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Report: How the 2016 GLA elections were run You are in the Greater London
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August 2019 About the elections On 5 May 2016 elections were held in London to elect
the Mayor of London, 14 Constituency members and 11 London-wide Members of the London
Assembly. There were also Police and Crime Commissioner (PCC) elections held across
40 police force areas in England and Wales (but not in London or Greater Manchester)
and also elections to local authorities across parts of England, and mayoral
elections in Bristol. This report looks specifically at the administration of the
Greater London Authority (GLA) elections, which included the contests for the Mayor
of London and London Assembly. Registration and turnout A total of 5.74 million
people were registered to vote in the GLA elections on 5 May 2016. Overall turnout at
the elections, including votes rejected at the count, was 46.1% This was an increase
of 7.3 percentage points from the 2012 elections, when turnout was 38.8%. 1 858,634
voters - 15% of the electorate - were issued with postal ballot papers for these
elections. This is 0.9 percentage points higher than the 14.1% of the electorate
issued with postal ballot papers in 2012. Turnout amongst postal voters was 68.4%,
broadly similar to postal voter turnout in 2012, and equivalent to 22.1% of the total
votes cast. 2.60 million valid votes were cast at the elections. 1.9% (49,871) of
ballot papers were rejected at the count, which was similar to the percentage of
ballot papers rejected in 2012. A total of 22,728 returned postal ballot papers
(3.7%) were rejected or not included in the count, a decrease on the 4.6% recorded in
2012. The voter experience Overall, the evidence from our public opinion research
suggests that the large majority of voters were confident that the election was well-
run and were satisfied with the process of registering to vote and the process of
voting, regardless of how they cast their vote whether in person at a polling station
or by post. Voters felt well informed about the GLA elections with 82% of those who
took part in our research indicating that they knew 'a fair amount' or a 'great deal'
about the election, a 10 percentage point improvement on views expressed in 2012.
Voters also found it easy to access information on casting their vote and information
about candidates standing. The administration of the poll Overall, our view is that
the GLA elections were well run. People were satisfied with the process of
registering to vote and with the process of voting, regardless of how they cast their
vote, whether in person at a polling station or by post. However, serious problems in
Barnet, where incomplete registers of electors were provided to polling stations, and
issues at the results collation centre at City Hall, where software problems affected
the collation of vote totals for the London Mayoral candidates, greatly overshadowed
the good work undertaken in planning and delivering the poll. Standing for election
and campaigning Our post-election survey of candidates suggests that the majority of
candidates (66%) agree that the rules on spending and donations are clear. However,
access to information about London Mayoral candidates' and London Assembly
candidates' spending and donations could be improved by making candidates' election
returns available for viewing online. Looking ahead Any decision taken about the
combination of polls in May 2020 must be informed by extensive consultation between

relevant Government departments, elected bodies, political parties, administrators and voters to ensure that the interests of voters are put first. For the GLA elections, specific consideration must be given to the added complications introduced by the potential combination of electronic and manual counting. Recommendations:

Legislation Recommendation 1: The role of Borough Returning Officer be recognised in the legal framework for future GLA elections The roles of the Greater London Returning Officer (GLRO) and Constituency Returning Officer (CRO) are defined in the statutory framework. Borough Returning Officers (BROs) in each London Borough and the City of London supported the GLRO and CROs in running certain functions of the elections, including the administration of polling stations within each local authority area, and the issue and receipt of postal votes. However, the role of BRO is not recognised in legislation and there have been occasions at previous elections where communications between CROs and BROs have not been as straightforward as they should be, with some BROs calling for clarification of the roles. The Commission recommended (in response to the draft GLA elections rules in August 2007 and again following the 2008 and 2012 elections) that the role of BRO be recognised in the legal framework for the GLA elections in 2016. However, the government did not amend the rules to reflect this. Although this lack of recognition did not seem to cause significant problems at the 2016 elections, the Commission again recommends that the role of BRO be recognised in the legal framework for future GLA elections.

Recommendation 2: Providing an online registration status check Providing a way for electors to check their registration status at the beginning of the online registration application process would reduce the action required by voters to keep their register entry up to date, and would also reduce the impact on EROs of processing duplicate applications. The UK Government should develop an online service to allow people to check whether they are already correctly registered to vote before they complete a new application to register . Any such service would need to carefully manage and protect voters' personal information.

Recommendation 3: Ensuring legislation is clear in good time before elections We continue to recommend that Governments with legislative competence over elections within the UK should manage the development and approval of legislation so that it is clear (either by Royal Assent to primary legislation, or by laying secondary legislation for approval by Parliament) at least six months before it is required to be implemented or complied with by campaigners or electoral administrators. All governments should normally be able to plan to ensure that legislation for elections is clear at least six months before it is required to be implemented or complied with. If a government has not been able to ensure that legislation is clear by this point, it should table a formal statement in the relevant legislature explaining why it has not, and setting out its assessment of the likely impact of the late confirmation of legislation for voters, campaigners and electoral administrators.

Recommendations: Communication

Recommendation 4: Improved communication with those attending the count centres through announcements and better use of progress screens Our observation at the count centres was that there was little or no use of announcements to explain to attendees what was happening. Outside of the formal announcements made at the beginning and end of the process, there was also limited interaction between CROs and their staff with those observing. The screens used to show progress scrolled too quickly between the different contests and it would have been better to have separate screens for each contest. The GLRO should ensure that there are co-ordinated communication arrangements at the count venues to supplement the individual constituency count arrangements. Use of display screens should be reviewed, particularly scrolling

speeds, to ensure that data is communicated in a way that allows candidates, agents and observers to fully understand the progress of the count. Recommendation 5: More timely and regular communication with those attending the count collation hub Due to a problem with the software used for e-counting, a discrepancy was discovered between the figures allocated to Mayoral candidates and the total number of ballot papers counted (and rejected) in each of the 14 constituencies. This error was first observed at approximately 4.30pm although there was no communication from the GLRO to advise the candidates, agents, observers and media that there was a problem, or of the effect the problem might have on any expected result declaration time, until 9.45pm. The GLRO should ensure that communication with candidates, agents and observers about the progress of the count collation process is clear and transparent, and provides proper and regular assurance at all times throughout the proceedings.

Recommendations: Access for accredited observers Recommendation 6: Ensure access to all areas of the count collation hub for Electoral Commission representatives and improved access for accredited observers Electoral Commission representatives at the count collation hub were initially denied access to areas where key decisions were being made following the discovery of a discrepancy between the figures allocated to Mayoral candidates and the total number of ballot papers counted (and rejected) in each of the 14 constituencies. While we had some oversight of the count collation hub where data from the count venues was being received, we were initially prevented from gaining access to the area where the GLRO and his team of advisors were situated. Although access was later granted – and the Commission representatives subsequently played a key role in supporting the GLRO through to the declaration of the result – there was a risk to the transparency of the election process. The GLRO must ensure that the Electoral Commission representatives are never denied access to any part of the count or any part of the electoral process, including access to the GLRO and his advisors. Consideration should also be given to providing candidates, agents and accredited observers better access to observe proceedings at the count collation hub.

Recommendations: Advisor with recent elections experience on GLRO's team Recommendation 7: The GLRO should make arrangements to have an advisor with recent elections experience on his team The GLA core management team, including the GLRO, suffered by not having an experienced senior elections practitioner as part of the team at the count hub. This became especially apparent when the problem with the e-counting software arose. While there was expert legal advice available, the focus of deliberations and decision making of the core team was led almost exclusively by legal considerations to the exclusion of proper count management practice, and in particular to the communication of information to candidates and agents. The GLRO should ensure that he has, as a member of his core team, someone at a senior level who has recent and practical experience of delivering election counts and who can provide balanced practical advice and an overview of the management of the count process and the expectations of candidates, agents and observers. Recommendations: E-counting Recommendation 8: Further consideration should be given to the effectiveness, value for money and risks of using e-counting systems This is the fifth set of Mayor of London and London Assembly elections that have used an e-counting system. In our report on the 2012 elections, we recommended that the cost benefit analysis that was carried out prior to letting the contract for e-counting in 2012 should be updated and published which was done. We again recommend that this analysis which should include a robust and detailed consideration of counting by hand is updated and published for comment by summer 2017. Given that elections currently scheduled for 2020 would entail a mixture of manual and electronic counting the

Commission would welcome the opportunity to contribute to the analysis. The GLA's Election Review Panel is conducting a review of all aspects of the Mayor of London and London Assembly elections and for the e-counting part of this review we recommend that consideration is given to the risks arising from the technical and specialist nature of e-counting systems by asking the following questions: How much of the technical detail of the e-counting system does the GLRO personally need to understand? Who else in the GLRO's direct team is responsible for understanding and managing the operation of the e-counting system? How much control did the GLRO actually have over the e-counting system? How comfortable would the GLRO be with a similar degree of understanding and control for future elections? What was the overall risk assessment made by the GLRO about using the e-counting system? Was this risk anticipated, were the controls appropriate and applied effectively? Has this changed the GLRO's overall risk assessment about the use of e-counting in future elections?

Recommendations:

Candidates

Recommendation 9: To remove all requirements in electoral law for candidates to pay a deposit before their names are allowed to be included on the ballot paper Our evidence continues to suggest that deposits represent a significant financial hurdle for independent candidates and candidates from smaller parties and the ability to pay a deposit is not a relevant or appropriate criterion for determining access to the ballot paper. We continue to recommend that there should be no deposit requirement for candidates or political parties at all UK elections, as we consider that the ability to pay a deposit is not a relevant or appropriate criterion for determining access to the ballot paper.

Recommendation 10: Access to the electoral register for Independent Candidates We continue to recommend that the law is changed to allow all candidates to get earlier access to the register for electoral purposes. This would particularly enable independent candidates to campaign on a more equal basis with candidates from political parties.

Recommendations: Campaigning

Recommendation 11: Publication of candidate spending returns To improve transparency and accessibility of candidate spending returns, we have previously recommended that Returning Officers should be required to publish spending returns online as well as through the existing methods of public inspection. We recommend that spending returns of London Mayoral candidates and London Assembly candidates should be published online in future. We support recommendation 12-5 of the Law Commissions' review of Electoral Law which proposes a method for implementing this change through legislation.

2 Recommendation 12: Registration of party names and descriptions for use on ballot papers We continue to recommend that where a candidate represents a political party on a ballot paper, it should be clear to voters which party the candidate represents. The legal provisions for registration of party descriptions present risks of confusion for voters and restrict the participation of political parties. The Governments of the UK should work with the Electoral Commission to reform the provisions on party descriptions.

Recommendation 13: Improve transparency of non-party campaign spending at London Mayoral and London Assembly contests We recommend that the UK Government improve the rules on non-party campaign spending at London Mayoral and London Assembly contests before the next elections expected in 2020, including introducing greater transparency about who is campaigning and how much they are spending.

Recommendations: Combination of polls in 2020

Recommendation 14: Analysis and consultation on the risks of holding polls on the same day The next Mayor of London and London Assembly elections are scheduled to take place on the same day as the next scheduled UK Parliamentary General Election. Elsewhere in England, there are scheduled PCC elections and local government elections, which include local council

elections, directly elected local authority mayoral elections and combined authority mayoral elections. In Wales, there are PCC elections scheduled. In our view, this potential combination of polls presents significant risks which need to be mitigated in order to give voters, campaigners and Returning Officers confidence that the elections can be well-run. In London, specifically: There will be two sets of elections, incorporating three methods of voting and four ballot papers: the UK Parliamentary contest uses the 'first-past-the-post' system; the Mayor of London contest uses the supplementary vote system; the Constituency London Assembly Member contest uses the 'first-past-the-post' system; and the London-wide Assembly Member contest uses the closed list system which is a form of proportional representation. Clear and tailored information for voters on how to cast their vote will be essential to minimise confusion - for example, if the Mayoral and London Assembly ballot papers are counted electronically voters would be advised not to fold the ballot papers, while for the UKPGE the papers should be folded. The voting areas for the two sets of elections are different: In London, the Parliamentary elections are currently based on 73 Westminster constituencies (with draft proposals to reduce this number to 68 in 2018) which in some cases are and will be non-coterminous with the 33 London Boroughs. The Mayor of London and London Assembly elections are organised across 14 GLA constituencies (which themselves are combinations of London Boroughs). These differences may cause voter confusion and will also present challenges for political parties campaigning in both sets of elections and for those administering them. The timing of the counts and the counting system used in each election will need to be considered alongside expected levels of voter turnout: If ecounting is used in 2020 for the Mayor of London and London Assembly elections with a manual count for the UK Parliamentary election, consideration will need to be given to logistics of each count and the timing, particularly in the event of high turnout. Although counting can commence for the UK Parliamentary election before verification for all elections is completed, the verification of the ballot papers for all four contests will need to be completed before the UK Parliamentary election result can be declared. It is difficult to envisage how a combination of voting enabling manual and electronic counting for the respective polls could be delivered to allow an e-counting process which incorporates verification and counting simultaneously and enable the UK Parliamentary votes to be verified and counted manually on the night of the poll. It is a requirement at a UK Parliamentary general election for the Returning Officer to take reasonable steps to begin counting the votes within four hours of the close of poll. The UK Government should immediately begin the necessary analysis and consultation on the risks of holding these polls on the same day, including giving consideration to the potential for changing the date of elections currently scheduled to be held in May 2020, so that they do not coincide with the next scheduled UK Parliamentary general election which will be held on Thursday 7 May 2020. The Government should publish its assessment and any proposals for change by September 2017, to allow sufficient time to make any changes to legislation which might be required, and to allow Returning Officers, suppliers, campaigners and the Commission time to prepare. Any change to the date of scheduled elections would be a significant proposal, and must be informed by appropriate consultation with political parties, the Electoral Commission, relevant Government departments, elected bodies, administrators and voters themselves to ensure that the interests of voters are put first. Download our full report 2016 London election report 1. Turnout, valid votes cast and rejected ballot paper figures are for mayoral first preference votes. ■ Back to content at footnote 1 2. Law Commissions' Review of Electoral Law, Recommendation

12-3, page 161 http://www.lawcom.gov.uk/wp-content/uploads/2016/02/electoral_law_interim_report.pdf ■ Back to content at footnote 2 Related content Results and turnout at the 2016 Greater London Authority elections View the results and turnout at the 2016 Greater London Authority elections Past elections and referendums Read our reports and view data about past elections and referendums Types of elections about the types of elections in the UK. Report: Voting in 2017 Read our report about voting at the general election in 2017