off proofs have been inadvertently altered	GF		17/04/2015	Opt2Vote to send live proofs for checking before main run sent out to Royal Mail - once ok'd main run despatched.
		Print sufficient postal ballot packs to be able to issue replacements as required	GF		01/03/2015	Opt2vote - to print blank packs for 3 elections & NHP if necessary - need packs Parliamentary Packs to SDC & RBC for issue Spoilt and Lost to electors.
	Ballot papers	Ballot papers prepared in accordance with legislation	GF		April	Opt2Vote - check Emblems and layouts
		Arrange for proof-checking of ballot papers on Xpress	GF		April	ongoing through Nomination Process and up to loading on the Easyprint
		Dispatch data to printers	GF		10/04/2015	Opt2vote - Easyprint
		Sign-off proofs	GF		10/04/2015	Opt2vote - Easyprint
		Give print-run number of electors per polling station	GF		16/03/2015	Opt2vote - Easyprint - Lockdown on number of Ballor Paper print

		Print ballot papers	GF		April	Opt2vote
		Make arrangements to check actual stationery produced to highlight if any of the signed-off proofs have been inadvertently altered	GF		27/04/2015	Ballot Books to Riverside House from Printers - Elections Team to check books.
	Notices	Prepare notices	GF		March	
		Agree a process for providing candidates and agents with a copy of the notices	GF		March	Notice of Poll to go out to all Agents with main letters & to Parish Candidates.
		Make arrangements to print / display notices as required	GF		March/April	WDC Print room and Parish Clerks to display notices in Parish Areas. SDC & RBC to provide addresses for their Parish areas for WDC to send to. Website and Riverside House Reception / Warwickshire Direct offices/Town Hall
	Registers and absent voters' lists	Print registers for all polling stations, plus postal and proxy lists	GF		April	Make sure supply of A4 paper white and colour and toners in office when printing
		Process for communicating alterations to the register and any emergency proxy applications granted on polling day	GF		April	Polling Staff briefings - business cards with contact details on for each ERO - WDC/SDC/RBC
Run nomination process and disseminate relevant information to candidates and agents	Nominations	Agree plans for briefing candidates and agents	GF GL CE		25/03/2015	working with SPOC/Chris Elliott - for candidates and agents briefing
		Prepare nomination packs	GF		01/03/2015	
		Arrange informal checks of nomination papers	GF		01/03/2015	During nomination period all candidates/Agents to make appointment to hand in nomination papers/informal check
		Prepare and deliver briefing sessions for candidates	GL CE GF		April	Meetings set up for April in Town Hall and Riverside House - check dates
		Prepare written guidance on the election process and your local arrangements for candidates and/or election agents as appropriate	GF		Feb/March	Electoral Commission information in with Nomination Packs
		Prepare information on calculating the expenses limit (including the electorate number), spending returns and declarations	GF		Feb March	Electoral Commission information in with Nomination Packs
Manage potential enquiries from observers	Access to information	Prepare information for observers on the location and timing of the issue and receipt of postal ballot papers, the poll and the counting of the votes	GF		01/03/2015	Electoral Commission information
Publish notice of election for the local election		Print, display and upload to website			Not later than 25 working days before poll	WDC & Parish published 16 March Parliament published Monday 30 March
Dissolution of Parliament		Parliamentary election timetable begins			25 working days before poll	Monday 30 March
Receipt of writ					24 working days before poll	Tuesday 31 March
Publish notice of election for the UK Parliamentary election		Print, display and upload to website			Not later than 22 working days before poll (4pm)	Not later than 4pm on Thursday 2 April
Local government nominations open		Informal checking of nomination papers			From date and time stated on the notice of election	Will publish NOE Monday 16 March - due to number of nominations to process. 10am to 4pm

UK Parliamentary nominations open		Informal checking of nomination papers		Between 10am and 4pm on any working day from the day after the publication of the notice of election		
Deadline for the delivery of nomination papers for all elections		Make final determination on validity of nomination papers		19 working days before poll (4pm)		4pm on Thursday 9 April
Deadline for withdrawals of nomination for all elections		Finalise election ballot papers		19 working days before poll (4pm)		4pm on Thursday 9 April
		Prepare statement of persons nominated indicating any candidates who have withdrawn				
Publication of statement of persons nominated for UK Parliamentary election if no objections made. This includes notice of poll and situation of polling stations		Print, display and upload to website		19 working days before poll (5pm)		5pm on Thursday 9 April
Deadline for making objections to UK Parliamentary nomination papers		Allow objections to nominations		19 working days before poll (5pm)		5pm on Thursday 9 April
		Resolve objections, as appropriate				
Manage the absent voting process	Postal vote issuing process	Commence first issue of postal ballot packs		17/05/2015		
	Opening sessions	Confirm number and timing of opening sessions		30/04/2015	07/05/2015	Thursday 30 April to Wednesday 6 May - daily in Town Hall and from 6pm at Stoneleigh Park on 7 May.
		Inform candidates and postal voting agents of opening sessions, giving at least 48 hours' notice				Information in Nomination Packs and with letters going out to them
		First opening of postal votes and matching and subsequent opening sessions				Thursday 30 April to Wednesday 6 May - daily in Town Hall and from 6pm at Stoneleigh Park on 7 May.
Deadline for notification of appointment of election agents for all elections		Print, display and upload to website notice of appointment of election agents		19 working days before poll (4pm)		4pm on Thursday 9 April
Publication of first interim election notice of alteration		If you are not also the ERO, obtain copy of the notice from the ERO (and other ERO(s) in cross-boundary constituencies)		19 working days before poll		Thursday 9 April
		Send updates to printers				
		Issue poll cards and postal votes to those included in this alteration as appropriate				
Publication of statement of persons nominated for UK Parliamentary election (if objections made). This includes notice of poll and situation of polling stations for UK Parliamentary election		Print, display and upload to website		Not later than 18 working days before poll (4pm)		4pm on Friday 10 April
Publication of statement of persons nominated for local government election		Print, display and upload to website		Not later than 18 working days before poll (4pm)		4pm on Friday 10 April
Publication of second interim election notice of alteration		If you are not also the ERO, obtain copy of the notice from the ERO (and other ERO(s) in cross-boundary constituencies)		Between 18 working days and 6 working days before poll		Between Friday 10 April and Tuesday 28 April
		Send updates to printers				
		Issue poll cards and postal votes to those included in this alteration as appropriate				
Publication of monthly notice of alteration		If you are not also the ERO, obtain copy of the register from the ERO (and other ERO(s) in cross-boundary constituencies)				[insert date]



		Send updates to printers		INSERT RELEVANT DATE			
		Issue poll cards and postal votes to those included in this alteration as appropriate					
Registration deadline for the polls		If you are not also the ERO, obtain data of registrations under the 12 day rule from the ERO (and other ERO(s) in cross-boundary constituencies)		12 working days before poll		Monday 20 April	
		Send updates to printers					
Deadline for applications for new postal vote and postal proxies and for amendments to existing postal and proxy voting arrangements		Send updates to printers		11 working days before poll (5pm)		5pm on Tuesday 21 April	
Deadline for new applications to vote by proxy (not postal proxy or emergency proxies)		Send out proxy poll cards as appropriate		6 working days before poll (5pm)		5pm on Tuesday 28 April	
Publication of notice of poll and situation of polling stations for local government elections		Print, display and upload to website		Not later than 6 working days before poll		Not later than Tuesday 28 April	
Publication of final election notice of alteration		If you are not also the ERO, obtain copy of the notice from the ERO (and other ERO(s) in cross-boundary constituencies)		5 working days before poll		Wednesday 29 April	
		Issue poll cards and postal votes to those included in this alteration as appropriate					
Deadline for notification of appointment of sub-agents, if applicable, at UK Parliamentary general election		Provide secrecy requirements and issue passes		5 working days before poll		Wednesday 29 April	
Deadline for notification of appointment of polling and counting agents		Provide secrecy requirements and issue passes		5 working days before poll		Wednesday 29 April	
First date that electors can apply for replacements for lost postal votes		Issue replacements as required		4 working days before poll		Thursday 30 April	
Deadline for emergency proxy applications		Designate member(s) of staff to liaise with ERO (and other ERO(s) in cross-boundary constituencies) to communicate decisions on emergency proxies		Polling day (5pm)		5pm on Thursday 7 May	
Deadline for replacement of spoilt or lost postal votes		Ensure no more replacement postal votes are issued after this time		Polling day (5pm)		5pm on Thursday 7 May	
		Replacements only issued in response to those returned by hand after 5pm the day before polling day					
Polling day				INSERT DATE (7am to 10pm)		7am to 10pm on Thursday 7 May	
Manage the verification and count arrangements	Verification and count	Confirm date, location and timing of verification and count				Thursday 7 May from 10pm for Verification. Friday 8 May 10.30am for UKPGE. Saturday 9 May 10am - District/Town/Parish	
		Plan to deal with the media focus on the verification and count					Media Team
		Ensure all staff are briefed and trained on the use of any protocols or instructions in relation to the verification and count					Through trainings and RO plus briefing before start of process
		Undertake tests and rehearsals of new or different verification or count processes, as necessary		Apr-15			Xpress Count test during Feb and Opt2Vote test election during Feb
		Prepare information for attendees on the processes to be followed					Media Team and GF
After the declaration of result	After the declaration of result	Display / publish results				Media Team and GL	

	Print, display and upload to website				Media Team and GL
	Arrange for collection of any equipment that may need to be removed				GL and GF - RBC & SDC to collect ballot boxes on Friday morning 8.30am from Stonleigh Park. Team to break down equipment and re pack at Riverside House during Friday - GL to co-ordinate.
	Pay fees to all staff involved				MW/GF and HR team with help from IT for payments 19 June 2015.
	Review meeting with stakeholders to obtain feedback				GL GF CE & Project Team for feedback sessions during June.
	Carry out thorough evaluation of all processes outlined in the project plan and produce a lessons learnt document				
	Complete and submit data returns				GF to complete Electoral Commission paperwork
	Account for the election, including payment of creditors				GF to complete ECU accounts with LH
	Return Electoral Commission feedback forms				CE

	Department/ Service/ Company/	Contact name	Phone number	E-mail address
<b>ERO &amp; Other LROs</b>				
	<i>North Warks</i>	David Harris	01827 719222	Davidharris@northwarks.gov.uk
	<i>Nuneaton</i>	Debbie Davies	024 7637 6221	debbie.davies@nuneatonandbedworth.gov.uk
	<i>Rugby</i>	Sandy Veal	01788 533525	<a href="mailto:sandy.veal@rugby.gov.uk">sandy.veal@rugby.gov.uk</a>
	<i>Stratford</i>	Darren Whitney	01789 260209	Darren.whitney@stratford-dc.gov.uk
	<i>Warwick</i>	Gillian Friar	01926 456107	<a href="mailto:gillian.friar@warwickdc.gov.uk">gillian.friar@warwickdc.gov.uk</a>
<b>Internal service providers</b>				
	IT	Richard Southey	01926 456697	Richard.southey@warwickdc.gov.uk
	Print Room	Mike Pratley	X3396	<a href="mailto:mike.pratley@warwickdc.gov.uk">mike.pratley@warwickdc.gov.uk</a>
		Ema Townsend	X3399	ema.townsend@warwickdc.gov.uk
	DMC	Janice Robbins	01926 456123	janice.robbins@warwickdc.gov.uk
	Election Team	Graham Leach	X3375	Graham.leach@warwickdc.gov.uk
	Media Team		01926 456069	<a href="mailto:media@warwickdc.gov.uk">media@warwickdc.gov.uk</a>
<b>External service providers</b>				
	ERS	Hannah Lake	020 8365 8909	<a href="mailto:hannah.lake@electoralreform.co.uk">hannah.lake@electoralreform.co.uk</a>
	Xpress	Support Team	01453 794999	<a href="mailto:support@xssl.co.uk">support@xssl.co.uk</a>
	idox (Opt2Vote)	Joanne Campbell	028 7137 1111	<a href="mailto:joanne.campbell@idoxgroup.com">joanne.campbell@idoxgroup.com</a>
	Police SPOC	Diane Knight	01905 332283	<a href="mailto:dianne.knight@westmercia.pnn.police.uk">dianne.knight@westmercia.pnn.police.uk</a>

	What worked well	Objectives met?	Issues to be addressed	Key recommendations	To be completed by (date)	Responsible officer
<b>Project planning</b>						
<i>E.g. timeliness of delivery, adequacy of task allocation</i>						
<b>Cross-boundary constituency planning</b>						
<i>E.g. working with ERO and elections staff at other local authority/authorities, management of the absent vote identifier checking process</i>						
<b>Adequacy of polling places/stations</b>						
<i>E.g. in relation to location/accessibility/size, response to any concerns arising from evaluation of suitability of polling stations</i>						
<b>Equipment and stationery</b>						
<i>E.g. stock levels</i>						
<b>Printers</b>						
<i>E.g. quality, timescales, price, communication</i>						
<b>Software performance</b>						
<i>E.g. performance of software, identification of any changes required to ease processing, supplier's response to any issues</i>						
<b>Management of contractors</b>						
<i>E.g. performance of contractors: communication, effectiveness of contracts, value for money</i>						
<b>Recruitment and training (temporary and permanent)</b>						
<i>E.g. was the training effective, were the staff efficient</i>						
<b>Processing/handling of queries</b>						
<i>E.g. adequacy of FAQs, complaints recording process</i>						
<b>Resources</b>						
<i>E.g. staffing levels, availability of resources</i>						
<b>Security/integrity</b>						
<i>E.g. any problems that arose, comments/feedback from SPOC</i>						
<b>Verification and count arrangements</b>						
<i>E.g. suitability of venue and layout</i>						
<b>Individual electoral registration</b>						
<i>E.g. success of public awareness work, enquiries from electors not registered individually</i>						
<b>Postal voting</b>						
<i>E.g. did all those who requested a postal vote receive one, any issues surrounding verification of personal identifiers</i>						
<b>Candidates and agents</b>						

## (A)RO Risk register

## Warwick District

Scheduled for Combined Polls in Great Britain on 7 May 2015

Date: Jan-15

Author: Gillian Friar

Document version: 1

Reviews:			
Name	Role	Date	Sign-off ( )
Gillian Friar (GF)	Electoral Services Manger	Jan-15	
Chris Elliott (CE)	Returning Officer	Jan-15	
Graham Leach (GL)	Deputy Returning Officer	Jan-15	
Sam Collins (SC)	Contingency Manager	Jan-15	
Richard Southey (RS)	ICT	Jan-15	
Fiona Clark (FC)	Media Communications	Jan-15	
Maggie Welding (MW)	Electoral Service Officer	Jan-15	
Mike Snow (MS)	Deputy Returning Officer	Jan-15	
Jon Dawson (JD)	Finance	Jan-15	
Lorraine Henson (LH)	Finance	Jan-15	

# How to use this template

This risk register template provides some example risks and suggestions for mitigating them. In addition to the risks identified in the template, you should also identify any other risks, including ones specific to your local circumstances, and how you would mitigate those. This template also provides a template issues register to log any issues that arise and subsequent action taken.

## Defining the level of impact and likelihood of risk

### Inherent risk evaluation

How **likely** is it that the risk going to happen?

- Unlikely – Likelihood of occurrence is relatively slim - <10% chance of occurrence
- Possible – Quite possible that the risk could occur especially if control measures are inadequate - 10% - 50% chance of
- Probable – More likely to happen than not - >50% chance of occurrence

What would the **impact** be if the risk was to crystallise?

- Minor – Unlikely to have a permanent or significant effect
- Moderate – Potential impact on performance and service delivery. May be adequately managed through existing processes
- Significant – Severe impact on performance through a reduced ability to deliver.

The 3x3 matrix below can be used to calculate the overall risk score:

IMPACT	3	3	6	9
	Significant	(Significant & Unlikely)	(Significant & Possible)	(Significant & Probable)
	2	2	4	6
	Moderate	(Moderate & Unlikely)	(Moderate & Possible)	(Moderate & Probable)
	1	1	2	3
	Minor	(Minor & Unlikely)	(Minor & Possible)	(Minor & Probable)
		1 - Unlikely	2 - Possible	3 - Probable
LIKELIHOOD				

### Residual risk evaluation

Once the appropriate action has been identified to address an individual risk, the action is given a score of 1 to 3 based on an assessment of how likely it is to be effective in reducing the risk (not all risks are capable of being reduced).

The risk owner will need to make an assessment as to whether the control measures are:

- **Good:** Would score a 3, i.e. control measures are fully in place, agreed by line manager and form part of everyday activity
- **Average:** Would score a 2, i.e. some controls in place but further actions to be planned and/or executed
- **Poor:** Would score a 1, i.e. no control measures in place as yet, although actions may be planned

The initial (inherent) risk score is then divided by the score for the control action to give a residual risk score. This is the ultimate assessment of the scale of the risk and whether it is Red, Amber or Green.

## Risk register

Number	Risk	Cause	Impact description	Likelihood	Impact	Inherent rating	Mitigation / current controls	Control score	Residual rating	Further action required	Lead Officer	Date of completion
<b>PLANNING</b>												
	Failure to ensure proper plans in place	No comprehensive written project plan  Poor planning assumptions  Potential breach of legislation  Incorrect estimate of level of turnout  Misunderstanding of information needed from Cross Boundary Authorities for Kenilworth and Southam Constituency - Stratford DC and Rugby BC  High turn out of electors on 7 May	Necessary actions not completed or completed late  Missed deadlines  Potential breach of legislation  Incorrect estimate of level of turnout  Unable to cope in polling station or run a successful count	1	3	3	<i>Maintain and update project plan to ensure all necessary activities are planned for, and sufficient resources are available as and when required</i>  <i>Ensure evaluation of previous electoral events has been integrated into the planning process</i>  <i>Ensure plans are in line with objectives and success measures</i>  <i>Ensure plans reflect a realistic estimate of the level of turnout, basing it, at a minimum, on the turnout at the last equivalent polls and taking into account events that may increase turnout</i>  <i>Set up regular project planning meetings between Warwickshire Election Officers with protocol to be followed</i>	2	2	Monthly Project Board Meeting - weekly from Feb 2015	CE	on going

Incident within District during Election period and Chief Executive away from RSH.						Three Members of Senior Management Team to stay at RSH to lead in such an instance.		SMT to meet at Stoneleig Park in March to go through procedures.		
	Neighbourhood Planning Referendums					Keep in contact with Planning Officers and Election Staff and Media Team to be ready with information for electors and Parishes affected		Information from Electoral Commission for running NHPR		
<b>LOSS OF PREMISES</b>										
Loss of polling stations	Venue affected by flood, fire, vandalism, etc.	Voters unable to cast their vote	2	2	4	<p>Prepare list of alternative venues, including making standby arrangements for use of portacabins/mobile vehicles if necessary.</p> <p>Brief Presiding Officers on possible emergency alternatives (e.g. setting up a temporary polling station in their car)</p> <p>Make arrangements for electors to move to nearest polling station location.</p>	2	2	GF	on going
Loss of postal vote issue/ opening venue	Venue affected by flood, fire, vandalism, etc.	<p>Delay in delivery of postal ballot packs</p> <p>If it affects the last opening session, potential delay to the verification and count</p>	1	3	3	<p>Identify alternative venues - IT connection</p> <p>Have an emergency protocol in place, and ensure staff are briefed on what to do in such circumstances - Spa Centre/Riverside House -</p>	2	1.5	GF GL RS	Mar-15
Loss of verification and count venue	Venue affected by flood, fire, vandalism, etc.	<p>Delay in completing the verification</p> <p>Delay in counting</p>	1	3	3	<p>Identify alternative venues - at Stoneleigh Park with Events Manger and Police for security</p> <p>Have in place an emergency protocol that ensures the security of ballot papers</p>	3	1	GL SC GF	on going



			Delay in declaration of result  Re-run of election due to loss of Ballot Papers			4	<p><i>Ensure staff are briefed on what to do in such circumstances - at Staff Trainings</i></p> <p><i>Have in place a process for notifying candidates and agents, the media and any other attendees of any changes to verification and count arrangements</i></p> <p><i>Ensure for safety of rooms/halls at Stoneleigh Park with sprinklers for protection of ballot papers from fire.</i></p> <p><i>Returning Officer to have security codes for storage room doors.</i></p>				
Loss of elections office	Office affected by power failure, flood, fire, vandalism, etc.	Unable to administer elections  Loss of data	2	2	4	<p><i>WDC emergency plan for relocation and security arrangements, and alternative temporary accommodation</i></p> <p><i>Have in place a process to re-direct enquiries and visitors</i></p> <p><i>Ensure daily back-up of data held off-site</i></p> <p><i>Ability to work from home &amp; from Town Hall</i></p>	3	1	Ballot Papers on site 27/04 to 5/05	SC GL IT	on going
Loss of elections stores	Stores affected by power failure, flood, fire, vandalism, etc.	Destruction of election equipment and Ballot Papers	2	3	6	<p><i>WDC emergency plan for relocation and security arrangements, and identify alternative temporary accommodation</i></p> <p><i>Liaise with equipment suppliers and printers for replacements at short notice/ECU/WDC</i></p> <p><i>Extra on site security at Riverside House</i></p>	3	2	Shaws can provide replacement screens/boxes	GF SC GL	on going
<b>FAILURE OF IT PROVISION</b>											
Loss of IT capability	System or network failure  Power failure	Unable to administer the election to the required deadlines  Need to carry out processes manually	2	3	6	<p><i>Perform daily back-ups and download documentation onto disc for secure storage off-site</i></p> <p><i>Ensure hard copies of data are available</i></p>	3	2	Generators at Riverside House to pwer loss of power.  Stoneleigh Park planning meetings for connection & .....	GF SC GL IT	



	Queries unable to reach electoral staff	Telecom/fax/IT failure	Voter confusion	1	3	3	<p><i>Ensure dedicated line to election office, plus mobile numbers made available as back up</i></p> <p><i>Election Office Fax machine - 01925 456121 - Other fax machines within building to use if necessary</i></p> <p><i>IT provider to ensure adequate support throughout the period of the election and particularly on critical days</i></p> <p><i>Emergency generator provision by IT provider</i></p> <p><i>Ensure all outgoing information contains election office contact details</i></p> <p><i>Provide frontline/Contact Centre/Website staff with FAQs</i></p>	3	1	<p>meetings with contact centre trainers</p> <p>Media Team involved in election communications</p>	GF Fiona Clark	on going
	Registration forms/postal vote applications do not reach office before the deadlines	Telecom/fax/IT failure	Voter confusion	1	3	3	<p><i>Ensure dedicated line to election office, plus mobile numbers made available as back up</i></p> <p><i>Democratic Services to seek out use of other fax machines within Riverside House to use if necessary</i></p> <p><i>Xpress to ensure adequate support throughout the period of the election and particularly on critical days</i></p> <p><i>Emergency generator provision by IT provider</i></p> <p><i>Provide frontline staff with FAQs.</i></p> <p><i>Public awareness strategy to make provision for communication of key deadlines - Phone queue message to remind electors to register</i></p>	3	1	<p>Training with Contact Centre and front line staff/Team Leaders</p> <p>Sufficient Elections Office staff to cope with the volume</p> <p>Fiona C &amp; Media Team to develop media plan to raise awareness of deadlines</p> <p>Awareness at Councillor/Candidates/Agents briefings</p> <p>Switchboard open on election day from 7am to 10pm</p>	GF GL CE FC	on going

		Individual electoral registration	Electors had absent vote at previous polls but are no longer able to do so, as they are yet to register individually				<i>Check those who do not register individually in time to secure an absent vote at the elections</i>  <i>Targeted work to encourage individual registration applications from such electors</i>					
		Online registration	Impact of changes to registration system on the delivery of the polls has not been considered				<i>At an early stage, work through, in detail, the practical impact of the changes to the registration process on the overall delivery of the polls.</i>					
CONTRACTORS AND SUPPLIERS												
	Non/late delivery of poll cards/postal ballot packs and Election Stationery	Missed printing deadlines or non-completion  Printing errors  Postal strike	Electors unaware of when/where to vote  Voters unable to cast their vote	1	3	3	<i>Check out performance of potential suppliers with other clients and consider visiting premises of the selected contractor to inspect capacity, set up and processes</i>  <i>Regularly monitor performance against expectations - with contracts for ERS and idox Opt2Vote</i>  <i>Close liaison with contractors including Royal Mail to identify potential problems in advance</i>  <i>Contingency arrangements to print products elsewhere in the event of non-completion</i>  <i>Ensure robust proofing procedures are in place and include quality checking mechanisms in contract or in any in-house arrangements prior to issue</i>  <i>Close liaison with account manager at Royal Mail</i>  <i>Discuss with DMC possibility of delivery by hand using in-house teams - can DMC provide alternative provider/carrier?</i>	2	1.5	meetings with Royal Mail Postal Vote Team / local delivery managers. ..... working with ERS printing poll cards ..... working with Idox/Opt2Vote for postal packs .....wo rking with Media Team for getting information to Electors .....pla ce orders early for stationery	GF FC DMC manager	on going

						<div>Process in place for re-issue of lost/not received postal ballot packs</div> <div>Set up alternative Centres/collection points for getting postal ballot packs back to the Returning Officer in time for close of poll - promote ability for voters to hand in their completed postal ballots at polling stations in the voting area</div>					
Poll cards/ballot papers/postal ballot packs do not contain correct information	Printing errors / lack of checking mechanisms	Voters do not receive the correct information and are unable to cast their vote/ their vote is not counted	2	3	6	<div>Proofing procedure in office with Election Team and other staff - Jon Dawson, Tass Smith, Sam from Media and Julia from DMC.</div> <div>Confirm ballot paper details, including checking proofs as appropriate before printing. Up to 50 sets of ballots papers to be checked</div> <div>Through training ensure Presiding Officers check the sequential numbering of ballot papers when collecting ballot boxes</div>	3	2	working with ERS & idox/Opt2Vote - checking process ..... Elections Team trainings to set up process for checking proofs ..... Polling Staff trainings	GF CE GL	on going
INTEGRITY ISSUES											
Possible electoral fraud not identified	Integrity issues not considered in planning process	Police investigations or legal challenges to the results of elections	1	3	3	<div>Contact with Warwickshire SPOC to assess the risk of electoral fraud in Warwick District.</div> <div>Through SPOC - able to manage risk of electoral fraud in District &amp; any specific local risks</div> <div>Media Team communicating approach to tackling fraud in advance of polling day to provide reassurance to voters and campaigners</div>	2	1.5	SPOC at Warwickshire Election Officer meetings and attending Councillor/Candidates/Agents briefings	GF GL CE FC	on going

An individual votes as someone else	Electoral malpractice	Integrity of the result is called into question	1	3	3	<i>Presiding Officers to ask statutory questions where appropriate</i>  <i>Presiding Officer to hold police and Returning Officer contact number</i>  <i>Trainings for polling station staff regarding recording / reporting / statements</i>  <i>All postal vote statements are scanned at postal vote openings and adjudication by RO &amp; DRO's</i>	2	1.5	Polling Staff Trainings & Postal Vote Opening staff	GF GL CE	on going
A threat to public safety	Public order incident	Delay/postponement of poll	1	3	3	<i>Liaison with local police SPOC &amp; Electoral Commission guidance</i> <i>Review &amp; monitoring of security arrangements and analysis of risks</i>  <i>Police attendance at polling stations and Stoneleigh Park according to level of risk</i>	2	1.5	Item on Project meeting Agenda	SC GL CE	on going
Ballot papers interfered with / or loss	Security of election stationery is breached	Integrity of the poll is called into question	1	3	3	<i>Secure storage of Polling Station ballot papers at Riverside House and Postal Vote ballot papers at Town Hall - RO is satisfied that all necessary steps taken to ensure that the ballot papers are kept securely - before and after the poll.</i>	2	1.5	Item on Project Meeting Agenda ..... ..... Town Hall to secure room for PV openings.	GL SC GF	on going
	Lack of secure storage of verified postal ballot papers	Possible fraud by copying ballot papers for extra votes for a candidate									
	Fire / flood at WDC premises	Impact on running the election	1	3	3	<i>Arrangements with suppliers to provide additional ballot papers at short notice.</i>	2	1.5	Extra security at RSH during period when ballot papers on site	GL SC GF	on going
	Presiding Officers home Tuesday/Wednesday before election day	Impact on running the election	1	3	3	<i>contingency arrangements with suppliers to provide additional ballot papers at short notice.</i>	2	1.5		GL SC GF	on going

							As part of Polling Staff Briefings to ensure secure storage of election equipment is responsibility of Presiding Officer. To show empty ballot box at 7am on election day.				
Loss of Nomination Papers and key documentation	Unauthorised access to office	Administration error or theft.  Impact could cause both disruption due to the re-run of election and reputation risk to WDC, Returning Officer and key staff.  Non publication of information before deadlines	1	3	3	Nominate Key staff and train to deal with and monitor large numbers of nomination papers  Recording procedure in place& secure storage for nominations during election period.  Limit access to documents and office to authorised key holders. Office storage is locked at all times.	2	1.5	Item on Project Meeting Agenda	GF GL MW	on going
Death of Candidate	Death	Stopping / countermand poll	1	3	3	Prepare procedure for verifying death of candidate  Contingency arrangements if poll requires to be countermanded or abandoned taking into account implications in terms of staff required and how to deal with scheduled leave for staff falling within the new election timetable.	2	1.5	Item in Project Meeting Agenda	GF GL CE SC	on going

#### STAFFING

	Unable to appoint sufficient staff	Insufficient/non-provision of resources  Difficulty in recruiting suitable staff	Insufficient staff to cover processes	2	3	6	CEO agree with Service Heads for the availability and release of WDC staff. Recruitment drive with WDC staff (including casuals), WCC Staff, Warwick Hospital, Warwickshire College, Warwick University (staff and students), Local supermarkets, local bank branches, Sixth form students  All roles are now staffed and a few people have been placed on reserve lists for each role	3	2	None as now fully staffed for all days of the Count.	MW GF GL CE	re run adverts during March
		Sickness	Insufficient number of staff to cover processes	2	3	6	Ensure all staff have contact details for the election office for use in the event that they can no longer attend	2	3	Item on Project Panning agenda ..... follow national guidelines for	SC GL GF CE	on going

Loss of Polling, Counting and Election Team staff and key Election Officers, Returning Officer and Deputies	Outbreak of pandemic or other contagious illness affecting large numbers of election staff					<p>Ensure list of trained, reserve staff with contact numbers is in place</p> <p>Provide appropriate training and guidance notes to staff who have been re-deployed and are carrying out unfamiliar tasks</p> <p>Keep up to date with WDC contingency planning unit</p> <p>WDC Contingency planning Team to advise on processes in place to minimise the risk of cross-infection, taking into consideration any advice provided by the Department of Health</p>		guidelines for national outbreak for illness			
	Stress related illnesses or unplanned leave	no election experience during running election	2	3	6	Process in place to contact AEA and Electoral Commission to take over to run office & election.	2	3	contacts to be made	GF GL CE	on going
						Consider impact of running of election without Officers. Project Planning Team consider with electoral commission to defer election, call on neighbour Local Authorities for help.	2	3	contacts to be made	GF GL CE	on going
Insufficient support staff appointed	No detailed assessment of staffing requirements	Inability/difficulty in meeting deadlines	1	3	3	<p>Decide staffing requirements at an early stage in project planning process.</p> <p>Consideration needed by Project Planning Team for appointment of temporary support staff to assist them at different points of the process.</p>	2	1.5	Item on Agenda of Project Planning meeting	GF GL CE	on going
Mistakes by inexperienced staff or by staff not fully aware of legislation /procedure	Inadequate/lack of training	<p>Voters are unable to cast their vote</p> <p>Results called into question</p>	2	3	6	<p>Full training for all staff to ensure they are provided with the necessary information to be able to undertake their duties</p> <p>Ensure to provide adequate resources such as guidance notes and polling station handbooks to relevant staff</p>	2	3	<p>Checking Ballot Paper cover before issue to Polling Station and electors .</p> <p>.....</p> <p>Polling staff trainings giving out correct ballot papers to electors</p>	GF GL	on going



							Use Polling Station Inspectors to troubleshoot any issues identified on polling day			entitled to vote at polling station.		
POLLING DAY												
	Presiding Officer unable to gain access to polling station	Venue manager does not provide keys  Vandalism, loss of venue etc.	Delay in opening the polling station	1	2	2	Presiding Officer to open up temporary polling station outside with guidance from the electoral services office, pending access being made available  Electors to be moved to next nearest Polling Station to vote.  Use Polling Station Inspectors to troubleshoot any issues	3	0.666666667	Polling staff trainings to give guidance	GF GL	on going
	Poor accessibility to the voting process, including for disabled voters	Polling station not set-up appropriately  Staff not adequately trained	Not everyone who is entitled to vote is able to do so	1	2	2	Accessibility issues to be highlighted in training sessions for polling station staff  Provide training for staff on good customer care and access issues  Give Presiding Officers instructions about installing any necessary accessibility alterations Require Presiding Officers to set up the polling station with reference to the checklist in the polling station handbook Ensure Presiding Officers and polling station inspectors carry out checks throughout polling day	2	1	Polling staff trainings to give guidance	GF GL	on going
	Missing equipment	Equipment not properly prepared prior to poll	Delay in issuing ballot papers to electors	2	3	6	Election Team to use prepared check list for preparing sundries  Instruct Presiding Officer to check box and accompanying materials on receipt Equip Polling Station Inspectors with spare equipment/stationery	3	2	maintenance check of booths carried out by Pinners	Rob Hoof GF GL	Mar-15
	Electoral registration problems	Errors on registers	Not everyone who is entitled to vote is able to do so	3	3	9	Establish communication procedures all staff to use on polling day to Election Office	3	3	staff trainings & EC / Cabinet Office advice	GF GL	on going

		Staff unaware of clerical errors procedure				<div></div> <div>Ensure helpline, Website and Warwickshire Direct Offices are equipped to deal with all polling day queries and the electoral services office is staffed throughout polling day to handle electoral registration queries</div>		<div></div> <div>Business card/slip to give to electors at polling station with contact details for Elections Office regarding non registration. Make sure all 3 (WDC, SDC, RBC) contact details on card.</div>			
		Electors in Kenilworth & Southam - SDC & RBC Polling Stations and not WDC	Delay in contacting correct ERO and elector be able to vote			<div></div> <div>Ensure staff are aware of the different Authorities to direct electors to contact for help.</div>					
A threat to public safety	Problems with voter dissatisfaction or aggressive behaviour	Threatening behaviour towards staff  Delay/ postponement of poll		2	3	6 <div>Provide guidance and training to front line staff, including FAQs to assist with giving answers to common queries  Provide guidance on dealing with aggressive customers, drawing on resources developed by other council departments  Provide contact details for the police</div>	2	3 <div></div>	staff trainings and follow National guidelines	GF	on going
Electors confused to location of polling station	WDC new Ward boundaries	unable case		2	3	6 <div>Media Team to inform public in different methods to new polling station locations and Ward Councillors.  Election Office provide information with poll cards and in polling stations for polling staff to advise public</div>	3	2 <div></div>	Property Portal information for polling station and message on poll cards	GF FC	Mar-15
Electors putting ballot papers in wrong ballot box	Elector confusion in polling station due to number of polls taking place	Verification Count and Ballot Paper Account not balancing		2	3	6 <div>Ensure Ballot Boxes are labelled correctly.  Provide training at Presiding Officer briefing for staff on good customer care</div>	2	3 <div></div>	Polling staff trainings to give guidance	GF GL	on going
The public are unable to cast their votes	Polling station runs out of ballot papers	Results of election called into question		1	3	3 <div>Allocation of 100% of ballot papers  Use of polling station inspectors to monitor and troubleshoot throughout polling day</div>	3	1 <div></div>		GF	done

		Queues at polling station with Students	Results of polls called into question	2	3	6	<p>Police advice and manage identified polling stations in areas with high Student population</p> <p>Ensure training of polling staff in accordance with Electoral Commission handbook</p> <p>Polling Station Inspectors to assist in management of queues in Towns</p>	3	2	<p>Michelle Maguire Police contact for Cadets</p> <p>Polling staff trainings to give guidance with Poll Clerk at end of queue</p>	GF GL SC	on going
		Obstruction to electors coming to vote at polling stations	<p>Tellers and Candidates outside polling station</p> <p>Media outside polling station</p> <p>Exit Polls outside polling station</p>	2	3	6	<p>Candidates and Agents to be advised at briefing sessions of the role of tellers</p> <p>Guidance notes to candidates, agents, Media and polling staff available before election day.</p> <p>Polling staff advised at trainings to explain tellers role and seek co-operation from party agents and candidates.</p> <p>Polling Station Inspectors to assist with advising ar</p>	3	2		GF GL CE	on going
<b>THE VERIFICATION AND COUNT</b>												
	Unable to begin counting votes at the UK Parliamentary election by 2am	Verification of all election ballot papers (Polling Station & Postal) - far distance PO's to travel from polling station & due high turn out - high volume of ballot papers	Delay in counting	1	3	3	<p><i>Plan to ensure completion of Verification during night ready to be counting UKPGE votes from 10am Friday morning (8 May) e.g. transportation arrangements for ballot papers/boxes, verifying postal vote identifiers on polling day, robust planning for verification process - using Xpress Count system to record all types of elections.</i></p>	3	1	Confirming with Electoral Commission for Parliamentary Counts to start 10am 8 May.	GF CE MS	Feb-15

	Insufficient space at venue(s)	Inadequate planning	Lack of transparency and loss of confidence in the process	1	3	3	Plan layout of verification and count venue(s) in advance, allocating space to accommodate all those entitled to attend	3		1	working with Stoneleigh Events Manager	GL SC CE GF	on going
	Insufficient Senior Count Staff on Thursday, Friday and Saturday	<p>Poor pay rates &amp; lack of interest.</p> <p>Unable to recruit staff of high calibre &amp; availability due to WDC Line Managers not releasing key staff from office</p> <p>Unable to recruit staff due to VE day celebrations during weekend (Friday 8th to Sunday 10th)</p>	<p>Loss of confidence in process and delay in result</p> <p>Mistakes by overworked staff, which could adversely affect the result</p>	2	3	3	<p>Early identification of key internal staff needed and all Senior staff to be fully trained</p> <p>Part of Project Planning meeting to confirm overall requirement of staff for RO to approach Line Managers for release of key staff.</p>	2	1.5		<p>Reinforce message with Line Managers.</p> <p>Review election fees with Warwickshire Election Officer meetings and Warwick District Regulatory committee.</p> <p>Regular updates on WDC intranet / advertising at WCC/Warwick Hospital/ Warwickshire college/University. Ask Sixth Forms if they would like to Count.</p>	GF GL CE MW SC	on going
	Warwickshire Police unable to have police presence at Count	VE day celebrations during weekend (Friday 8th to Sunday 10th)	Pressure on resources from Warwickshire Police and then unable to have police presence at Count				Part of Project Planning to consult with SPOC & Warwickshire Police					GL SC	on going

Entry to Count venue by public not entitled to be there	Failure by Security to check ticket of entry		1	2	2	<i>All staff &amp; Candidates and Agents to hand in ticket at appropriate entrance to Security Team, sign in &amp; out of venue, to wear appropriate coloured wrist band &amp; all bags to be checked.</i>	3	0.666666667		GL SC	on going
Delay of delivery of ballot boxes from the polling station to the verification venue/failure of ballot boxes to arrive from the polling station	Presiding Officer has difficulties getting from the polling station to the verification venue (e.g., becomes lost, severe weather, car breaks down, has an accident)	Delay in verification	1	3	3	<i>Agree ballot box delivery routes from polling stations to verification location, especially with Polling Staff from Stratford and Rugby areas, may be new to Count Venue.</i>  <i>Establish effective lines of communication between central control point and individual vehicles, all Polling Staff to have contact details of Polling Station Inspectors.</i>  <i>Contact details of all Presiding Officers to be available at the verification venue</i>	3	1	Polling staff trainings to give guidance  Take contact details to Count from Polling Station Inspectors  Agree time all PO's should be at Count Centre before contacting Police	GL GF CE	on going
Security of ballot papers during Thursday night to Saturday.	Inadequate planning		1	3	3	<i>Liaise with police SPOC and Stoneleigh Events Manager on maintaining the security of ballot papers at all stages of the election process and over night Thursday and Friday</i>  <i>Brief candidates and agents on the arrangements to increase confidence in the process</i>	3	1		GL SC CE GF	on going
Failure of IT systems	Failure of power supply, loss of data, equipment failure	Delay in verification   Delay in counting	1	3	3	<i>Contingency, manual arrangements in place for verification and count figures/calculations</i>  <i>WDC IT support staff and Stoneleigh Park staff available at the verification count venue</i>  Accept as risk of loss of power and deploy count until temporary lighting can be provided and run a manual count.	3	1	Supply of paper/pencils/calculators at count for clerks to use.	GF RS GL SC CE	on going

	Errors during verification of ballot paper accounts	Inadequate training	Delay to completion of verification and count  Inaccurate result	2	3	6	<i>To make use of the Electoral Commission clear, easy-to-use ballot paper accounts to go with the Polling Station handbook and trainings</i>  <i>Ensure Presiding Officers are adequately trained to avoid errors in the completion of their ballot paper accounts</i>	3		2	include in Polling staff trainings to give guidance	GF GL	on going
	Evacuation of verification and/or count centre	Emergency alarm activated (due to fire, etc.)	Delay to declaration of result  Security of ballot papers compromised  Potential loss of ballot papers	1	3	3	<i>In place an emergency protocol for the verification/count</i>  <i>Evacuation and re-entry procedures developed so evacuation can be conducted to ensure the verification and count are not compromised i.e., ballot boxes and papers are secured, Staff &amp; Public &amp; Media leave safely</i>  <i>Make announcement at the start of the verification and count to communicate evacuation procedures and keep all staff, Candidates and Agents informed at all stages</i>  <i>If re-entry is not possible, invoke contingency plan</i>	3		1	On Project Planning Agenda	GL SC CE MS GF FC/Media Team	on going
	Discrepancy between the verification figure and the number of votes counted during Thursday, Friday or Saturday	Planning and administration not robust  Verification and count procedures not sufficiently thorough or effective	Loss of confidence in the process  Inaccurate result	1	3	3	<i>Check all ballot boxes have been verified and removed from main Count Hall</i>  <i>Verification of all types of election ballot papers from same polling station - ballot boxes are opened together in case elector has placed ballot paper in wrong box.</i>  <i>Verify all Unused Ballot Papers</i>  <i>Check have all ballot boxes been brought into Count Hall from storage area</i>  <i>Early planning with key staff and Returning Officer to confirm verification procedure and bringing ballot papers out of storage area to Count Hall</i>  <i>Prepare templates of all documents which will be completed at the verification and count to provide a clear audit trail.</i>	3		1		GF GL CE MS	in going

Wrong ballot boxes handed over to Rugby and Stratford containing their local government verified ballot papers.	Incorrectly labelled boxes on Thursday night.  WDC staff not checking with RO or DRO before releasing boxes	Delay of Count and loss of confidence in the process. Impact could cause reputation risk to WDC and Returning Officer and staff.	1	3	3	Returning Officer to check ballot boxes are correctly labelled before going into secure storage.  DRO in charge of secure storage to check in and out of area before handover completed on Friday morning.	3	1		CE GL SC GF	on going
Delay of delivery of ballot papers to and from secure storage at Stoneleigh Park	Fire, Flood, Theft	Delay of Count and loss of confidence in the process. Impact could cause re-run of election and reputation risk to WDC and Returning Officer and staff.	1	3	3	<i>Provide secure environment for storage and employ security staff at Stoneleigh Park.</i>  <i>Early planning with Returning Officer and Stoneleigh Park to confirm storage requirements for ballot papers</i>  <i>Early planning with Police &amp; SPOC to confirm procedures are in place for emergency</i>	3	1		CE GL SC GF	on going
Lack of understanding by candidates & Agents of the count processed Thursday to Saturday	Not familiar with Count procedure & confusion with different types of elections being held	Unnecessary questions directed at Returning Officer/Senior Officers and possible delay in Count and result of	1	3	3	<i>Provide clear information through out verification and count process, setting out progress and highlighting responsible officers.</i>  <i>Ensure information is provided to candidates and agents prior to date, through briefing sessions for candidates and agents.</i>	3	1	part of Project planning meeting  part of Candidates briefings	CE FC/Media	on going
Incorrect declaration of results	Miscalculation of number of votes  In correct completion of forms  Delay in result	Impact of Declaration of wrong candidate as Councillor could cause re-run of election and risk reputation of WDC and Returning Office and staff.	2	3	6	<i>Ensure robust verification procedures are in place and are followed</i>  <i>Give full verification figures to candidates and agents before declaration</i>  <i>Ensure Verification staff check figures before declaration, to check results against totals to ensure all votes have been accounted for including rejected votes.</i>  <i>Consult all Agents before declaration of result</i>	3	2	training for Key Count Staff & Deputy Count Returning Officers	CE GF GL MS	on going

No preparaton for a Re-count						<p><i>Early planning with Returning Officer to confirm procedures.</i></p> <p><i>All senior key staff fully trained in processes</i></p> <p><i>Agree parameters for doing a full re-count or bundle check.</i></p>				
Legal action against the RO	Election petition	Result of election brought into question	1	3	3	<p><i>Maintain a clear audit trail of processes, including evidence of a project management approach and structured risk management process</i></p>	2	2		CE GF on going



**Lessons Learned and Improvements for the 2016 Elections**

The Council has used the information from the 2015 elections to improve how it delivers its elections. A number of ideas will be tested over the forthcoming 2016 elections.

The biggest challenge which is faced will be ensuring that the changes, if successful will be equally robust at significant elections in the future.

<b>No.</b>	<b>Action</b>	<b>By who</b>	<b>By when</b>
1	The Council will establish an office base at Stoneleigh Park, from 6.00pm on election day, with a phone line to enable queries to be answered easily	Electoral Services Manager	Agreement in place by April 2016 for both PCC election and EU referendum
2	Myton Fields will be the location for the Myton Road polling station where two portacabins will be available.	Electoral Services Manager	Agreed and in place for May 2016
3	The process to hand out ballot boxes will be simplified. Presiding Officers will have already completed their training on-line so any discussion will be limited to last minute issues and questions	Electoral Services Manager	3 May 2016
4	For significant elections the Deputy Returning Officers will have an additional support resource to assist with questions from their verification table and / or count clerks	Returning Officer	May 2019 election or any UK Parliamentary election which may be called.
5	Training will take place for all Verification and Count Clerks prior to the count at each election. This is likely to be on the evening of the count and the staff will be required to arrive 30 minutes earlier.	Elections Services Manager	Date for 2016 training to be confirmed at Project Board on 6 April 2016
6	The Elections Manager and Democratic Services Manager will be in a fixed location for the duration of the count to enable easy access to them	Returning Officer	5 May 2016

7	Candidate appointments for checking nomination forms will be operated via an electronic calendar	Electoral Services Manager	March 2017
8	Weekly and then daily progress meetings will take place in the run up to election day	Democratic Services Manager	4 April 2016
9	The team are looking at the potential to produce an on line video to demonstrate how to complete and return a postal vote for electors.	Electoral Services Manager	Awaiting final proof from printers. This will now be an infographic and will be in place for EU referendum and hopefully for PCC election.
10	A simple 'how to' guide for the elections system will be developed. Should additional resource be called upon, staff will have an easy to use reference guide.	Electoral Services Manager	15 April 2016
11	For 2020 Parliamentary election candidates' deposits will only be accepted if full payment / candidate details are received so that should the deposit have to be returned it will be easy to do so.	Electoral Services Manager	March 2020
12	Improved estimating for Parish/Town Council election costs	Electoral Services Manager	1 April 2016. An officer has been nominated from Finance to work on this project which will see improved estimates to Council's for inclusion in their 2017/18 budget process.

13	Issue Parish & Town Council election invoices in a more timely manner. (It should be noted that this cannot be completed until the accounts are closed for the election. The Election Accounts have to be closed within 6 months of the election)	Electoral Services Manager	An officer has been nominated from Finance to work on this project in future years..
14	A report has been considered and approved by Employment Committee to increase the permanent resource for the Electoral Services Team	Democratic Services Manager & Deputy Monitoring Officer	Dates for recruitment?
15	The central verification did not work as effectively as anticipated. This process is being reviewed by the Head of Finance with a view to improving the process and ensuring appropriate staffing for this vital role	Returning Officer	. This will be completed by April 2016.
16	Proof reading of ballot papers and poll cards will be carried out away from the office by two officers verifying the documents.	Electoral Services Manager	Completed
17	The tender specification for the new elections print contract will include the requirement that the data files will not rebuilt into a new format.	Democratic Services Manager & Deputy Monitoring Officer & Electoral Services Manager	Tender specification is in draft form. This requirement will be discussed with the Elections System Supplier to ensure this occurs.
18	The tender specification for the new print contract will state sub-contracting work is not allowed and the printers will need to show, transparency of where data is in terms of printing and despatch.	Democratic Services Manager & Deputy Monitoring Officer & Electoral Services Manager	Tender specification is in draft form.
19	Ensure written confirmation of postal vote despatch and figures from the Councils supplier.	Democratic Services Manager & Deputy Monitoring Officer & Electoral Services Manager	Agreed and in place for 2016

20	In future, increased resources will be allocated to making up ballot boxes, with each set of boxes being checked to ensure the correct seals are included within them and the correct set of paperwork and equipment.	Elections Project Board	A new lead has been agreed and the structure for delivering this aspect will be approved on 31 March 2016.
21	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.	Electoral Services Manager	March 2017
22	Overseas voters –A member of staff will focuses on this and the continuing adding of people onto the register during the election. The revised team plan will detail individual responsibilities approved which will be communicated to the team	Electoral Services Manager	April 2016
23	Overseas postal voters not receiving their postal vote. This was a national issue with vast numbers of postal votes not arriving on time. The electoral commission and cabinet office have advised that anyone overseas should have a proxy vote rather than a vote by post. The Council is also now required to have an Overseas Mail Business account for these and that Overseas Postal Votes are issued first as a priority.	Electoral services Manager	Overseas Mail Business account is now in place.
24	Handling increased telephone call volumes. Request for additional Resources on a temporary basis is being considered by CMT. In tandem, web pages will be promoted as the first point of contact for customers.	Project Team	Project Board to consider 6 April 2016.
25	A simple step by step procedure for verifying ballot box content, which will be introduced for May 2016	Electoral Services Manger	Completed
26	Facilities Management at the verification	Project Team	
27	Polling station changes in Kenilworth. Two additional polling stations will be at the Kenilworth Centre and Heath of England Revival Church & Training Centre in Farmer Ward Road.	Electoral Services Manger	Completed

28	Chase Meadow Community Hall was not big enough for parliamentary election. The larger meeting room will be used in future.	Electoral Services Manger	Completed
29	Brunswick Healthy living centre cannot be used as Chris White MP has moved his office into the building. The Council will be using three Portacabins in the locality to provide these polling stations.	Electoral Services Manger	Completed
30	Count layout plans will be confirmed no later than two weeks before election day. They will be printed and deposited with all Deputy Returning Officers, central verification lead, postal vote lead and project team.	Democratic Services Manager & Deputy Monitoring Officer	Completed
31	When planning an election with neighbouring Council's, agreements that they will confirm to WDC when and what data is uploaded to WDC printers.	Electoral Services Manger	January prior to an election where WDC manages the election for neighbouring councils'
32	Review storage of elections equipment with view to splitting over two sites as well as review of resilience of IT system and backups if Council HQ was lost. as part of risk management process.	Democratic Services Manager & Deputy Monitoring Officer	2018
33	A fundamental review of the project plan and the process flow will be undertaken before the County Council elections in 20xx to allow for any lessons to be learned from the forthcoming PCC and EU Referendum elections.	Returning Officer	October 2016