

ELECTIONS COMMITTEE		
Report Title	GLA Elections 3 May 2012 - review	
Key Decision	n/a	Item No.
Ward	n/a	
Contributors	Head of Law (Malcolm Constable, Kath Nicholson)	
Class	Part 1	Date: March 10 2014

1. Purpose

This report reviews the arrangements for the GLA Elections which took place on 3 May 2012. The Elections were for

- London Mayor
- London Assembly Member
- London Assembly Member for Greenwich and Lewisham Constituency

2. Recommendation

That the Committee note this report.

3. Introduction

- 3.1 The GLA elections in the London Borough of Lewisham (LBL) were conducted without any major issues at local level. Lewisham were the lead Borough for the Greenwich and Lewisham constituency which meant that the Constituency Returning Officer (CRO) was responsible for overseeing the conduct of the elections in both Boroughs.
- 3.2 The Electoral Services Manager at LBL submitted a report to the GLA's Elections Review at LBL in June 2012 on behalf of the Constituency Returning Officer (CRO) – Barry Quirk and the his Deputy Constituency Returning Officer (DCRO) – Kath Nicholson Head of Law.
- 3.3 A copy of this report is attached as Appendix A.
- 3.4 Other reports were published by
- The Electoral Commission - Report on the Administration of elections held on 3 May 2012”
http://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/149424/2012-GLA-election-report-web.pdf

- London Elects - the team supporting the GLRO at the GLA electionst
<http://www.london.gov.uk/moderngov/documents/s11021/Appendix%201%20-%20London%20Elects%20Report.pdf>
- GLA Elections Review Working Group
<http://www.london.gov.uk/sites/default/files/12-11-28-2012-Mayoral-and-London-Assembly-Electionst-FINAL.pdf>

- 3.5 The main conclusions of these reports were that the elections were well run , achieving an accurate result with no issues about the integrity of the election being raised. However all the reports focussed on the issues relating to the conduct of the Count at Alexandra Palace, one of the three electronic count venues in London, particularly the lack of a cohesive contingency plan, failures in communication and constituency level issues faced by Brent and Harrow. This resulted in a 8.30 hrs time difference between the first constituency result announcement and the announcement of the result for Mayor and London Assembly Members. This led to calls about the provision for recounts centrally. Currently recounts can only be conducted at the Local constituency level.
- 3.6 The Greenwich and Lewisham Constituency was counted at Excel where we were the second to finish out of the five constituencies counting at the venue. We were fourth out of the 14 constituencies to declare the local result. We also had the lowest variance across London between ballot paper accounts and contents of the ballot boxes.
- 3.7 There continues to be some dissatisfaction with the legal position of the Borough Returning Officer (BRO) in the non-lead constituency. The current legislation clearly states that the CRO has responsibility for running the election in the combined constituency. However he is reliant on the support and engagement of the following borough, in this case Greenwich. However the BRO has no status in law so the GLRO asks each BRO to sign a Memorandum of Understanding. This informal arrangement is viewed as unsatisfactory and has led to problems between boroughs in the past, though not in Lewisham and Greenwich. Notwithstanding this issue the CRO in Lewisham continues to enjoy the full support of Greenwich BRO and Electoral Services Manager

4. Election Financing

The GLA funded the cost of these elections. A joint claim was submitted on behalf of the constituency for £622,647.15 which was paid in full by the GLA. This was split £326,871.03 for Lewisham and £295,776.12 for Greenwich. Lewisham's share was higher as the lead borough was responsible for count expenditure.

5. Polling Stations and Staffing

- 5.1 111 Polling places were used in Lewisham at this election. Of these, five were Portakabins. We split two polling stations Ashmead Primary School (DBR6) and Brindishe Green School (DLC1) to conform to Electoral Commission footfall guidance relating to voters in person which places a maximum of 2500 as the number of voters who may vote in person at a polling station. Because of the complexity of the three voting systems, three ballot papers and three ballot paper accounts, staffing at polling stations exceeded both the Electoral Commissions and GLRO guidance. We also provided 11 evening poll clerks at stations where we expected to get peak flows during commuter return times.
- 5.2 In all, we used 111 Presiding Officers (POs), 258 Poll Clerks (PCs) including the 11 early evening poll clerks, and 18 Visiting Officers (VOs).
- 5.3 We had robust contingency arrangements in place to cover the failure to gain access to polling stations which involved having locksmiths on call and a fully equipped out Sure Start bus as a mobile polling station. Neither had to be used on the day. Our POs and VOs are trained to commence issuing ballot papers at 07.00 hrs, if necessary using the boot of their car until such time as help arrives.
- 5.4 Training was given by the LRO to all POs and VOs as required by EC direction. However LBL have a policy of compulsory attendance at training sessions before confirming appointments-no training no job. The GLRO sent observers to one of our training sessions and commended the quality of the training given by the DCRO and the elections team.
- 5.5 We used 18 VOs, one per ward. Their role was to inspect the set-up of polling stations and provide feedback on their suitability, carry emergency equipment, provide advice to staff and collect postal votes handed in at polling stations during the day and be available to provide assistance in emergencies. The EC and GLRO directions were for VOs to visit polling stations twice – and once between 17.00 and 19.00hrs to assess the risk of queues developing. Our VOs were instructed to visit three times to minimise the impact of having to deal with postal votes at the close of poll.
- 5.6 Ballot boxes were returned to Laurence House where the ballot paper accounts, unused ballot papers and were checked. They were then put on lorries and transferred to the Excel count venue arriving there at 02.30hrs Friday 4 May. The ballot boxes could not be released until the final postal votes returned to polling stations had been checked. The ballot boxes were transferred with a police escort and their arrival was overseen by both the CRO and Electoral Services Manager.

Excel provided security overnight. However a member of the CROs team stayed with the ballot boxes on the floor of Excel until the count team started to arrive at 07.00hrs on 4 May.

6. Poll cards and postal votes

- 6.1 The LRO complied with the directions of the EC with regard to wordings and mailing dates on poll cards and instructions to postal voters. The postal vote issue was again outsourced to our printers, Financial Data Management Limited (FDML). The LRO and a small team visited FDML's premises prior to mailing to conduct random sample checks and inspect the process.
- 6.2 In accordance with EC and GLRO directions 100% of personal identifiers on returned postal votes were checked. Whilst the statutory requirement is to check 20% LBL has always conducted 100% check. No integrity issues were detected during this process and there were no allegations of postal vote fraud.
- 6.3 LBL issued 22,693 postal ballot papers of which 15,080 were returned. Of these 14,524 were included in the count with 556 being rejected for the following reasons:
- Postal vote statements had either been completed incorrectly – that is either no date of birth or signature or both had not been provided;
 - Dates of birth or signatures did not match with the underlying application form.

The rejection rate of 3.8% was below the average rejection rate for London of 4.6%.

- 6.4 The persons undertaking the verification of postal votes are provided with a copy of the Electoral Commission's "Forensic Science Guidance on Signature Checking"

7. The Count

- 7.1 As mentioned above, the count for the Greenwich and Lewisham constituency was based at Excel along with 5 other London Boroughs. Detailed training was provided by the London Elects team and the electronic count suppliers IntElect. Various lessons had been learned from the GLA 2008 elections particularly with regard to scanning speeds, scanner staffing and training, and the closing process. Staff were provided by both Lewisham and Greenwich and our own scanner operators were trained and used rather than centrally sourced agency staff.

7.2 We experienced no issues at the count. We had expressed prior reservations about changes in procedures from 2008, which meant that ballot boxes would have to be moved around the count floor. There was a serious risk of these getting out of order and omitted from the count, leading to discrepancies and searches for the ballot boxes in question. We spent a considerable amount of time developing procedures for the manual aspects of the count which were not adequately addressed in the GLRO/IntElect training.

8. Turnout and result

The franchise for the election was all eligible Local Government Electors. The turn out overall in the Greenwich and Lewisham Constituency was 37% versus 43% in 2008. The average turnout across London was 38.85% a decline of 6.5% from 2008. The turnout in each borough was 37.27% for Lewisham and 37.21% for Greenwich. Ward breakdowns and postal vote returns are given in Appendix B.

9. Future Implications

The conduct of these elections went smoothly in Lewisham and Greenwich, in large part because of lessons learnt from previous elections, in particular the combined General and local elections. For the future we intend to continue the improved practices put in place as a result. For future GLA elections however, much remains yet to be determined. It is not yet clear whether electronic counting is to be used in future. Further, the GLA is discontinuing the use of a dedicated elections projects team appointed as and when required, and are likely to subsume the responsibility for elections into their generic projects team. This may very well mean new working methods at a London level.

10. Financial implications

There are no specific financial implications arising.

11. Legal implications

There are no legal implications arising.

12. Crime and disorder implications

There are no crime and disorder implications arising.

13. Equalities implications

In the conduct of elections, Lewisham pays particular attention to its duties under the Equality Act 2010. Equality measures include outreach to voluntary sector groups supporting people with protected characteristics, the use of tactile devices in polling stations for those with visual impairment, pictorial Makaton guides to voting in the polling

stations, systematic review of polling places to ensure disabled access is available and several other measures.

14. Environmental implications

There are no environmental implications arising.

15. Background documents and originator

Malcolm Constable 020 8314 6907

Appendix A



CRO Review of the 2102 Mayoral and London Assembly elections

Our comments below include contributions from Barry Quirk, Constituency Returning Officer, Kath Nicholson Deputy Borough Returning Officer and Malcolm Constable Electoral Services Manager.

Overall we believe that the elections were well planned, run professionally and achieved accurate and timely results in a transparent manner.

The comments below should be taken in that context.

1) The Count

Our main observation is the disparity in the time the various counts took. Ignoring the issue at Alexandra Palace the count in the other two count venues (Excel and Olympia) took between six and half and ten and a half hours. In Alexandra Palace the variation between the first and last Constituency to declare was 4.75 hours. This indicates that, all other things being equal, (e.g. amount of equipment and counters being roughly proportionate to electorate), some of the count teams were perhaps better prepared/rehearsed than others or that there were some inherent weaknesses in the underlying count process that for whatever reason did not impact all counts equally. We believe that an analysis of the processes and procedures followed by all the count teams should be examined for best practice.

In the Greenwich and Lewisham Constituency the count went according to plan. This was largely due to the significant planning and resources provided by the GLRO's team that went into the training of scanner and PC operators and adjudicators. The equipment was robust and fit for purpose and we were well supported by the IntElect team on the count floor.

We believe however that certain aspects of the count should be reviewed to improve the flow of the count and prevent potential issues arising in future.

- Whilst significant resources were committed to the training on electronic processes at the count, the manual processes were largely ignored. It was left to the constituency teams to organise and plan for these. The GLA trainers repeatedly indicated that the count belonged to the CRO however the reality was that the structure of the count was driven by the electronic requirements over which the CRO had no control. This led to disparate practices being adopted by Count teams

across London in respect of ballot box opening, the physical movement and tracking of the count trays and the manner in which resources were committed to verification and manual entry processes.

- An example of this was that ballot box opening teams were not included in any GLA based training activities, yet these teams were responsible for the start of the count process. They had to open as many boxes as quickly as possible to get all the scanners operational by 8.45 am. If things such as labelling of count trays or separation of ballot boxes where two were used at the same polling station went wrong at this stage the consequences for later in the count could have been serious.
- The division of the count into three count centres meant that there were three count coordinators appointed from one of the lead boroughs for each centre. Whilst these three groups met and networked amongst themselves this did not routinely happen between the centres.
- We were only made fully aware of the Count processes and procedures to be adopted at the User Acceptance Test (UAT) in Milton Keynes in November 2011. Following this test a number of authorities, including ourselves, expressed concerns about the differences in the operating process between the 2008 elections and the 2012 elections – the latter mirroring the 2004 process. Whilst the scanners were regarded as more robust and the training of our own scanner operators proved to be a good thing concerns were expressed about the following aspects
 - Possible transcription errors – the ballot paper account data had to be transcribed to the control sheets manually after close of poll –between say 10.15am and the receipt of the last ballot box at 11.30 am. Once entered onto the control sheets they then had to be re-entered into the count system the following day. In 2008 the ballot paper accounts were entered directly into the system at the registration stage
 - The movement of count trays containing ballot papers, control sheets and manual entries within the count area – we had nearly 500 boxes at the count which were decanted into some 300 batch trays to be scanned. These boxes had to move from
 - Opening to registration
 - Registration to scanning
 - Scanning to verification
 - And from verification either to one of the following
 - i. on hold pending investigation of any discrepancy
 - ii. Manual entry if barcodes on some ballot papers could not be read
 - iii. Rescanning if required
 - iv. And finally to storage

In 2008 the contents of the boxes were moved once. The risk that trays would be misplaced or two trays separated, become separated from the paperwork- either the control sheet and or the manual entry folder(where there was no label or indication which count tray it had originated from) was significantly increased

It was therefore imperative that when all boxes reached the end storage rack that they were kept in strict borough and numerical order so that they could be easily located if they had missed part of the process. In this respect the electronic reporting system was good, however, if for example the manual entry folder was separated from the count tray it required senior IntElect support to track down which tray ballot papers had originated from

- As a result of the UAT day at Milton Keynes in November these concerns had been raised, but we were told at the time that the process was hard wired and could not be changed. This indicates that whilst there had been considerable interaction between the GLA and IntElect, there was no such consultation between the GLA, IntElect and the end users – the Constituencies who were running the counts in the various locations.

Given increasing pressure on costs, the timing differences between boroughs and apparent differences in expertise and practices there is a case for consolidating the count process at one venue, including the announcements of all the results.

This would ensure:

- All the ICT expertise was in one place
- The GLRO team was in the same place so that if any issues arose they would be in direct contact with on the spot knowledge-particularly important when dealing with the press.
- Experienced resources would be in one place
- Best operating practices could be shared.
- Constituencies that finished early could assist/ offer advice to slower constituencies

2) Timetable, Nominations, and ballot papers

There was a 30 working day timetable for these elections, which is longer than normal Local Government elections, (25 working days) which in part is to ensure that the nomination period closes in time to prepare ballot papers for an electronic count and distribute them ahead of the issue of postal votes and polling stations. The ballot papers were delivered very late in the process. The Postal ballot papers were only delivered to our printers Saturday 14 April ahead of the issue of postal votes on the 20 April. We had planned on issuing on the 19 April the day after cut off for registrations and applications for postal

votes. However, our checking process had to be curtailed and the postage date put back one day.

The delivery of the polling station ballot papers on the 26 April, during the postal vote opening period, put considerable pressure on the core team to check them and allocate them ahead of the pick up by Presiding Officers on 2 May. This only gave us three working days to process nearly 540,000 ballot papers ahead of issue. Fortunately we found no errors with the printing or numbering of the ballot papers.

The packaging of the ballot papers, loose and wrapped by a thin paper band in bundles of 100 within boxes of 500, meant that considerable time was spent in building additional boxes to account for the splits and allocating the ballot papers.

Some concern was expressed to the GLRO at the outset about the continued practice of only printing sufficient ballot papers to cover 80% of the electorate, despite the Electoral Commissions best practice guidance to print and supply 100%. This was explained by a need to manage costs down. The ballot paper numbering system that distinguished between postal vote and polling station ballot papers meant that surplus postal ballot papers could not be used in polling stations and vice versa.

100% has to be allocated to postal voters, which in our case meant that our polling station allocation fell to 73%. We had advised the GLRO about our experiences in the Referendum concerning postal voting campaigns and the take up of postal votes. Ultimately, whilst it did not impact us, we understand that one or two boroughs had to request additional ballot papers despite having built contingency factors into their numbers which were supplied before Christmas.

3) Core election teams

Most authorities run elections with a small core team, supplemented by temporary resources, whose expertise and experience is spread fairly thinly. The 11 day registration rule, the exception processes in dealing with lost or spoilt postal votes, emergency proxy applications and an almost continual postal vote opening process on the day of poll puts these teams under considerable pressure. The late arrival of ballot papers, the requirement to provide resources to build count trays at the count the day before polling day – a job that could easily have been contracted out – and sending a senior team member to sign off the Count set up all adds pressure. Processes and procedures should be reviewed to reduce pressure on core elections teams at critical times.

4) Resources

In the main most of the equipment coming from GLA procured sources or via IntElect arrived late and with quantities were pared down to the bare minimum. There were clearly errors made in allocating equipment e.g. “ballot

box peripherals” where we did not receive sufficient seals, handles for the ballot boxes. In allocating materials little account was taken of the fact that most authorities needed some spares for their polling station inspectors and training , as well as contingencies.

5) Communication

Electoral service managers are seen as the single point of contact by the GLRO team however our view was that the GLRO’s team were stretched and did not provide the continuity of contact we would normally expect. This manifested itself in finding out things late and in a somewhat random fashion. While these could be seen as trivial examples, together with the delay in receiving materials, they led to some considerable frustration around the network. Examples were

- Late and miscommunications of ballot paper numbering by IntElect
- Confusion over whether ballot papers were being delivered in boxes of 400 or 500
- Confusion over the maximum number of ballot papers that should be placed in a ballot box on the day of poll
- Hearing about larger ballot box seals for close of poll from people attending train the trainer sessions but not having this confirmed until the 19 April

6) Planning, Electoral Commission performance standards and GLRO Directions and the role of the BRO

Of concern was the apparent misalignment between the Electoral Commissions’ performance standards regime and the GLRO’s directions This has manifested itself in some BROs across London being marked down as below standard relating to mailing out of poll cards as they followed a GLRO direction

There was also some confusion around who should be reporting what to whom caused by the non statutory role of the BRO. The EC were expecting reports from BROs when the reality was that they can really only self assess the borough in which they have direct control over. At present a memorandum of understating spells out the role of the BRO which needs to be statutorily defined.

In the main the light touch directions regime followed by the GLRO was welcomed

7) IntElect portal

Whilst our experience of the IntElect team was good, one aspect, that whilst it did not in the end cause any apparent problems, did cause considerable frustration to electoral services teams across London.

We had been promised at the outset that requests for data , electorate, and nomination details could be handled by simple file uploads from our electoral

management systems to a secure portal operated by IntElect. This was promised for early January.

It was released in March with

- minimal operating instructions,
- little support, despite being advised a helpline was available, this initially was not responsive and appeared under resourced.
- no details of minimum system operating requirements were provided (some authorities could not see the pages on the web as it required a minimum browser version).
- the file uploads did not working despite having been assured that software suppliers had been engaged in the process – which they had - and that it had been tested by end users , electoral services teams, - which it clearly had not.

As a result electoral services teams were forced to manually re-key data, send e-mail file attachments or spreadsheets in excel format for inputting by IntElect. None of these were satisfactory given the time sensitivity for nominations and the production of ballot papers and the risk of transposition errors. The data then had to be carefully re-checked to ensure that it had been transcribed correctly.

It took about 3.5 hours to key the data into the system. Not in itself a problem but the time and effort spent trying to get the system to work at critical times far exceeded this and the lack of response from IntElect was very frustrating.

A review of this issue with our software provider indicated that

- The upload files were available on our software system in November
- IntElect had changed their data structures subsequently without keeping software providers updated
- Our software providers had queried the use of XML file formats when there were already perfectly good files on the system in excel format from the 2008 elections.

Report prepared by

Malcolm Constable
Electoral Services Manager
London Borough of Lewisham

21 June 2012

Appendix B Ward Turnouts

			Valid Votes	Spoilt	Total Votes	Electorate	Turnout
Lewisham	Bellingham		2254	40	2294	8,621	26.61
Lewisham	Blackheath		3207	49	3256	8,411	38.71
Lewisham	Brockley		3495	45	3540	10,718	33.03
Lewisham	Catford South		3154	60	3214	9,178	35.02
Lewisham	Crofton Park		3484	54	3538	9,282	38.12
Lewisham	Downham		2072	40	2112	8,548	24.71
Lewisham	Evelyn		2742	67	2809	9,358	30.02
Lewisham	Forest Hill		3331	51	3382	8,975	37.68
Lewisham	Grove Park		2753	57	2810	9,162	30.67
Lewisham	Ladywell		3468	52	3520	8,626	40.81
Lewisham	Lee Green		3692	42	3734	9,065	41.19
Lewisham	Lewisham Central		3083	54	3137	10,333	30.36
Lewisham	New Cross		2816	65	2881	9,408	30.62
Lewisham	Perry Vale		3547	48	3595	9,607	37.42
Lewisham	Postal votes - Lewisham		14418	106	14524	22,693	64.00
Lewisham	Rushey Green		2506	45	2551	8,532	29.90
Lewisham	Sydenham		3413	44	3457	9,719	35.57
Lewisham	Telegraph Hill		3507	58	3565	9,863	36.15
Lewisham	Whitefoot		2262	52	2314	8,363	27.67
	Lewisham TOTAL		69204	1029	70233	188,462	37.27
			Valid Votes	Spoilt	Total Votes	Electorate	Turnout
Greenwic	ABBEY WOOD		2603	71	2674	9234	28.96
Greenwic	BLACKHEATH WESTCOMBE		3552	45	3597	8210	43.81
Greenwic	CHARLTON		3149	62	3211	8672	37.03
Greenwic	COLDHARBOUR AND NEW ELTHAM		2746	56	2802	8284	33.82
Greenwic	ELTHAM NORTH		3590	66	3656	8424	43.40
Greenwic	ELTHAM SOUTH		2659	51	2710	8378	32.35
Greenwic	ELTHAM WEST		1713	41	1754	6315	27.78
Greenwic	GLYNDON		2666	77	2743	9768	28.08
Greenwic	GREENWICH WEST		3465	65	3530	9826	35.93
Greenwic	KIDBROOKE WITH HORNFAIR		2440	61	2501	8552	29.24
Greenwic	MIDDLE PARK AND SUTCLIFFE		2713	66	2779	8112	34.26
Greenwic	PENINSULA		3105	55	3160	8985	35.17
Greenwic	PLUMSTEAD		2677	110	2787	8957	31.12
Greenwic	Postal votes - Greenwich		14332	122	14454	21360	67.67
Greenwic	SHOOTERS HILL		3047	55	3102	8298	37.38
Greenwic	THAMESMEAD MOORINGS		2588	55	2643	10267	25.74
Greenwic	WOOLWICH COMMON		2362	68	2430	8966	27.10
Greenwic	WOOLWICH RIVERSIDE		2993	85	3078	10672	28.84
	Greenwich TOTAL		62400	1211	63611	171280	37.14
	Greenwich & Lewisham		131604	2240	133844	359742	37.21