

**Customer & Corporate Services Scrutiny
Management Committee**

13 November 2017

Report of the Electoral Arrangements Scrutiny Review Task Group

Electoral Arrangements Scrutiny Review Draft Final Report

Summary

1. This report presents the Returning Officer with all the information gathered by the Task Group set up to undertake a scrutiny review into electoral arrangements in the city. Specifically, looking at maximising numbers eligible to vote and improving performance at the count.

Background

2. At a meeting of the former Corporate & Scrutiny Management Policy & Scrutiny Committee (CSMC) in January 2016, Members requested a report on the electoral organisation in York and it was agreed that this be added to the work plan to be considered at a future meeting following the election of a Police and Crime Commissioner in May 2016 and the EU Referendum in June 2016.
3. At a meeting of CSMC in late July 2016, Members considered an overview report on electoral organisation and while they acknowledged that overall the current arrangements in York were working effectively they expressed concern at the time taken for the count to be completed.
4. Members also considered whether more could be done to ensure that everyone who was eligible to vote was able to do so, although they noted that difficulties had arisen because of the new Individual Registration System.
5. The Committee agreed it would be appropriate to carry out a scrutiny review to consider:
 - i. Ways of maximising the number of people eligible to vote, and

- ii. Improving performance at the count whilst maintaining high standards of accuracy.
6. The Committee agreed to appoint a Task Group to carry out this work comprising Cllrs Fenton, Kramm, Lisle and a Labour Group representative which was later confirmed as Cllr Levene. However, at a CSMC meeting in September 2016 it was agreed that further consideration be given to the Green Party nomination as Cllr Kramm was no longer a member of CSMC.

Current Position

7. The City of York is a unitary authority and the most recent local elections took place on 7 May 2015 to elect members to City of York Council. The whole council was up for election. These elections were held on the same day and combined with the 2015 General Election and Parish Council elections in York.
8. Since the previous local election in 2011 a review of boundaries has affected some wards. The total number of councillors remained at 47 although the number of wards was reduced from 22 to 21. This comprised five single-member wards, six two member wards and 10 three-member wards. The local elections were therefore the first based on these new boundaries. The combination of all out local elections on new boundaries with a Parliamentary election made the elections in York in 2015 particularly and almost uniquely complex.
9. In 2015 a record number of new councillors were elected, almost half the council, and of the 47 seats contested 25 were won by candidates with council experience while 22 were won by debutants.
10. While York had a particularly difficulty set of elections to deliver in 2015 the complexity of organising elections generally and specifically in 2015 following the introduction of Individual Electoral Registration has been recognised in national reports by the Electoral Commission¹ and the Association of Electoral Administrators². The latter reported of the 2015 elections:

“Electoral administrators continue to deliver elections within an increasingly complex and challenging environment even when the odds

¹ Report on the administration of the 7 May 2015 elections, including the UK Parliamentary general election. July 2015.

² Elections and Individual Electoral Registration - The challenge of 2015. July 2015

are stacked against them. This was clearly the situation for the complex elections held on 7 May 2015 following the introduction of Individual Electoral Registration (IER). Electoral administrators and suppliers were stretched beyond belief during the 18 months before polling day with the introduction of IER and the complexities and bureaucracy it brought with it. Preparations for the elections were behind as a result of the impact of the introduction of IER and electoral administrators were exhausted before the election timetable even started.”

Information Gathered

11. The Task Group, comprising Cllrs Fenton, Lisle, Levene and D’Agorne as the Green Party nomination, met for the first time in early November 2016.
12. The Task Group noted that back in 2014 the old household registration system was replaced by Individual Electoral Registration. The old system required the head of household to submit an application on behalf of all the people eligible to vote who were resident at an address now each individual is responsible for making their own application to register. IER is intended to improve the accuracy of the register and make registration easier and more secure.
13. Individual registrations are matched against date of birth and Department of Work and Pensions data, such as National Insurance number. In York 75% of people automatically match. They are sent letters saying they are registered. Some 15% need to register anew while 10% get a letter to resolve their individual issues.
14. Major electoral events such as the General Elections and the EU referendum have seen a surge in registration activity and many duplicate applications. These have substantially increased the workload of the elections team during this already very busy period. One difficulty is that the only way an elector can check they are on the register is to make contact with the elections team (or customer services staff who are also authorised to provide this service) or to examine the register at one of the places where it is deposited. Consideration is being given at a national level to whether a system could be made available allowing an electronic “look up” service. This is though some way off. In the meantime one Council has developed a system providing this service as part of their “My Account” offer.

15. The Task Group wanted to know what records there are of complaints of voting on the day; anecdotal information of complaints to polling clerks; analysis of complaints and is there an issue log? They were informed that there is not a massive number of people who complain. Records are kept for one year and then destroyed. Any complaints to customer centre are logged. However, there were more issues in 2010 than there were in 2015.
16. The Task Group noted that the council works with the universities and student union to ensure students are registered to vote. There are registration drives on campus but it is down to the individual to register. Students can register to vote both at their home address and their college address. If students are registered to vote in two different electoral areas, they can vote in local elections for the two different local councils. However, it is an offence to vote twice in the same type of election, such as in a UK general election.
17. The elections team carries out an annual canvass of every residence in the city and people have to reply to the canvass in some form or other. Every year the team sends out household enquiry forms. If there is no change the details are confirmed. If there are changes they get another form for registration. People are sent up to three letters and if there is still no reply they get a personal visit.
18. In regard to the review's second aim – improving performance at the count whilst maintaining high standards of accuracy – the Task Group noted that there are a number of factors which may affect the duration of a count and which are described later in this report. It was accepted though that a key factor for all counts in York is the size of the count venue and the number of counters it can accommodate. At recent elections the count has been held at the Energise leisure centre, the largest identified venue available in the city.
19. The Task Group also questioned what training was available for counting staff, particularly inexperienced staff, and were informed that training sessions are arranged for both experienced and new polling staff.
20. The Task Group asked for further information on:
 - What size of venue is needed and what will be the cost?
 - Possibility of using temporary venue such as a large marquee.
 - Cost of operating a split venue.
 - Other creative solutions

➤ Resource implications of splitting the count

21. At a Task Group meeting in early December 2016 Members were given further information by the Electoral Commission Regional Manager and the Electoral Services Manager from Sheffield City Council.
22. The electoral commission described York as being incredibly efficient. The onus is on achieving an accurate result. The commission do not want local authorities to rush proceedings and end up with a challenge.
23. The Task Group learned that university students make up 20% of the eligible electorate in Sheffield. Prior to Individual Electoral Registration one of the city's two universities gave the elections team a full list of students, the other did not. When IER came in it was realised there was a problem. There was a drop in registrations and they were spending a lot of money on canvassing. It costs them £5 per student to canvass. This is in part because universities can no longer block register students living in halls of residence.
24. The Sheffield City Council Electoral Services Manager approached Sheffield University for their help in changing the registration process. The university agreed to add an electoral registration page on to university course registrations. Now, as part of student registration with the university, they are given the opportunity to indicate whether they would like to be included on the electoral register (via a task entitled Student Voter Details), so they can vote in national and local elections.
25. Those wishing to register to vote while a resident in Sheffield are given the opportunity to provide their details for this purpose when they register. This information is then securely transferred to Sheffield City Council, who check eligibility to vote, and if students are eligible, they are added to the electoral register.
26. Sheffield University piloted the scheme with Sheffield City Council at the start of the 2014-15 academic year. In the first year, 75 per cent of students (14,481) joined the electoral roll and in 2015-16, that number rose to 15,352. By comparison only 10% of Sheffield Hallam University students eligible to vote were registered at the time the elections team canvassed in 2014.
27. The 'Sheffield model' has since been cited in Parliament as an example of best practice. Sheffield City Council pays Sheffield University £2,000 a year for administration. This is a considerable saving saying that at £5 per student it could potentially cost £80,000 to canvass 16,000 students

had they not registered through the university. Sheffield Hallam University was due to introduce a similar system for the 2017 student intake.

28. In York there is contact with universities but there were barriers caused by data protection. The University of York has about 14% of its 17,400³ students in halls of residence and York St John University has about 10% of its 6,500⁴ students. Each student now needs to be individually registered. Working with the Universities can assist but there are also privately managed halls as well as students living in individual properties. Until June 2016, when funding was lost, CYC had a member of staff purely engaged with students.
29. Sheffield is fortunate that Sheffield University quickly bought into an idea that works for students. One of the issues with electoral registration is that students are being asked to provide information at their busiest time. Students were being harassed as soon as they arrived in Sheffield. This was a way they could respond easily and because of the way the software works the data is owned by the electoral registration officer, not the university.
30. York has a canvass budget of £50,000 plus further funding from the Cabinet Office of £50,000.
31. The Electoral Commission engaged in a project to look at the Referendum to see what lessons can be learned and found there are three key factors: time to declare; size of venue and the number of senior staff available who understand the process.
32. Sheffield is fortunate that it has a venue large enough – an indoor running track with additional and separate large rooms the size of four basketball courts. York does not have any venues offering this amount of space.
33. Split venues are an option but problems arise when crucial decisions have to be made. Having a senior election official make that decision brings an element of trust in the professional capabilities of that officer. If someone else makes the decision it could be open to challenge. It is hard enough in a single venue to know all of what is going on. With a

³ University of York Student Statistics 2016/17

⁴ York St John University Total Enrolment 2016

split venue it is more difficult to keep track of any issues that arise.

34. The Task Group then considered alternative venues to Energise where the count could potentially take place. These included the Royal York Hotel, York Racecourse, York University, the Barbican and the David Lloyd sports complex in Hull Road. These had all been considered as possible venues for the 2015 combined elections and all had drawbacks or were not available.
35. They were also given information about marquee hire but the idea of attaching a marquee to Energise was shelved while other options are explored.
36. Finally the Task Group considered a summary of complaints covering the past four elections and were satisfied that the number of complaints were minimal, although they asked to see the most recent issue log.
37. The Task Group agreed to a further meeting in early February 2017 when they planned talks with registration officers from the University of York and York St John University to establish whether arrangements similar to those in Sheffield could be utilised in York, but this meeting was cancelled at short notice as one of the university representatives became unavailable.
38. After that time the Task Group lost two of its four members as Cllr Lisle was appointed to the Executive and Cllr Levene resigned his Council seat.
39. At a meeting of the full Committee on 12 June 2017 Cllr Flinders was appointed to the Task Group along with a Conservative member, later confirmed as Cllr Galvin.
40. Following the cancelled February meeting of the Task Group the Higher Education and Research Bill received Royal Assent at the end of April 2017, including an amendment by the House of Lords which required that:

“(2A) The list of principles must include a requirement that every provider—

(a) provides all eligible students with the opportunity to opt in to be added to the electoral register through the process of enrolling with

that provider, and

(b) enters into a data sharing agreement with the local electoral registration officer to add eligible students to the electoral register.

(2B) For the purposes of subsection (2A) –

(a) a “data sharing agreement” is an agreement between the higher education provider and their local authority whereby the provider shares the –

- (i) name,*
- (ii) address,*
- (iii) nationality,*
- (iv) date of birth, and*
- (v) national insurance data,*

of all eligible students enrolling or enrolled (or both) with the provider who opt in under subsection (2A)(a);

(b) “eligible” means those persons who are—

- (i) entitled to vote in accordance with section 1 of the Representation of the People Act 1983, and*
- (ii) a resident in the same local authority as the higher education provider.*

(2C) Subsection (2A) does not apply to the Open University and other distance learning institutions.”

41. As the Bill has received Royal Assent, the Act is now law and means universities have a requirement to include an opt-in question during the university enrolment process to consent to share the listed data with the Council.
42. It should be noted that there was an increase of almost 9,000 in the number of votes cast in York’s two parliamentary constituencies in the June 2017 General Election, the joint total rising to 110,874 compared to 101,958 in 2015.
43. Nationally 46.8 million people were registered to vote at the June 2017 General Election, of which 68.8% actually voted. This was the largest electorate for a UK-wide poll, with approximately 500,000 more electors than at the 2015 election.
44. While the online registration service has significantly improved access to elections since it was introduced in June 2014, Electoral Registration

Officers (EROs) highlighted the significant administrative and financial impact of processing duplicate applications submitted by people who are already registered to vote. Estimates by EROs of the proportion of duplicate applications have ranged from 30% of the total submitted in some areas to 70% in others.

45. In early July the Task Group met to brief the new members on the information gathered to date and to raise any additional issues.
46. To achieve the second part of the remit: “Improving performance at the count whilst maintaining high standards of accuracy”, the most straightforward solution is identifying a bigger venue for the count. As detailed in paragraph 34 this is an ongoing consideration for the elections team and the Elections Services Manager has a further visit planned to the University of York to assess the suitability of using the university’s sports centre or other university buildings.
47. A further alternative could be to consider the Yorkshire Aircraft Museum at Elvington. At present the count at Energise is held in an area of 750 square metres and there is a an additional hall of 300 sq m, around 50 metres away, used for ballot box reception and a third room of 60 sq m used for postal votes. The cost to hire Energise is around £4,500, before table and chair hire, security and refreshment.
48. The aircraft museum, which is little over seven miles from the city centre, hires buildings and facilities to corporate organisations. It has ample space to stage an election, parking, toilet and catering facilities all within a secure site.
49. The cost of hiring half the main hangar, an area of 35m x 36m (1,260sq m), is £5,250 a day including set up, although for an election the hire period will be from noon on the day of the election until noon the following day and these figures will need to be assessed and confirmed. The hangar has new LED lighting and trestle tables are included in the cost, although there will be an additional hire charge should more be needed than are available on site.
50. In addition the museum’s Elvington Room is 27.4m x 5.8m (approx 1,600sq m) and can be partitioned for ballot box reception and postal votes. It has a rear door to a staff car park which can be used by ballot box delivery vehicles. This is £950 from 6pm to midnight. Room hire costs will be reduced if a food/drink package is taken. The Elvington Room has full WiFi facilities and is approximately 100 metres from hangar, but boxes could be transferred by vehicle.

51. Members noted that additional costs of venue hire and staffing would fall on the Council for local elections and the Returning Officer would need to seek to persuade the Cabinet Office that these additional costs were legitimately incurred. They noted that some local authorities provide funding towards the costs of national elections.
52. The Task Group met again in late August 2017 when members agreed that they had gathered sufficient information to satisfy both objectives in the remit:
- Ways of maximising the number of people eligible to vote – through the requirements of the Higher Education and Research Bill which will allow the Electoral Services manager to reach a data sharing agreement with York's two universities, *and*
 - Improving performance at the count whilst maintaining high standards of accuracy – by further exploring the availability of larger venues in the city, particularly the sports centre and other buildings at the University of York and the Yorkshire Aircraft Museum.

Electoral Arrangements

53. Electoral arrangements are the responsibility of the Acting Returning Officer (ARO) for Parliamentary elections and the Returning Officer (RO) for local government elections, and in York the key aims are:
- To allow those who are eligible and wish to vote to do so
 - To ensure that the processes followed are robust and produce an accurate result which is not open to challenge.
54. York electoral services are well respected among election professionals both local and nationally as evidenced by the fact that York was asked to provide project management, legal and other expert assistance to the Police Area Returning Officer at the Police & Crime Commissioner elections. In addition, for the EU Referendum York's risk profile rating, as assessed by the Electoral Commission, was **green**. A green rating means the minimum level of scrutiny from the Regional Counting Officer and Electoral Commission. York follows the guidance of the Electoral Commission (EC) in administering elections and there are more than a dozen Acts, Regulations and Rules which must be followed. The key ones are:
- Representation of the People Act 1983

- Representation of the People Act 1985 (overseas electors)
- Representation of the People Act 2000 (postal votes)
- Local Elections (Principal Areas) (England & Wales) Rules 2006
- Representation of the People(England & Wales) Regulations 2001
- Others are listed in the EC guidance and all can be found on the www.legislation.gov.uk website

55. Electoral administration and the conduct of elections is complex and has become more difficult in York in recent years. Some of the reasons for this are:

- The administration of elections is inherently complex affair with a need to follow regulatory requirements to the letter while delivering a significant project. In York that includes making arrangements : to establish and perform around 500 job roles in York; to set up and work from around 120 polling stations and to communicate with 155,000 electors. These roles are performed under intense media and political scrutiny;
- More demand for postal voting. In the last local election around 10% of the electorate, 15,000 voters, opted for postal votes compared with just 800 in 1988. In the EU Referendum in excess of 20,000 electors opted for postal votes. The administration of postal voting significantly increases the workload of the core election team and adds risks which have to be managed;
- Overnight counting becomes more difficult with postal votes because security checks have to be carried out on postal votes handed in at polling stations;
- Individual Electoral Registration. Since 2014 individuals have become responsible for registering themselves to vote rather than registering a household as before. As previously indicated the run up to each major electoral event since that time has seen a surge in new and duplicate applications and consequent additional pressure for the team.

56. Specific Challenges in York include:

- The elections footprint following boundary changes;

- Local elections in most York wards are multi-vacancy elections, meaning that a more complicated count model has to be used than for “first past the post” elections.
- For local elections, the diversity of many wards means that a number of different candidates have a realistic hope of being elected, leading to close results. This also means that voters often spread their allegiance between candidates for one party and independents preventing large numbers of ballot papers being quickly counted as a vote for all candidates for one party.
- In York space limitations at the count venue impacts on the number of counters that can be used.

Returning Officer

57. At a UK Parliamentary election in England, the Returning Officer (RO) is a largely ceremonial position. The administration of the election is the responsibility of the Acting Returning Officer (ARO).
58. In local government elections every county, district, unitary and metropolitan council is required to appoint an officer of the council to be the RO for the election of councillors.
59. The RO (or ARO, but RO for the purpose of this report) plays a central role in the democratic process. The role is to ensure that the elections are administered effectively and that, as a result, the experience of voters and those standing for election is a positive one. The RO seeks to set out at an early stage what they want to achieve and what success would look like.
60. In York elections are organised as a full project with the election team initially meeting on a monthly basis and then more frequently as polling day nears. Project planning starts approximately a month after the previous election with a review of lessons learnt from that poll. A list of core documents used by the team includes a project plan; time table; risk assessment; agent and candidate count guide; ballot box collection arrangements; count model; counting assistants guide; team supervisor instructions; a training schedule; instructions for postal voting; inspecting officer guidance and polling staff guidance.
61. The RO is personally responsible for the administration of the election, including:
 - nominations

- the provision of polling stations
- the appointment of Presiding Officers and Clerks
- management of the postal voting process
- the verification and counting of votes

62. Where the Local Government election is combined with a poll for a further electoral event the RO will take responsibility for the combined poll including:

- the provision of polling stations
- the appointment of Presiding Officers and Clerks
- the notice of situation of polling stations
- the equipment of polling stations
- the notification of the secrecy requirements at polling stations
- signing certificates of employment for polling station staff allowing them to vote at the polling station they are working at, as opposed to the one allocated to them
- authorisation to order the removal of persons from polling stations
- verification of all ballot papers
- where it has been decided to combine the issue of postal votes:
 - the corresponding number list
 - the issue of postal votes including creating a copy of the postal voters list and proxy postal voters list and marking it on issue
 - the opening of postal votes including the marking the returned postal vote statements on the lists and the verification of the personal identifiers on the returned postal voting statements

63. While the RO can appoint one or more persons to discharge any or all of the RO functions they cannot delegate personal responsibility for delivering the election.

Planning For The Election

64. To plan effectively for the election, a project plan is prepared and treated as a “living document”. It is kept under regular review and used to monitor progress.

65. This planning supports the delivery of the following outcomes:
- Voters are able to vote easily and know their vote will be counted in the way they intended
 - It is easy for people who want to stand for election to find out how to get involved, what rules are, and what they have to do to comply with these rules, and they can have confidence in the management of the process and the result.
66. Before starting detailed planning the election team looks at what needs to be achieved and what success will look like. The project plan includes clearly defined objectives and success measures. The project plan also includes a plan to evaluate procedures post-election and identify lessons learnt.
67. This planning reflects any legislative changes which have come into effect since the last poll, for example, there are a number of areas in which processes and practices will need to be reviewed as a consequence of legislative change, such as in relation to postal voting, where there is now the ability to issue postal ballot packs earlier in the election timetable.
68. The project plan covers contingency planning and business continuity arrangements. The continuity arrangements include provisions to cover loss of staff and loss of venues during the election
69. It also identifies the resources required and ensures the necessary steps are taken for the local authority makes resources available to enable the discharge of election functions.
70. A risk register is prepared and kept under regular review to monitor any risks and document any changes in risk, as well as ensuring that mitigating actions are identified and taken forward as appropriate.

Staffing

71. The project plan identifies staffing requirements and ensures the necessary appointments are made at the earliest opportunity.
72. A project team is then established to support the RO in carrying out their functions and in delivering a well-run election. The project team includes:
- Any appointed deputies
 - Other electoral services staff members

- The Electoral Registration Officer (ERO) where the RO is not also the ERO.

73. The project team has a clear remit and understanding of the tasks to be carried out. At the planning stage, a schedule of meetings is prepared, and a record of each meeting is kept as an audit trail of what has been discussed and of any decisions made.

74. The RO has a legal duty to appoint and pay a Presiding Officer and such Poll Clerks as may be necessary to staff each polling station. In order to ensure that voters receive a high-quality service it is important that polling stations are properly staffed. The Electoral Commission recommends the following ratios:

- A polling station should not have more than 2,500 electors allocated to it.
- In addition to a Presiding Officer, there should be one Poll Clerk for polling stations with up to 750 electors.
- One additional Poll Clerk should be appointed for polling stations with up to 1,500 electors
- One further Poll Clerk should be appointed to a polling station with up to the maximum of 2,500 electors

75. These ratios are recommended minimum levels and there may be circumstances in which a higher number of staff are employed. In York particular consideration is given to areas with high numbers of student electors where more assistance may be required in polling stations.

76. In order to ensure that voters can have confidence that their votes will be counted in a way they intended, appropriate resources are put in place to ensure that the verification and counts are timely and that the processes followed are designed and managed in such a way as to secure an accurate result. The number and type of staff require to run the verification and count are identified and appointed as soon as possible.

77. Typically the following types of roles make up the overall staffing required at the verification and count:

- A senior officer responsible for the overall operation, assisting with the organisation of the event and the co-ordination of the verification and count processes

- A responsible officer to supervise a team dealing with the receipt of ballot boxes, postal votes and paperwork at the verification and count venue, and the verification of the unused ballot papers and tendered ballot papers.
- An officer to oversee the secure transportation of the sealed boxes of postal ballot papers to the verification and count venue and to deal with the final opening of postal votes.
- A team of staff to who check ballot paper accounts and keep records of count totals including ensuring that all of the necessary forms and statements are completed accurately and formally signed off, and providing an audit trail for the verification and count processes.
- A team of senior staff responsible for managing those staff sorting and counting the votes.
- Teams of staff dealing with the receipt of ballot boxes, postal votes and paperwork, and the verification of unused and tendered ballot papers.
- Counting assistants to accurately sort and count the ballot papers.
- Porters, security staff and door attendants to deal with the security of the site and the management of the facilities within and around the site.
- An officer to oversee the security of ballot boxes and relevant stationery.

78. The project plan contains a plan for training which identifies the training needs of both permanent and temporary staff. While training activities for temporary staff may not take place until shortly before the election, planning for those activities starts at the earliest opportunity.

Register to Vote

79. Under the system of individual electoral registration each individual is now responsible for registering themselves and by law people must register to vote. When registering to vote:

- People need their National Insurance number and date of birth; these are used to check their identity with the Department of Works and Pension.
- These details are uploaded to a national portal.

- Once details have been checked, people will either receive a letter requesting more information or a letter to confirm that they are registered. Submitting an application does not automatically mean a person will be registered, several checks must be made.
- People can only vote in Parliamentary and City of York Council elections if their name is on the register of electors.
- If people are not on the register of electors they may find it harder to get a loan, mortgage, finance agreement or even a mobile phone as certain credit reference agencies use the register to confirm stability of residence.

Online registration

80. The online registration service has significantly improved access to elections in Great Britain since it was introduced in June 2014. Data about applications made using the online electoral registration service show that the numbers of people using the service have increased each year since 2014. Between 10 June 2014 and 30 June 2017 a total of 21,580,788 registration applications (representing 77.6% of all applications) have been submitted online.
81. However, the online registration system currently allows people to submit an application to register even if they are already registered to vote. There is no direct link between the online registration service and the electoral registers, which are each held separately on local databases using a range of different management software systems. This means that the different systems cannot currently communicate directly with each other and it is therefore not possible to automatically detect and prevent these duplicate applications.
82. Despite steps to prevent duplicate registration applications, estimates by EROs of the proportion of duplicate applications received ahead of the 2017 general election have ranged from 30% of the total submitted in some areas to 70% in others. EROs have highlighted the significant administrative impact of processing duplicate applications ahead of the general election. Each individual application must be carefully checked to confirm whether or not they are a duplicate.

Who can register?

83. People can only register to vote in York if they are:
- 18 (or will become 18 during the life of the register)

- a British, Irish, Commonwealth or European Union Member State citizen (a full list of all eligible countries provided)
- resident at a York address or an eligible overseas elector or service voter.

Students registering to vote

84. Students can register to vote both at their home address and where they are at college, their term time address. If students are registered to vote in two different electoral areas, they can vote in local elections for the two different local councils. However, it is an offence to vote twice in the same type of election, such as in a UK general election. Doing this could result in a fine of up to £5,000.

Updates to the register of electors

85. The register of electors is published once each year, but there are updates to the register generally the first of every month, except during October and November.
86. There are strict statutory deadlines which mean that you can only be added to the register if an application is received by the required time, and it includes all the information need to process it.

Absent voting

87. In addition to voting at a polling station, registered electors in York can vote by post or by proxy. Voters must apply for a postal vote if they want to vote by post, e.g. if they are away from home or abroad.
88. People can apply to vote by post for a single election on a specific day, for a specific period or permanently. In York some 20,000 people, around 13% of the electorate, used postal voting in the EU Referendum. Postal voting is a time consuming exercise for elections staff, who are responsible for the production and issue of postal vote packs, dealing with returned postal votes and completing anti-fraud checks. They also deal with a high volume of public enquiries in relation to postal voting during the run up to the election. Unlike many other areas York has adopted a system of daily postal vote issues for those who apply for such a vote after the printers have produced the first issue. This means that postal votes are issued as soon as is reasonably practicable. It is, however, a much more demanding process in terms of the resource required than the traditional approach of a first issue and a last issue.
89. Voting by proxy means getting someone else to vote on your behalf. Again a proxy vote can be for a single election, for a specific period or

permanently. People can apply for a proxy vote under certain circumstances, including:

- Being away on polling day
- Having a medical issue of disability
- Not being able to vote in person because of work or military service

90. Historically in York there have been a small number of proxy voters, around 100. However, there was a big increase for the Referendum in large part due to the Council being proactive with people who were too late to register for postal votes or for whom a postal vote may not have been the best option and who therefore took up the proxy option.

91. York has an increasing number of people registered to vote as overseas electors. At election time priority is given to the registration of these voters and to ensuring that they have an absent vote set up as soon as possible (particularly where they choose to vote by post) so as to give the best possible chance of these votes being cast.

Verifying and Counting the Votes

92. Verification and count arrangements are designed in line with the following key principles:

- All processes are transparent, with a clear and unambiguous audit trail.
- The verification produces an accurate result. This means that the number of ballot papers in each box either matches the number of ballot papers issued as stated on the ballot paper account or, if it does not:
 - the source of the variance has been identified and can be explained, and/or
 - the box has been recounted at least twice, until the same number of ballot papers is counted on two consecutive occasions.
- The count produces an accurate result, where:
 - a. for single-member vacancies, the total number of votes cast for each candidate and rejected votes matches the total number of ballot papers given on the verification statement for the election;

b. for multi-member vacancies, the total number of votes given for each candidate added to the unused votes and number of rejected votes (i.e. the number of completely rejected ballots multiplied by the number of vacancies plus the number of rejected votes from those ballots) matches the total number of votes expected (i.e. the total number of ballot papers as given on the verification statement multiplied by the number of vacancies)

- The verification and count are timely.
- The secrecy of the vote is maintained at all times.
- The security of ballot papers and other stationery is maintained at all times

93. Arrangements for the verification of ballot paper accounts are made as soon as practicable after the close of poll. Postal votes received on polling day, including those delivered to polling stations, are also processed at the count.

94. Arrangements for counting the votes are made as soon as practicable after the close of poll.

95. In considering how to organise the verification and count the following factors are taken into account:

- The number of tables required – there should be a sufficient number to accommodate the number of counting assistants appointed.
- The layout of the tables – they should allow easy viewing by all of those entitled to be present, and take into account the number of candidates standing, as well as the size of the ballot papers.
- Circulation areas and the amount of space available around the tables – this space should be maximised, and any obstructions such as stored furniture should be removed.
- Seating – for those entitled to attend proceedings.
- Access – the room should be laid out in a way that ensures that all of the proceedings are accessible to anyone entitled to attend, including disabled people.
- Public address systems.
- Media requirements .

- Health and safety – the RO has a responsibility for the health and safety of all persons present. This has particular implications for layout, access to emergency exits and venue capacity
- Security – of the count and for those present

Count comparisons

96. It is noteworthy that in the Referendum the Yorkshire and Humber region was the first region to declare its result. The priority in York, however, is not to be the first to declare, but that the count is accurate.

97. The speed of the count is determined by a number of factors:

- The number of votes cast.
- Time taken to get ballot papers to the count. In York Presiding Officers deliver the ballot papers in their own car having completed the ballot paper account. Some areas use taxis.
- The number of counters in proportion to the votes cast. York uses the largest room available but this is small in comparison to those used by others. Benchmarking with other areas confirms that York is in the bottom quartile with regards to number of counters in comparison to the volume of votes.
- The counting method used. First past the post is the easiest and by far the quickest to count. In multi-vacancy elections there are two methods traditionally used where voters have not used all their votes for candidates of one party: counting sheets, which are easy to use but prone to inaccuracy, or the “grass skirt” method which is known to be more accurate, but takes longer.
- Voting patterns. Votes for one party can simply be grouped together and counted. The fewer votes which have to be counted using one of the alternative methods, the faster the count.
- The Returning Officer’s attitude towards variations and the tolerance between the votes counted and those verified;
- The number of double or triple polling stations used. Inevitably votes will be placed in the wrong ballot box, meaning that ballot paper accounts will not balance. The votes will be counted but the verification of each box can only be concluded once the contents of both have been counted.
- Any requirement to recount.

98. A comparison of count times and the number of counters at the EU Referendum vote is below:

Authority	Electorate	Counters	Votes Counted	Verification Complete	Count Complete
York	155,157	100	109,691	2am	5am
Wakefield	246,096	170	175,259	2am	4am
NE Lincolnshire	116,302	102	79,013	12.15am	1.45am
Craven DC	44,320	40	35,907	12.20am	2.25am
Richmondshire DC	36794	28	27,636	12.33am	2.47am
Ryedale DC	41,529	36	32,069	1am	3.20am
Harrogate BC	119, 987	80	94,665	1.30am	3.45am
Scarborough BC	82,900	70	60,539	1am	3.05am
Selby DC	65, 278	60	51,639	1am	4.15am
East Riding of Yorkshire	266, 057	250	199,099	1,30am	3.25am
Calderdale	149, 195	136	106,008	1.45am	4.20am
Sheffield	396,406	222	266,951	1.25am	3.15am
Redcar & Cleveland	103,529	88	72,714	12.25am	1.55am

Consultation

99. To gather the evidence in this report the Task Group has consulted with Electoral Services Manager at CYC and the Assistant Director of Legal and Governance. It has met with the Electoral Services Manager from the City of Sheffield Council and the Electoral Commission Regional Manager. In addition it has taken into account various reports and documents prepared by the Electoral Commission and the many Acts, Regulations and Rules which must be followed.

Analysis

100. First and foremost it should be recognised that that in Parliamentary elections the duties of the ARO are separate from their responsibilities as local government officers. AROs are not responsible to the local authority, but are directly accountable to the courts as independent statutory office holders. While they can appoint one or more persons to discharge any of all of the functions of an ARO they cannot delegate personal responsibility for delivering the election.

101. In local government elections every county, district, unitary and metropolitan council in England is required to appoint an officer of the council to be the RO for the election of councillors. A local government

RO is personally responsible for the conduct of the local government election, including verifying and counting the votes and declaring the result.

102. The electoral commission described York as being incredibly efficient in conducting elections. The onus is on achieving an accurate result. The commission do not want local authorities to rush proceedings and end up with a challenge.
103. A key factor which affects the time an election result is declared in York is the size of the count venue and the number of counters it can accommodate. In recent elections the count has been held in largest identified venue available in the city, the Energise leisure centre. Other potential venues have been considered over the years and are regularly reconsidered.
104. The Electoral Services Manager is planning further visits to the University of York to consider facilities there, including the sports centre and other buildings, although there could still be issues around term-time availability and security.
105. There is also potential in exploring the use of facilities at the Yorkshire Aircraft Museum at Elvington. There is a perception that the venue is perhaps remote, but it is little over seven miles away from the city centre. Elvington is 10 miles from Haxby, 10 miles from Strensall, 11 miles from Rawcliffe via the A1237 and 13.7 miles from Acomb via the A64. In comparison the distance to Energise from Murton is 10.6 miles via the A64, from Strensall it is 10 miles and from Wheldrake, 13 miles.
106. There is an option to use split venues for the count but this has drawbacks, particularly when problems arise and crucial decisions have to be made. The use of split venues would require duplication of senior officers responsible for administering the election.
107. There are issues with electoral registration and participation that might lead to the under-representation of students at elections. Full-time university students are numerous, disproportionately young and middle class and relatively homogeneous.
108. Students often live in relatively short-term rented accommodation, typically with only loose links to the communities in which they reside. As a result, they are sometimes absent from the electoral roll..

109. Prior to the introduction of Individual Electoral Registration students in student halls of residence could be “block registered” by an individual in charge of halls, as well as by their parents at their home address under the household registration system.
110. Household registration was considered particularly susceptible to fraud because large numbers of people living in the same accommodation can be registered together. The ability to register many people at once had a positive advantage for people living in communal accommodation, such as a hall of residence. Individual voter registration puts the onus on each individual to register directly with the authorities and to provide their National Insurance Number and date of birth as personal identifiers.
111. Individual Electoral Registration is not aligned well with students, particularly those who move away from home to study, as:
- some students do not appear on the DWP database;
 - many students move accommodation from year to year which means Electoral Registration Officers face difficulties tracing them to encourage re-registration – it is estimated to cost around £5 to trace each student to find out if they wish to be on the electoral roll at their place of study;
 - each year a high proportion of students are new to the area and so are not on the old register at their place of study and cannot be automatically transferred.
 - Students may consider themselves to more closely associated with their home address and choose to register to vote only in that area.
112. In York student registration, particularly after the introduction of IER, was seen as a concern that could have impacted on their eligibility to vote. However, the passing of the Higher Education and Research Bill should make student registration easier as the city’s two universities will be required to include an opt-in question during the university enrolment process to consent to share the listed data with the Council.
113. As there is concern over duplicate registration applications and steps need to be taken to reduce both the scale and administrative impact of duplicate registration applications ahead of future elections.

Recommendations

114. In November 2017 the full Committee (CSMPSC) discussed the Task Group Draft Final Report and endorsed recommendations i, ii, and iii

while adding three further recommendations at iv, v, and vi. The full review recommendations are:

115. The Committee:

- i. Notes the very positive comments made by the Electoral Commission regarding the efficiency of York's electoral processes;
- ii. Expresses support for the Returning Officer's overriding objective of ensuring an accurate result at each count;

And recommends that the Returning Officer:

- i. Continues to consider options for alternative count venues allowing for increased numbers of count staff;
- ii. Endorses the ongoing work of the electoral registrations team and the Universities to promote electoral registration amongst students;
- iii. Endorses plans to review the work done by another local authority to make electoral register details available through their "My Account" system, addressing the implications of making a similar system available in York;
- iv. Reviews count procedures including the process of managing the count, reducing downtime and the training and instruction of count staff;
- v. Reviews the resources available for the organisation of elections;
- vi. Examines a targeted response time for the receipt of postal votes.

Options

116. As parent Committee and having considered the information provided in the draft final report, the full Committee (CSMPSC), reviewed its options for dealing with the report and endorsed it, subject to agreeing to the above changes to recommendations to the Returning Officer. In

essence, the full Committee added those recommendations set out in paragraph 115 (iv)(v) and (vi) above.

Council Plan

117. This report is linked to the Focus on Frontline Services and A Council That Listens to Residents elements of the Council's Plan 2015-19.

Implications

118. The following implications have been identified:

- **Financial** – Any additional costs of venue hire and staffing would fall on the Council for local elections and the Returning Officer would need to seek to persuade the Cabinet Office that these additional costs were legitimately incurred.
- **Human Resources (HR)** – There are no HR implications.
- **Equalities** – One of the aims of this review is to ensure that everyone who is eligible to vote in York is able to do so.
- **Legal** – All elections are legally regulated and follow concrete guidelines. Election officers have to adhere to the smallest detail in order to conduct a legally valid election whose result cannot be contested.
- **Crime and Disorder** – There are no crime and disorder implications.
- **Information Technology (IT)** – There are no IT implications
- **Property** – There are no property implications
- **Other** – No other implications have been identified

Risk Management

119. There are no risks associated with the recommendations in this report. However, the administration of elections carries a very high degree of risk as evidenced by issues that arose during the London Mayoral Election which resulted in the resignation of the Chief Executive of a London Borough. In the Parliamentary elections in 2017 almost 1,000 people in a Staffordshire constituency were denied the opportunity to

vote due to administrative failures and a further 350+ may also have been disenfranchised. As a result the council's Chief Executive (who acts as the Acting Returning Officer and Electoral Registration Officer) and the Monitoring Officer (who acts as the Head of Audit and Elections) were suspended pending a full investigation.

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Report Approved Date 19/10/2017

Wards Affected:

All

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Background Papers:

Electoral Commission Guidance on Electoral Administration

<http://www.electoralcommission.org.uk/i-am-a/electoral-administrator>

Abbreviations

CSMC – Corporate & Scrutiny Management Policy & Scrutiny Committee

EC – Electoral Commission

ERO – Electoral Registration Officer

EU – European Union

IER – Individual Electoral Registration

RO – Returning Officer