
Meeting: General Purposes Committee
Date: 4 August 2011
Subject: Combined Referendum and Local Elections – 5 May 2011
Report of: Head of Legal & Democratic Services
Summary: The report sets out the outcomes of a review of the arrangements for administering the combined Referendum and local elections.

Contact Officer: John Atkinson, Head of Legal and Democratic Services
Public/Exempt: Public
Wards Affected: n/a
Function of: General Purposes Committee

CORPORATE IMPLICATIONS

Council Priorities:

Not applicable

Financial:

None specifically arising from this report but there are significant costs in administering an election; some of which are outwith the control of the Returning Officer specifically when local elections are combined with national elections.

Legal:

The Chief Executive's responsibilities as Returning Officer for local elections and as Counting Officer for the Referendum are distinct from his day to day responsibilities as an employee of the council.

Risk Management:

None resulting from this report

Staffing (including Trades Unions):

None resulting from this report

Equalities/Human Rights:

None resulting from this report.

Community Safety:

n/a

Sustainability:

n/a

RECOMMENDATION:

that the Committee notes the findings of the post election review undertaken by the Chief Executive, in his role as Returning Officer.

Background

1. At the meeting of the Customer and Central Services Overview and Scrutiny Committee held on 14 June 2011, Members requested a review of the arrangements for the 2011 elections from when the election was announced to a post results stage, and specifically in relation to:
 - (a). Informing Agents about meetings;
 - (b). Ensuring Nomination Papers were properly completed;
 - (c). The Count at Dunstable;
 - (d). The time taken for results to be announced;
 - (e). Information about the Results; and
 - (f). Notification of Results to Towns & Parishes
2. Central Bedfordshire has by far the largest electorate in the whole of the eastern region. The administration of a Combined Poll is a major logistical exercise, involving approximately 700 staff. It is the Returning Officer's practice to carry out a review of arrangements after every election to identify ways in which the process can be further improved, within the constraints of the law governing the conduct of elections
3. A summary of the review of this year's election is set out below.
 - (a) Whilst acknowledging that all political parties were represented at the Agents meeting held on 1 March 2011, it is clear that in some cases the party administration is geared to the constituency areas rather than the Council area and as such the information regarding the administrative procedures in place, is not being passed on to all of the agents. A review of the list of contacts will be carried out to ensure that all of the agent's details are known.

- (b) Notwithstanding the sheer volume of nomination papers the arrangements for recording the papers work worked very well during the first week. At the meeting on 1 March 2011 the Agents were advised to submit nominations in good time. However, there was a last minute rush on Monday morning 4 April which created a back-log and subsequent delay in the nominations being recorded which as a consequence left little or no time for any corrections to be made by the Agents following the pre-check procedures.

Possible solutions:-

- dedicated telephone line for candidates queries
 - draw on more staff
 - agents better awareness of responsibilities
- (c) The strict time table imposed by the Chief Counting Officer for the verification and the counting of Referendum papers disrupted the count for the CBC and parish elections and whilst changes to the count procedure were made, on the day, to facilitate simultaneous counting of the votes, the priority that had to be given to the Referendum delayed the declaration of some of the local election results. It was recognised at an early stage that the combination of polls was always going to add a delay factor to the whole process and whilst this was reported to both the candidates and agents, it is clear that the full extent of the time table of events was not fully appreciated by all of the participants.
- (d) The automated results service to the web via Modern.Gov was clearly not suited to multi-member wards. The system showed the number of votes for each candidate but when the percentage share of the vote was shown graphically the system divided the percentage amongst the number of candidates inferring a reduced share. This led to considerable confusion and was subsequently replaced with a series of PDF documents.
- (e) Formal notification of the results to the respective parishes, which were not represented at the count, was carried out the week following the election which in all but one case was considered satisfactory. The confusion with the parish concerned was that they assumed that they had to display the results within the area of the parish immediately following the election; which was not the case.

Combination of Polls - Role description for Counting Officer (UK Parliamentary Voting Systems referendum)

4. It should be borne in mind that whilst it is not unusual to have a combination of polls, on this particular occasion Government determined that the management of, and accountability arrangements for, the national referendum should be different to any previous election and as a consequence introduced the Parliamentary Voting System and Constituencies Act. The Act set out the rules for the combined poll on 5 May 2011 and provided for Counting Officers (CO) to discharge a number of the functions common to the polls for which a Returning Officer (RO) would usually be responsible at an election.

5. Each CO was personally responsible for the effective running of the referendum in their local authority area, along with the combined elements of any other elections taking place. The Counting Officer reported to the Regional Counting Officer (RCO) who carried out the instructions and directions as required by the Chief Counting Officer (CCO). The CCO issued some 207 separate directions, ranging from the size of the poll cards to the number of staff to be appointed to each polling station, but more specifically the times for the completion of the verification and the start of the referendum count. These factors meant that the local Counting/Returning Officer had less control than in previous years over the management of the Count.
6. Some have suggested that the Count for the local elections should have been held overnight on Thursday/Friday following the closure of the poll at 10.00 pm.
7. The Chief Counting Officer issued a direction that the verification for the referendum had to be completed by 1.00 pm on 6th May and that counting for the referendum should not commence until 4.00 pm on that day. In theory, it would have been possible for the verification of the referendum and the subsequent counting of the votes in the local election to have taken place the previous night but for the following reasons that would not have been practical and would have jeopardised the effective management of the combined process:
 - (a) The CCO directed that 100% of the postal voters' statements were to be checked. This process was not completed until approximately 0.30 am on 6th May.
 - (b) The fact that the count was for the whole area of Central Bedfordshire and that in most cases was for 3 separate elections meant that the verification would not have been completed before 3.00 am on the Friday, if the count had been conducted overnight
 - (c) The majority of the elections were for multi-member wards which necessitated 'tick sheets' for all but 8 wards. These are complex and not best completed by tired staff.
 - (d) The overriding priority is the accuracy of the election results. In essence, it is more important that the count is accurate than carried out quickly although clearly delay should be avoided where possible. Given the complexity of multi Members wards, it was not considered sensible to count the local election overnight, particularly as the likelihood is that many staff involved would have been involved in the election process during and in the running up to polling day.

Conclusion

- 8 The combined election on 5 May 2011 was of a different scale to that previously experienced. As with many such events, there are aspects of the process that we will wish to improve on future occasions but overall the election was managed effectively.

Appendices:

None