

Meeting of the

OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 9 April 2013 at 7.00 p.m.

AGENDA

VENUE

Room C1, 1st Floor, Town Hall, Mulberry Place, 5
Clove Crescent, London, E14 2BG

Members:	Deputies (if any):
<p>Chair: Councillor Ann Jackson Vice-Chair: Councillor Rachael Saunders, Scrutiny Lead, Adult, Health & Wellbeing</p>	<p>Councillor Khales Uddin Ahmed, (Designated Deputy representing Councillors Ann Jackson, Rachael Saunders, Sirajul Islam, Amy Whitelock and Helal Uddin) Councillor Marc Francis, (Designated Deputy representing Councillors Ann Jackson, Rachael Saunders, Sirajul Islam, Amy Whitelock and Helal Uddin) Councillor Peter Golds, (Designated Deputy representing Councillor Tim Archer) Councillor Harun Miah, (Designated Deputy representing Councillor Fozol Miah) Councillor David Snowdon, (Designated Deputy representing Councillor Tim Archer) Councillor Motin Uz-Zaman, (Designated Deputy representing Councillors Ann Jackson, Rachael Saunders, Sirajul Islam, Amy Whitelock and Helal Uddin)</p>
<p>Councillor Tim Archer, Scrutiny Lead, Chief Executive's Councillor Stephanie Eaton, Scrutiny Lead, Communities, Localities and Culture Councillor Sirajul Islam, Scrutiny Lead, Development & Renewal Councillor Fozol Miah Councillor Amy Whitelock, Scrutiny Lead, Children, Schools & Families Councillor Helal Uddin, Scrutiny Lead, Resources 1 Vacancy</p>	
<p>[Note: The quorum for this body is 3 voting Members].</p>	

Co-opted Members:

Memory Kampiyawo	– (Parent Governor Representative)
Nozrul Mustafa	– (Parent Governor Representative)
Rev James Olanipekun	– (Parent Governor Representative)
Mr Mushfique Uddin	– (Muslim Community Representative)
Dr Phillip Rice	– (Church of England Diocese Representative)
1 Vacancy	– (Roman Catholic Diocese of Westminster Representative)

Committee Services Contact:

Angus Taylor, Democratic Services,

Tel: 020 7364 4333 E-mail: angus.taylor@towerhamlets.gov.uk

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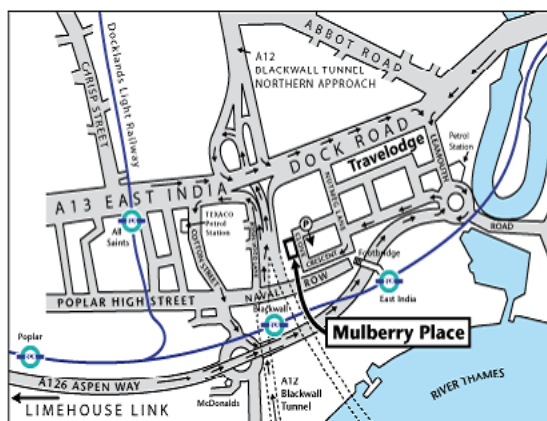
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LONDON BOROUGH OF TOWER HAMLETS
OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 9 April 2013

7.00 p.m.

SECTION ONE

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST **1 - 4**

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

3. UNRESTRICTED MINUTES **5 - 16**

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 12th March 2013.

4. REQUESTS TO SUBMIT PETITIONS

To receive any petitions (to be notified at the meeting).

5. UNRESTRICTED REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet (13th March 2013) in respect of unrestricted reports on the agenda were 'called in'.

6. UNRESTRICTED REPORTS FOR CONSIDERATION

6.1 Children's Centre Scrutiny Review Update (To Follow)

To consider a progress report on implementation of the Children's Centres Scrutiny Review recommendations and whether further scrutiny is required or further progress monitoring.

6.2 Electoral Matters Update

17 - 74

To consider the contents of the report.

7. VERBAL UPDATES FROM SCRUTINY LEADS

(Time allocated – 5 minutes each)

8. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated – 30 minutes).

9. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

To consider any other unrestricted business that the Chair considers to be urgent.

10. EXCLUSION OF THE PRESS AND PUBLIC

In view of the contents of the remaining items on the agenda the Committee is recommended to adopt the following motion:

“That, under the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contains information defined as Exempt in Part 1 of Schedule 12A to the Local Government Act, 1972.”

EXEMPT/CONFIDENTIAL SECTION (Pink Papers)

The exempt committee papers in the agenda will contain information, which is commercially, legally or personally sensitive and should not be divulged to third parties. If you do not wish to retain these papers after the meeting, please hand them to the Committee Officer present.

SECTION TWO

11. EXEMPT/ CONFIDENTIAL MINUTES

Nil items.

12. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet (13th March 2013) in respect of exempt/ confidential reports on the agenda were 'called in'.

13. EXEMPT/ CONFIDENTIAL REPORTS FOR CONSIDERATION

13 .1 Electoral Matters Update

To consider the contents of the report and Appendix B thereto.

14. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL CABINET PAPERS

To consider and agree pre-decision scrutiny questions/comments to be presented to Cabinet.

(Time allocated 15 minutes).

15. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT

To consider any other exempt/ confidential business that the Chair considers to be urgent.

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Isabella Freeman, Assistant Chief Executive (Legal Services), 020 7364 4801; or
John Williams, Service Head, Democratic Services, 020 7364 4204

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 7.00 P.M. ON TUESDAY, 12 MARCH 2013

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Ann Jackson (Chair)
Councillor Tim Archer
Councillor Helal Uddin
Councillor Amy Whitelock

Co-opted Members Present:

Memory Kampiyawo – (Parent Governor Representative)
Nozrul Mustafa – (Parent Governor Representative)
Rev James Olanipekun – (Parent Governor Representative)
Dr Phillip Rice – (Church of England Diocese Representative)

Other Councillors Present:

Councillor Ohid Ahmed – (Deputy Mayor)
Councillor Alibor Choudhury – (Cabinet Member for Resources)

Guests Present:

–

Officers Present:

Andy Bamber – (Service Head Safer Communities, Crime Reduction Services, Communities, Localities and Culture)
Sarah Barr – (Senior Strategy Policy and Performance Officer, One Tower Hamlets, Chief Executive's)
Jill Bell – (Head of Legal Services (Environment), Legal Services, Chief Executive's)
Dave Clark – (Acting Service Head Resources, Development and Renewal)
Katie Gent – (Environmental Sustainability Officer, Strategy

	Innovation & Sustainability, Development and Renewal)
Chris Holme	– (Acting Corporate Director - Resources)
Nazrul Islam	– (Principal Reporter Harmony, Communications, Chief Executive's)
Abdul J. Khan	– (Sustainable Development Manager, Strategy Innovation & Sustainability, Development and Renewal)
Louise Russell	– (Service Head Corporate Strategy and Equalities, Chief Executive's)
Ann Sutcliffe	– (Service Head Strategic Property, Development and Renewal)
David Tolley	– (Head of Consumer and Business Regulations Service, Safer Communities, Communities Localities & Culture)
Adam Walther	– (Strategy Policy and Performance Officer, One Tower Hamlets, Chief Executive's)
Angus Taylor	– (Principal Committee Officer, Democratic Services, Chief Executive's)

COUNCILLOR ANN JACKSON (CHAIR) IN THE CHAIR

1. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of:

- Councillor Rachael Saunders (Vice- Chair and Scrutiny Lead Adult Health and Wellbeing).
- Councillor Stephanie Eaton (Scrutiny Lead Communities Localities and Culture).
- Councillor Sirajul Islam (Scrutiny Lead Development & Renewal).
- Councillor Fozol Miah.

- Apologies for lateness were received on behalf of Councillor Amy Whitelock (Scrutiny Lead Children, Schools and Families).

Noted

2. DECLARATIONS OF INTEREST

No declarations of interest were made.

3. UNRESTRICTED MINUTES

The Chair informed OSC members that the unrestricted minutes of the extraordinary meeting of the Overview and Scrutiny Committee, held on 18th February 2013 had been **Tabled**, a copy of which would be interleaved with the minutes.

The Chair **Moved** and it was:-

Resolved

1. That the unrestricted minutes of the ordinary meeting of the Overview and Scrutiny Committee, held on 5th February 2013, be agreed as a correct record of the proceedings, and the Chair be authorised to sign them accordingly.
2. That the unrestricted minutes of the extraordinary meeting of the Overview and Scrutiny Committee, held on 18th February 2013, be agreed as a correct record of the proceedings, and the Chair be authorised to sign them accordingly.

Action by:

Angus Taylor (Principal Committee Officer, Democratic Services, CE's)

4. REQUESTS TO SUBMIT PETITIONS

There were no petitions.

5. UNRESTRICTED REPORTS 'CALLED IN'

No decisions of the Mayor in Cabinet on 13th February 2013 had been "called in".

6. REQUEST FOR DEPUTATION

There were no deputations.

7. REPORTS FOR CONSIDERATION

7.1 Gambling Policy 2012 -2017

Councillor Ohid Ahmed, Deputy Mayor, introduced, and highlighted key points, in the report including: -

- The statutory requirement for the Council to review and adopt its 'gambling policy' at this point.
- Stakeholder consultation undertaken to date and revision of the proposals to reflect this. Consultation with OSC under the Budget and Policy Framework contained in the Council's Constitution, was an element of this.
- Prescriptive guidance from Government which limited the scope for changing the Policy to meet local aspirations.

Andy Bamber, Service Head Safer Communities and David Tolley, Head of Consumer and Business Regulations, were also in attendance for this item.

A discussion followed which focused on clarification being sought and given on the following points:-

- Given the number of licenced gambling outlets known to exist in the borough (mapped in the Policy documents) and the known saturation point for these, where could new outlets be permitted and what was the potential for a saturation policy. Clarified that the Council was not able to limit the number of gaming establishments under the Gambling Act, and a saturation policy was only possible in relation to licensing of premises for alcohol under the Licensing Act. Only the 3 Licensing objectives could be taken into consideration when determining an application. The Gambling Policy was not a strategic document on controlling gambling provision, but set out how applications would be dealt with.
- The London view regarding the Policy and Central Government prescriptions for the Policy. Clarified that the Council had lobbied Parliament against the lack of any powers for local councils to restrict gambling establishments.
- The number and nature of responses to consultation to date. Four of limited value, but Councillor feedback had resulted in the addition to the Policy of the Best Practice Guide.
- The concerns raised by the Licensing Committee, as part of the consultation process, which had been reflected in the proposed Policy. Consideration that future reports consulting OSC on policy framework proposals should detail any concerns raised during stakeholder consultation and how/ where these were addressed in the proposals recommended to the Mayor/ Cabinet for endorsement and onward recommendation to full Council.
- The impact of gambling on the community and in particular the linkage between gambling and domestic violence, and whether a related evidence base, perhaps provided through a scrutiny review in 2013/14, could prove valuable in assisting the Council in efforts to control the proliferation of gambling establishments. Clarified that there was an acknowledged impact on vulnerable people and a link with domestic violence and the Council aspired to identify a way to limit gambling outlets to mitigate this.
- Whether there could be increased focus on 'self – exclusion' mechanisms by individuals that knew they had a gambling addiction. How more responsibility could be placed on gambling outlets to identify these individuals and assist them to make an informed choice. How to prevent their movement from one outlet to another to get around this mechanism. Clarified set out in the Best Practice Guide and managed through the Safe Betting Alliance forum.
- Self-promotion by the big betting organisations as being community based and the level and calibre of the legal support available to them, and what steps the Council could take to counter this. The use of Fixed Odds Betting Terminals and the potential to limit this in the context of

the Licensing objective for protection of children and vulnerable people was being examined. Spot testing of underage usage was being undertaken and health and safety/ trading standards issues were raised at the Safe Betting Alliance forum with the 5 largest betting companies. Further updates on this work considered valuable.

- The rationale for the absence within the proposed Policy of a “No Casino” statement on the part of the Council, particularly given recollection that it had issued one previously. Consideration that given the number of betting establishments in the borough and concerns around their proliferation, the Policy would be strengthened by the addition of such a statement even if it was not enforceable under current law.

The Chair **Moved** and it was:-

Resolved

1. The contents of the report, and proposed Gambling Policy 2012 - 2017 attached, be noted; and
2. That the advice/comments of the OSC in respect of the proposed Gambling Policy 2012 – 2017, which forms part of the Council’s Budget and Policy Framework, be presented to the Mayor in Cabinet [13 March 2013] to inform his decision making on this item of business.

Action by:

Andy Bamber (Service Head Safer Communities, CLC)

7.2 Asset Management and Value for Money Scrutiny Review

Adam Walther, Strategy Policy and Performance Officer, introduced and highlighted key points in the report, which provided a progress update on implementation of the recommendations contained in the Scrutiny Review Working Group report “Asset Management and Value for Money Scrutiny Review” of May 2012. Ann Sutcliffe, Service Head Strategic Property, Abdul J Khan, Sustainable Development Manager, and Katie Gent, Environmental Sustainability Officer, were also in attendance for this item.

A discussion followed which focused on clarification being sought and given on the following points:-

- Whether all surplus Council buildings were classed as ‘community assets’, whether the community could bid for these if declared surplus, and the number of lets to community groups since buildings had been declared surplus or the number of surplus buildings classed as a community building and available to let. Rights under the Community Right to Buy element of the Localism Act and consideration that there was a need for improved clarity of policy around this. No community assets had been declared surplus, **a list of bids to be provided in writing**. The provisions of the Localism Act were currently being

worked through and Community Right to Buy bids received to date had been supported by the Council.

- Given complaints from community groups previously in relation to the transparency of the disposal of surplus buildings (examples of Old Poplar Town Hall and Limehouse Library what steps were being taken to ensure future transparency. Clarified: The disposal process agreed by Cabinet in 2010 was adhered to and Officers considered this to be robust and transparent. The examples cited were marketed by external agents and disposed for greater value than their initial valuation, thereby achieving value for money for the Council in accordance with 'Red Book Valuation'.
- What action was being taken to ensure surplus/ under-utilised buildings were made available for use by community groups, and that information on how to achieve this was transparent and readily available. How small niche community groups could be supported by the Council with prohibitive hire fees. Also what measures were in place to ensure that, where it was not beneficial for the Council to repair or refurbish derelict buildings but demolition was not appropriate because of their historical value, that the buildings did not remain derelict for lengthy periods but were put back to use. Clarified that work was underway to map Council buildings tagged for community use in conjunction with partners with a view to consolidating use of assets and thereby releasing some. A more flexible lease structure for such groups would also be examined to facilitate self-sufficiency.
- Given the need to work with developers to upgrade assets and the move to a Corporate Landlord Model, with the next step of closer control of work undertaken on behalf of the Council, what steps were being taken to ensure that the health and environmental impacts of development and development materials were taken full account of through the Council's procurement process. Was a Corporate statement on usage of sustainable and safe materials needed. Clarified that other assessment processes on environmental impact and procurement were available to take forward, but the focus was currently on energy and carbon. Cabinet had recently included sustainably produced timber in its policy requirements. Consideration that it would be a positive step to build on this with other health and environmental elements.

The Chair **Moved** and it was:-

Resolved

1. The contents of the report be noted
2. That Members comments be noted; that it be agreed that further scrutiny on this issue is not appropriate at this point, but that Officers should continue to monitor progress against the original scrutiny review recommendations.

Action by:

Adam Walther (Strategy Policy & Performance Officer, Strategy Policy & Performance, CE's)

7.3 Strategic Performance and Corporate Revenue and Capital Budget Monitoring Q3 2012/13

Councillor Alibor Choudhury, Cabinet Member for Resources, introduced, and highlighted key points, in the monitoring report which detailed the financial position of the Council at the end of Quarter 3 2012/13 compared to budget, and service performance against targets. Chris Holme, Acting Corporate Director Resources, and Louise Russell, Service Head Corporate Strategy and Equalities, were also in attendance for this item.

A discussion followed which focused on clarification being sought and given on the following points:-

- The reported reduction of income by £1 million due to reduced Housing Benefit subsidy as a result of new systems at the DWP. Clarification, and what steps the council was taking to ensure it was not picking up the bill for DWP efficiency: Changes to DWP computer system had resulted in a more efficient 'real time' assessment of those entitled to benefit, including those coming out of benefit. In the past there had been a short time lag and local councils had been entitled to retain a proportion of the benefit subsidy for that period. All local council's had budgeted for this and were similarly affected.
- What the impact of the 'real time' DWP assessment system was on HB claimant [Reduced income]. Whether the Council was being forced to penalise HB claimants due to out of date DWP records and the lost benefit would not be reimbursed by the DWP as previously discussed.
Written response to be provided on latter.
- The reported underspend of £518k in Children, Schools and Families and whether this would be reinvested in the directorate or used to offset other overspends/ reduced income. The first responsibility was to balance the budget by offsetting overspends with underspends, however any additional resource beyond that was transferred to reserves for a future decision on usage.
- The reported identification of performance for "Crime – rate of violence with injury" as a risk, and in particular the rise in Domestic Violence (DV) which was attributed to changes in the method of recording not levels of occurrence. Concern was expressed that the same explanation had been given the previous year and if the crime rate in this area had risen again there must be more/new incidents of DV.
Written response to be provided.
- The reference to a provisional figure of 34% of carers receiving a care assessment or review with finalised data available in February 2013.
Finalised data to be provided.
- Noting the dip in performance for "Homelessness prevention through casework intervention" based on Q2 performance and the reference to

Q3 outturn being available in late February, Q3 data to be provided with a more detailed analysis of performance and casework.

- With reference to the reported reduction of 529 in JSA claimants from December 2011 to December 2012 what the impact of this was on employment rates. The overall employment rate was reported as 62% but **more specific detail to be provided in writing.**
- **Further information requested on Tower Hamlets Work Programme outcomes:** more detailed DWP information including numbers securing employment.
- Noting the reported underspend for all capital schemes of £31.6 million, and the reported allocation of £25 million of this for the Poplar Baths/ Dame Colet House schemes what comprised the remaining £6.6 million. The main reason for the underspend was £30 million being set aside in 2011 for prudential borrowing for General Fund schemes over the 3 years to 2014 including Poplar Baths. Noting the Officer response that on the annual 2012/13 Capital Budget of £181.5 million projected expenditure of £160 million resulted in a variance or slippage of £21.5 million, **a chart was requested detailing what the what the unallocated set aside and new slippage was to be applied to.**
- Noting the reported net expenditure for Communications/ East End Life of £321k and the associated narrative of a risk with the achievement of the Communications income target being managed within the overall budget, what mitigating action was planned to balance the budget. Also what action the Executive was proposing to implement changes to the Communications Budget approved at Budget Council on 7th March 2013. **To be discussed at a future OSC meeting.**

The Chair **Moved** and it was:-

Resolved

1. That Quarter 3 performance for 2012/13 be noted; and
2. That the Council's financial position as detailed in sections 3 and 4 and Appendices 1-4 of the report, be noted.

Action by:

Chris Holme, Acting Corporate Director Resources

Louise Russell, Service Head Corporate Strategy and Equalities

7.4 Faith Buildings Support Scheme - Verbal Report

Councillor Alibor Choudhury, Cabinet Member for Resources, gave a short oral report which provide an overview of the Community Faith Buildings Support Scheme ('the Scheme') and highlighted related key points including: the nature/ objectives of the scheme, process/ timescales, criteria and assessment/ decision making process for grant funding under the scheme,

and progress to date. Dave Clark, Acting Service Head Resources – Development and Renewal, was also in attendance for this item.

A discussion followed which focused on the following points:-

- Dr Rice, Church of England Diocese Representative, whilst welcoming the direction of travel for Round 1 of the Scheme, sought clarification as to lessons learned for Round 2, and relayed concern expressed in the faith community regarding governance of the scheme and historic/ heritage aspects to it. Historic or heritage endowed buildings resulted in a slower application process due to the number of specialists and commissions involved, and there was a perception that the timeline for the scheme was too rushed to accommodate this, and as a result faith organisations such as the Church of England who had a lot of such buildings felt disadvantaged. Councillor Choudhury, Cabinet Member for Resources, responded that the scheme was not rushed but reflected consideration given so that it delivered for all. The Scheme comprised of 2 rounds and different streams and the bidding round for Type B applications, which were those of greater complexity or cost (£75-300k) had been delayed to accommodate such concerns. The Council had endeavoured to accommodate the administrative process for all faiths. Officers added that the Type C application stream aimed to support those organisations needing to obtain specialist advice and prepare complex detailed proposals for capital costs. Type A and C applications were well subscribed to by churches.
- Clarification sought and given as to the timeline for decisions on Round 1 applications for FBSS grant [March/ April 2013]. Consideration also that once the decisions had been made it would be helpful to see a list of applications and an analysis of the amounts given by faith group, community group and geographical location. **An anonymised analysis of type A and C applications to be provided.**
- Concern expressed regarding the transparency of the information around the Scheme and the steps taken to publicise it. Clarification sought and given as to where information about the scheme could be accessed. Consideration that transparency regarding the scoring of Round 1 applications would be beneficial for all in Round 2. There had been a scheme launch and feature in East End Life and details had been communicated to 800 stakeholders through the “GIFTS” system. The narrative/ process were on the Council website with the Third Sector Team available to respond to queries.
- In the context of a further £1 million of funding being allocated to the Scheme within the Council’s recently agreed 2013/14 Budget, clarification sought on Scheme timescales and funding criteria (the requirements for refurbishment and community service delivery associated with grant). Eligibility criteria were set out in the Cabinet report approving the Scheme and had been circulated with application forms.
- Consideration that there were perceptions in the community regarding the transparency and fairness of the Scheme, relayed by a community representative at this meeting, raised at the Inter-Faith Forum, and relayed to Members by constituents; and there was therefore an onus

on Councillor Choudhury to address this. Councillor Choudhury responded that the Inter-Faith Forum and its Chair had been consulted on the process and associated information, however he was happy for transparent information to be provided; and it was agreed in this context that the Council meet with those organisations including faith groups who had questions and concerns.

The Chair **Moved** and it was:-

Resolved

The update on the Faith Buildings Support Scheme be noted.

Action by:

Dave Clark, Acting Corporate Director Resources Development and Renewal

8. PRE-DECISION SCRUTINY OF SECTION ONE (UNRESTRICTED CABINET PAPERS)

No pre-decision questions submitted to the Mayor in Cabinet [13 March 2013].

VERBAL UPDATES FROM SCRUTINY LEADS

Scrutiny Review - Post-16 attainment

Cllr Whitelock

- 2 review group meetings held:
 - Useful meeting on post 16 attainment stats compared to the national average and other local authorities and the underlying reasons for poor performance compared to GCSE.
 - Meeting on the academic choices made by young people and current practice at Camden and Hackney. Initial finding emerging that independent advice be provided in school but not necessarily by teachers and parents engaged early and well before the point of GSCE.
- A site visit to engage with students and headteachers, a focus group with young people, and a concluding session to distil recommendations were yet to be held.

Scrutiny - Chief Executive's

Cllr Archer

Noting savings for East End Life contained in the 2013/14 Budget, recently set by full Council, consideration that a meeting with Officers was required to ensure OSC had oversight of intended measures to implement the savings and monitor progress. **Sarah Barr, Senior SPP Officer to action.**

Scrutiny Review - Removing the barriers to youth and graduate employment-

Cllr Jackson

- A meeting had been held with all stakeholders that contributed to a young person's plan to secure education/ employment. A finding emerging throughout the review was that much activity was focused on the objective, but partner working was not joined up and communication with young people needed improvement.
- A visit to Skills Match was still intended to inform recommendations. The support for 'looked after' children leaving school would be reviewed as it appeared funding had been reduced and the Council's performance was slipping.

The Chair **Moved** and it was:-

Resolved

That the verbal updates be noted.

9. ANY OTHER SECTION ONE (UNRESTRICTED) BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

None.

10. EXCLUSION OF THE PRESS AND PUBLIC

The Chair **Moved** and it was: -

Resolved:

That in accordance with the provisions of Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, the press and public be excluded from the remainder of the meeting for the consideration of the Section Two business on the grounds that it contained information defined as exempt or confidential in Part 1 of Schedule 12A to the Local Government, Act 1972.

SUMMARY OF EXEMPT PROCEEDINGS

11. EXEMPT/ CONFIDENTIAL MINUTES

Minutes of ordinary OSC 5th February 2013 approved.

12. SECTION TWO REPORTS 'CALLED IN'

Nil items

13. PRE-DECISION SCRUTINY OF SECTION TWO (RESTRICTED) CABINET PAPERS

Nil items.

14. ANY OTHER SECTION TWO (RESTRICTED) BUSINESS THAT THE CHAIR CONSIDERS URGENT

Nil items.

The meeting ended at 8.40 p.m.

Chair, Councillor Ann Jackson
Overview & Scrutiny Committee

Agenda Item 6.2

Committee	Date	Classification	Report No.	Agenda Item No.
General Purposes Committee	27 March 2013	Unrestricted		
Overview and Scrutiny Committee	9 April 2013			
Report of: Returning Officer/Electoral Registration Officer		Title: Electoral Matters Update		
Originating Officer(s): Louise Stamp, Electoral Services Manager/John Williams, Service Head, Democratic Services		Ward(s) affected: All		

1. SUMMARY

- 1.1 The General Purposes Committee has responsibility on behalf of the Council to exercise certain powers in relation to the holding of elections and the maintenance of the electoral register.
- 1.2 The Overview and Scrutiny Committee has previously discussed matters relating to the electoral canvass and Members have sought information about the arrangements in place to ensure the integrity of the registration and elections processes.
- 1.3 This report provides for Members' information an update on various matters concerning electoral registration and the conduct of elections including:-
 - The Council's current and proposed arrangements to ensure integrity of the electoral registration and elections process;
 - The Electoral Commission's recent assessment that Tower Hamlets' systems and procedures are robust and assessed as 'above standard' on all of the ERO performance standards;
 - The outcome of Police investigations into a number of allegations of fraud during the GLA elections and Council by-elections in 2012, that in almost all cases no evidence was found to substantiate any allegation that offences were committed; and
 - The introduction of Individual Electoral Registration and the Council's participation, at the Cabinet Office's invitation, in data matching pilots.

2. RECOMMENDATIONS

- 2.1 That the report be noted

3. ROLES AND RESPONSIBILITIES

- 3.1 The Electoral Registration Officer is responsible for compiling and maintaining the register of electors, which contains an entry for everyone who has registered to vote and their eligibility to vote. The Electoral Registration Officer's responsibilities also include registering applications to vote by post or proxy and applications from people who wish to register to vote anonymously.
- 3.2 The Returning Officer is responsible for the management of an election for local elections. For local council referendums, council tax referendums or mayoral referendums, the Returning Officer becomes the Counting Officer. The Acting Returning Officer has this responsibility for a UK Parliamentary election.

4. BACKGROUND

- 4.1 The Electoral Commission reports that occurrences of electoral malpractice are relatively rare; however, allegations often attract considerable media attention and can undermine confidence in the electoral process.
- 4.2 The Electoral Commission/ACPO 'Guidance on Preventing and Detecting Electoral Malpractice' (February 2013) states that "the risk of actual electoral malpractice may be greater where:
- There is a greater opportunity to influence the outcome of an election;
 - There is likely to be a close contest; and
 - There is a community with limited language or literacy skills who may be more vulnerable to deception or less likely to realise that their vote has been stolen" (para 1.14).
- 4.3 Every police force has designated a Single Point of Contact (known as a SPOC) to lead on election-related crime and who will give advice to local police officers. The police will investigate any allegation until, following consultation with the Special Crime Division of the Crown Prosecution Service (CPS), either they are satisfied that no further action is necessary, or they forward the file to the Special Crime Division of the CPS with a view to prosecution.
- 4.4 The Electoral Commission provide guidance and resources to Returning Officers, electoral administrators, candidates, agents, postal workers and the police to help uphold and improve the integrity of the electoral process.
- 4.5 The Electoral Administration Act 2006 (EAA) introduced new/amended previous offences and introduced new safeguards and duties on Electoral Registration Officers and Returning Officers to carry out specific checks.
- 4.6 Investigation of allegations requires significant investment of resources from electoral services staff, the Electoral Commission and the police to gather

information and evidence. There is an enormous amount of effort put into investigating each of the allegations which are often unsubstantiated. Nevertheless the Returning Officer will investigate local registration issues where necessary and any allegations of malpractice will be referred to the relevant authorities.

5. ELECTORAL REGISTRATION: SPECIAL PROCEDURES TO ENSURE INTEGRITY

- 5.1 The Council has procedures in place to ensure integrity of the registration and election processes.
- 5.2 Prior to the 2012 elections, Council officers met with the Electoral Commission and the Deputy Greater London Returning Officer to go through the integrity of our registration system. Both parties condoned our work stating:- "Tower Hamlets addressed the concerns and put into place procedures to ensure that any potential issues were identified at an early stage".
- 5.3 The procedures adopted by Tower Hamlets have been widely shared with other Boroughs within London and elsewhere and become a model of good practice with electoral practitioners. The procedures for compiling the register are undertaken within the legal framework and the extra initiatives as below introduced to ensure an accuracy of the register:-

Special Procedures

- 5.4 All Electoral Services staff are required to attend regular training/briefing sessions to ensure they are up-to-date with the latest regulations. They receive updates on detecting electoral fraud. Polling station staff will be briefed on the electoral offences, including detecting personation and other polling offences.
- 5.5 Electoral staff work regularly with the local police force to receive intelligence information leading up to an election and pass on information about allegations of electoral fraud during the election timetable.
- 5.6 In relation to any application for inclusion on the electoral register, Electoral Registration Officers are entitled to ask for further information/evidence. In addition, an elector registered in the area of the local authority may make an objection to a person's registration, either before or after that person has been added to the register. Objections can be made at any time both to applications for registration and to entries already on the register, which are then considered in accordance with a set procedure.

5.7 In addition to all of the above a number of special procedures are also in place to assist:-

1. Absent voters

Prior to an election a report is run to ensure multiple absent votes are not going to the same address. The same procedure is adopted for proxy voters. Proxy voters must be registered local government or parliamentary electors.

2. Postal Votes

- a) All postal voters receive a letter acknowledging receipt of their postal vote application. If they call us and confirm in writing that they have not applied for postal vote then the postal vote will be removed.
- b) Just before the election postal poll cards are sent out to confirm again that the individual is registered as a postal voter for a particular election.
- c) Electoral Service include information for postal voters with their ballot pack reminding them of the secrecy of their vote and that they must not hand their ballot papers to anyone but must post it in the envelope provided or deliver to a polling station if they did not post it in time.
- d) Before the election, Electoral Services check all addresses with more than six residents which has resulted in deletions of names where people have moved on. This is particularly addressed to houses in multiple occupation, often with students who are transient.

3. Candidates

The Returning Officer writes to all candidates prior to the election reminding them of the secrecy provisions and election offences. They are asked to ensure that their agents and volunteers are equally familiar of the criminal offence to interfere with the electoral process. All electoral offences are reported to our police SPOC to follow up as only the police have investigatory powers.

4. Partnership work

The ERO will report any major allegations of electoral malpractice to the Police. Arrangements are put in place early to identify contact with the local SPOC and other lead contacts at the time of an election. The SPOC is required to attend meetings with the RO, candidates and agents prior to an election.

5. Registration Forms

Prior to an election all registration forms received up to the 11-day registration deadline are checked against other council records for validation. If the entry

cannot be verified, a letter requesting further documentary evidence is sent to the resident. Additional house to house checks are made during this period.

6. Fraud Logging

Any suspicious registration applications follow a strict procedure. Each name and address is logged on a spreadsheet and brought to the attention of the manager who will follow up if required. Any applications that are suspected of fraud are referred to the Police.

6. **ELECTIONS – INTEGRITY PROCEDURES**

6.1 Procedures are also in place to promote integrity of processes at election time as follows:-

1. Election agents meeting called early before Notice of Election
2. All nomination papers are presented and informally checked by an appointed Deputy Returning Officer. All candidates and agents are advised to send copies of their nominations prior to official presentation to ensure that any problems can be discussed.
3. All election agents are directed to the Electoral Commission's Code of Conduct on political party handling of postal vote applications and completed postal voting packs.
4. The training pack for polling station staff includes a section on electoral fraud and their briefing sessions include guidance on electoral fraud matters.
5. All presiding officers are provided with a logbook in which they are requested to include the details of any incident which could amount to electoral fraud.
6. Prior to the issue of postal votes, reports are produced which would detect any absent vote anomaly. The threshold is two for postal votes at an away address and the limitations on standing as a proxy are also investigated and if necessary followed up at this stage.
7. Personal visits are made to multi-occupied properties to confirm residency and update the register.
8. All the security checks enabled by new Regulations have been implemented. Any existing postal voters who request that their postal vote be re-directed are informed that, where a reason has not been provided, the application cannot be processed.
9. All postal voters who request a re-issue of their postal vote pack are advised to follow a formal process, which includes a signature. This

process is supervised by senior election staff.

10. All postal vote applications are scanned and processed into the electoral management system under the supervision of the Deputy Returning Officer. At the time of an election, 100% of Postal Voting Statements are scanned and verified to ensure the signature and date of birth matches the original application. Spreadsheet analysis is kept of decisions made and reasons for rejection.
11. Opening sessions observed by opening agents, candidates, Electoral Commission (EC) and EC Observers.
12. Statistics on postal votes and turnout at polling stations is sent to all agents post election.
13. Feedback sought on election process from Police, Agents and PO's.
14. Post election reviews take place with the Returning Officer.

7. BUILDING ON GOOD PRACTICE

- 7.1 The Council is thus well equipped to ensure integrity of the electoral register and election processes. However there can be no complacency and a range of further initiatives are planned to build on good practice in this important area. The proposals are designed to address concerns identified during the investigation of the previous allegations, for example about campaigning activities in certain wards, particularly relating to applications for postal votes and the completion of postal ballot packs; and the impact of campaigners assisting electors to complete postal or proxy vote application forms.
- 7.2 There are also concerns about campaigners using out-of-date registers and postal vote lists. A majority of the allegations in 2012 were in relation to register inaccuracies. A transient population and properties with multiple residents who have names in common each present particular issues in relation to maintaining an up-to-date register.
- 7.3 The previous code of conduct for campaigners did not address potential issues around campaign activities outside polling stations. An updated code is now available and inviting all candidates to agree to a local code would help to improve further coverage beyond candidates standing on behalf of the larger parties in trying to control the actions of all volunteers.
- 7.4 All applications received after the cut-off date for rolling registration up to the 11 day registration deadline are subject to additional checks and where necessary require further information/evidence. It is essential that adequate resources are available for this work.
- 7.5 The following actions are therefore proposed to strengthen even further the good practice described in this report:-

- a) Review of local practices to support future work with police forces, and the Electoral Commission, including more accurate reporting of cases and allegations.
- b) A specific point of entry for allegations with a system of triage to record and respond to within a specified timescale or refer on to the police for investigation.
- c) Early contact with the police and local SPOC – from November 2013.
- d) Prepare a local protocol agreed by the Police and the Electoral Commission to be sent out to all parties for approval, early meetings to be held with parties and regular contact subsequently.
- e) The agreed protocol will be implemented effective for the next European, Mayoral and Local Government elections scheduled for May 2014.
- f) Candidate and Agent briefings to include local arrangements
- g) On request Councillors receive their full ward register and monthly updates. Following publication of the new electoral register (on 17th February 2014), all councillors and candidates to receive monthly updates of relevant sections of the register whether or not specifically requested to ensure they are using up to date information.

8. ELECTORAL COMMISSION ASSESSMENT OF PERFORMANCE

- 8.1 On 31 May 2012 the Electoral Commission issued a direction to report under Section 9B(1) of the Political Parties, Elections and Referendums Act 2000, requiring an assessment of the Council's performance against the performance standards for Electoral Registration Officers.
- 8.2 The Commission has now confirmed the final assessments of performance to be published in their report in May 2013, as follows:-

	Performance standard	Assessment against standard
Completeness and accuracy of electoral registration records	1 Using information sources to verify entries on the register of electors and identify potential new electors	ABOVE
	2 Maintaining the property database	ABOVE
	3 House to house enquiries	ABOVE

Integrity	4 Maintaining the integrity of registration and absent vote applications	ABOVE
	5 Supply and security of the register and absent voter lists	ABOVE
Participation	6 Public awareness strategy	ABOVE
	7 Working with partners	ABOVE
	8 Accessibility and communication of information	ABOVE
Planning and organisation	9 Planning for rolling registration and annual canvass	ABOVE
	10 Training	ABOVE

8.3 The Council has therefore achieved 'above standard' assessments in relation to all of the standards – the highest assessment possible.

9. 2012 ELECTIONS IN TOWER HAMLETS: ALLEGATIONS OF ELECTORAL FRAUD AND VOTING REGISTER INACCURACIES

9.1 Before every election, electoral services recruit experienced canvassers to conduct personal visits to properties in the borough with more than six residents. We have set questions to check with the householder and where appropriate, the register is updated.

9.2 During the timetable for the Spitalfields by-election, held on 19 April 2012 and the GLA/Weavers elections, held on 3 May 2012, a total of 2,021 new electors were added to the register and 2,760 electors removed. All forms were checked against other council records for validity.

9.3 Also during the election period, a large number of allegations of register inaccuracies and electoral malpractice were reported to the electoral services office, the police, the Electoral Commission and the Media. Before the personal visits checks were conducted, the Evening Standard made allegations and published them before any verification of the addresses had taken place.

9.4 Tower Hamlets' experience is that despite the allegations and media reports suggesting the contrary, evidence of actual electoral fraud is very rare. In this case the media reports of alleged electoral malpractice were not generally based on fact or sound evidence.

9.5 Nevertheless, all of the allegations received were referred to the Police for investigation. This investigation is now complete and in all but three of 60 cases, no evidence was found to substantiate any allegation that an offence

had been committed. In those three cases, no suspect was identified. A summary of the police findings is attached at Appendix A and the full police report identifying the outcome of the 60 allegations and inaccuracies recorded by the police is available for reference at Appendix B in the restricted part of the meeting.

10. INDIVIDUAL ELECTORAL REGISTRATION (IER) AND DATA MATCHING PILOTS

- 10.1 The Government announced on 15 September 2010 that it plans to speed up the implementation of Individual Electoral Registration (IER) so that it comes into force in 2014 rather than after the next general election as the previous Government proposed.
- 10.2 Currently IER will be a requirement for any new registrations and all absent voting applications from 2014. The autumn 2013 canvass will be delayed to enable a later publication date for the register of electors – this will be published on 17th February 2014 rather than on 1st December 2013, in order to ensure a shorter gap between publication and write-out and that the register is as complete and accurate as possible.
- 10.3 In 2011 the Cabinet Office took forward 22 data matching pilot schemes in partnership with participating EROs to see if Government databases can be used to improve the accuracy and completeness of the electoral register. The purpose of this was to identify missing individuals and give EROs the opportunity to invite them to apply to register, and also to identify potentially inaccurate entries.
- 10.4 Tower Hamlets was approached by the Cabinet Office to participate in the data matching pilot due to the borough's transient population. The register of electors was matched against DWP records to identify the match rate that could be achieved. The aim was to improve completeness and accuracy of the register and identify potential fraud.
- 10.5 Those pilots showed that data matching could, in those areas trialled, be used to confirm an average of two-thirds of electors. Based on this finding, the proposal to use automatic 'confirmation' of existing electors was adopted. However, following the full evaluation of the pilots, it was decided that a full test of this proposed process should be carried out in 2012.
- 10.6 In 2012, Tower Hamlets undertook a further data matching pilot to see how far the schemes achieved the purpose of assisting the local registration officer to meet their objective (i.e. that people entitled to be on their register are on it; people not entitled are not on it; and that information about people who are on the register is correct).
- 10.7 The 2012 Pilots matched the registers with DWP records to test the 'confirmation' process at two points in time; before the annual canvass and afterwards. The results from this pre-canvass match are broadly in line with

the results from 2011, which tends to support the initial conclusions from last year.

- 10.8 The 2011 and 2012 pilots in Tower Hamlets resulted in an initial match rate of 55%. Post canvass 2012 match rate went up slightly to 60%. These match rates allow us to prepare for amount of changes required for the introduction of IER in 2014.
- 10.9 A new set of pilots in 2013 will take on board lessons learnt from the previous schemes, to conclude whether or not data matching is a tool that could assist in ensuring that the registers remain as complete and accurate as possible, both during the transition to IER in 2014/15, and on an ongoing basis.
- 10.10 In 2013, the pilot schemes will target specific under-registered groups: attainers, home movers and students. Tower Hamlets will pilot data mining and will be provided with relevant data from the following departments: Department for Work & Pensions, Department for Education, Higher Education Funding Council for England, Her Majesty's Revenue & Customs, Student Loans Company and Royal Mail.

11. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 11.1 There are no direct financial implications arising from this report. Grant allocations will be made in March 2013 by the Cabinet Office for the first year of transitional activity in relation to the additional costs of Individual Electoral Registration.

12. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 12.1 The Electoral Registration and elections processes are conducted in accordance with relevant legislation including the Representation of the People Acts, Political Parties, Elections and Referendums Act 2000 and Electoral Administration Act 2006.

13. IMPLICATIONS FOR ONE TOWER HAMLETS

- 13.1 The aim of the report is to secure electoral equality across all wards of the borough ensuring that elections and referendums are conducted in a fair and transparent manner in accordance with the law.

14. RISK MANAGEMENT IMPLICATIONS

- 14.1 The arrangements described in this report and the proposals for future measures are designed to minimise the risk of fraudulent activity in relation to the electoral registration and elections processes.

15. STRATEGIC ACTION FOR A GREENER ENVIRONMENT (SAGE)

- 15.1 There are no direct SAGE implications arising from the matters covered in this report.

16. IMPLICATIONS FOR THE REDUCTION OF CRIME AND DISORDER

- 16.1 The arrangements described in this report and the proposals for future measures are designed to reduce the risk of criminal activity in relation to the electoral registration and elections processes

17. APPENDICES

- 17.1 There are two appendices to this report. Appendix B is restricted as it contains exempt or confidential information as described in Part 1 of Schedule 12a to the Local Government Act 1972. The two appendices are as follows:-

Appendix A – Summary of police findings in relation to allegations of Electoral Fraud and Voting Register inaccuracies in Tower Hamlets 2012 (attached)

Appendix B – Full Metropolitan Police report: Allegations of Electoral Fraud and Voting Register Inaccuracies in Tower Hamlets; Associated with the By-Elections on 19/04 and the GLA Elections in May 2012 (14.01.2013) (available to Members for reference only)

Appendix B (the Metropolitan Police report) is available to Members of the Committee for reference only. Copies will be available during part 2 of the meeting and will be collected at the end of the meeting. This is a sensitive matter for the police and the police document is classified as restricted. There are data protection issues, forensic information and other indications they do not wish to enter the wider public domain. The information in the report is provided on the explicit trust that it is for consumption only and is not to be disseminated further.

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

ERO Performance Standards Assessment
2012 – Email from Electoral Commission,
4 March 2013

Louise Stamp, 020 7364 3139,
Mulberry Place, E14 2BG

Cabinet Office/Electoral Commission
circular re: Individual Electoral Registration,

03/2013.

APPENDIX A

Summary of Metropolitan Police report findings into allegations of Electoral Fraud and Voting Register inaccuracies

Case	Summary of allegation	Outcome following investigation
1	Occupant had voted as a convicted prisoner	No offences committed
2	Fraudulent postal vote cast	Alleged vote was rejected so had no impact on the election
3	Two fraudulent postal votes submitted	No offences apparent
4	Two fraudulent postal votes submitted	Police cannot trace the former occupants
5	Alleged voter impersonation	Without continued assistance from the victim this cannot be progressed
6	Register potentially inaccurate	No offences apparent
7	Register potentially inaccurate	No offences apparent
8	Register potentially inaccurate	No offences apparent
9	Register potentially inaccurate	No offences apparent
10	Register potentially inaccurate	No offences apparent
11	Register potentially inaccurate	No offences apparent
12	Register potentially inaccurate	No offences apparent
13	Register potentially inaccurate	No offences apparent
14	Register potentially inaccurate	No offences apparent
15	Register potentially inaccurate	No offences apparent
16	Register potentially inaccurate	No postal votes cast - no offences apparent
17	Register potentially inaccurate	No offences apparent
18	Register potentially inaccurate	No offences apparent
19	Register potentially inaccurate	No one voted and no offences apparent
20	Duplicate register entries	No duplication - No offences apparent
21	Postal ballot packs being left in communal post boxes	No offences alleged

22	Register potentially inaccurate	No offences apparent
23	Duplicate register entries	No duplication - No offences apparent
24	Duplicate register entries	No duplication - No offences apparent
25	Resident did not request postal vote	Not postal voter - no offences apparent
26	Residents did not request postal votes	No postal voters - no offences apparent
27	Residents did not request postal votes	No postal voters - no offences apparent
28	Resident did not request postal vote	Not postal voter - no offences apparent
29	Register potentially inaccurate	No offences apparent
30	Unaware of voting by post	No offences alleged or apparent
31	Unaware of voting by post	No offence alleged
32	Register potentially inaccurate	No offences apparent
33	Residents at all addresses claim not to have received their postal pack	No offences apparent
34	Register potentially inaccurate	No Offences
35	Postal voter moved address	No offences apparent
36	Register potentially inaccurate	No offences apparent
37	Collection of postal votes	No offences apparent
38	Register potentially inaccurate	Nobody voted in the elections and no offences apparent
39	Register potentially inaccurate	No allegations of crime or offences apparent
40	Resident did not request postal vote	Not postal voter - no offences apparent
41	Register potentially inaccurate	No offences apparent

42	Residents did not request postal votes	Not postal voters - no offences apparent
43	Register potentially inaccurate	No offences apparent
44	Register potentially inaccurate	No offences apparent
45	Register potentially inaccurate	No offences apparent
46	Register potentially inaccurate	No offences apparent
47	Register potentially inaccurate	No offences apparent
48	Register potentially inaccurate	No offences apparent
49	Register potentially inaccurate	No offences apparent
50	Register potentially inaccurate	No offences apparent
51	Independent canvassers took away poll cards	Voted by post - no offences apparent
52	Alleged voting fraud	No offences apparent
53	Independent canvassers asked to check poll cards	No offences apparent
54	Register potentially inaccurate	No offences apparent
55	Resident did not request postal vote	Not postal voter - no offences apparent
56	Postal vote taken from address	Voted by post - no allegations of an offence
57	Register potentially inaccurate	No offences apparent
58	Resident moved - postal vote taken	No allegations made
59	Fraudulent postal vote cast	CPS investigation - no offences committed
60	Resident did not request postal vote	Both voted correctly at polling station

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Allegations of electoral fraud in Tower Hamlets in 2012

Report on the outcome of investigations

March 2013

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Summary

There were a number of reports of alleged electoral fraud during the months leading up to the May 2012 elections in London. These reports largely focussed on two wards of the London Borough of Tower Hamlets where local government by-elections were held in April and May 2012.

On 23 and 25 April 2012 the Electoral Commission received two sets of specific allegations of electoral fraud from local councillors from Tower Hamlets. We referred these allegations immediately to the Metropolitan Police Service (MPS) for investigation. Other cases of alleged electoral fraud were also reported directly to the MPS by local councillors.

The MPS has now confirmed that it has concluded investigations into each of the cases of alleged electoral fraud reported to it in relation to Tower Hamlets. This report sets out our analysis of the outcome of the MPS investigations into these allegations, highlights key issues relating to cases of electoral fraud in Tower Hamlets in 2012, and sets out our conclusions and recommendations for actions to improve integrity and confidence for future elections in Tower Hamlets.

Key findings

- The MPS recorded and investigated a total of 64 cases involving 154 separate allegations of electoral fraud in relation to elections in Tower Hamlets in April and May 2012.
- The MPS identified three cases involving five allegations where there was evidence to suggest that an offence may have been committed, but where there was insufficient evidence to prove an offence or identify a suspect.
- The MPS identified 13 cases involving 44 allegations of false registrations where the information held by the ERO was found to be accurate, and there was no evidence of any offences having been committed.
- The MPS identified 48 cases involving 105 allegations where there was no evidence that an offence appeared to have been committed.

Recommendations

Our analysis of the cases of alleged electoral fraud reported in Tower Hamlets in 2012 highlights the need for some significant changes in the approach to reporting and investigating allegations in future. These changes will require action from the ERO and RO in Tower Hamlets and also from the MPS, but

they will also need to be supported by commitments from political parties, candidates and campaigners.

Without taking steps now to begin rebuilding confidence and trust between the key participants in the election process, we are concerned that the May 2014 local elections will again be damaged by allegations of electoral fraud.

- The **Electoral Registration Officer and Returning Officer for Tower Hamlets** should immediately commence a review of all current electoral registration and election integrity processes to identify opportunities for further improvements to monitor potential electoral registration or voting fraud; to increase their capacity to respond to allegations of electoral fraud; and to improve transparency about their electoral integrity approach.
- The **MPS** should review its plans for policing elections in 2014 in conjunction with the ERO and RO for Tower Hamlets. It should ensure that the plans published by the ERO and RO reflect the specific role of the MPS in relation to both operational policing in the Borough during the pre-election period, and also in dealing with and investigating allegations of electoral fraud. Given the considerable public interest in allegations of electoral fraud, the MPS should also review its communication strategy for future elections to ensure there is an appropriate balance between informing individual complainants about the outcomes of investigations, and providing more general assurance that the police are responding to concerns about electoral fraud and thoroughly investigating allegations.
- **Elected representatives, political parties, candidates and campaigners in Tower Hamlets** should immediately make a clear public commitment to following the Electoral Commission's Code of conduct for campaigners, which sets out what is, and is not, considered acceptable behaviour at polling stations and in the community during the lead-up to polling day, and also recommends a process for raising and dealing with complaints or allegations about electoral fraud.
- **The Electoral Commission** will monitor closely the plans and approach of the ERO and RO in Tower Hamlets and the MPS during the 12 months leading up to the May 2014 elections, to ensure that what they propose will be an effective response to improve confidence in the integrity of future elections. We will review and comment on any plans published by the ERO and RO for Tower Hamlets, including actions agreed with the MPS, and will monitor progress towards delivering that plan.

If we are not satisfied that the right measures have been identified or implemented in response to the recommendations set out in this report, we will make clear what further actions need to be taken by the ERO, RO or by others. We will publish our first progress report on the actions taken by the ERO and RO for Tower Hamlets by the end of July 2013.

1 Background

1.1 There were a number of reports of alleged electoral fraud during the months leading up to the May 2012 elections in London. These reports largely focussed on two wards of the London Borough of Tower Hamlets where local government by-elections were held: polling day for the Spitalfields and Banglatown ward by-election was 19 April; polling day for the Weavers ward by-election was on 3 May, the same day as polling for the 2012 Mayor of London and Greater London Assembly elections. AppendixA provides details of the results of the two by-elections

1.2 During February and April 2012 a number of press articles and blogs were published referring to allegations of electoral fraud in Tower Hamlets. Although the specific details generally related to the local government elections, the allegations were often placed in the context of the May 2012 London Mayoral election. They included three articles containing specific allegations of electoral fraud, published by the London Evening Standard and the Daily Telegraph, but those making these allegations had not reported them directly to the police at that time.¹ Other reports, published by both local and national media between 26 April and polling day, contained non-specific references to allegations of electoral fraud.

1.3 On 23 and 25 April 2012 the Electoral Commission received two sets of specific allegations of electoral fraud from local councillors from Tower Hamlets. We referred these allegations immediately to the Metropolitan Police Service (MPS) for investigation. Other cases of alleged electoral fraud were also reported directly to the MPS by local councillors or political parties.

1.4 This report sets out our analysis of the outcome of the MPS investigations into these allegations, highlights key issues relating to cases of electoral fraud in Tower Hamlets in 2012, and sets out our conclusions and recommendations for actions to improve integrity and confidence for future elections in Tower Hamlets.

The law, roles and responsibilities for ensuring electoral integrity

1.5 The Representation of the People Act (RPA) 1983 sets out the broad framework for the administration of elections, and specifies a number of criminal offences relating to electoral malpractice.

¹21 February 2012: Evening Standard, *Voter fraud fears are exposed in run-up to election*; 21 April 2012: Telegraph, *Ken Livingstone's supporters accused of 'harvesting' postal ballot papers*; 23 April 2012: Telegraph, *Tower Hamlets: dead and incarcerated people vote*

Electoral Registration Officers

1.6 Electoral Registration Officers (EROs) are responsible for maintaining accurate and complete electoral registers for a specific local authority area. They are also required to provide information about changes to the electoral register and lists of postal and proxy voters to elected representatives, political parties and candidates. EROs are appointed by the local authority.

Returning Officers

1.7 Returning Officers (ROs) are responsible for administering the poll in their specific area. ROs are normally either the same person as the local authority ERO, or someone appointed by the ERO. ROs and EROs are not specifically responsible for investigating allegations of electoral fraud, but may be able to provide information to help confirm whether or not an offence may have been committed, and to refer the allegations to the police for investigation where appropriate.

Greater London Returning Officer

1.8 The Greater London Returning Officer is responsible for the administration and co-ordination of the Mayor of London and London Assembly elections. Like EROs and ROs, the GLRO is a statutory officer, and the role is currently carried out by an officer of the Greater London Authority.

The Metropolitan Police

1.9 Any allegations of electoral fraud made in relation to elections in London would be investigated by the Metropolitan Police. Anyone who has evidence that an offence may have been committed should report this to the police. Every police force in the UK has an officer who is responsible for dealing with allegations of electoral fraud.

The Electoral Commission

1.10 The Electoral Commission sets standards and provides guidance and training for EROs and ROs to prevent and detect electoral fraud. We also work closely with and regularly meet ROs and EROs, political parties, Royal Mail, the police and prosecutors to support electoral integrity. The Commission carries out checks to ensure that its standards are being met, and will provide extra scrutiny and support if not, particularly in areas where there has been a history of allegations of electoral fraud. The Commission also publishes reports on the administration of certain elections.

1.11 The Commission works with the UK's Associations of Chief Police Officers and the Crown Prosecution Service to provide regular training and guidance for police forces in preventing and detecting electoral fraud. We also provide support to the network of police force single point of contact officers, and publish data and analysis of cases of alleged electoral fraud recorded by the police each year.

1.12 The Commission is not responsible for investigating allegations of electoral fraud. Where a specific allegation is raised with us, we will refer it on to the relevant police force for further investigation.

Campaigners

1.13 Local campaigners, including elected representatives, candidates and political party activists, can play an important role in highlighting potentially inaccurate electoral registration records or identifying suspicions about possible electoral fraud. They are entitled to receive copies of electoral registers and lists of postal voters, which they can use to monitor the accuracy of registration information as well as supporting their campaign activities.

1.14 Campaigners who are concerned or think that electoral fraud may have taken place should raise the matter with their election agent or local party, or with the relevant Electoral Registration Officer or Returning Officer for the area. They may be able to explain whether or not an election-related crime has been committed, and refer it to the police if appropriate or provide details of the police contact for the relevant area so that campaigners can report their allegation directly.

Reporting on investigations into allegations of electoral fraud in Tower Hamlets in 2012

1.15 In our July 2012 report on the May 2012 elections in London we said that we would continue to track the cases of alleged electoral fraud in Tower Hamlets, and report on the outcome of cases once the police have concluded their investigations.

1.16 We have tracked the progress of investigations by the MPS into these allegations. This is our usual practice – each year we work with the Association of Chief Police Officers (ACPO) and the Police National Information and Coordination Centre (PNICC) to ensure a consistent and complete record of all cases of alleged electoral fraud reported to the police throughout the year. Each police force sends PNICC a monthly return detailing any cases of alleged electoral fraud, and the outcome of their investigations.

1.17 The MPS has now confirmed that it has concluded investigations into each of the cases of alleged electoral fraud reported to it in relation to Tower Hamlets. This report sets out information about the outcome of those investigations, and Appendix B provides summary information about each case.

1.18 We understand that the ERO and RO for Tower Hamlets has also prepared a report for members of the local authority on the outcome of allegations of electoral fraud from 2012.

Review of electoral fraud vulnerabilities in the UK

1.19 In October 2012 we began a comprehensive review of potential vulnerabilities within the current voting system and processes across the UK as a whole, which will aim to achieve consensus about the best balance between ensuring the integrity and the accessibility of electoral processes.

1.20 Our review will consider whether any changes to legislation or practice are needed to ensure confidence in the integrity of elections in the UK. We have previously recommended changes to improve the integrity of elections, including introducing individual electoral registration in Great Britain and new personal identifier checks on postal vote applications and returned postal ballot packs which were introduced in 2006. We have also recommended since 2010 that the UK Government should consider the case for requiring electors voting in person at polling stations to provide some form of photographic ID.

1.21 We intend to publish the conclusions and recommendations from this review in time for legislation to be brought forward during the current UK Parliament if necessary. We also intend to publish in May 2013 comprehensive information about all cases of alleged electoral fraud reported to UK police forces during 2012, based on the data collected by ACPO and PNICC.

2 Cases of alleged electoral fraud in Tower Hamlets in 2012

2.1 The MPS has now confirmed that it has concluded investigations into each of the cases of alleged electoral fraud which were reported in relation to Tower Hamlets in 2012. Appendix B provides summary information about each case, agreed with the MPS and based on their monthly returns submitted through PNICC.

2.2 This section provides a summary analysis of the key issues relating to cases of electoral fraud in Tower Hamlets in 2012.

The MPS recorded and investigated a total of 64 cases involving 154 separate allegations of electoral fraud in relation to elections in Tower Hamlets in April and May 2012.

2.3 The overall number of cases recorded by the MPS in relation to the 2012 elections in Tower Hamlets was larger than the number recorded by any other UK police force during 2012. The next largest number of cases recorded by a single force in 2012 was 33, recorded by Cambridgeshire Police. While the MPS has recorded all specific concerns or allegations of fraud referred to it in the return submitted to PNICC, it is likely that many would not warrant recording as crimes because no offences were actually identified.

2.4 The type of cases recorded by the MPS in relation to the 2012 elections in Tower Hamlets was not typical of the pattern seen in other areas during 2012. Whereas approximately 40% of all cases of alleged electoral fraud recorded by forces overall related to campaign offences, no such cases were recorded in relation to Tower Hamlets.

2.5 Cases relating to alleged postal voting offences accounted for 30% of all cases in Tower Hamlets, compared with just over 11% of cases recorded by forces overall. Cases relating to alleged false or inaccurate electoral register entries accounted for 52% of cases in Tower Hamlets, compared with just over 18% of cases recorded by forces overall. Cases relating to alleged false applications to vote by post accounted for 19% of cases in Tower Hamlets, compared with just over 4% of cases recorded by forces overall.

2.6 The vast majority of cases of alleged electoral fraud investigated by the MPS were reported by local councillors from Tower Hamlets. Some individual allegations were duplicated between complaints from different councillors, and

the specific allegations referenced in the media in April 2012 were also included in the cases reported by councillors.

2.7 The total number of cases recorded by the MPS in relation to the 2012 elections in Tower Hamlets and reported to PNICC is slightly larger than the number referenced in the report prepared by the ERO and RO for Tower Hamlets. We understand that this is because of some differences in the recording methodology used for reporting to PNICC.

The MPS identified three cases involving five allegations where there was evidence to suggest that an offence may have been committed, but where there was insufficient evidence to prove an offence or identify a suspect.

2.8 These cases involved allegations that six postal votes had been cast by non-existent or fictitious electors. Investigation by the MPS did not identify potential suspects, and the MPS considered that submitting the returned postal ballot packs for forensic analysis would be unlikely to assist identification of suspects.

2.9 In one of these cases the residents of the property where two postal votes were alleged to have been sent to and returned from were visited by officers investigating the allegation. They denied that they had applied to vote by post but would not agree to assist further with the enquiry. While it was possible that an offence may have been committed, the MPS was unable to substantiate the allegations or identify any potential suspects.

2.10 In a second case, the property where two postal votes had been sent to and returned from contained individually rented rooms with a high turnover of residents. The personal identifiers provided on the postal voting statements which were returned with the ballot papers for the 19 April by-election did not match those held by the ERO on the original application to vote by post—the ballot papers were therefore not counted. While the MPS investigation confirmed that the two electors whose postal ballot packs were returned were no longer resident at the address, it was not able to identify any potential suspects.

2.11 In the third case, the property where two postal votes had been sent to and returned from was confirmed as empty by the MPS investigation. It was not possible, however, to identify any potential suspects.

The MPS identified 13 cases involving 44 allegations of false registrations where the information held by the ERO was found to be accurate, and there was no evidence of any offences having been committed.

2.12 In these cases investigation by the MPS involving visits to properties confirmed that complaints about the electoral register containing false or inaccurate entries were not correct, and that the electoral registration or postal vote information held by the ERO was in fact accurate.

2.13 In two cases those making these allegations appear to have been using electoral registers or lists of postal voters used for canvassing by campaigners that were not the most recent versions and were therefore inaccurate. In two further cases the MPS investigations required the use of an interpreter, and interviews with alleged victims using an interpreter contradicted the original allegations.

2.14 The MPS confirmed that they could find no evidence that offences had been committed in these cases.

The MPS identified 48 other cases involving 105 allegations where there was no evidence that an offence appeared to have been committed.

2.15 In these cases investigation by the MPS, involving visits to properties and interviews with residents, confirmed that the alleged offences had not taken place. These included cases where it was alleged that electors who were contacted at their homes by campaigners during the weeks before polling day for the May 2012 elections had claimed that they were not aware of having applied to vote by post; that electors' uncompleted postal ballot packs had been collected by rival campaigners; and that electoral register entries were either false or inaccurate.

2.16 In five of these cases the MPS investigations required the use of an interpreter, and interviews with alleged victims using an interpreter contradicted the original allegations. In 12 cases those making these allegations appear to have been using electoral registers or lists of postal voters (also used for canvassing by campaigners) that were not the most recent versions and therefore inaccurate.

2.17 In 16 of these cases, the MPS investigation indicated that electoral register entries appeared to be inaccurate. However, information provided by the RO for Tower Hamlets confirmed that no votes had been cast by or on behalf of the electors to whom these inaccurate entries related. Five cases related to addresses where subsequent enquiries established that the registered voters had moved out after completing the annual canvass form in autumn 2011 and prior to the 2012 elections.

2.18 The MPS found no evidence to support two specific cases referred to in a number of media reports involving allegations of a prisoner casting a vote and a vote being cast by a dead voter. Specific allegations were reported on 21 April 2012 that a prisoner on remand awaiting trial had cast a vote in the Spitalfields and Banglatown ward by-election on 19 April. The blog also alleged that another person who had voted in the by-election was said to have died before the election. These two allegations were repeatedly referenced in other reports published during April and May 2012, and were also referred to in one of the complaints submitted directly to the Electoral Commission.

2.19 Investigation by the MPS, which included liaison with the prison service, established that a previous resident at the address referred to in the blog was on remand awaiting trial. As this individual was no longer resident or

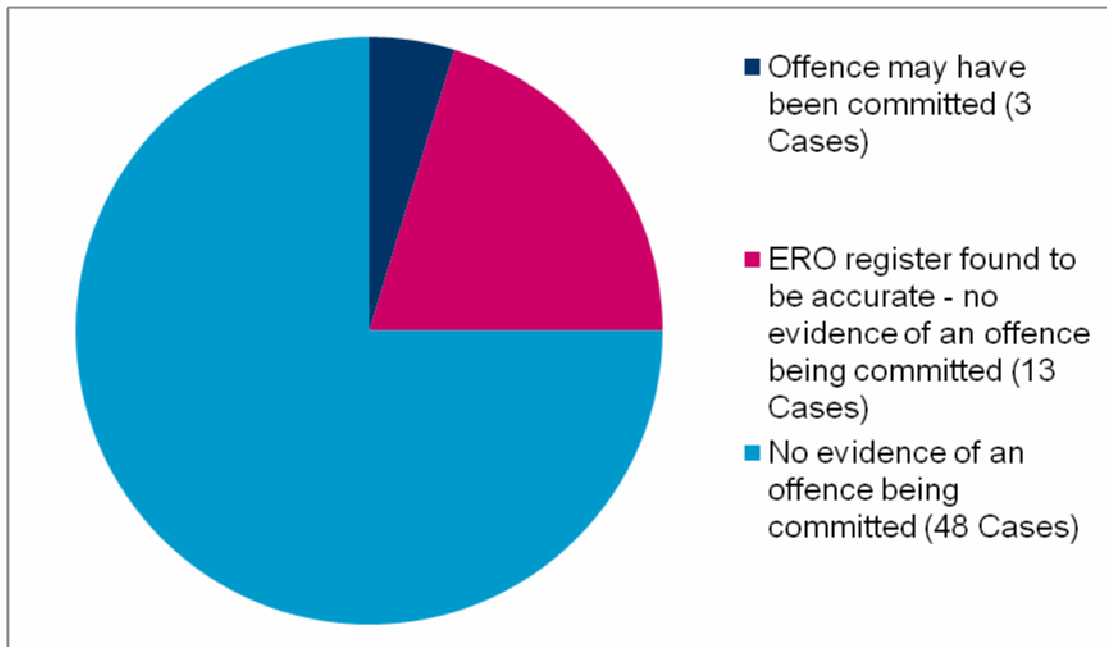
registered to vote in Tower Hamlets, no offence was found to have been committed.

2.20 Following interviews with the family of the voter said to have died before the election, the RO for Tower Hamlets found that the elector had gone abroad after having completed and returned his postal ballot, and had died while abroad. As such, no offence was found to have been committed.

2.21 The MPS confirmed that they could find no evidence that offences had been committed in either of these cases.

2.22 Chart 1 below shows the breakdown of outcomes for the 64 cases investigated by the MPS in relation to Tower Hamlets in 2012.

Chart 1: Breakdown of outcomes for cases of alleged electoral fraud in relation to Tower Hamlets in 2012



3 Key issues arising from our analysis

3.1 We have identified a number of relevant issues arising from our analysis of the MPS investigations into the cases of electoral fraud reported in relation to Tower Hamlets in 2012.

Scale of investigation into the allegations

3.2 Investigations into the 64 cases of alleged electoral fraud in Tower Hamlets in 2012 involved a significant commitment of resource from both the MPS and the staff of the ERO and RO for Tower Hamlets. Each allegation was investigated individually over a period of several months.

3.3 The investigations involved visiting more than 60 properties where offences were alleged to have been committed, and interviews with residents, victims and alleged suspects. Police also sought information from the ERO and RO for Tower Hamlets, and local agencies including housing associations, charities and the prison service. The ERO and RO for Tower Hamlets also carried out checks on local authority council tax records and conducted enquiries at addressees.

Scale of evidence of electoral fraud

3.4 Despite the large number of cases of alleged electoral fraud in Tower Hamlets which were reported to and investigated by the MPS, only a small number of allegations have been substantiated by evidence or statements by victims or witnesses. Investigations by the MPS and the ERO and RO for Tower Hamlets has identified no evidence to suggest that there was any large scale attempt to affect the outcome of any of the April and May 2012 elections in Tower Hamlets.

3.5 Nevertheless, it is important to recognise that the MPS did identify three cases where they thought electoral fraud may have taken place in relation to the April and May 2012 elections in Tower Hamlets. In those cases two legitimate electors may have been deprived of their right to vote, and close election results could have been subject to challenge.

3.6 It is also important to recognise that even one case of proven electoral fraud can damage confidence in the integrity of elections.

Allegations based on misunderstandings or out of date information

3.7 Many allegations investigated by the MPS in relation to the 2012 elections in Tower Hamlets may have resulted from misunderstandings in initial conversations between campaigners and individual electors, or from campaigners using out of date electoral registers and lists of postal voters to check the eligibility of electors.

3.8 In particular, some concerns about electors who it was alleged had been registered as postal voters without their knowledge arose from campaigners legitimately scrutinising the electoral register and absent voters list, but it was found that the versions of those lists that they used were out of date.

3.9 Elected representatives, candidates, registered political parties and local constituency parties can request copies of the current version of the absent voting record during the period leading up to the election, and are also entitled to receive copies of the final list to be used at a particular election. Mistaken allegations are less likely to be made if campaigners ensure they have requested the most up to date lists of postal voters from the ERO when they canvass properties. EROs could also take a more proactive approach to providing updated information to campaigners in order to avoid these kinds of misunderstandings in future. The ERO for Tower Hamlets would also have been able to provide information directly to campaigners to confirm or dismiss these allegations if concerns had first been raised with them.

Local demographic factors

3.10 The MPS investigation into the allegations made in Tower Hamlets has highlighted the challenges of maintaining complete and accurate electoral registers in an area which is densely populated with an often transient population. Census data indicates that Tower Hamlets is ranked 4th highest among local authorities in England and Wales for density of population (at 128.5 people per acre).² The borough is also ranked highly for population mobility, with estimates of nearly a quarter of residents changing address each year. Some properties in Tower Hamlets have a large number of residents who are legitimately registered to vote, which can lead to suspicions of fraudulent activity.

3.11 The nature of the population in Tower Hamlets also appears to have had an impact on allegations reported to the police in relation to the April and May 2102 elections. The borough has a very diverse population, including nearly a third of residents who are Bangladeshi. Some allegations appear to have resulted from conversations between campaigners and residents which were subsequently contradicted by the residents when interviewed by police investigators using interpreters. Other allegations that individuals had multiple entries in the electoral registration for the same address were investigated by the MPS, but were found to relate to different people who were each

² Based on 2011 census data.

individually eligible to be registered, who had identical first names and surnames but different middle names.

Responding to allegations

3.12 Elected representatives and the media were rightly concerned about allegations of electoral fraud in Tower Hamlets, and it was important to highlight the nature of those concerns where they were raised.

3.13 However, the MPS and the ERO and RO for Tower Hamlets were not always able to respond directly to allegations which were referenced in media articles but which had not been reported to them. Police forces require specific complaints to be made to be able to open formal investigations, and without substantiated allegations it may be difficult for those complaints to be fully investigated. Police forces are also reluctant to comment on on-going investigations once specific allegations have been made.

3.14 Similarly, the ERO and RO for Tower Hamlets attempted to provide information directly in response to specific allegations about inaccurate electoral registers or lists of postal voters, but in many cases this was only possible after the allegations had already been published. Specific concerns or allegations had not always been made directly to the ERO or RO at the time they were referenced in media articles.

3.15 We have recently issued a revised code of conduct for campaigners, which has been agreed with the political parties represented on the House of Commons Parliamentary Parties Panel.³ The revised code makes clear that campaigners who are concerned or think that electoral fraud may have taken place should first raise the matter with their election agent or local party, or with the relevant ERO or RO for the area. They may be able to explain whether or not an election-related crime has been committed, and refer it to the police if appropriate or provide details of the police contact for the relevant area so that campaigners can report their allegation.

Key relationships

3.16 We have observed and heard concerns about a breakdown in confidence and trust between some elected representatives and both the ERO and RO for Tower Hamlets and the MPS. We recognise that some of these tensions may have arisen from local political disagreements, but it is clear that these wider tensions also had an impact on the election campaign environment in April and May 2012.

3.17 This breakdown in trust appears to have intensified concerns about allegations of electoral fraud in Tower Hamlets, and limited the capacity of the

³ See Appendix C. Also available to download from the Electoral Commission's website at: http://www.electoralcommission.org.uk/data/assets/pdf_file/0006/154176/Code-of-conduct-campaigners-2013.pdf

ERO and RO and police to respond to allegations and provide reassurance about their approach to preventing and detecting electoral fraud.

4 Recommendations for improving trust and confidence in the integrity of elections in Tower Hamlets

4.1

Appendix A– Results of by-elections in Tower Hamlets April and May 2012

Spitalfields and Banglatown by-election, 19 April 2012

Kirsty BLAKE	Green Party	99 votes
Richard Alan MACMILLAN	Liberal Democrats	39 votes
Gulam ROBBANI	Independent	1,030 votes
Matthew James SMITH	Conservative Party	140 votes
Ala UDDIN	Labour Party	987 votes

Turnout 31.4%

Weavers ward by-election, 3 May 2012

Alan DUFFELL	Green Party	373 votes
Caroline June KERSWELL	Conservative Party	415 votes
Azizur RAHMAN	Liberal Democrats	208 votes
Abjol MIAH	Respect	1,260 votes
John Paul PIERCE	Labour Party	1,544 votes
Oli ROTHSCHILD	Independent	36 votes

Turnout 44.6%

Appendix B – Cases of electoral fraud recorded by the Metropolitan Police Service in relation to Tower Hamlets 2012

Case number ⁴	Category	Summary title and RPA 1983 reference	Outcome	Allegations	Election type	Metropolitan Police Service case summary
Case 05	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	Local government by-election	Alleges elector had voted although he was prison. A previous resident at the address was on remand but now lives in another borough and is no longer on the electoral register for Tower Hamlets. The elector did not vote. No offence.

⁴ Refers to the case number within the overall set of cases recorded by the Metropolitan Police Service across London and reported through the Police National Information Coordination Centre (PNICC). The numbering of cases in this table may not be consistent with other reports of cases in relation to Tower Hamlets. Cases 1 to 4 and cases 20 and 32, which are not shown in this table, relate to other London boroughs. Case 19 was a duplicate of case 18, and is therefore not shown in this table.

Case 06	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	Local government by-election	Alleges elector had died abroad during by-election yet had voted by post. The local authority checked with the family and found that the elector had gone abroad after having cast his postal vote and died whilst overseas. The vote is considered to be properly cast. No offence.
Case 07	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	Local government by-election	Alleges false application to vote by post as elector at property was not aware of being a postal voter. Police, through an interpreter, established that the elector had voted by post without any problems. No offence.
Case 08	Registration	13D (1A) False application (i) postal voting	No further action - undetectable	2	Local government by-election	Alleges occupant said that two electors, shown on register as postal voters, did not reside at property. Two postal votes were cast at by-election. The ballot papers were rejected but not suitable for forensic testing. Police called at the property and spoke to two occupants but were unable to identify a potential suspect. No further action - undetectable. No elector at the property voted in the GLA elections. Current occupants are ineligible foreign nationals.

Case 09	Registration	13D (1) False information	No further action - no offence	4	Local government by-election	Alleges four electors, registered to vote by post, do not reside at a property. This was confirmed by residents. The owners have moved out temporarily to care for sick relative but still regard the property as their main residence and vote by post. Referred to the CPS who assessed no offence had been committed on the evidence provided. The persons were entitled to vote from the address.
Case 10	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	2	Local government by-election	Alleges two people voted by post from property that appears empty. The empty property is indistinguishable from an adjoining block which has a different name. The two named electors live in the adjoining block where they are registered. Possibly an administrative error. No offence.

Case 11	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - undetected	2	Local government by-election	Alleges postal votes were cast by two people who appear on the register as living at an empty property. Police confirmed that the property appeared empty and two votes were cast. The investigation concluded that the inclusion of these names on the register may be due to an administrative error. The names have been removed from the register. No further action - undetectable.
Case 12	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - undetected	1	Local government by-election	Alleges the two electors named on the register as postal voters were not resident at the property. Council pre-printed 2011 canvass forms were signed and returned. Both residents deny they signed the forms. This is an offence however the victims would not assist police and the offenders may be undetectable. Names removed from register.

Case 13	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	8	Local government by-election	Alleges only two people reside at property where eight people are registered. This allegation was highlighted in both the broadcast and written media and made on more than one occasion. Council staff visited property shortly before the election and were told that all eight still reside. Police visited the property with an interpreter and also concluded that eight people resided there. Although all were registered to vote by post, records show that no vote was cast in the name of any of these electors in either the by-election or local elections. No offence.
Case 14	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	Local government by-election	Alleges postal vote application by elector who had married and moved away. Police called at property. Elector has been spoken to with an interpreter. Elector says that they married 18 months ago and their in-laws live in another borough. Elector resides at the property but not full time. Elector did vote by post, signed the form and posted it personally. No offence.

Case 15	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	Local government by-election	Alleges people collecting the registered occupier's postal vote. Alleged victim spoke to by police with an interpreter. Elector stated that they did vote by post voluntarily. No allegations made and voter had no problems. No offence. Although it is against the Code of conduct to collect postal ballots, it is not an offence.
Case 16	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	4	Local government by-election	Councillor alleges an irregularity with the votes of two people arising from a complaint by their son. Police spoke to the occupier with the aid of an interpreter who said that it was a misunderstanding by the councillor. His parents had voted properly. There was no offence.
Case 17	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	2	Local government by-election	Alleges an irregularity where someone had told the occupier to sign a form and took the form away. The police spoke to the occupier who said that all electors at the property have voted without any problems and there are no allegations made. No offence.

Case 18	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	2	Local government by-election	Alleges possible error in electoral register and an elector claiming that somebody had used their vote. Police enquiries confirmed that this was not the case and that the elector had cast their vote correctly. No offence. No further action.
Case 21	Registration	13D (1) False information	No further action - no offence	4	GLA and local government by-election	Alleges the four electors named on the register as postal voters were not resident at the property. Electoral records show four electors voting by post at GLA and local elections in May. Council tax records show four electors vacating property in July 2012. They were deleted from register in August 2012. No offence.
Case 22	Registration	13D (1) False information	No further action - no evidence	9	Non-election specific, e.g. rolling registration	Alleges nine electors registered at two properties may not reside. One name deleted effective from August 2012. One polling station voter and seven electors voted by post at by-election. None voted at GLA elections. Seven of the named electors still resident at property on 2013 Register. No evidence.

Case 23	Registration	13D (1) False information	No further action - no evidence	3	Non-election specific, e.g. rolling registration	Alleges three electors registered to voter by post at one property may not reside. All three voted at the GLA and by-election. Three electors plus one confirmed on 2013 Register. Police enquiries show no offences identified. No offence.
Case 24	Registration	13D (1) False information	No further action - no evidence	7	Non-election specific, e.g. rolling registration	Alleges seven electors, four of whom are registered to vote by post, at one property may not reside. None voted in the GLA elections and six voted in the by-election. All seven electors confirmed at property for 2013 register. No offence identified.
Case 25	Registration	13D (1) False information	No further action - no evidence	8	Non-election specific, e.g. rolling registration	Alleges eight electors, four of whom are registered to vote by post, at one property may not reside. None voted in the GLA elections but four voted in the by-election. Four electors confirmed at property for 2013 register. No offence identified.
Case 26	Registration	13D (1) False information	No further action - no evidence	6	GLA and local government by-election	Alleges six electors all registered to vote by post at one property may not reside. All six voted in the GLA elections and the by-election. Two names deleted effective August 2012. Remaining four named electors confirmed at property for 2013 register. No offence identified.

Case 27	Registration	13D (1) False information	No further action - no evidence	3	Local government by-election	Alleges three electors all registered to vote by post at one property may not reside. All three voted in by-election and none voted in the GLA elections. Three electors confirmed at property for 2013 register, two named electors are unchanged. No offence identified.
Case 28	Registration	13D (1) False information	No further action - no evidence	4	Non-election specific, e.g. rolling registration	Alleges four electors at one property may not reside. Four voted in by-election and three in GLA elections. 2013 canvass shows three named electors still reside and one has been deleted. No offence
Case 29	Registration	13D (1) False information	No further action - no evidence	3	Non-election specific, e.g. rolling registration	Alleges three electors at one property may not reside. 2012 canvass confirmed the three named electors were still in residence. No offence.
Case 30	Registration	13D (1) False information	No further action - no evidence	1	Local government by-election	Alleges that party workers visited a property, spoke to the electors, opened the postal ballots and encouraged the occupants to vote. Possible breach of Code of conduct by party workers. Occupants unwilling to provide statements to Police. No offences disclosed. No further action.

Case 31	Registration	13D (1) False information	No further action - no offence	1	Local government by-election	Alleges next door neighbour's registration was inaccurate as there was only one person living at the address. No vote was cast. No offence.
Case 33	Registration	13D (1) False information	No further action - no evidence	1	GLA and local government by-election	Alleges two people on register voted by post in GLA and local election but did not reside at property. No response to 2013 canvass. Names removed from register. No further action. No evidence
Case 34	Registration	13D (1) False information	No further action - no offence	5	Non-election specific, e.g. rolling registration	Alleges five people on register to vote by post at one property had moved away. Council records show them still paying council tax in May 2012. No offence.
Case 35	Registration	13D (1) False information	No further action - no offence	5	Non-election specific, e.g. rolling registration	Alleges five people on register to vote by post at one property had moved away. Four of five were registered to vote by post. Moved Nov 2011 (Council tax noted). No postal voters voted. One person who was entitled to vote did so at polling station. Five names deleted from register in Jun 2012 - property empty.

Case 36	Registration	13D (1) False information	No further action - no offence	7	GLA and local government by-election	Alleges seven people registered to vote at property who no longer reside. Four names deleted effective for May elections. No vote cast in any of the seven names at May elections. No offences.
Case 37	Registration	13D (1) False information	No further action - no offence	4	Non-election specific, e.g. rolling registration	Alleges four people registered to vote at property do not reside. New registration cards sent to address. Four electors voted at polling station. One person shown on council tax (does not say if sole resident). No offence.
Case 38	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges one person registered twice. Investigations showed two electors at same property with same first and last name but different middle names. No offence.
Case 39	Registration	13D (1) False information	No further action - no offence	2	Non-election specific, e.g. rolling registration	Alleges one person registered three times at one property. Investigations showed three electors at property with same first and last name but different middle names. No offence.
Case 40	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that resident was unaware of anyone using postal vote at property. Register checked and nobody registered to vote by post at property. No offence.

Case 41	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that resident was unaware of anyone using postal vote at property. Register checked and nobody registered to vote by post at property. No offence.
Case 42	Registration	13D (1) False information	No further action - no offence	6	Non-election specific, e.g. rolling registration	Alleges one person registered three times at one property. Police investigations showed three electors at the property with same first and last name but different middle names. No offence. Allegation queries that there are nine electors at property. One person deleted before May 2012 elections. One person underage - administrative error. Two electors deleted in August 2012. Five valid electors confirmed at 2012 canvass. No-one voted in person or by post at the 2012 elections.
Case 43	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	8	GLA and local government by-election	Alleges postal ballot packs were left in communal hallway serving eight flats and therefore at risk. Postal ballot packs delivered by Royal Mail to flats. No offences alleged.

Case 44	Registration	13D (1) False information	No further action - no offence	6	Non-election specific, e.g. rolling registration	Alleges six residents had moved away but were still on register. None of six names were marked as having cast a vote in 2012 elections. Non-response at 2012 canvass. All deleted as non-responders. No offences apparent.
Case 45	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges a postal voter was registered at address without the resident's knowledge. No postal vote registration for this address. No offence.
Case 46	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges resident was unaware of a postal vote recorded for the address. Register shows residents as polling station voters. No response to 2012 canvass and electors removed. No offences apparent.
Case 47	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges the resident was unaware they were shown as a postal voter. Police spoke to elector with an interpreter. They stated that they were registered to vote as a postal voter and had had no difficulty in voting. No offence.

Case 48	Registration	13D (1A) False application (i) postal voting	No further action - no offence	2	Non-election specific, e.g. rolling registration	Alleged there were persons resident at these establishments who were shown as postal voters. Electoral services visited spoke to the manager and several residents. All details confirmed as correct. No offences identified.
Case 49	Registration	13D (1) False information	No further action - no offence	2	Non-election specific, e.g. rolling registration	Party workers reported that the previous occupants had moved out. No allegation. Electoral services made enquiries, deleted two registered electors and sent out new registration forms to the address. No elector voted from this address. 2012 canvass shows new resident. No offence.
Case 50	Registration	13D (1) False information	No further action - no offence	6	Non-election specific, e.g. rolling registration	Party workers reported that six registered electors had moved out of the property. Electoral services deleted all residents from the register before elections and sent out new registration forms. Nobody voted from this property at May elections. No offences.
Case 51	Registration	13D (1) False information	No further action - no offence	3	Non-election specific, e.g. rolling registration	Alleges that three electors were due to leave the country. Four names deleted from register. None voted in the elections. No offences were identified.

Case 52	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	GLA and local government by-election	Alleges elector at a property had not received their ballot paper. No offences alleged. Electoral services delivered replacement postal vote to the address in time for the elections. No offence.
Case 53	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	GLA and local government by-election	Alleges elector at a property had not received their ballot paper. No offences alleged. Electoral services delivered replacement postal vote to the address in time for the elections. No offence.
Case 54	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	GLA and local government by-election	Alleges elector at a property had not received their ballot paper. No offences alleged. Electoral services delivered replacement postal vote to the address in time for the elections. No offence.
Case 55	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	GLA and local government by-election	Alleges elector at a property had not received their ballot paper. No offences alleged. Electoral services delivered replacement postal vote to the address in time for the elections. No offence.

Case 56	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	GLA and local government by-election	Alleges electors at a property had not received their ballot paper. Electoral services delivered replacement postal votes to the address in time for the elections. No offences alleged. No offence.
Case 57	Registration	13D (1) False information	No further action - no offence	3	Non-election specific, e.g. rolling registration	Party workers stated that previous residents were still listed on the register. Electoral services spoke to residents and confirmed accuracy of register. No allegations of crime made. No offence.
Case 58	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that elector at property was not aware of being a postal voter. Electoral services confirmed the occupant was not registered as a postal voter. No offence
Case 59	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that registered elector at a property had died. Electoral services removed elector's name from the register. It was also alleged that the elector was listed as a postal voter but this was incorrect. No offences.
Case 60	Registration	13D (1A) False application (i) postal voting	No further action - no offence	2	Non-election specific, e.g. rolling registration	Alleges that two residents at a property were allegedly unaware of being registered as postal voters. Electoral services confirmed that neither was registered to vote by post. No offence.

Case 61	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that elector at property has died. Electoral services stated they had already removed the name from the register. It was also alleged that the elector was listed as a postal voter but this was incorrect. No offences.
Case 62	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges the electoral register was inaccurate. Police enquires discovered one occupant had recently moved out. Information passed to electoral services and name removed from the register for May 2012. No-one voted in the Spitalfields by-election or at May elections.
Case 63	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges possible register inaccuracy as no response to party workers at one property. Four residents voted by post in the Spitalfields by-election. Currently no registrations to vote at this address. No offences apparent.
Case 64	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges possible register inaccuracy as no response to party workers at one property. Referred to Electoral services. No associated resident voted in by-elections or GLA elections. No offences.

Case 65	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges possible register inaccuracy as no response to party workers at one property. Referred to Electoral services. No associated resident voted in by-elections or GLA elections. No offences.
Case 66	Registration	13D (1) False information	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that occupant was deceased but registered to vote as postal voter. Electoral services updated the register. No vote cast in deceased's name in the elections. No offences apparent.
Case 67	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that party worker called at property and occupant stated postal voters did not reside. Police attended the address. 12 people were resident. Some had resided at address for two years and were registered to vote at polling station. Others were found to be transient. No evidence of any offences under the Representations of Peoples Act. No postal votes were cast. Two votes were cast by electors who were resident at the time. No offences apparent.

Case 68	Voting	60-62 and 62A Personation/legal incapacity to vote/multiple voting (i) Postal vote	No further action - no offence	1	GLA and local government by-election	Alleges two party workers called at property and took away family's polling cards. Police spoke to occupant who stated these party workers and others called at the address asking about voting. Occupant confirmed nobody took away any polling cards. The family at the address voted and had no problems. No offences identified.
Case 69	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that six postal voters are registered at a property although it is empty. Register updated by local authority. No postal votes associated with this address were cast. No offences.
Case 70	Registration	13D (1A) False application (i) postal voting	No further action - no offence	1	Non-election specific, e.g. rolling registration	Alleges that occupant of property was unaware they were registered as a postal voter. Electoral services confirmed the occupant was not registered as a postal voter. No offence.

Case 71	Registration	13D (1) False information	No further action - no offence	2	Non-election specific, e.g. rolling registration	Alleges two people on register voted in GLA and local election but did not reside at property, one was registered to vote by post. Electors moved out in Jan 2012. No vote cast in either name. Third person on register is resident and voted in person. No further action. No offence.
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Appendix C – Code of conduct for campaigners: postal voting, proxy voting and polling stations

Campaigners are an essential element of a healthy democracy, and their right to put their arguments to voters should be supported and protected. It is equally important, however, to ensure that the activities of campaigners do not bring into question the integrity of the electoral process.

This Code provides a guide for campaigners, electoral administrators and police forces to what is, and is not, considered acceptable behaviour at polling stations and in the community during the lead-up to polling day.

As a guiding principle, if there is any doubt about a particular activity, campaigners should ask themselves “What would a reasonable observer think?”

More detailed guidance about electoral offences can be found in the full guidance published jointly by the Electoral Commission and the UK’s Associations of Chief Police Officers, which is available on our website at:

<http://www.electoralcommission.org.uk/guidance/resources-for-electoral-administrators/integrity-guidance/electoral-events>

This Code has been agreed by the political parties represented on the House of Commons Parliamentary Parties Panel and the panels for the Scottish Parliament and the National Assembly for Wales, and is endorsed by the members of the Electoral Commission’s UK Electoral Advisory Board of senior Returning and Electoral Registration Officers and Electoral Integrity Roundtable.

The Code has been sent to all registered political parties in Great Britain, and Returning Officers will draw it to the attention of all candidates and parties contesting elections.

Scope of this code

This code covers all those actively involved in campaigning in elections or referendums in Great Britain. All references to campaigners in this code include:

- Candidates standing at an election, their agents and their staff and supporters
- Political party officers, members and supporters campaigning at an election
- Other people and organisations campaigning for or against a candidate, a group of candidates or a party at an election

- People and organisations campaigning for or against a particular outcome at a referendum

Compliance with this code

Any concerns that this code has been breached should be raised first with the candidate, political party or campaigner in question.

Any further concerns should be drawn to the attention of the Electoral Commission. The Commission will raise them with the relevant party or campaigner if appropriate, and will agree appropriate actions to remedy or prevent a reoccurrence of any breach.

1 Postal and proxy vote applications

- 1.1 Campaigners should ensure that any bespoke postal or proxy voting application forms conform fully to the requirements of electoral law, including all the necessary questions and the options open to electors.**

Campaigners can download a template form from our website at:

https://www.aboutmyvote.co.uk/register_to_vote/postal_vote_application/blank_postal.aspx

- 1.2 Campaigners should always explain to electors the implications of applying to vote by post or appointing a proxy.**

It is important that electors understand that they will not be able to vote in person on polling day if they or their proxy apply for and are granted a postal vote, and will not be able to vote in person if their appointed proxy has already voted on their behalf. To avoid duplication and unnecessary administrative pressures for Electoral Registration Officers, campaigners should try to ensure that electors who are included in current postal or proxy voter lists, or have already applied for a postal or proxy vote for a particular poll, do not submit an additional application.

Postal vote applications

- 1.3 Campaigners should not encourage electors to have their postal ballot pack redirected to anywhere other than the address where they are registered to vote.**

Electors should take care to protect their ballot paper and postal ballot pack, and they will be best able to do so at their home address unless there are compelling reasons why receiving the postal ballot pack at the address where they are registered to vote would be impractical. Electors must state on the application form the reason why they need their postal ballot pack sent to another address.

- 1.4 Campaigners should ensure that the local Electoral Registration Officer's address is provided as the preferred address for the return of absent vote application forms.**

To minimise the risk of suspicions that completed applications could be altered or destroyed, campaigners should always provide the relevant

Electoral Registration Officer's address as the preferred return address, even if an alternative address is also given.

- 1.5 Campaigners should send on unaltered any completed application forms given to them to the relevant Electoral Registration Officer's address within two working days of receipt.**

To minimise the risk of absent vote applications being refused because completed forms arrive with the Electoral Registration Officer after the statutory deadline before a poll, campaigners must ensure that there is no unnecessary delay in forwarding on application forms which have been received directly.

Proxy vote applications

- 1.6 Electors should be encouraged to explore other options for people to act as a proxy – including relatives or neighbours, for example – before a campaigner agrees to be appointed as a proxy.**

To minimise the risk of suspicions that campaigners may be seeking to place undue pressure on electors, electors should not be encouraged to appoint a campaigner as their proxy.

2 Postal voting ballot papers

- 2.1 Campaigners should never touch or handle anyone else's ballot paper.**

If you are asked for assistance in completing a ballot paper, you should always refer the voter to the Returning Officer's staff at the elections office who may be able to arrange a home visit if necessary. Assistance will also be available for electors at polling stations.

- 2.2 Campaigners should never observe voters completing their ballot paper. If you are with a voter when they complete their ballot paper, remember they should always complete it in secret.**

Equally, you should ensure that the voter seals both envelopes personally and immediately after completing their ballot paper and postal voting statement. If you are asked to give advice, it is acceptable and often helpful to explain the voting process, but do not offer to help anyone to complete their ballot paper.

- 2.3 Campaigners should not ask or encourage voters to give them any completed ballot paper or ballot paper envelope.**

Wherever practical, the voter should be encouraged to post or deliver the completed ballot paper themselves. While campaigners may be approached

for help by a voter who is unable to post their ballot paper or make arrangements for it to be returned in time, other options for delivering the postal ballot pack – including relatives or neighbours, for example – should be explored before a campaigner agrees to deliver a postal ballot pack.

2.4 If asked by a voter to take a completed postal ballot pack on their behalf, campaigners should immediately post it or take it directly to the office of the Returning Officer or to a polling station.

To ensure completed postal ballot papers are received by the Returning Officer before the close of poll, and to minimise the risk of suspicions that they could be altered or destroyed, campaigners should ensure that there is no delay in forwarding on postal ballot packs which have been given directly to them. Campaigners should not allow large numbers of completed postal ballots to accumulate before forwarding them to the Returning Officer or handing them in at an appropriate polling station.

3 Campaigning outside polling places

3.1 Campaigners should be allowed to put their messages to voters on polling day, including in public spaces outside polling places.

Polling station staff and police officers should not seek to discourage or remove campaigners who are otherwise peacefully communicating with voters, as long as they are not within or impeding access to the grounds of the polling place. Campaigners should be careful, however, to ensure that their approach is proportionate and should recognise that groups of supporters may be perceived as intimidating by voters.

3.2 Campaigners should keep access to polling places and the pavements around polling places clear to allow voters to enter.

The Presiding Officer is responsible for maintaining order in the polling place, and campaigners who appear to be impeding access by voters to a polling place may be asked to move by polling station staff or police officers.

4 Complaints and allegations about electoral fraud

4.1 Campaigners should be prepared to give the police a statement and substantiate any allegations of electoral fraud they make.

The police will investigate allegations where someone is prepared to provide evidence or a statement in support of the complaint, but unsubstantiated claims about electoral fraud have the potential to damage confidence in the

integrity of the electoral process. Campaigners should ensure they are confident that evidence can be provided to the police before considering whether it is appropriate to publicise any specific allegation.

4.2 Campaigners who are concerned or think that electoral fraud may have taken place should raise the matter with their election agent or local party, or with the relevant Electoral Registration Officer or Returning Officer for the area.

They may be able to explain whether or not an election-related crime has been committed, and refer it to the police if appropriate or provide details of the police contact for the relevant area so that campaigners can report their allegation. Concerns about breaches of the political finance rules should be raised directly with the Electoral Commission.

4.3 Any campaigner who has actual evidence of an electoral offence having been committed should report it directly and without delay to the police.

If appropriate, the police will investigate the matter. Every police force has designated a Single Point of Contact (known as a SPOC) to lead on election matters and who will deal directly with the matter or give advice to local police officers. The Electoral Commission can help provide contact details for local police force SPOCs.

Agreed and effective from March 2013