

# **Report to the Governance Select Committee**

**Date of meeting: 23 October 2018**



**Portfolio:** Planning and Governance (Councillor J. Philip)

**Subject:** Review of Local Elections 2018 and Associated Matters

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## **Recommendations:**

- (1) To consider a review of the management of the local elections held on 3 May 2018 and proposals of the Returning Officer for future years;**
- (2) To recommend to the Returning Officer any further changes to procedure for future elections;**
- (3) To approve the time line and proposed scrutiny arrangements for the proposed Review of Polling Places and Stations during 2019;**
- (4) To consider a request that the Select Committee seek approval of the Overview and Scrutiny Committee to report directly to Council at its meeting in July 2019 on the final proposals resulting from a review of polling stations required by statute;**
- (5) To note behavioural insights work undertaken to improve electoral canvass returns during this year's annual canvass; and**
- (6) That the outcome of the Boundary Commission for England's review of parliamentary constituencies which have now been laid before parliament insofar as they effect the district, be noted**

## **Introduction**

### **Summary**

1. This report discusses the planning processes and implementation of the elections held on 3 May 2018
2. The report outlines that, in the opinion of the Returning Officer, processes at the elections were very effective. The elections have been reviewed by the Elections Planning Group and any issues identified have been included within this report. Candidates and agents in the election have also been asked to comment and any such responses are contained within the report.

3. The Council is required by law to undertake a review of its polling areas and places during 2019. In order to meet the review timescale and to complete the by the start the electoral canvass in summer 2019, authority is sought to report to this Select Committee and then directly to Full Council in July 2019. Approval of Areas and Polling Places is a matter reserved to full Council by law.
4. The Boundary Commission for England has now submitted its report containing final recommendations for new constituency boundaries to the Government. This report outlines the result of the review.

### **Commentary**

5. This report covers a number of elements including a review of the local elections in May 2018, the upcoming review of polling districts, places and stations and the recently announced results of the review of parliamentary constituencies.

### **District Elections May 2018**

6. The Returning Officer and a team of officers met regularly from the autumn of 2017 in order to plan effectively for the elections and to ensure that the processes were undertaken at the appropriate times. A project plan and risk register for the election was prepared, reviewed and updated on a regular basis. However, what had not been expected was that the Chief Executive and Returning Officer would leave the authority in the first part of 2018. A report was made to Council in February 2018 appointing S. (Assistant Director (Governance)) as Returning Officer and Electoral Registration Officer. The new Returning Officer attended additional courses during February and March to ensure a smooth transition.
7. However, as the group were working to a known project plan, all processes remained on track throughout the election period. A decision was taken by the Returning Officer to retain elections specialist Counsel to advise him should the need have arisen during the main elections period. There were difficulties with the Council's bankers who took a number of weeks to make the required alterations to the Returning Officer's Account.
8. May 2018 saw the first un-combined local elections for a number of years. There were 21 District Council seats up for election, a combination of seats that were due in the electoral cycle and 2 that occurred due to resignation of a sitting councillor. One seat, Moreton and Fyfield, was not contested.

### **Publicity**

9. There was, again this year, a national campaign for the registration deadline which publicised the opportunity of registering online. The Public Relations Section undertook a sustained publicity campaign through registration deadlines and during the run-up to the election days encouraging registration and voting. The BBC complimented the work to provide a media pack for the press as 'exemplary'.

### **Pre-election Period**

10. The Council's election staffing was undertaken this year using a new electronic system which enabled staffing offers to be sent and accepted online. This replaced a paper based system and worked well. Staffing for the elections was completed during February.
11. The nominations process worked well with officers able to undertake informal checks of forms before close of nominations. Two groups' nomination forms required alterations on checking by officers, one group failed to complete that process by the nominations deadline for some

nominations. Helpful advice was received from the Electoral Commission about a ward where two candidates had the same surname and on provisions of the Local Government Act 1974 on how to deal with wards where there was a mix of scheduled and casual vacancies.

12. As this year's May elections were for local councillors only, a local candidates evening was held. The purpose of the evening was to brief those standing on how the Returning Officer proposed to run the election. For the first time local media representatives were also invited. An email was sent to all candidates/agents and the evening was well attended. From an officers point of view this was a useful exercise.
13. All of the election papers for May were printed by the Council's Reprographics Section which again provided an excellent service bearing in mind the tight timescale for printing. All books were hand checked. Ward names and ballot numbers were printed on the book cover so that Presiding Officers could easily check them when issuing, this worked well and no errors in issuing occurred.
14. In the run up to the election, the Returning Officer had good assistance from the Essex Police Service. The Returning Officer met with Divisional Commander Chief Inspector Basford in March to discuss the approach to the Elections and additional security measures that were drawn up and put in place for polling stations and the count centre following the General Election were followed and worked well. There was a very visible presence by the police and the Returning Officer records his thanks to Chief Inspector Basford and his officers for their help in maintaining security of the election process and at the count in the evening where uniformed officer presence was required and used.
15. Only minor issues were raised with the Returning Officer during the election period and no formal matters were pursued. Two related to stories within the local media where candidates were given prominence and one to social media retweeting. There seemed to be confusion about the application of rules relating to the pre-election "purduh" period.

### **Postal voting**

16. Postal voting continued its popularity:
  - 7,503 postal packs were sent out for May on 19 April 2018 and this was completed in 2 hours 15 minutes with no subsequent issues; 3814 packs were returned and counted at the first opening session rising to 5,172 by 2 May, a return rate of 69%;
  - there were a low number of ballots rejected at scanning stage with no evidence of any fraudulent activity;
  - there were no technology issues during any opening session, 100% of identifiers were checked.

### **Staffing**

17. The levels of staffing for polling stations, verification and counts were good. Briefing to staff stressed the need for customer care during the election
18. Officers from Democratic Services and other sections provided much needed support to Electoral Services Staff by helping with enquiries about voting and registration.
19. Assumptions made about the level of staff required for the issue and opening of postal votes proved correct as these procedures were all completed in good time. Directors were helpful in making officers available for all of the processes. Staff attended effective training sessions for each stage of the process in accordance with the project plan.

## **Polling Stations**

20. On Election Day all polling stations opened on time and operated all day without problem and procedures planned for queues at close of poll were not required to be invoked. Turnout was at the level expected for local elections.
21. There were changes to polling stations:
  - the hall at St. John's Special School in Chigwell had structural issues. A decision was made to move the polling station to the dining room of the Domus Mariae Centre (part of Chigwell Convent) on the same site as the school, but access was not as good for less abled voters. This issue will be addressed as part of the polling station review later this year; and
  - the Returning Officer was informed that works were anticipated at the St Giles Hall in Nazeing making it unavailable for use as a polling station. The replacement station at Nazeing Congregational Church in Middle Street worked acceptably but did not have very good parking facilities. It is hoped that St Giles Hall will be available in May 2019.
20. No further observations regarding polling stations were received either on the day or during post-election consultations.

## **Verification and Count**

21. Verification and counting of ballot papers took place at Debden Park High School. The school were again particularly helpful to staff. This larger hall was required for these elections to enable a greater number of count staff to be employed. It is the view of officers that where a single type election is concerned that this location is currently the best option. Again this year, officer's hired-in PA equipment as announcements had been previously identified as an issue for those attending.
22. Counting started as soon as the polling finished with postal votes. The process went smoothly using a 'mini count' system.
23. This year a bespoke spreadsheet was again used effectively to simplify procedures at the Count. Officers will continue to develop electronic processes for the count.
24. The Council's Public Relations and Marketing Officer supported by the Website Officer ensured that appropriate publicity was made available at all stages with links to the Council's website. Social media was also used to spread the message. The Council provided effective media facilities at the Count.
25. The Count was concluded by 1.05 am, just over three hours in duration.
26. It was disappointing to note that a number of count attendees (not staff employed by the Returning Officer) had chosen to drink alcohol before coming to the count. This was obvious to those employed at the count. One candidate was asked to leave the count due to this issue. The Returning Officer will amend the terms of attendance for the count for 2019 and any attendee showing signs of the effects of alcohol will not be admitted by security staff and there will be no drinking on site.

## **Post-Election Consultations/Comments**

27. Every agent has been written to asking for comments in relation to the running of the elections. Members have also been asked to comment via the Council Bulletin. The following comments have been received from Councillor Murray:
- communications with the election staff before and during the election period was excellent;
  - staff dealt with any enquiries or concerns rapidly and in a helpful way (not something that unfortunately can be said for all EFDC departments);
  - election day in my ward (Loughton Roding Ward) ran smoothly;
  - Whitebridge School does need to return as a polling station asap;
  - the staff at the Senior Citizens Club Hall, Longcroft Rise , dealt with an early difficulty extremely well. As the key holder I opened up at 6.15am with the election staff to find the entire hall laid out for the normal toddler group session, when I returned at just before 7.00 am with the group's organiser we found that the staff had cleared everything away and had the polling station ready to go;
  - the count ran very smoothly, it was good to have the simple refreshments provided; and
  - I do strongly feel that there should be a public area at the count - the counting of votes and the announcing of the results should in my opinion allow for a presence from the public, however small it might be.
28. In response to the issue of public admittance to the Count Centre, the site at Debden provides the Council with the largest hall in the constituency. However, the need for a significant number of count staff and those attending the count by right means that there is no space for general public access.

## **Future Elections and Lessons Learned**

29. It is the opinion of the Returning Officer and his staff that there were no material issues arising at the 2018 local elections. All practices were completed successfully.
30. In May 2019 there will be district and parish council elections. Lessons learnt will be fed back into the planning process for next year which begins shortly.
31. Members of the Committee are asked to provide feedback to the Returning Officer for future elections.

## **Review of Polling Places and Stations during 2019**

32. The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must now be started and completed between 1 October 2018 and 31 January 2020.
33. It is for Local Authorities to decide when to carry out the review within the specified 16 month period. To enable the completion of the annual canvass of electors it has been determined that the Epping Forest Review should commence in January 2019.
34. It would also be advantageous for the review to be considered by Council before the start of the annual canvass in 2019. This gives a window for January to July 2019 in which to complete the review. The final response to the review (and any changes) is a matter for full Council to approve. The normal route would be for this Select Committee (or successor body) to recommend the matter to the Overview and Scrutiny Committee and then to full Council.

35. Given the desirability of completing the review by July, officers are requesting the Select Committee to consider if a direct report to Council will enable the timescale to be met. A recommendation from this Committee to the Overview and Scrutiny Committee would then be required to facilitate this reporting route.

### **Behavioural Insights Work**

36. The Council, as part of its transformational work agreed by the Cabinet in December 2017 (Minute 97, 2017-18), funded work with a company looking at a number of ways of improving the response to a number of service related issues across the authority using behavioural insights to affect changes to response. The Electoral Registration Officer, as part of that work, met and scoped a potential project with consultants looking at how resources are employed across the annual canvass. Grant money from the Cabinet Office, given to support registration activities, was used to bring forward a project.
37. The Council continues to have one of the highest registration rates in the Country and many improvements have been made to the registration process over time. These have included better technology and availability of online services for residents. Registration is above 98%. However, the two part Individual Registration process is not well understood by new registrants and requires a lot of follow up correspondence by law which is costly and time consuming.
38. Using expert advice, officers have reviewed the suite of forms used during registration (much of it prescribed by law) to use persuasive messages to encourage early and accurate return of canvass forms. This has included the redesign of Household Enquiry Forms (HEFs) and individual Invitations to Register (ITRs). Additionally we have looked at leaflet enclosures and envelope wording. Initial findings from the canvass look promising and officers will be reviewing canvass response more fully at the end of the canvass period.

### **Boundary Commission for England - 2018 Review revised proposals for the Eastern Region**

39. On 10 September 2017 the Boundary Commission for England submitted its final recommendations on the revised Parliamentary constituencies to the government. In doing so, the Commission fulfilled its statutory responsibility, and submission of the report ends the Commission's involvement in the 2018 Boundary Review. There are no changes to that proposed under the second consultation and sees no changes recommended to be made to the Epping Forest constituency boundaries but the changes reflected in the second consultation to the Harlow and Brentwood and Ongar constituencies have now been formally made to the government.
40. The Government must now make arrangements for the Commission's recommendations to be voted on by both Houses of Parliament. It is for the Government to decide when to do so. The final recommendations can be viewed on the BCE interactive website, at [www.bce2018.org.uk](http://www.bce2018.org.uk).
41. No timescale has been set for when the Government will decide on the implementation of the proposals. The next scheduled General Election is 2022.