

Committee	Date	Classification	Agenda Item No.
Overview and Scrutiny Committee	3rd February 2015	Unrestricted	7.1
Report of:		Title:	
Acting Returning Officer/Electoral Registration Officer		Planning for the UK Parliamentary Election (May 2015): Update	
Originating Officer(s): John Williams		Ward(s) affected: All	

REASONS FOR URGENCY

This report was not circulated with the Committee agenda and was unavailable for inspection within the timescales set out in the Authority's constitution as it was not possible to collate the necessary information prior to agenda despatch. The report is nevertheless recommended for consideration at this meeting in order to ensure that the committee has up to date information on the matters included.

1. SUMMARY

- 1.1 The Overview and Scrutiny Committee has previously discussed matters relating to the electoral process and Members have requested a further update on progress in planning for the UK Parliamentary Election to be held on 7th May 2015.
- 1.2 This is set out below and in the attached appendices.

2. RECOMMENDATION

- 2.1 That the report be noted

3. BACKGROUND

- 3.1 The UK Parliamentary (General) Election will be held on 7th May 2015. Within Tower Hamlets there are two parliamentary constituencies - Bethnal Green and Bow and Poplar and Limehouse - which together are coterminous with the borough's boundaries.
- 3.2 Work is continuing across a range of areas in preparation for the elections and progress is reported as follows.

Joint planning meetings

- 3.3 A joint officer planning group has been established involving Council staff from all relevant sections including Electoral Services, Communications, Community Safety, Facilities Management and Legal Services; and the Metropolitan Police, both local and Scotland Yard. This group will continue to meet on a fortnightly basis to take forward the planning and implementation of the election. The group was pleased to welcome the new Borough Commander Andy Ewing to its meeting on 27th January 2015, at which a joint approach was agreed to policing and integrity measures for the elections. Joint training sessions will be held for Acting Returning Officer staff and police officers who will be on duty at the elections.
- 3.4 The Cabinet Office Elections Division will be discussing with the Acting Returning Officer and Tower Hamlets Police possible uses for the additional funds that the Government plans to make available to each of 17 identified Local Authorities (including Tower Hamlets) to support their efforts to address integrity and public confidence through additional activities. Suggested uses of the funds by the Cabinet Office include leafleting, press advertisements, engagement with community groups, paying for additional staff resources to look at issues, promotion of good practice amongst the local community and funding for police resources at polling stations as examples.
- 3.5 The Acting Returning Officer has been in regular contact with officers of the Electoral Commission concerning the plans for May 2015 and in particular the implementation of the Commission's recommendations in its report about the count in Tower hamlets in May 2014. The Commission's officers have stated that they are satisfied with progress and the plans in place. Tower Hamlets has again in 2015 been selected by the Electoral Commission as one of the authorities to provide more detailed monitoring of the election planning process in connection with the national Returning Officer performance standards monitoring process. As part of this process the Commission has been provided with the Acting Returning Officer's election planner document and contingency/risk register. These documents set out the key actions and milestones required in the work to prepare for the elections, together with identified risks and contingency measures to address these.

Integrity measures/Local Protocol

- 3.6 Members will recall that for the combined elections in May 2014, the Returning Officer and the Metropolitan Police, with the support of the Electoral Commission, published a Local Protocol setting out a range of measures designed to ensure the integrity of the elections and respond to any allegations of fraud or malpractice in a timely and effective fashion. The local political parties were invited to sign up to the protocol, which included a number of commitments in relation to standards of conduct by candidates, campaigners and others.
- 3.7 There is support from the key partner agencies for a similar protocol to be in place for the May 2015 elections, to enhance the Electoral Commission's own

code of conduct, which has the support of the national parties. The Acting Returning Officer intends once again to put in place a dedicated e-mail account for any complaints or concerns about possible fraudulent activity. Any messages to that account will be processed within a stated period and if there is any suggestion that an offence may have been committed, referred without delay to the Police Single Point of Contact.

- 3.8 The Electoral Commission's national Code of Conduct for Campaigners has itself been updated with effect from December 2014 and is attached for the Committee's information at Appendix 'A'.

Count plans

- 3.9 In December 2014, the Overview and Scrutiny Committee received a full report on the Acting Returning Officer's proposed arrangements for verifying and counting the votes in May 2015. Consultation with interested parties on these proposals is now complete. Many helpful comments were received, including from the Committee, political parties, the Metropolitan Police and the Electoral Commission, and these will be included in the final plan. The significant majority of respondents – including the police and all but one of the local political parties which replied – expressed support for the Acting Returning Officer's approach, including the proposed use of the ExCel Centre as the count venue. This has now been confirmed and the verification and counting of votes for both Tower Hamlets constituencies will take place at Excel immediately after the close of poll at 10.00 p.m. on 7th May 2015.
- 3.10 The count will include a range of enhanced security measures including checking of photo I/D on entry, the use of non-Council security staff and non-transferable security bracelets for authorised entrants. CCTV will be in operation and all attendees will be required to sign a code of conduct as a condition of entry (example as used for the Blackwall and Cubitt Town ward election in July 2014 attached at Appendix 'B'). Adequate staff numbers and procedures will be in place to ensure an efficient and transparent process with a view to an early declaration of results.
- 3.11 The Council's Election Management Software suppliers, Xpress, have launched an upgraded count module which can streamline the accounting procedures at the count and reduce any possibility of errors by automatically cross-checking the verification totals with the number of ballot papers counted by each team. Officers have undertaken an initial trial of this module and subject to further testing plan to use it in May.

Polling District/Polling Place review

- 3.12 All local authorities must complete a review of polling districts and polling places by the end of January 2015. In Tower Hamlets' case this is a 'light touch' process because a full review was undertaken in 2013 following the ward boundary changes recommended by the Local Government Boundary Commission for England. It nevertheless provides an opportunity to address

any issues identified at the May 2014 elections regarding polling districts and polling places.

- 3.13 The Acting Returning Officer's proposals were published for consultation until Monday 26th January 2015 and the General Purposes Committee, which has delegated authority to agree polling districts, received an initial report in December 2014 and authorised the Electoral Registration Officer to agree the final outcome of the review by 31st January, after consultation with the Chair of the Committee. The final arrangements for polling districts and polling places to be used in May 2015 will therefore be known by the date of the O&S Committee and will be circulated (as Appendix 'C' to this report – to follow) to Members before the meeting.
- 3.14 A range of representations were made during the consultation period, many of which have been incorporated into the final proposals. It has again been possible to avoid using any of the borough's secondary schools as polling places, and to accommodate a request by one further primary school not to be used.
- 3.15 The range of security and integrity measures to be applied at the polling stations will build on the arrangements that were in place for the combined elections in May 2014. Additionally the use of CCTV is under consideration.

Postal Voting

- 3.16 Discussions are advanced with the Council's secure print contractor in relation to the arrangements for printing and production of postal vote packs. Dates and times of postal vote opening sessions will be notified to the election agents in accordance with the election rules but are likely as in previous years to take place on almost a daily basis in the fortnight prior to the election.
- 3.17 Consideration will be given to the method of delivery of postal vote packs so as to ensure the maximum security of the process. In recent years the Acting Returning Officer has arranged for delivery by Royal Mail in preference to Council-employed canvassers.

Candidates and Agents meetings

- 3.18 The Acting Returning Officer is maintaining communications with all known election agents locally, including updates on the planning process and consultation on key issues. Candidates and Agents meetings are planned for w/b 9th March and again following the close of nominations on 9th April 2015. Attendance will be strongly encouraged and the meetings will explain key aspects of the election process; election offences, the code of conduct and any local protocol; polling stations and count arrangements etc. Metropolitan Police officers have undertaken to attend these briefings.

Management capacity

- 3.19 The Acting Returning Officer (ARO) has previously identified the need for additional management capacity in the pre-election period and in particular for a dedicated count co-ordinator (an experienced elections professional) to ensure that planning and implementation of that crucial element of the process maintains the necessary focus regardless of other pressures on the ARO and his other staff prior to polling day. Plans are in place for the procurement of this resource. In addition a restructure of the Electoral Services Team will provide a more robust structure and additional management support to the Head of Electoral Services in the run-up to the elections and beyond.

Communications strategy

- 3.20 A communications strategy is being developed, in consultation with partner agencies, to publicise information concerning the election, the processes and deadlines for electoral registration – in particular the new arrangements for Individual Electoral Registration - postal voting etc as well as the key integrity and anti-fraud measures.

Pre-election guidance to Members and officers

- 3.21 Members will be aware that particular restrictions apply to the publicity (widely defined) that a local authority may issue during the pre-election period. The Code of Recommended Practice for Local Authority Publicity includes provisions on the issue of publicity including 'care during periods of heightened sensitivity (i.e. elections and referendums)'. As is customary, the Acting Returning Officer will liaise with the Interim Monitoring Officer and the Head of Communications to ensure that clear guidance is issued to Members and officers ahead of the pre-election period, to secure compliance with the provisions of the Code and to re-iterate associated messages regarding neutrality of Council staff and the use of Council resources only for authorised Council purposes.

4. OTHER ELECTORAL ISSUES

(Acting) Returning Officer Appointment

- 4.1 In accordance with the Secretary of State's Direction, power to appoint or dismiss the (Acting) Returning Officer and Electoral Registration Officer has transferred from the Council and its General Purposes Committee to the DCLG Commissioners. No change has yet been made by the Commissioners to these appointments. Work therefore continues as set out in this report and the Acting Returning Officer will continue to ensure that action is taken to meet all statutory and other firm deadlines that apply.

Election Petition trial

- 4.2 The trial of the Election Petition in respect of the May 2014 mayoral election in Tower Hamlets is scheduled to commence at the Royal Courts of Justice on 2nd February 2015. Contingency planning for the May 2015 elections continues to take into account the possibility that one possible outcome of the Election Court could be a new mayoral election combined with the Parliamentary election on 7th May 2015.

5. THE TIMETABLE FOR THE UK PARLIAMENTARY ELECTION

- 5.1 The statutory timetable for the conduct of the General UK Parliamentary Election on 7th May 2015 is attached at Appendix 'D'. The statutory timetable is based on the assumption that the writ is received on the day following the dissolution of Parliament. If in a particular constituency the writ is received on a different date:

- The notice of election in that particular constituency must be published no later than 4pm on the second day following the receipt of the writ.
- The period for delivery of nomination papers will begin from the day after the publication of notice of election. The deadline for nominations will remain the same (i.e. 4pm on 19 working days before the poll).

- 5.2 Statute provides that some days are disregarded in calculating the timetable and these are each Saturday, Sunday, Good Friday, other bank holidays and any day appointed for public thanksgiving or mourning. Therefore the timetable in the Appendix may change in the event of days being appointed for public thanksgiving or mourning.

6. FINANCIAL IMPLICATIONS

- 6.1 The costs arising from the work set out in this paper will be contained within the budget provision for elections and electoral registration. The Council receives reimbursement, up to a maximum figure, from the Government for the costs of the UK Parliamentary elections.

7. LEGAL CONSIDERATIONS

- 7.1 The report provides information regarding the planning for the general election for noting by the Overview and Scrutiny Committee. It is reasonable for the Overview and Scrutiny Committee to receive this information, having regard to its constitutional functions, particularly that of making recommendations as to the discharge of Council functions.

8. ONE TOWER HAMLETS CONSIDERATIONS

- 8.1 The electoral planning work aims to ensure that all residents of Tower Hamlets have access to the democratic process and are able to exercise their right to register to vote and, should they so choose, vote at the elections
- 8.2 The anti-fraud and integrity work aims to ensure a free and fair election for the benefit of all communities in the borough.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT (SAGE)

- 9.1 There are no direct SAGE implications arising from this report.

10. RISK MANAGEMENT IMPLICATIONS

- 10.1 There are a number of practical, legal and reputational risks related to the electoral process. Regular review and maintenance of the elections risk register is an integral part of the work of the elections planning group.

11. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 11.1 Regular meetings with Police in the Gold/Silver/Bronze command structure represent a package of anti-fraud and public order measures that will aim to reduce the possibility of crime and/or disorder related to the elections.

12. APPENDICES

- 12.1 There are four appendices to this report as follows:-

Appendix A – Electoral Commission Code of Conduct for Campaigners (December 2014)

Appendix B – Local Count Code of Conduct (example as used at Blackwall and Cubitt Town ward election, 3rd July 2014)

Appendix C - Review of Polling Districts and Polling Places 2015 – Final proposals (to follow after completion of the review).

Appendix D - Statutory timetable for the UK Parliamentary Election on 7th May 2015.

LIST OF “BACKGROUND PAPERS” USED IN THE PREPARATION OF THIS REPORT

Brief description of “background paper”

Name and telephone number of holder and address where open to inspection

No unpublished background papers have been relied upon to a material extent in the preparation of this report.