

CAMBRIDGE CITY COUNCIL

REPORT OF: Returning Officer/Electoral Registration Officer

TO: Civic Affairs Committee

16/9/2015

WARDS: All

ELECTIONS MAY 2015 (REVIEW) AND UPDATE ON INDIVIDUAL ELECTORAL REGISTRATION

1. INTRODUCTION

The purpose of this report is to review the two by elections held during the last year and the two local and parliamentary elections held on 7 May 2015. It also updates the committee on the Government's recent decision to end the transition period for Individual Electoral Registration (IER) in December 2015 and reviews the impact of IER on the electoral register in Cambridge and the steps being taken to encourage registration.

2. RECOMMENDATIONS

- 2.1 That the Committee notes the issues raised in the report with regard to Elections in 2015 and the implementation of Individual Electoral Registration (IER) and gives feedback to the Returning Officer on issues it would like her to consider in the planning and running of future elections and managing the transition to IER.

3. ELECTIONS 2015

Project planning

- 3.1 2015 was a combined Parliamentary and city council election year – parliamentary elections always produce the greatest test for the electoral service because of both the volume involved and the level of general interest.
- 3.2 An Election Project Team, chaired by the Electoral Services Manager, and comprising officers from across the Council was

tasked with leading on the known service requirements to run a successful election. An Election Steering Group, chaired by the Returning Officer met throughout 2014/15 because of the introduction of IER, in addition to its election remit. Its role was to monitor progress against the project plan, statutory electoral timetables and consider any ad-hoc matters.

- 3.3 The challenge of running elections in a university city meant that we were also under scrutiny from the Electoral Commission this year as part of their performance standard monitoring. Copies of our project plan, risk register and count plans were submitted to them for analysis.
- 3.4 Due to the Parliamentary election, that part of the city which falls within the South Cambridgeshire constituency (Queen Edith's ward) was wholly managed by the Returning Officer and election team at South Cambridgeshire District Council.

Party Agents and potential candidates briefing

- 3.5 On 12 February, the local party agents and potential candidates were briefed on the preparations required and the electoral timetable. Particular emphasis was placed on the process for submitting nomination papers, access to the election process and the Electoral Commission's code of conduct for campaigners.

Communication

- 3.6 In addition to the usual communication methods, such as press releases, the website and social media, the relevant election deadlines were publicised in a number of ways. Bike seat covers were distributed across bikes in student heavy areas and an ad-van and ad-bike toured the city in the four days leading to the registration deadline.
- 3.7 The creation of a fixed-term post within the electoral services team, which has been funded from central Government grants, has allowed more focused and creative outreach work to form part of the electoral team's remit. The Electoral Services Support Officer, appointed in October 2014, has been able to engage with Cambridge and Anglia Ruskin Universities and their student unions, sixth form colleges, nursing and residential homes, homeless shelters and disability groups in order to promote voting and to register some of the harder to reach groups. We have been able also to support initiatives run by others, such a Cambridge University student union 'vote race'

registration drive which was held to coincide with the University boat race. Finally, a number of events were held across the city on national voter registration day, 5 February, to target young people and help them to engage with the democratic process and register to vote.

Correspondence

- 3.8 The Customer Service Centre received 1,927 telephone calls in April compared to 487 in 2014 and in the first 10 days of May a total of 1,665 compared to 729 in 2014. On polling day there was a total of 711 calls between 07.00-17.00 and we also took calls 17.00-22.00 for the first time with 163 being dealt with.
- 3.9 These telephone call figures are similar to 2010 when the last parliamentary election was held with 3,051 calls in April and 687 in May.
- 3.10 A further 1,043 telephone calls were received by the Electoral Services office during April and early May with a further 276 on polling day. The Electoral Services office received 2,482 e-mails this year, compared with 654 in 2014.

Training

- 3.11 As Returning Officer I required every person working at a polling station to receive training – if they did not attend the training, they were not employed. Three training sessions for presiding officers and four sessions for poll clerks were held. Training information was provided by the Electoral Commission and adapted to local circumstances with reference to local case studies from previous elections as learning points. On-line training was also trialled for some staff for the first time.

Issue of postal votes

- 3.12 Postal vote packs were issued in-house. This year, 12,861 postal vote packs were issued, an increase of 18% on 2014. The total number re-issued due to being reported as lost or not-received was 102.
- 3.13 The vast majority of postal votes are issued in one go as soon as possible after the deadline for applications. There are then subsequent despatches to pick up applications made very close to the deadline, which need to be processed before ballot papers can

be issued. The first postal votes were sent out on 22 April, the day after the application deadline. We encountered some production delays from our printer with the later applications and this resulted in delays to the subsequent issues of postal votes, with the very last few not being issued until Monday 27 April.

- 3.14 A large number of overseas electors registered close to the deadline and due to new rules regarding IER verification of their details, postal votes could not legally be issued until one week before polling day. This resulted in a number of those overseas electors not being able to return the completed ballot packs in time to be counted.
- 3.15 This was a problem across the country. The Cabinet Office and Electoral Commission are aware of the need to improve the process in this regard. We do advise overseas electors it may be better to appoint a proxy when making applications close to deadlines, but it is clear from complaints received that not all overseas electors were aware this was an alternative option for them (see para 3.25 below). In the light of this we will be revising the information on our website and how we manage this message for future elections to ensure that overseas electors are making informed decisions on their absent vote options in future. We will also be asking government to make this information clearer on the national online application portal.
- 3.16 The tight deadlines between close of nominations and the need to issue postal votes, coupled with the volumes of postal votes now being issued and the additional complexity of IER verification is causing severe pressure on the electoral process. We will continue to make representations to the Electoral Commission and Government about the need to review the cumulative impact of these issues on the postal vote process and whether the current registration and application deadlines are realistic.

Opening of postal votes

- 3.17 Postal votes were opened on four separate days and on polling day itself. 87.5% of postal votes were returned for inclusion in the count (76.3% in 2014). Signature and date of birth checking was carried out for 100% of returned postal votes and 0.9% were rejected due to either an invalid or missing signature/date of birth. (2.3% in 2014).

Polling stations

- 3.18 Overall there were 43 stations, with 43 Presiding Officers and 112 poll clerks. The polling stations used were exactly the same as in

2014. In Romsey, a portacabin was used again as a temporary solution. It is expected that the 3C's Church (at Coldham's Lane roundabout) will be completed this autumn and can be used for the 2016 elections.

- 3.19 In anticipation of increased volumes of electors, polling station assistants were employed this year to help on double stations and manage queues. These proved a success and we will be using them again in those stations where it will have the most impact.
- 3.20 There were still queues at some polling stations and regular calls were made to those polling stations with the most severe queues. Stations with significant student numbers had particular challenges as students did not always know under which address they were registered and queues built up while staff tried to assist individuals with this. There were no queues at 10pm when stations closed. Following feedback after the election from councillors (including two in Romsey), we will be reviewing the staffing levels of stations for 2016.

Inspectors

- 3.21 Four Polling Station Inspectors were responsible for checking all the polling stations at least twice during the course of the day. This was in addition to the Returning Officer visiting all polling stations.

The Count

- 3.22 There were two elections to verify and one election to count overnight, which inevitably resulted in a long count process. Staffing was six counters per ward and both halls were used. The limitations of our accommodation means this is the maximum of counting staff we can accommodate, which in turn affects the speed of the count. The Parliamentary result was declared at 5:50 am with staff leaving shortly after. Unlike Cambridge, 74 constituencies did not begin to count into favour the parliamentary votes by 2.00am as required by law. The local election count commenced at noon on Friday and the last result was declared at 3:37 pm.
- 3.23 As part of our planning for disaster recovery, the University Sports Centre on the West Cambridge site was held as an emergency fall-back count venue. We will be investigating if this could become the count venue for future large combined elections as it is a bigger venue with the potential to have higher numbers of counting staff than we can fit within the Guildhall. The venue also offers more

space and better facilities for staff and observers. We will need to carefully weigh up the benefits and drawbacks for such a move before we make any decision.

Complaints

- 3.24 The majority of complaints received related to postal votes.
- 3.25 We received nine complaints from overseas postal voters whose postal packs arrived too late to return. As explained in paragraph 3.14 the changes to registration legislation make it very difficult to get postal votes out any earlier (and our experience with this is no different to that of other local authorities).
- 3.26 The requirement to inform electors whose postal votes have been rejected resulted in one complaint for an elector who believed that his vote had been rejected in error. It was clear when we retrieved the paperwork from secure storage to investigate his complaint, that he was right and we had wrongly rejected his vote. His complaint prompted me to review all 102 rejected votes and I found there were five others which were rejected inappropriately.
- 3.27 The postal vote system requires that the date of birth and signature match on each returned form. This legal requirement is designed to weed out potential fraudulent applications. An automatic scanning system is used to check all forms and any discrepancies are rejected and are adjudicated manually.
- 3.28 Five of the forms had been rejected during the scanning process because the postal vote renewal application form did not have a date of birth and this was highlighted as a discrepancy. Whilst an original postal vote application requires a date of birth on the form, it is optional at renewal. Therefore the manual check should have picked up that the lack of date of birth was not an issue as we already held this electronically. However, this was not picked up and the postal votes were rejected. The sixth form was rejected because the scanning process had distorted the position of the signature.
- 3.29 I am deeply disappointed that the system failed and that the manual double check did not pick up that the votes were in fact valid. The wrongly rejected votes would not have changed the outcome of local or parliamentary results but six voters were in effect denied their right to vote because of human error. I have written to all six voters to make them aware of what happened, to apologise and to make them aware of the steps I am taking to stop a recurrence in future years

3.30 In the light of this issue, I will change our adjudication processes to ensure any rejected votes are adjudicated by two people in future years. I will also be looking at how we can flag renewal applications better within our records, so the reason for a lack of date of birth is obvious.

By elections

3.31 In addition to the anticipated elections in May 2015 there have also been two by-elections in the last year.

3.32 On 13 November 2014, a city council by-election was held in Queen Edith's ward and the turnout was 37.2%. On 25 June 2015, a county council by-election was held in Romsey division with a turnout of 32.5%.

3.33 These were the first by-elections to be held independently of any scheduled May election since 2011 and in both cases the turnouts were slightly down on that at the last equivalent stand-alone scheduled election (42.2 in 2012 & 37.0% in 2013 respectively).

3.34 Both by-elections were unanticipated and, as the legislation demands, needed to be arranged at short notice. The timing of both was unfortunate as the Returning Officer was on sick leave in November and the Electoral Services manager on pre-planned annual leave in June. However, the work that has been undertaken in recent years to build resilience within the service and to develop well-trained and motivated team members enabled these elections to run smoothly, despite the absence of key personnel. Team members who were present worked very hard to ensure this was the case whilst balancing other work pressures in the service.

Conclusion

3.35 51,967 votes were cast in the Cambridge constituency, a turnout of 62.3% for the Parliamentary election (electorate: 83,384). In 2010, turnout was 67.5%.

3.36 59,231 votes were cast in the City Council elections, a turnout of 58.8% (electorate: 100,770). In 2014, turnout was 41.7%.

3.37 The focus and interest around a Parliamentary election made the election period an intense and demanding time for a small team. The Election Steering Group have already had an initial review of the

election and will be reviewing how we manage the postal vote part of the election going forward as this is where there is significant pressure in the system.

- 3.38 In its review of the elections, the Association of Electoral Administrators has commented:

“.... the 18 months prior to the polls represented the most challenging and complex period in electoral history. For those who were responsible for the introduction of IER, followed by the delivery of the parliamentary election, it became a task of epic proportions. The difficulties of introducing IER in advance of the combination of the parliamentary election with other polls in most areas, and the added complexity of parliamentary boundaries crossing local authority boundaries in many areas cannot be understated.”

- 3.39 Despite the challenges faced, the Electoral Commission has recently confirmed that this authority continues to meet its performance standards.

- 3.40 As stated earlier, the issues raised in the report will inform how we plan and run future elections and the known forward programme of elections are:

5 May 2016 combined Police and Crime Commissioner and city council;

4 May 2017 county council elections;

‘sometime’ in 2016 or 2017 the EU Referendum (which will not be on the date of the scheduled elections above)

4. INDIVIDUAL ELECTORAL REGISTRATION (IER)

- 4.1 One year on from the introduction of IER, the Government has announced its decision to end the transition period on 1 December 2015. The Minister for Constitutional Reform has explained that nationally the registers contain 4% of electors who are not registered under the new system and that their inclusion in the December 2015 register would inflate the electorate and result in inaccurate registers going forward.

- 4.2 The Electoral Commission has advised against ending transition in December 2015, as it is of the view that it would disenfranchise people ahead of the May 2016 local and Police & Crime Commissioner elections. However, the Association of Electoral

Administrators (AEA) supports the Government's decision because of the inherent inaccuracy of current registers.

4.3 At the time of writing this report, the electorate in Cambridge is (97,105), of which (13,189) are not registered under IER (13.6%). These figures are similar to other University registration areas.

4.4 Of this number, the electors breakdown into:

Students carried forward on register who have not responded to the invitation to register under IER	7,411
Ordinary electors carried forward who have not responded to the invitation to register under IER	2,908
Electors believed to have moved away and are currently under review	2,767
Electors who failed verification and have been requested to provide identification	77
Electors verified as no longer resident who are due to be removed at the next update	26

4.5 The total of 13,189 electors not registered under IER has reduced from a high of 25,658 after the launch of IER in June 2014

4.6 These electors will have been through a number of processes in an attempt to register them. They will have failed verification against Dept. for Work and Pensions data initially. We will then have then tried to verify them against other council databases and failed, and then attempted to contact them on five separate occasions. We are currently conducting the annual canvass of electors, and the responses received from households will reduce the number of non-IER electors further. We will, in the course of the current canvass, make four further attempts to contact them including one visit.

4.7 Following the 7 May elections, we evaluated a small number of non-IER registered electors from all wards to see if they had voted. Of the 280 elector records checked 31 had voted (11.1%). Using this assessment, potentially 89% of non-IER electors are either no longer resident or registered elsewhere in the city. The current situation inflates our register artificially and could impact in other areas, such as boundary reviews, where use of inaccurate electorates will result in unequal boundary divisions. Furthermore it will affect turnout figures, which will appear to have decreased because there are non-existent people registered to vote; indeed the turnout on 7 May was down on the last parliamentary election in 2010 probably because of the currently inflated register.

- 4.8 A complete and accurate register is fundamental to the electoral process. By retaining non-IER electors on the register, it is inaccurate and increases the potential for fraud to occur.
- 4.9 It is clear from the figures in paragraph 4.6 that there is still a significant number of people (11%) who do want to vote but have not registered under IER despite the significant publicity there has been nationally and locally. They will be removed from the register in December if they do not take action to register in response to the current canvass. We will write to anyone removed from the register informing them of this fact and provide an application form and information about registering online.
- 4.10 Our engagement strategy focuses on under registered groups in the city, who we will continue to target during the current canvass and up to the 2016 elections.
- 4.11 On current numbers, the Cambridge register would be around 84,000 electors after transition ends in December 2015. A large number of those removed would be students, although it is likely many are now no longer in the city. Students and young people remain a priority for registration activity and we will concentrate on registering the student population through university channels, social media and registration events which worked well in the past year. We will also continue to taking steps to engage other hard to reach groups across the city to ensure the registration message is promoted.

Complaints related to IER

- 4.12 In April and May we received approximately 4,500 poll cards and other pieces of electoral post back through the postal system marked as 'no longer at this address'. In working through this correspondence the software used in the election team generated 425 letters to electors across the city in error. The letter told them they needed to provide further evidence or they would be removed from the register, when in fact we did have sufficient proof of address for those electors.
- 4.13 A number of these residents made contact with us to say they had been identified in error or to complain about the letter. We made contact with all electors who had been affected to apologise for what had happened and to reassure them that they were still on the register. These electors were not actually removed from the register at any time during this process. We are continuing to pursue the

issue with our software company to ensure the same software error is not repeated.

- 4.14 When we recently sent the annual household forms out, we wrote separately to these electors to reassure them they had not been singled out again, but needed to respond alongside everyone else to the normal annual process.

5. CONSULTATIONS

- 5.1 Local Party Agents have been asked for their feedback on the election and this will be reported to Committee at the meeting. All councillors have been sent a copy of this report and any feedback will be reported.

6 IMPLICATIONS

(a) Financial Implications.

For 2015/16, the Council received Government funding of £89,000 to help with the extra costs of IER. A portion of this funding is being used to employ a fixed-term post whose remit is to “engage, educate and enrol”; allowing us to implement outreach work that previously was not possible and will be with the Council until October 2016. Further funding will be made available shortly to assist with the end of transition and will be used to target electors who do match the DWP data and to continue to engage with under registered groups. It is expected that once transition ends, there will be no further Government funding. At this stage it is difficult to anticipate what ongoing resources may be required once IER is fully implemented and we will continue to keep this under review.

(b) Staffing Implications

We increased permanent staffing in the elections team in anticipation of IER and in addition to the fixed term post mentioned above, we also recruited additional temporary admin support in the six weeks up to the election.

It remains an ongoing challenge to find enough staff willing to do postal vote opening, and to staff polling stations and the count. We do use some staff from other sections of the council to support us in this but given the volume of work involved we need to bring in significant numbers from outside the council.

- (c) **Equal Opportunities Implications** – there will be an equality impact assessment of any new proposed polling station prior to it being confirmed.
- (d) **Environmental Implications** - none
- (e) **Community Safety** - none

BACKGROUND PAPERS: There were no background papers.

The contact officer for queries on the report is Vicky Breeding 01223 457057 vicky.breeding@cambridge.gov.uk

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