

## BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

<b>TO:</b> BDC Council MSDC Council	<b>REPORT NUMBER:</b> <b>MC/23/10</b>
<b>FROM:</b> The Returning Officer	<b>DATE OF MEETINGS:</b> 18 July 2023 19 July 2023
<b>OFFICER:</b> Arthur Charvonja, Chief Executive	<b>KEY DECISION REF NO.</b> N/A

### REVIEW OF THE DELIVERY OF THE 2023 DISTRICT, TOWN & PARISH ELECTIONS

#### 1. PURPOSE OF REPORT

- 1.1 As a result of a number of particular issues that arose during delivery of the 2023 district, town and parish elections across Babergh and Mid Suffolk, the Returning Officer decided on 2 May 2023 to commission the Chief Executive of the Association of Electoral Administrators ('AEA') to conduct an immediate external post-election review. The outcome of this independent review is attached at Appendix A.
- 1.2 The scope of the review, as agreed with the AEA and with the Electoral Commission, was to:
- i) investigate the circumstances surrounding the issues faced with the receipt and processing of nomination papers at the district, parish and town council elections on Thursday 4 May 2023; and
  - ii) evaluate the robustness of the delivery of Electoral Services in the two district councils, particularly in respect of the skills and knowledge of the core Electoral Services team and the support it receives corporately.
- 1.3 After each election the Councils' Electoral Services team conduct an internal 'wash-up' of the process in order to learn lessons and make iterative improvements. Again, as a result of the particular issues that arose delivering the 2023 election, this process has been expanded, so instead the Elections Project Team commissioned a wider internal review. The outcome of this broader internal review is attached at Appendix B.
- 1.4 The internal review was guided in its approach by the [Performance standards for Returning Officers | Electoral Commission](#). In summary these are:
- Electoral services are robust and support the delivery of well-run elections
  - Everybody who is eligible and wants to vote is able to do so and has confidence in the voting process
  - Everybody who is eligible and wants to stand for election is able to do so and has confidence in the process
  - Everyone can have confidence that the election process is well managed and in the accuracy of the results
- 1.5 Both Appendix A and B have been shared with the Electoral Commission.

## **2. OPTIONS CONSIDERED**

- 2.1 The Returning Officer did not consider any other options as he considered it essential to conduct a thorough review of the Councils' performance against the Electoral Commission's standards and in particular to ensure that 'Electoral services are robust and support the delivery of well-run elections' and 'Everyone can have confidence that the election process is well managed'.

<b>3. RECOMMENDATION</b>
3.1 To note the content of Appendices A and B, and request that the Joint Audit & Standards Committee review the draft action plan arising from those reviews.
<b>REASON FOR DECISION</b>
To learn the lessons from the errors made in the delivery of the 2023 district, town and parish elections and improve procedures ahead of the next scheduled elections and the further changes in electoral legislation.

## **4. KEY INFORMATION**

- 4.1 The election results for the 2023 district, town and parish councils were delivered safely and accurately. However, there were issues with the receipt, processing and communication of the 1500 candidate nominations. These errors caused inevitable confusion for the candidates, election agents and created the risk of eroding the confidence of some electors in the democratic process and the eventual results of the elections. Although no issues were experienced with the implementation of Voter ID, this created a heightened focus on trust in the democratic process and voting.
- 4.2 The errors with the Statement of Persons Nominated also had knock on impacts upon the production of ballot papers as additional manual checks were implemented to ensure each draft ballot paper was checked back against the originally submitted nomination forms. Despite these checks a further error was made with a postal ballot paper for a parish ward – incorrectly advising the electors in that ward to vote for up to 2 candidates rather than 4 candidates. This error once identified was quickly resolved by reissuing a corrected ballot paper (on different coloured paper) to the 625 affected electors. These errors were all reported in a timely manner to the Electoral Commission, who endorsed the actions taken to remedy the issues.
- 4.3 Although these errors had no bearing on the election results – which were delivered safely and accurately, and a limited bearing on the experience of those voting; the Returning Officer and Elections Project Team decided that a comprehensive external and internal review should be commissioned to look at the delivery of the elections as a whole. The scope of these reviews, as agreed with the Electoral Commission, are outlined in paragraphs 1.2 (i) and (ii) above. The results of these reviews are attached at Appendix A and B.
- 4.4 The summary of the external review are that “despite the challenges, safe and secure elections were delivered...We are satisfied there are no inherent failings in the delivery of elections in Babergh and Mid Suffolk. There are clearly areas that require improvement, but we have not identified any need for an entire re-design of the service.”

The external and internal reviews were conducted independently of each other but reach common conclusions that improvements can and need to be made in relation to:

- Nominations and notices
- IT
- Communication with candidates & agents and internal engagement
- Corporate support
- Project planning
- Resource
- Team development
- Ongoing corporate learning
- Access to physical space

4.5 An action plan is being developed in response to the reviews. The Joint Audit & Standards Committee will be asked to consider and comment on the draft action plan. It is intended that the action plan will be in three sections:

- i) Lessons learned from the delivery of the district, town and parish elections which need to be captured, implemented and embedded where possible now, in recognition that this particular set of elections and scale of nominations will not take place again until 2027.
- ii) Lessons learned and improvements that will relate to all types of elections but particularly ahead of the next scheduled elections – Police & Crime Commissioner (May 2024) and the General Election (before January 2025).
- iii) Implementation of the changes needed in response to the further changes in electoral law.

## **5. FINANCIAL & LEGAL IMPLICATIONS**

5.1 There are no direct financial or legal implications arising from this report.

## **6. RISK MANAGEMENT**

6.1 The draft action plan will include a review of the Election Project Team's risk register and Election Service's risk register.

## **7. CONSULTATIONS**

7.1 A variety of external stakeholders and internal staff were consulted as part of the reviews. Appendices A and B outline the mixture of people interviewed.

## 8. EQUALITY ANALYSIS

In light of the nature of recommendations contained in this report it is not considered that an Equality Impact Assessment needed to be carried out. There are likely however to be equality impact implications arising from the action plan which will need to be assessed.

## 9. ENVIRONMENTAL IMPLICATIONS

9.1 There are no environmental impacts arising from the recommendations in this report.

## 10. APPENDICES

Title	Location
(a) Post-election review of Babergh and Mid Suffolk District Councils' Electoral Services – May 2023 - The Association of Electoral Administrators	Attached
(b) Elections Internal Review	Attached

## 11. BACKGROUND DOCUMENTS

11.1 [Performance standards for Returning Officers | Electoral Commission](#)