



Oversight and Governance

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Select Committee Review

Electoral Registration - Supplement Pack

Thursday 30 January 2020
1.30 pm
Warspite Room, Council House

Members:

Councillor Mrs Aspinall, Chair
Councillor Kelly, Vice Chair
Councillors Morris, Vincent and (one vacancy).

Members are invited to consider the additional information in relation to item 6 overleaf.

For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee
Chief Executive

Select Committee Review

6. Background Reports

(Pages 1 - 32)

To provide the Electoral Registration Select Committee Review with background reading and reports to inform their discussions and deliberations.

Performance standards for Electoral Registration Officers

March 2016

**Presented to Parliament pursuant to section 9A of the Political Parties,
Elections and Referendums Act 2000**

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1 Overview

Background

1.1 The Electoral Administration Act 2006 gave the Electoral Commission powers to set and monitor performance standards for electoral services. Under these provisions, the Commission may:

- determine and publish standards of performance for relevant electoral officers in Great Britain (Electoral Registration Officers (EROs), Returning Officers and Counting Officers)
- direct relevant officers to provide the Commission with reports regarding their performance against the published standards
- publish its assessment of the level of performance by relevant officers against the published standards

1.2 The Commission first set standards for EROs in July 2008, and revised the framework in September 2013 to support EROs in planning for and delivering the transition to Individual Electoral Registration (IER). We have now developed a new set of standards for EROs which aim to support them in planning for and delivering well-run electoral registration services under the new IER system, applicable across Great Britain. The Electoral Commission supports the extension of these performance standards to Northern Ireland once online registration is in place. We have also designed these standards to recognise, and be flexible enough to adapt to, the evolving landscape and emerging vision for electoral registration services.

The performance standards

1.3 The framework has been developed around key outcomes from the perspective of ensuring that all eligible people are able to participate in the electoral process, should they wish to do so, and of achieving electoral registers that are as accurate (including ensuring no fraudulent entries on the electoral register) and complete as possible. The standards focus on the following two key areas:

- Framework for the delivery of registration activity
- Delivery of registration activity to maintain accurate and complete registers

1.4 The Commission will continue provide EROs with guidance, tools and templates to support them in planning for and delivering well-run electoral registration services. These will set out what we expect EROs will need to have in place, and what we would expect to see when reviewing the information, to be able to be satisfied that the key outcomes of the standards can be delivered.

1.5 The following pages set out the new performance standards for EROs.

2 Performance standards for Electoral Registration Officers

Performance standard 1: Framework for the delivery of registration activity		
Outcome	What does the ERO need to do to achieve the outcome?	What will demonstrate how the outcome has been met?
Clear understanding of the particular challenges in your registration area	<ul style="list-style-type: none"> Identify and utilise data sources, as well as any other information you have, to highlight potential groups of electors who are less likely to be registered and develop a clear picture of the challenges in your area 	<ul style="list-style-type: none"> Public engagement strategy that includes: <ul style="list-style-type: none"> a ward level data analysis of the area priority areas identified by the ERO to target registration activity
Strategy for responding to the challenges in your registration area	<ul style="list-style-type: none"> Identify suitable internal and external partners who you believe can assist with ensuring all eligible electors are encouraged to register to vote Develop a strategy to respond to the challenges identified and incorporate into your registration plan 	<ul style="list-style-type: none"> Public engagement strategy that includes how the ERO will use the channels available to reach identified groups and existing electors. Including: <ul style="list-style-type: none"> Direct contact routes Local partners Media and advertising
Robust project planning methodology employed to enable delivery of activity to maintain accurate and	<ul style="list-style-type: none"> Evaluate and update your registration plan as appropriate to deliver your strategy Review the resources available to you taking into consideration: <ul style="list-style-type: none"> the activities required and the 	<ul style="list-style-type: none"> Overall project planning documentation, including a risk register, which is kept under regular review, and which includes: <ul style="list-style-type: none"> The objectives and success

<p>complete registers</p>	<p>ownership of these</p> <ul style="list-style-type: none"> - the timescales within which they need to be carried out - opportunities in the electoral calendar to maximise registration <ul style="list-style-type: none"> • Ensure the training requirements of the different staff involved in delivery are met • Plan activities with the internal and external partners you have identified as being helpful to meeting the challenge in the area • Put monitoring and evaluation measures in place to ensure the maximum effectiveness of all activities • Develop and maintain processes to identify any patterns of activity that might indicate potential integrity problems, including what steps are to be taken to deal with any such problems 	<p>measures to be used to monitor the impact of activity</p> <ul style="list-style-type: none"> - The resource requirements of the activity you plan to carry out - A timetable of deliverables and tasks for year round activity - The partnership activity you have planned - The evaluation measures you have in place for all activities carried out <ul style="list-style-type: none"> • Planning documents which clearly address potential integrity issues, how they would be identified and the actions to be taken in each case.
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Performance standard 2: Delivery of registration activity to maintain accurate and complete registers

Outcome	What does the ERO need to do to achieve the outcome?	What will demonstrate how the outcome has been met?
<p>Effectively deliver your registration plan to ensure your register is as accurate and complete as possible</p>	<ul style="list-style-type: none"> • Using information sources available identify existing electors who may no longer be eligible and ensure that all necessary steps are taken to remove that elector from the register • Using information sources available to you identify and target new electors, and ensure that all necessary steps are taken to add them to register including: <ul style="list-style-type: none"> - putting measures in place to encourage applications to register from identified new electors • Ensure a full and effective canvass of properties is carried out including making personal visits by trained canvassers where voter registration material has not been responded to. • Utilise available direct contact methods to determine the accuracy of entries on the register and encourage applications from new electors • Maintain an audit trail to demonstrate the registration activity you have carried out 	<ul style="list-style-type: none"> • Data that demonstrates local challenges have been met including: <ul style="list-style-type: none"> - Overall electorate figures - Number of attainers - Total number of electors deleted - Number of electors added to the register - Number of household enquiry forms issued and responded to and applications made as a result - Number of reviews of registration undertaken and total number of electors deleted as a result - Number of applications and registrations made through the exceptions - Number of electors registered through attestation • Summary of activities carried out with partnership organisations and their impact.

<p>Delivering a service in which residents and other stakeholders can have confidence</p>	<ul style="list-style-type: none"> • Identify and investigate patterns of activity that might indicate potential risks to the integrity of the register and take appropriate steps to deal with any such problems. • Ensure there is provision of comprehensive, accessible information on how to register • Ensure there are clear response mechanisms in place for electors to use if assistance is required • Timely supply of the register to those entitled to receive it 	<ul style="list-style-type: none"> • Details of how the approach to preventing and detecting electoral fraud is communicated to voters, candidates and other local contacts • Details of how feedback from electors is managed, including action taken and any changes to plans in response. • Date[s] supplied (including date[s] requested) for those entitled to receive the register on request
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PLYMOUTH CITY REGISTRATION ISSUES

Select Committee background report

Prepared by: Assistant Chief Executive, January 2020



Introduction and context

In November 2019, during preparations for the UK Parliamentary General Election in December 2019, a number of electoral registration issues were identified. These related to data that had been imported into the Council's electoral registration system and which presented risks to the integrity of the register. A significant amount of work was undertaken to ensure that erroneous entries were identified and corrected in accordance with electoral law and that this was done in a transparent and timely manner, with the result that the register was robust and accurate when the final interim notice of alteration was published on 6 December 2019.

In response to the issues identified, Tracey Lee, Plymouth's Electoral Registration Officer (ERO) commissioned an independent internal review of the various data sets to:

- ascertain where the issues were
- make sure issues were rectified
- ensure any affected customers were notified and where required informed of any actions they would need to take
- ensure lessons were learned and recommendations made to ensure the integrity of the register for future elections.

As part of the lessons learned the ERO asked the Chair of Scrutiny Management Board, Cllr Mary Aspinall, to review the issues, actions and lessons learned through a cross-party select committee.

This report provides:

- background into the issues identified, and the actions taken to rectify them
- an overview of the activities of the independent data analysts team in resolving registration issues
- the proposed recommendations regarding data integrity from the analysts team
- analysis of the City Council's response from the Chief Executive of the Association of Electoral Administrators ([Appendix Three](#))
- Update on recommendations from 2018 independent progress review ([Appendix Four](#))

Background and response

On Tuesday 12 November 2019, the Council received two separate telephone enquiries from the parents of 17 year olds querying the latter's receipt of a polling card for the 2019 General Election. In addition a Facebook message was received in relation to the same issue. Following an analysis of these queries, an issue was identified that a cohort of 17 year olds whose data had been imported into the Council's electoral system had been mistakenly issued with poll cards for the forthcoming general election.

On Wednesday 13 November, key stakeholders in the Council and candidates and agents for the forthcoming general election were advised of the issue with under 18s who had received poll cards in the Plymouth Sutton and Devonport constituency and the action that was being taken to address the issue. This included a letter being sent to all affected people apologising and advising them that they would not be eligible to vote in the forthcoming election due to their age.

Also on Wednesday 13 November the initial despatch of polling cards to all three constituencies was paused until the ERO could be confident that the data used to produce cards was robust, and a full review of all data that had been imported into the Council's electoral system was immediately

instigated by the Council's Electoral Registration Officer, Tracey Lee, (see [Appendix Two](#)) and the following cohorts were identified which presented risks to the integrity of the register:

- Young people (under the age of 18) whose details had been imported electronically in preparation for invitations to register to vote when they attained the age of 18
- Young people whose details had been imported electronically who had reached the age of 18, but had not undertaken an individual electoral registration
- Students at the city's three universities whose details had been imported electronically but had not undertaken an individual electoral registration (these in addition to those identified earlier in the year)

(Note: at [Appendix One](#) is a table detailing the exact numbers of individuals identified with respect to each cohort by constituency and showing revised numbers following the Quality Assurance process described at [Appendix Two](#).)

Advice was sought and received from the Association of Electoral Administrators, and other senior practitioners nationally, about the appropriate response to erroneous entries on the register, resulting in the decision to undertake the following:

- All individuals under the age of 18 at the date of the General Election were deleted from the register using the ERO's powers in respect of clerical errors.
- All individuals over the age of 18 who had been erroneously registered to vote were contacted to inform them of a three day review of their eligibility to be registered to vote, and encouraged to register if they were still eligible.
- All appropriate amendments to the electoral register were undertaken and subject to an independent quality assurance process

Customer services teams were briefed and ready to handle enquiries from those affected by the actions above in addition to general electoral and registration enquiries

Presiding officers received a special briefing equipping them to deal with enquires at polling stations on 12 December 2019.

Governance

From Wednesday 13 November a leadership group was established to identify and address the emerging issues and co-ordinate resources. Its membership included the Chief Executive, Assistant Chief Executive, Strategic Director for Customer and Corporate Services, the Head of Electoral Services, and the Communications and Engagement Manager. The group convened twice daily between 13 November and 27 November when business as usual activities resumed.

The leadership group's objectives were set as follows by the ERO. To:

- Reduce the impact of the identified registration issues on all affected individuals
- Ensure that the number of individuals receiving poll cards inappropriately was minimised
- Ensure that all related issues affecting the electoral register were identified and rectified
- Ensure that business as usual was resumed in respect of finalisation of the electoral register and preparation for the election.

Quality Assurance

In line with the objectives set by the leadership group, the initial work undertaken by the data team was a data search to establish all records which required amendment to address registration issues with respect to eligibility and the generation of poll cards, based on concerns with respect to under 18s and further students who may not have completed individual registration. This work was initiated on Wednesday 13 November. The ERO made a further decision that an 'independent' (i.e. from outside the electoral services team) and expert view was required to quality assure the data integrity issues being dealt with, and to this end from Monday 18 November, a team of data analysts from the

Council's Transformation team was established under the leadership of the Strategic Director for Customer and Corporate Services and tasked to:

- Identify and risk assess all 'imported' data files relating to entries in the 'Xpress' electoral service software and make appropriate recommendations to ensure that records relating to individuals not eligible to be registered to vote were made
- Support the electoral and registration services team in ensuring that data relating the electoral register was as full and accurate as possible to support successful delivery of the remainder of the registration process and the delivery of the general election on 12 December 2019.
- Prepare a report of all action and processes undertaken in support of the above, and recommendations for a post-election review so that learning can be captured and applied prior to the Local Elections in May 2020.

Communications and stakeholder management

A key recommendation of the 2017 review of the electoral and registration service was with regard to communication during election periods, especially when errors occur. A comprehensive approach was taken in respect of November's registration issues. All individuals affected by registration issues were contacted individually with specific advice and guidance relating to their circumstances. As mentioned elsewhere in the report, the Council's contact centre was briefed to handle specific enquiries, or to passport individuals to specialists if necessary. Candidates and agents were briefed individually by telephone, at scheduled candidates' and agents' meetings and via email throughout the process of identifying and rectifying the registration issues. Face to face meetings took place with candidates in all three constituencies at their request. Liaison was maintained with the Electoral Commission, who visited the Council at our request to review and agree the Council's response to the issues. The Leader and Cabinet Member and the shadow Leader and Cabinet member were kept informed of issues. Regular media briefings were produced, and all Members of the Council were briefed by email.

The Council received positive feedback from Agents about the comprehensive and timely information that they received.

Causes

The snap General Election was called during the process of finalising the electoral register, which contains more than 192,000 electors. Along with many other councils, the Plymouth City Council elections and registration team had to work to a constrained timetable in completing all necessary quality assurance checks in relation to the election.

1. Management of 'Attainers'

A problem had occurred in March 2019 which resulted in a cohort of 275 young people being sent poll cards before they became eligible. Following discussions with the vendor, this problem was isolated and manually corrected. Our assumption was that this fixed the problem. During the Canvass, the data from this group was pulled through to the new register without an Invitation to Register (ITR) being generated.

We now know that the issue also applied to the then 16 year olds ('super attainers') and was not identified, given the team's focus on delivering both local and European elections within three weeks of each other. The issue was identified as having arisen following the import in November 2018 of data relating to young people under the age of 18. A marker which would have designated them as under age voters was not updated in the Council's registration software, resulting in the erroneous issue of poll cards. It should be noted that no under 18s were at any point marked as eligible to vote.

2. Student data

The data review identified a further issue, also connected with the import of data into the register. In this case, it was with students similar to the issue identified in May 2019 when a cohort of incorrectly

registered students were removed from the register. A further cohort were identified who were registered who hadn't completed an Invitation to Register.

Having identified and rectified the above anomalies, and pending further independent quality assurance processes, further work was undertaken to identify why the additional student records described above were not identified during the May 2019 review. It was established that the approach taken in May 2019 involved a desktop comparison of data files received from the three universities, which was not the subject of an independent quality assurance process. It should be noted that procedures were amended in March 2019 to ensure that no further imports of data into the register are permitted other than via standard functionality.

Appendix One

Young people under the age of 18 – Removed as ‘Clerical Error’

NB Risk of poll card receipt, not eligibility to vote

Constituency	Number	Number after QA
Plymouth Moor View	300	300
South West Devon	142	142
Plymouth Sutton and Devonport	247	247
Total	689	689

Young people over the age of 18

Constituency	Education/Social Care data		Students		Total	
	15/11 Initial findings	26/11 Final numbers after QA	15/11 Initial findings	26/11 Final numbers after QA	15/11 Initial findings	26/11 Final numbers after QA
Plymouth Moor View	94	267	1	49	95	316
South West Devon	31	129	0	26	31	155
Plymouth Sutton and Devonport	94	223	634	755	728	978
Total	219	619	635	830	855	1449

Appendix Two

ELECTORAL REGISTER ISSUES: QUALITY ASSURANCE PROCESS

November 2019

Introduction

The initial response to the issues emerging during week commencing 11 November 2019 was to mobilise additional support for the Election team providing data analysis and some management capacity to respond to the challenges emerging. The initial focus for the data analysis team was to identify the symptoms of the presented problems, then identify other records with similar issues and correct them on that basis. However, due to both the number of records involved and the different treatments required for voter circumstances that require multiple markers on each record, this approach wasn't able to identify all problem records. The ERO made a further decision that an 'independent' (i.e. from outside the electoral services team) and expert view was required to quality assure the data integrity issues being dealt with, and to this end from Monday 18 November a team of data analysts from the Council's Transformation team was established under the leadership of the Strategic Director for Customer and Corporate Services was drawn together and tasked to:

- Identify and risk assess all 'imported' data files relating to entries in the 'Xpress' electoral service software and make appropriate recommendations to ensure that records relating to individuals not eligible to be registered to vote were made
- Support the electoral and registration services team in ensuring that data relating the electoral register was as full and accurate as possible to support successful delivery of the remainder of the registration process and the delivery of the general election on 12 December 2019
- Prepare a report of all action and processes undertaken in support of the above, and recommendations for a post-election review so that learning can be captured and applied prior to the Local Elections in May 2020.

This report details the work that had been undertaken on the data during week commencing 11 November 2019, as well as the subsequent work completed during the following week. The remit given to the QA team was to confirm the extent of the data issue and to control the data processing required to address their resolution.

Social Care Data

A list of 16 and 17 year old children in care and young people leaving care was provided to Electoral Services in December 2018. Of the list of 64 young people, 16 young people were added to the register. This data was added manually rather than via the batch upload mechanism.

The low volume of records involved allowed them to be reviewed individually by both the Electoral Services Team and the independent quality assurance team.

12 of the young people presented no issue as they were either under 18, not eligible to vote and hadn't received a poll card (5), or were no longer on the register (7). Of the four young people who remained on the register who were 18 or over (as at 12/12/2019), two had self-registered and were eligible, and the remaining two were ineligible to vote because they had not registered, or because of their nationality. The register was updated accordingly and the individuals informed.

Education Data

In November 2018, data from Capita One, Carefirst and Careers South West was compiled to add additional Super Attainers (16 year olds) and Attainers (17 year olds) to the register. This data was loaded into the register via a batch (SQL) process taking the file presented and importing all the records to the register. The records added to the register this way were marked “electronic” in the Application Return Method (ARM) field on Xpress. Uploading data this way created two known problems:

1. Those records for under 18 year olds did not have the “Young Elector” marker updated on Xpress, which would have prevented the creation of poll cards.
2. All records were not loaded with an ‘ITR Pending’ flag, and therefore were treated as though they had registered and were eligible to vote.

During week commencing 11 November the inappropriate issue of poll cards was stopped through the identification of those individuals who were ineligible either because they were aged under 18 or because an individual Invitation to Register (ITR) had not been completed.

During week commencing 18 November we undertook additional quality assurance activity to review all possible individuals on the register who could be impacted going forward.

Following receipt of 8,816 confirmed uploaded records (obtained from Xpress on 20 November 2019), we revisited the original 4,362 education records that were originally provided from education sources in November 2018 to assure that all individuals currently on the register from this upload were reviewed. We matched the 4,362 against the 8,816 which provided a list of 2,740 records where the individual was uploaded to Xpress successfully.

In order to provide full confidence, we then matched the 2,740 against the data records that had been previously checked. Of these records, 1,314 matched the 2,740. This left us with 1,426 records that required further checking. Our next steps were as follows:

- Removal of records no longer on the register
- Comparison with the current elector register to check for markers that would have made them ineligible to vote for other reasons, such as nationality
- Manual checks of the remaining records to identify those that required corrective action

In total 2,886 records have been reviewed, exceeding the number bulk loaded to Xpress.

Higher Education Student Data

University of Plymouth (UoP):

In January 2019 a file containing 12,414 records from the University of Plymouth was processed and uploaded to Xpress. A status report on this process created at the time of the upload and retained showed that a total of 5,461 people had been added to the register. This list was looked up against the current register which showed that 2,225 students were still on the register.

A further matching exercise was then undertaken for the 2,225 students showing on the register that hadn't already been reviewed. This gave a list of 1,587, this was then filtered by excluding those with a NINO recorded (on the basis that the NINO was provided by the individual), and this gave a list of 484 university students who may not have registered.

Each of the 484 individuals were reviewed manually to identify those who had definitely not registered. This provided a final list of 98 students who had not registered, of which ten were marked as EU voters and therefore presented no issue for the general election, as they were excluded from the voting register.

The remaining 88 were written to, advising them of a 3 day review and to register if they wish to vote in the 12/12/19 election. Two of the individuals were marked as postal voters and were therefore advised to re-submit a request to vote by post as well as register, if they wanted to remain a postal voter.

Plymouth Marjon University (Marjon) and Plymouth College of Art (PCA)

In November 2018 a file containing 2,214 records from Marjon (1,179) and PCA (1,035) were processed for batch upload to Xpress. By matching these records to those currently on the register we can see how many of the records presented for batch upload were considered as valid. This file showed that a total of 357 people had been added to the register.

These 357 instances were manually checked by the Electoral Services Team to understand which had completed ITR. 14 instances were identified where a poll card had been delivered.

Letters were sent to all 14 assumed delivered to advise them of a 3 day review and to register if they wish to vote in the 12/12/19 election.

The remaining 1,857 records were then distributed amongst the Electoral Services Team and the QA team for manual review. Whilst this was happening we continued to try to establish how many of these records were actually uploaded to Xpress.

The manual review completed 974 of the records before Xpress were able to provide us with confirmation of how many had been loaded. Of the 974 reviewed, 42 required letters and these were sent on Wednesday 20 November.

The 1,857 records were then matched to the 8,816 records provided by Xpress and 874 were identified as needing review. Of these 279 had already been completed by the teams previously. This left 595 to check.

A team of volunteers from the transformation team in the council were trained in what to look for and given access to Xpress in order to check these records. They identified those records that they were concerned about and the Head of Electoral Services then reviewed these personally, a total 65 letters were then sent to the voters identified as needing them by this check.

As an additional QA, those records that were not identified by the teams as needing any action were also sampled at 10% and no errors were found in this check.

Data Analysis and Support, QA Team

As can be seen from the handling of each of the data cohorts causing issues, the focus of the data analysis and support team moved over time. Initially the team focused on responding to the presented problems within the data supporting the production of poll cards and postal vote packs. Subsequently the team moved focus to ensure data integrity by identifying all records that had the potential to be in error. This approach although longer in duration was finally able to be undertaken and completed on Thursday 21 November 2019.

The social care data was a small enough population that the control required was achieved from the initial response so QA efforts were directed to the bulk import data covering education, and the student uploads from the three universities. On Wednesday 20 November 2019, Xpress were able to assemble the technical audit data showing them that between November 2018 and January 2019 the total number of records bulk uploaded was 8,816. This is the total number of records which could therefore contain incorrect age and registration status – causing the issues we were experiencing. This provided us with a target to ensure that we had found and reviewed all these records. Upon receipt of the 8,816 records we were able to remove all those records that had been uploaded from the University and Marjon/PCA as we had already tracked and checked the full population of these records. That left the 2,740 records that were checked as described above.

For additional assurance we have also completed a further check to ensure that our work on the other cohorts was equally robust. This check followed the same process as for the education data, but applied the filters and tests to the full 8,816 records.

In all it is estimated that we will now have checked and tested around 10,000 records in order to correct the errors in those records loaded via the bulk import process. We have also now completed a further check on the data reconciling back to the 8,816, to within less than 100 records, offering greater confidence that we have now corrected any errors in those records.

QA Team proposed recommendations

Recommendations to ensure Registration data assurance:

1. Provide the capability to report on whether a record within the Xpress elections management system has or hasn't recorded an Individual Electoral Registration (IER) against it through filter or look up capability. This is to avoid needing to manually check records on the system
2. To ensure that all methods of data load for the Register provide consistent validation required to assure data integrity.
3. Confirm that all data assets have owners and that the owners have the necessary skills and experience to meet the responsibilities of their role.
4. Establish a small team of data management specialists, from existing resources, who can be called upon by the rest of the organisation in the event of a data management challenge or to explore opportunities held in the data owned and managed by the Council. This team will be responsible for assisting the organisation to realise the goal of "turning our data to intelligence".

Appendix Three

The Association of Electoral Administrators

Analysis of Plymouth City Council Registration Issues

Peter Stanyon, Chief Executive



1. Introduction

1.1. On 16 November 2019, Giles Perritt, Assistant Chief Executive of Plymouth City Council, contacted me to discuss a number of electoral registration issues affecting the city in the run-up to the UK Parliamentary General Election on 12 December 2019. I provided him with advice as to potential legal options available to Tracey Lee, Plymouth's Electoral Registration Officer (ERO), to correct the errors identified.

1.2. I understand that Mr Perritt also sought the advice of other EROs and Plymouth City Council's legal team. Tracey Lee notified the Electoral Commission, who subsequently met with her.

1.3. On 20 November 2019, Mr Perritt commissioned the Association of Electoral Administrators to carry out an independent review of the steps taken in order to provide a degree of assurance ahead of the election to the electorate, candidates and agents.

2. Review

2.1. On 27 November 2019, I was sent the report of the ERO on the issues that had arisen and the steps taken to remedy the situation.

2.2. I reviewed the written report and also spoke to Mr Perritt on the same day to seek clarification on some actions, which was readily forthcoming. He then sent me an updated report, incorporating answers to the queries I had raised.

2.3. I am therefore able to make the observations that follow.

3. Background

3.1. It became clear from enquiries made of the Electoral Services Office from 12 November 2019 onwards that there may have been erroneous entries on the three parliamentary electoral registers administered by Plymouth's ERO, namely Plymouth Moor View, Plymouth Sutton and Devonport and South West Devon. On forensic investigation, it became apparent that:

3.1.1. The names of 16 young people (16 and 17 year olds) had been imported into the electoral register from social care data supplied to the ERO in December 2018 without those individuals making an application to register, as required by section 10ZC of the Representation of the People Act 1983.

3.1.2. The names of 689 young people (16 and 17 year olds) had been imported into the electoral register from education data supplied to the ERO in November 2018 without those individuals making an application to register.

3.1.3. The names of a further 619 individuals had been imported into the electoral register from the same education data without those individuals making an application to register.

3.1.4. The names of 691 individuals had been imported into the electoral register from data provided by the University of Plymouth in January 2019 without those individuals making an application to register.

3.1.5. The names of 139 individuals had been imported into the electoral register from data provided by the Plymouth Marjon University and Plymouth College of Art in November 2018 without those individuals making an application to register.

3.2. It is worth noting that a similar problem relating to young people under the age of 18 had been identified in March 2019 ahead of the City Council and European Parliamentary elections, affecting 275 young people. This was addressed at the time, and was being reviewed during the electoral registration canvass being undertaken when the UK Parliamentary General Election was called. In addition, a further issue also connected with the import of data was identified in May 2019 when a number of incorrectly registered students were removed from the register.

3.3. The issues identified here are a legacy of the above errors. I am however assured that the direct import of such data into the electoral register no longer occurs and that the revised processes ensure that such potential electors are sent an Invitation to Register in accordance with section 9E of the Representation of the People Act 1983 (RPA 1983).

It is however worth noting that evidence subsequently presented to me from Xpress Software Solutions, the ERO's software supplier, demonstrated that each of those individuals would have been crossed through on the electoral registers issued to polling stations so would not have been able to vote, even if in possession of a poll card.

4. Initial Observations

4.1. The report of the ERO comprehensively sets out the steps taken to both identify the extent of and the solutions taken to address the issues affecting the

electoral register. It is honest and recognises the fact that the procedural errors in the register were both avoidable and serious, requiring urgent resolution.

4.2. The ERO should be commended for convening and personally heading a Leadership Group whose membership comprised relevant key players.

4.3. The ERO has a personal duty under section 9 of the RPA 1983 to "maintain a register of ... electors ... in the area for which he acts" and in doing so shall ensure that it contains "the names of persons who appear to the registration officer to be entitled to be registered in it and in respect of whom a successful application for registration has been made".

4.4. It is therefore reassuring that she convened the Leadership Group and took personal charge of remedying the situation, recognising her statutory duty.

4.5. The fact that the interrogation of the data undertaken by the Electoral Services Team, with the support of its software supplier, Xpress Software Solutions, was then subject to independent quality assurance through an independent team from within the local authority should again be commended.

4.6. The report of the ERO clearly describes the steps taken to identify the erroneous entries on the electoral register, thus enabling the ERO to take appropriate steps to rectify the situation ahead of the UK Parliamentary General Election. The fact that the data was independently interrogated should provide assurance that all erroneous entries have been correctly identified.

4.7. In addition, a sensible decision was taken to halt the distribution of poll cards to the affected individuals, with Plymouth City Council staff attending the printers to intercept those cards. Although some poll cards did get delivered, the majority did not, which is testament to the swiftness of that decision being taken.

5. Remedial Steps Taken

5.1. Electoral law recognises that the electoral register requires regular updating, as demonstrated by the provisions contained in sections 13A (Alteration of registers), 13AB (Alteration of registers: interim publication dates) and 13B (Alteration of registers: pending elections) of the RPA 1983.

5.2. Section 10ZE of the RPA 1983 also requires the ERO to take steps to delete any entry in the electoral register where it is determined that "the person was not entitled to be registered in respect of the address", which was the case in respect of the 2,154 entries identified in paragraph 3.1. above in that they had not made applications to register in accordance with section 10ZC of the Act.

5.3. The ERO therefore undertook remedial actions that were in accordance electoral law, involving the removal of entries through the clerical error provisions set out in section 13A of the RPA 1983 or through the review process prescribed by regulation 31D of the Representation of the People (England and Wales) Regulations 2001.

5.4. In respect of the review process, the ERO invited the identified individuals to a registration hearing, to take place not earlier than the third day after the date of the notice, but also invited them to submit an application to register ahead of the hearing.

5.5. I understand that no individuals attended a hearing.

5.6. As required by the regulations, notices were sent to each individual advising them that their details had been removed from the electoral register in accordance with the prescribed process but also advising them that they could still make an application to register in time for the UK Parliamentary Election, the deadline for receipt of such applications being midnight on 26 November 2019.

5.7. In accordance with the statutory process, the electoral register will be corrected on Thursday 5 December 2019 when the final interim notice of alteration is published.

6. Conclusion

6.1. Following the introduction of individual electoral registration in 2014, the direct import of data to the electoral register is no longer permissible. There is a requirement for each individual to make an application to register. It is clear that this did not happen in respect of the entries identified.

6.2. It is recognised practice to import data of potential electors into the electoral management software system but care needs to be taken to ensure they are correctly marked as requiring an invitation to register to be sent to them. I was assured that this is now the case and the errors identified were a legacy of the original mistake made early in 2019.

6.3. I consider that once the issue had surfaced, the ERO and her team took the correct actions to remedy the situation as efficiently as possible as demonstrated by the convening of the Leadership Group, the personal leadership of the ERO and the introduction of an independent interrogation of the data alongside that undertaken by the Electoral Services Team.

6.4. From the detailed report supplied to me, it is clear that the data interrogation and analysis steps taken were robust, and as a result, the ERO can be reasonably assured that all erroneous entries have been identified.

6.5. The steps then taken to correct the erroneous entries were in accordance with, and provided for by, the law and were carried out in a transparent manner. The swift action taken enabled the electoral register to be corrected, ensuring it is as robust as can be reasonably expected for the UK Parliamentary General Election on 12 December 2019. The process was also completed in time to allow affected individuals the opportunity to apply to register to vote by the 26 November 2019 deadline.

6.6. The communication with affected individuals, particularly those included from the social care data, was admirable and the opportunities to submit an application to register presented in a clear manner.

6.7. In conclusion, although the situation should not have occurred, in my opinion, the ERO has taken all reasonable steps in a timely, legally compliant and efficient manner to correct the electoral register in order that it does not contain incorrect entries directly imported from data supplied to her at the end of 2018 / early in 2019.

Peter Stanyon

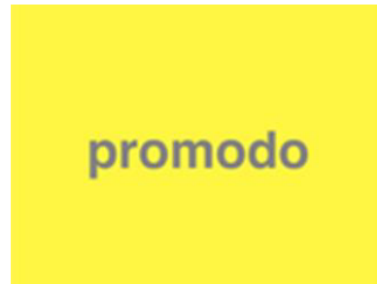
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Analysis of Plymouth City Council Registration Issues – 6 December 2019

Appendix Four



Plymouth City Council

Review of Progress in the Registration and Election
Service

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Plymouth City Council - Review of Progress in the Registration and Election Service

1) Introduction

1.1 Following the Council's adoption of my review report and recommendations into the issues relating to the management of the 2017 General Election, the Council asked me to undertake a review of progress and to make any recommendations that might assist the Council with its progress in implementing the recommendations and meeting the Electoral Commission standards. This report provides my assessment, conclusions and recommendations.

2) Terms of Reference

5.1 The Council provided me with the following terms of reference for this review: -

BACKGROUND

In June 2017, Plymouth City Council experienced issues with the administration of its General Election. This resulted in an independent investigation by Dr Dave Smith, the results of which identified the reasons for the issues and comprised ten recommendations for improvement. The investigation report was considered by Council on 25 September 2017.

The purpose of this independent follow-up review, to take place in January 2018, is to assess progress and preparedness for May 2018 local elections (addressing Recommendation 10).

For continuity and in recognition of his status as a leading national authority on elections, the Council has asked Dr Smith to conduct the follow-up review.

TERMS OF REFERENCE

To assess the Council's preparedness for the May 2018 Local Election and any snap General Election, including to consider:

- The extent to which the Council has addressed each of the ten recommendations from the original September 2017 investigation, including the quality and sustainability of responses put in place in the context of best practice.
- The extent to which the Council is taking account of the Electoral Commission performance standards for Returning Officers.
- Any gaps in the Council's preparations for running an election and related recommendations for improvement.
- Any other matters that might be relevant to the preparations for the Local Election and any snap General Election. **TIMELINE** The follow-up review will commence at the beginning of January 2018 with submission of key documentation to Dr Smith, and a site visit on 12, 15

and 16 January 2018. The final report, including recommendations, to be received by the end of January 2018.

3) Methodology

1.1 I have conducted this review through a combination of written evidence and a series of interviews. I have asked for and been provided with a range of documentation produced since the adoption of my recommendations addressing a range of operational requirements including risk management, planning, operating procedures, information related to the conduct of the canvass, performance management and quality assurance documentation. The Council has provided me with written evidence to demonstrate governance and oversight of the improvement progress, resourcing and the planning, preparation and implementation of next steps. I have interviewed 14 officers of the Council including the Returning Officer, senior management, advisors and the core team. I have attended a meeting of the Constitutional Review Group, interviewed the Chair of this group, the responsible Cabinet Member, The Leader of the Opposition and the Leader of the Council. I have also interviewed the new Electoral Services Manager and I have spoken to the regional lead from the Electoral Commission.

1.2 I have had the full cooperation of the Council and its staff. All my requests for information have been responded to positively, fully and effectively. I have had the full cooperation of those I have interviewed, all of whom have approached this in an open manner.

4) Assessment

4.1 Resourcing, operational management and operating processes

4.1.1 My report made 4 recommendations to the Council addressing the resourcing, operational management and operating requirements of the Registration and Elections Service. Specifically, the recommendations stated:

- 1) The Council needs to take urgent action to review its recruitment strategy to attract appropriately skilled and experienced registration and elections staff.*
- 2) The Council needs to act without delay to recruit additional permanent and technically capable staff to the core team and achieve a compliment of staff and management consistent with the levels recommended by the AEA and by the Council's own analysis*
- 3) Pending these appointments, the Council needs to recruit temporary staff who have the salient detailed operational experience to manage the team, build capacity, provide focus, direction and integration*
- 4) Resources need to be sufficient and experienced to undertake the canvass and maintain the register, plan and prepare for the possibility of a General Election and plan for the local election in 2018. This needs to include properly documented*

operating procedures, systems and process to ensure continuity, robust quality assurance and checking procedures, effective communication and completion of tasks.

4.1.2 The Council has successfully recruited an experienced permanent Electoral Services Manager and has successfully recruited permanent staff with experience to the core Registration and Elections team. The team is now well resourced in terms of skill sets and overall numbers. The Electoral Services Manager is due to start in January. In the interim period there is evidence of strong operational grip being provided by a seconded member of staff from within the Council and an AEA consultant.

4.1.3 The core team and service has had the benefit of additional support resources addressing communication, customer care, transformation and more latterly team development. These additional skills have played a major role in achieving the rapid pace and focus on change and improvement. It has also had the positive effect of opening up the registration and elections process to the wider Council and encouraging a much wider appreciation and engagement with those processes and requirements.

4.1.4 The core team and the wider Council has rightly taken confidence from a successful and well managed approach to the annual canvass. The Council slightly increased its registrations in a post referendum/general election period when you would expect some level of decline in registration. The canvass was conducted in accordance with EC guidance and achieved 100% coverage.

4.1.5 The focus on the canvass inevitably meant the core team could not fully engage in the development of new “how to” operating procedures and much of this work relied on the inputs of the transformation team in their first iteration. There is further work to be done to this draft guidance to marry the law and EC guidance as reflected in the documents with operating practices and experience within the team. This need is fully recognised by the Council and two of the operating guides have so far been amended through direct engagement with the core team. The need to continue this process is critical, as recognised by the Council, in ensuring effective procedures and effective embedding within the team. **I recommend that there continues to be a focus on the engagement of the core team and the new Electoral Services Manager in the editing of the “how to” guides so that they reflect the operating needs of service and the need for continuity, quality assurance and the meeting of standards.**

4.1.6 There is a clear and well produced set of documents supporting the planning and preparation for registration and elections. This includes robust approaches to quality assurance, performance management, business continuity and risk management. Most importantly these documents are consistent and accurate in representing to strategic management and the Returning Officer a realistic assessment of the operating environment. There is now a clear line of sight between the strategic requirements on the service and the operation of the service.

4.1.7 In creating a new operating environment for the core team and for the core team working with wider council resources, the Council has achieved as much as it possibly could

in the time available and in the absence of a permanent Electoral Services Manager to lead the team and the arrangements. There is a renewed sense of confidence which is well founded in planning for the local elections. The new Electoral Services Manager will need to build on this to help the team develop a new sense of identity, refine the organisational arrangements within the team to further shape roles and responsibilities, embed new working practices as a team and refine the operating procedures as discussed above. All parties, including the new Electoral Services Manager understand this challenge and have begun work on this, with planning for the election being the focus. **I recommend that the Electoral Services Manager gives priority to the shaping of the new team to develop a team ethos, to improve organisation, delineation and delegation of tasks, to improve understanding of roles and responsibilities and to ensure delegations to the right levels.**

4.2 Technology, business process and integration with wider Council functions

4.2.1 My report recommended that the Council seek ways of transferring and embedding non-specialist roles in other parts of the Council and make better use of technology to improve efficiency and effectiveness of the service. Specifically I recommended: -

5) The Council should refresh and extend its business process analysis of the service activities with a view to improving their efficiency and effectiveness, including the full migration to the new EMS system and its embedding within operating procedures of the service. This should also address the implementation of proposals to embed non-specialist roles in other parts of the Council and particularly customer/elector contact.

4.2.2 The transition to the new electoral management system has been completed and it was used to good effect in the canvass and registration process. It has yet to be fully embedded for the election. Some limitations in its use are currently being experienced as a consequence of cyber security issues with the product that the Council identified during testing. As a consequence the full functionality of the system is not being realised at this time. The Council is aware of this and is taking steps to resolve the position. **I recommend that The Council works with the EMS supplier to resolve the outstanding security issues associated with the full implementation of the Electoral Services Management System as a matter of urgency.**

4.2.3 In line with the migration to the new Electoral Management System, much work has been undertaken to analyse and reshape the way the service is delivered. This has been captured in the written plans and the draft "how to" guides. There remains work to be done to assist the team to take ownership of the new ways of working and to prevent a slip back into practices that were exposing the service to avoidable operational risks. The core team have been necessarily preoccupied with the canvass and this has limited their involvement in the design of new ways of working. More recently with the completion of the canvass the core team has been engaged in workshops to help shape and refine the new operating procedures. There remains a job of work to be done in resolving the debate over the technical processes and work is also required to win support and understanding amongst the team in embracing the proposed changes. These challenges are understood by the Council. The

Electoral Services Manager will be key to navigating a course between existing practice and proposed new ways of practicing. The Council has factored in the issue of continuity in the transition to the new management by retaining the support of the seconded operational manager until after the local elections alongside the continued work of the transformation team.

4.2.4 The service is preparing to introduce the support of the contact centre to more effectively, efficiently and consistently address the frequent questions and issues raised by the public, particularly in the run up to an election. This is planned to be introduced in March. There remains much to be done to prepare for this and there will not be much leeway in the process given the election timetable. Continued careful management of this tight timetable and the quality of the interface between the contact centre and the core team will be required. **I recommend that the Council closely monitors progress on the intended transfer of first point of contact responsibilities to the Contact Centre to ensure a safe and timely transition is achieved.**

4.3 Communications

4.3.1 A key element in binding together the administration of the registration and elections process, the wider running of the Council and the electorate, candidates, agents and other stakeholders is the effectiveness of the Council's communications. I recommended that this was further developed as part of the improvement plan: -

6) Further and more detailed planning should be undertaken with regards to communications during an election period; including in the handling of communications when an error occurs. The development of such a plan should engage key stakeholders including the local media, politicians and their agents, the Electoral Commission and the Council's contact centre. This plan needs to be embedded within the operating procedures of the registration and elections service and in the civil emergency procedures.

4.3.2 There is clear evidence that the Council has progressed this recommendation. Communications of the registration and election processes is better planned, more structured and there is evidence of effective joint working between the management of the elections and registration service and communications. The respective contribution of the registration and elections service and communications is better understood and there are effective arrangements in place for planning and implementing communications. As in other areas of the improvement plan there is a recognised need to embed the progress made so far

4.3.3 In recognising the importance of the whole Council approach to registration and elections, internal communications strategies have been deployed to raise awareness of the work, seek support for critical roles in canvassing and in roles at the election. Members are now regularly briefed on the preparations and timetable for registration and the election. The messages are consistent, well-structured and timely.

4.3.4 In a similar vein the communications service has sought to have a dialogue with the media and with candidates and agents to understand what will constitute effective communications to these stakeholders. Members have engaged in discussions on messages that are impactful with the electorate. Critically there is evidence that the leadership within the communications service are seeking to better understand the messages which need to be communicated and the target audiences who need to receive the messages.

4.4 Governance

4.4.1 The final group of recommendations addressed the need for the arrangements to oversee, plan and performance manage progress on the improvement journey. Specifically, I recommended:-

7) The ARO should establish an improvement plan taking account of these recommendations and maintain sufficient frequency of the elections project board to hold line management to account for the delivery against the improvement plan

8) The Council should hold the ARO to account for the overall delivery of planned improvements through a cross-party committee of the Council

9) The ARO and the Electoral Commission should agree a process and a frequency of reporting to enable the commission to offer ongoing advice and to satisfy the commission that the necessary improvements are being delivered.

10) The ARO should consider a further independent review in January 2018 to assess progress and preparedness for May 2018 elections.

4.4.2 The ARO has established and maintained a robust improvement plan and implementation process. There has been close and detailed oversight of progress both at officer and member level. The Constitutional Review Group as a cross party group has provided effective political leadership of the issues requiring to be addressed. This forum has provided assurance to the wider Council on progress. The Strategic Elections Board has operated as an effective vehicle for the ARO to examine progress and to engage in the change process. Reports provided to both the ARO and to Members have been an accurate representation of progress, properly risk assessed and with realistic and accurate representation of mitigating actions. There is evidence of appropriate debate, challenge and support to ensure transparency and accountability.

4.4.2 The Electoral Commission has been engaged in this process by the ARO and has seen the evidence of the actions being taken to address the RO standards which need to be achieved. Through effective project management the Council has maintained its focus and has achieved a considerable amount in a relatively short period of time. There is evidence both in the detail of the improvement programme and in my review that the Council has continued to maintain an open, learning culture and one driven with ambition and commitment by both officers and elected members.

4.4.3 As the Council is fully aware, the risk that comes with this pace of change is that there is insufficient time and attention to embedding the improvements within the core service and between the core service team and the wider council support services. Much has been done to take account of this risk through the Council's plans and resourcing. This includes maintaining operational management continuity alongside the new ESM until after the election, workshops with the core team on operational procedures and team development activities.

4.4.4 Whilst maintaining transparency and accountability there will also be a need to enable the Electoral Services Manager to take decisions and actions required within the service and ensure she is in a position to exercise her authority and shape the culture of the service in line with the vision and ambition of the ARO for the service. This is particularly necessary in the preparations for the local elections in 2018. **I recommend that the Council review the current governance arrangements to achieve a new balance between the operating decisions delegated to the Electoral Services Manager and the assurance framework to maintain accountability and transparency.**

5) Conclusions

5.1 The Council has acted with rigour and focus to address the improvement needs in the registration and elections service and to address the Electoral Commission's standards for Returning Officers. Elected Members and Officers of the Council have demonstrated a concerted will to challenge, support and enable a process of improvement within the registration and election service and between that service and the wider Council's resources.

5.2 The pace of change has ensured that The Council is in a strong position to address its needs in the administration of the local elections in May 2018 through a process that is secure and consistent with Electoral Commission guidance. The Council is aware of the key risks attendant to change at pace; particularly the need for the new Electoral Services Manager and the core team to embed these changes and work as a team to fulfil the operational needs of the election.

5.3 The Council delivered an effective canvass and has done much to promote registration and elections as a whole Council issue requiring the commitment and engagement of the wider Council. There has been a renewed focus on effective communications with stakeholders.

5.4 I have not identified any gaps in the Council's approach to the improvement of the registration and election service. The breadth and quality of the responses has delivered the level of progress the Council wished to see to this point in time. In order to ensure that the progress is made sustainable the new Electoral Services Manager will need to provide the leadership and operational grip to manage this into through the local elections with the continued support of the wider Council.

6. Recommendations with updates from PCC at January 2020

6.1

That there continues to be a focus on the engagement of the core team and the new Electoral Services Manager in the editing of the “how to” guides so that they reflect the operating needs of the service and the need for continuity, quality assurance and the meeting of standards. (Para 4.1.5)

The Head of Electoral and Registration Services has engaged with the team and reviewed and edited the full suite of ‘how to’ guides, which have been tested through the delivery of Local, European and General Elections and the delivery of the 2018 and 2019 Canvass. The lessons learned from the registration review are being used to update and further develop our processes relating to data management and integrity within the electoral register.

6.2

That the Electoral Services Manager gives priority to the shaping of the new team to develop a team ethos, to improve organisation, delineation and delegation of tasks, to improve understanding of roles and responsibilities and to ensure delegations to the right levels. (Para 4.1.7)

The Head of Electoral and Registration Services has worked closely with the team since her arrival to establish a strong ethos with a strong profile across the organisation and with stakeholders. Clear roles and levels of delegation have been established, and detailed planning for delivery of tasks and functions is in place across all the disciplines within the team. The planning and assurance framework is reviewed regularly and overseen by the Strategic Elections Board.

6.3

That the Council works with the Electoral Management System (EMS) supplier to resolve the outstanding security issues associated with the full implementation of the EMS as a matter of urgency. (Para 4.2.2)

Security issues identified at the time were inherent within the software and affected all Local Authority customers. The Council worked with the supplier to address all the recommendations raised by the Council’s penetration testing report prior to sign-off of the transition to Xpress in 2018. The system is regularly monitored for compliance with cyber security measures.

6.4

That the Council closely monitors progress on the intended transfer of first point of contact responsibilities to the Contact Centre to ensure a safe and timely transition is achieved. (Para 4.2.4)

First point of contact responsibilities were transferred to the Council’s contact centre in 2018 and have been demonstrated to have delivered well during four elections and two canvasses since the transition.

6.5

That the Council review the current governance arrangements to achieve a new balance between the operating decisions delegated to the Electoral Services Manager and the assurance framework to maintain accountability and transparency. (Para 4.4.4)

A clear scheme of delegation is in place for specific roles and powers in relation to registration and elections, and the Strategic Elections Board enables the Electoral Registration Officer and Acting Returning Officer to demonstrate and evidence active review of the assurance framework, performance management standards, delivery plans and risk management arrangements.

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30th January, 2018