

MAY 2023 ELECTIONS – POST ELECTION REVIEW

1. RECOMMENDATIONS

- 1.1 GP&L note the issues raised within this report and approve the action plan appended.

2. INTRODUCTION

- 2.1 The quadrennial District and Parish elections in May posed a number of challenges. Not only are they the most complex type of election to administer, the 2023 elections also included the introduction of the Local Government Boundary Changes to the Council's administrative arrangements, reducing the number of councillors and introducing 26 new district wards, and new legislative requirements including photographic Voter ID in polling stations.
- 2.2 In line with good practice a post election review has been undertaken to look at the adequacy of the arrangements made and where improvements could be made for future elections. This is particularly pertinent with a UK parliamentary election needing to be held within the next 14 months which will prove to be a greater test of some of the new arrangements and requirements.
- 2.3 This report details the findings of the review and presents an action plan to address some of the issues raised and opportunities identified, whilst recognising the safe and successful delivery of these elections.

3. BACKGROUND AND OVERVIEW

- 3.1 Due to the complexity of delivering these elections governance arrangements, including a Project Board chaired by the Chief Executive, were put in place to specifically consider progress and delivery of three distinct workstreams:

- Boundary changes and Polling District and Places Review
- Elections Act Implementation
- Administering the elections

- 3.2 This approach and the arrangements put in place ensured successful delivery of the project work streams and the necessary assurance over the management of resources costs and risk. Such arrangements will be replicated in future as good practice.

3.3 Boundary Changes and Polling District and Places Review

The final recommendations of the Local Government Boundary Commission review of New Forest came into effect for the May 2023 election, resulting in the reduction of councillors from 60 to 48 and the implementation of new ward boundaries for each of the 26 new district wards. Furthermore, recommendations for new parish wards in 6 Town and Parish areas were also implemented.

This required extensive and painstaking work to redraw boundaries and ensure all 140,333 electors were accurately assigned to the appropriate ward. The changes also resulted in a need to undertake an interim Polling District and Places Review to ensure polling districts were conterminous with the new boundaries with polling stations identified within each polling district. Consultation sessions were undertaken for district

and parish councillors and parish clerks for each of the parish areas specifically affected and a further session for all other areas to help inform this review, along with the statutory consultation in line with the Electoral Commissions guidance.

To reflect the significance and magnitude of this piece of work a consultant from the Association of Electoral Administrators was commissioned to provide assurance on the approach taken and testing of the final results. The changes resulted in approximately 16,000 electors moving to a different polling station and seven new polling stations being identified and secured. Changes were confirmed in writing to those affected.

3.4 Elections Act Implementation

The Elections Act 2022 introduces significant changes to electoral administration and the voting process. The most significant for this set of elections was the introduction of photographic ID at polling stations, which also required a shift from poll cards to polling letters to allow room for the prescribed list of appropriate forms of ID.

Electors without an appropriate form of identification, as set out by the Government, were able to apply for a Voter Authority Certificate and arrangements were made at Information Offices with technology to support electors in making an application. The legislation also included provision for voters to have their identity checked in private and equipment and training was provided to enable this to happen in a sensitive and appropriate way.

The late introduction of secondary legislation, providing detailed requirements, and the government portal resulted in short timescales to adequately implement the required changes, and in some cases resulted in local arrangements being put in place where the national response was inadequate to effectively comply with the law. In spite of this a total of 237 Voter Authority Certificates were processed and 24 voters were refused a ballot paper at the polling station due to not having an appropriate form of Voter ID, representing 0.1% of eligible electors.

Post poll reports have been written by both the Association of Electoral Administrators (AEA) and Local Government Information Unit (LGIU) which suggest that Voter ID has not been entirely stress tested for the expected turnout of a forthcoming Parliamentary Election turnout.

3.5 Administering the Elections

A total of 48 district seats and 350 parish seats were up for election, under the new arrangements already mentioned. As has previously been the case a 'one council' approach was taken to supporting delivery of the elections with 109 staff from across the organisation undertaking roles at polling stations, the count, postal vote opening and issuing, inspecting polling stations and moving equipment and ballot boxes.

Each of the 26 district wards were contested with further contests in 38 parish ward areas. A total of 98 polling station were opened from 7am until close of poll at 10pm and 343 polling station staff employed.

This set of elections was the first since Freedom Leisure took over the operation of the Health & Leisure centres and although the normal count venue of Applemore was still used the new soft play facilities have effectively reduced the available space by one third. A decision was taken to undertake a daytime count, the day after polling, allowing for polling staff to also work at the count and to recognise that fewer count staff could be accommodated which would increase the likely duration of the count. To further support this and reduce potential bottle necks it was decided that each district

ward would be treated as a mini-count from verification to declaration of results, with verified parish papers being moved to a parish counting area.

- 3.6 A comprehensive communications plan was instrumental in successfully informing voters of the new requirements and issues that might directly affect them, including supporting the national awareness campaign for Voter ID. Methods included videos, social media posts, newspaper advert, posters, resident emails and information being sent to the council's information offices and partner organisation.

4. ISSUES IDENTIFIED

- 4.1 From feedback gathered and observations during the election timetable a number of issues have been identified where there are opportunities to improvements for future elections. These are summarised below with further detail in the action plan at Appendix 1.

4.2 Nominations, candidates and agents:

In general, the arrangements for receiving nominations and communicating with candidates and agents went well. Candidates were encouraged to make an appointment for an informal check of nomination papers and to formally submit them thereafter. This prevented bottlenecks and candidates and agents needing to wait around for long periods of time. A final check of each nomination paper was undertaken by colleagues from Legal Services, giving confidence in the data entered and reducing the need for subsequent substantive checking.

For one parish council insufficient nomination forms were submitted to meet their quorum threshold, resulting in the need to rerun the entire election process again in that area. Additional work was undertaken in the run up the election to engage with Town and Parishes as to their requirements but this didn't prevent the need to contact some Clerks to remind them of the requirements or to respond to queries.

The short timescale between the close of nominations and candidate/agent briefing meant that candidate information packs, containing information about the date and time of the briefing, were received just before or on the day of the briefing. Although these dates were published on the website for future elections arrangements for key events, including training will be included in the candidate validation letter.

The briefings themselves were hybrid with some attending in person and some online via a Teams meeting. This enabled more candidates and agents to attend but we were made aware of some online attendees not being granted access to the meeting. To alleviate this and to provide a smoother experience consideration will be given to using webinar technology for future briefings.

4.3 Polling day and polling stations

Accessibility inspections were undertaken of all polling stations by the operations team ahead of the election to identify and resolve any obvious issues. Health & Safety inspections were also undertaken of all new polling stations and records updated. An opportunity was identified to provide a single source and repository for information on each polling station using a shared area on Sharepoint and this will be in place for future elections.

Polling station staff received online training which included a comprehensive overview of the new requirements. Additionally, a briefing was held for all Presiding Officers to provide last minute updates and take any questions just ahead of the poll. This, along with other detailed preparations, helped support the smooth set up and running of polling stations with very few issues arising during the day.

It became quickly apparent that Polling Station Inspectors had been given unachievable deadlines for completing their first visits to their allocated polling stations, this was in part due to the need to check staff were comfortable with the new requirements but also the length and structure of the electronic inspection form which didn't work as well as it was hoped and didn't accommodate double stations in an effective way. Further work is necessary to ensure first visits are achievable within an appropriate timescale to provide the Returning Officer with the necessary assurance that Polling Stations are open and operating effectively.

In some areas the boundary changes, and subsequent changes to an electors allocated polling station led to some confusion with voters attending their previous polling station, despite this information being communicated on a number of occasions. To assist voters some Presiding Officers, on their own initiative, used the post code look up on the online polling station finder. A parliamentary election is likely to have a significantly higher turnout so further communications on these changes will need to continue and, as part of their training, all polling station staff will be encouraged to use the online polling station finder to redirect voters.

4.4 Staffing

Staffing of elections is becoming increasingly difficult as a National issue. Not only are there less people wanting to join the profession but the rates of pay for polling and count staff are becoming less attractive considering additional tasks and responsibilities. The elections also rely on the goodwill of NFDC staff volunteering their time and although this is a paid role over time fewer staff have been interested in getting involved. This poses as significant risk to the successful running of elections.

A staffing campaign in the run up to the May elections was successful in attracting 84 more people into various roles, with the campaign itself being heralded as good practice by the Association of Electoral Administrators. Other authorities are now using the material the NFDC team created for their own campaigns.

However, attracting new staff meant a greater proportion of inexperienced people undertaking key tasks and therefore requiring greater supervision and an increase in the overall bank of staff did not prevent staff dropping out to the point that all reserve Presiding Officers had been exhausted leaving a gap the day before polling. Although this was resolved by a member of staff volunteering this did put considerable pressure on the core team who increasingly feel as though they are increasingly put in the position where they are needing to stretch the good will of others. Clearer expectations on other NFDC teams are needed as to the required support and the implications for their business as usual activities.

Feedback sought from Presiding Officers following the election has directly identified 19 Poll Clerk that they would recommend for future Presiding Officer positions and this information will be used to inform future appointments.

4.5 Counting of votes

Without question the count received the greatest feedback in terms of opportunities for improvement. The main feedback included:

- Adequacy of training and instructions

Feedback suggested that the training was complex with more practical training preferred and a one page summary or flowchart of instructions to simplify the process on the day.

- Limited car parking at Applemore Health & Leisure centre

This is a specific issue for daytime counts when the Leisure Centre remains open. Although there is offsite parking in close proximity some candidates were unable to find a parking space at the Centre and Freedom Leisure had to request that cars were moved on several occasions.

- Available count space

The smaller space led to a number of associated issues, including the time taken, comfort of staff and clear visibility across the count hall by the Returning Officer and Deputy Returning Officer. Feedback also suggested that the hall was too hot.

In previous elections the count hall was able to accommodate 120 count assistants with 12 count supervisors. The new available space allows for 80 count assistants with 10 count supervisors and a smaller team of 16 count assistants and 2 count supervisors in the Parish counting area. Having a separate area made the flow of the process more dis-jointed with a lack of visibility over proceedings.

- Use of grass skirts and associated inactivity

Grass skirts are used as a counting method where multiple candidates are being elected. Although they provide for a very transparent counting of votes, and efficient recounts, they are large, cumbersome and increase the length of time taken. Count Supervisors found it time consuming to add and reconcile the multiple count sheets and in many cases, this resulted in long periods of inactivity for Count Assistants increasing the overall count time. Count Supervisors also struggled to take adequate breaks throughout.

Additionally, grass skirts were only intended to be used for papers that couldn't be counted using a party block voting method. The voting patterns at these elections were not consistent with previous elections and did not support party block voting resulting in more grass skirts being used.

Where grass skirts are used in the future it is proposed that each supervisor has a laptop to enter and reconcile figures with the support of a secondary supervisor. This issue is limited to District and Parish elections.

- Count management and supervision

There were some inconsistencies in the information provided to Count Supervisors in terms of the process during the count leading to confusion and a lack of visibility across the hall meant that it was difficult to identify the progress of each team. The number and role of Senior Supervisors needs to be reviewed ahead of the next election.

Overall management of the count could be enhanced by the appointment of a dedicated Count Manager to project manage and deliver the count, freeing up core staff to focus on polling day.

- Doubtful paper adjudication

Count Supervisors reported that they found it difficult to get their doubtful papers adjudicated, delaying the declaration of results. Doubtful papers often become a bottleneck and although the decision was taken to adjudicate papers

at the count tables to alleviate this, there was a lack of visibility to easily determine which tables were ready for adjudication with Senior Supervisors working in pairs which further delayed the process. These arrangements will be reviewed for future elections with clear expectations as to the role of the Senior Supervisors.

A further common issue is the time taken in ensuring the relevant candidates and agents have an opportunity to witness the adjudication and this was further hindered by the lack of free movement in the hall.

- Length of time taken

Most significantly the count took considerably longer than anticipated, and longer than previous district and parish counts. The smaller space meant a reduction in the number of count assistants and the increased use of grass skirts, along with the number of candidates on parish papers also added to the length of time taken. The indicative timeframe which was based on previous District and Parish elections including a factor to account for fewer staff led to expectations which couldn't be met for the reasons stated. This timeframe wasn't overly ambitious but in light of the significant time needed on this occasion we would caution against setting a timetable in future.

The use of ICT on large screens was helpful in communicating progress to attendees, results were published in real time and new Councillor sign ups worked well.

- 4.6 With the exception of one parish ward all results were declared on 6 May 2023, and no recounts requested which is testament to the confidence in the process. Due to the closeness of the result, staff fatigue and how late in the day it was the Returning Officer took the decision to pause the counting of votes for the one parish area with a recount taking place on Tuesday 10 May 2023, the first opportunity after the public holiday.
- 4.7 An all-out combined district and parish count will always prove to be the most challenging and in the context of these elections it's probably unrealistic to undertake the count for both district and parish papers on the same day for future elections. A specific project team for the count should be established, led by an assigned Count Manager allowing the core team to focus their efforts on delivery of the poll itself.
- 4.8 More immediately there is a need to consider alternative count venues, although previous attempts to secure an alternative have been unsuccessful. The use of multiple venues bring different challenges such as higher quantity of staff needed and additional resources such as ICT and equipment challenges which needs to be considered in the context of the benefits versus the challenges. Applemore as a venue is still viable for parliamentary elections where the counting of votes is much simpler, accepting that it may take longer than it has in the past. This is a high priority on the action plan and an options appraisal will be undertaken and reported back the Returning Officer.

5. FURTHER ELECTIONS ACT REQUIREMENTS

- 5.1 The second tranche of the legislative changes brought about by the Elections Act are still to be delivered. These include online postal vote applications, changes to the postal vote refresh period, votes for life for overseas electors and the rights of EU Citizens, including candidacy rights. Changes to the rights for overseas electors is likely to significantly increase those registered to vote, with only an estimated quarter of those living overseas currently registered.

- 5.2 Online postal vote applications go live from 31 October 2023. Confidence is low in the government's portal and approach to delivering this service. The new requirements include further verification of electors identity by providing their National Insurance number. The burden being felt by election teams in the processing of paper applications through duplication and rekeying of information from paper forms into a secondary portal. The deadline for verifying postal vote applications is also of concern in that as it stands an elector can be verified for a postal vote as late as polling day. Secondary legislation is still awaited to clarify some of the concerns and enable detailed planning to take place.

6. CONCLUSIONS

- 6.1 Each election is different and the quadrennial district and parish elections will always be the most challenging to deliver. In this respect it is difficult to compare to other elections, but the 2023 elections do provide an opportunity to review the arrangements in place and improvements that can be made as identified in this report.
- 6.2 Staffing and the count venue, along with the additional legislative changes, are the biggest areas of concern and further work needs to be undertaken to mitigate these risks. The next scheduled elections are the Police & Crime Commissioner polls in May 2024.

7. FINANCIAL IMPLICATIONS

- 7.1 The costs of running an election are borne by the electing authority, and recovery of Town and Parish election costs is underway for the 2023 elections as the accounts are being finalised. New burden funding has also been received for the legislative changes totalling £94,951 and this has been used to purchase new equipment, including polling booths that double as privacy booths, employing additional customer service staff and polling station staff.
- 7.2 The total estimated cost of the 2023 elections is £376k, with approximately £111k rechargeable to Town & Parish Councils.

8. CRIME & DISORDER IMPLICATIONS

- 8.1 None directly arising from this report.

9. ENVIRONMENTAL IMPLICATIONS

- 9.1 None directly arising from this report.

10. EQUALITY & DIVERSITY IMPLICATIONS

- 10.1 The new legislation offers the opportunity for electors to prove their identity in private, so as not to dis-enfranchise electors with specific religious or other requirements.

11. DATA PROTECTION IMPLICATIONS

- 11.1 None directly arising for this report.

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Background Papers:

None