

TONBRIDGE & MALLING BOROUGH COUNCIL

GENERAL PURPOSES COMMITTEE

31 January 2011

Report of the Chief Executive

Part 1- Public

Matters for Information

1 PERFORMANCE STANDARDS FOR ELECTORAL SERVICES

1.1 Background

1.1.1 Every district council is required to appoint an Electoral Registration Officer. The ERO then has personal responsibility for the Registration work in their remit, and they are independent of the council. Similarly, councils must appoint a Returning Officer, and they are independent of the Council in their role of managing, planning and delivering elections. In this authority, as in most across the country, both appointments are fulfilled by the Chief Executive. For the role of running the Referendum due to be held in May 2011, the Electoral Commission have appointed the same to be the Counting Officer for the borough area.

1.2 Performance standards

1.2.1 Under powers created through the Electoral Administration Act 2006, the Electoral Commission has developed a performance standards framework for Electoral Registration Officers and Returning Officers. These sets of standards necessarily overlap, and are grouped into broad categories:

- Completeness and accuracy of electoral registration records
- Integrity (registration and elections)
- Encouraging participation (registration and elections)
- Planning and organisation (registration and elections)

1.2.2 Each set of performance standards requires the Officer (ERO or RO) to self-assess their own performance against a scale. A small number of Officers are selected by the Electoral Commission for an audit some months later, at which point evidence should be provided to confirm that the Officer's performance is at the level they have suggested. In reality most of the indicators, whilst the responsibility of the Officer, are actually a measure of performance of the Electoral Services team.

- 1.2.3 The stated purpose of performance standards is to help drive improvement. As could be expected, however, some local authorities take the matter more seriously than others. Given the breadth of evidence that could be used to support each self-assessment, and given the lack of a clear benchmarking process, comparisons between areas are not meaningful. Further, some changes have been made over time to the standards making direct comparisons over time more complex. That said, the ERO/RO at this authority has taken the process seriously and has used the performance standards framework as a tool to identify areas for improvement.
- 1.2.4 It is also recognised that simply 'doing' what is required is not sufficient, but having documentary evidence and detailed plans to confirm these activities are also needed. Whilst some of the improvement in our performance standards is due to real changes, some is also down to creating auditable papertrails.
- 1.2.5 Each standard is assessed against a scale (of 3, 4 or 5 points depending on the standard), and the Officer can be marked as 'Below the standard', 'Meeting the standard' or 'Above the standard'.
- 1.2.6 In 2008, Electoral Registration Officers were required to complete the first set of performance standards. These were repeated in 2009 and will be repeated following the close of the Register at the end of the annual canvass in December 2010. The 2008 return was completed during a period of transition and changes in senior officer involvement, and so did not fully reflect the strengths of the Service.
- 1.2.7 In 2009, Returning Officers were required to complete their first set of performance standards. We were audited against this first set, and the EC agreed with our assessment. These were also repeated in 2010, and are likely to be repeated in 2011 for local elections and supplemented by standards for Counting Officers.

1.3 Local performance

- 1.3.1 The full set of ERO performance standards are set out in **Annex 1**; those for ROs are set out in **Annex 2**.
- 1.3.2 The table below sets out the local performance for each set of standards.

ERO standard	2008 performance	2009 performance	Comment
1. Using information sources to verify entries on the register of electors and identify potential new electors	Meets the standard (3 out of 4)	Above the standard (4 out of 4)	Detailed policies and procedures developed to document and enhance our existing activities.
2. Maintaining the property database	Meets the standard (3 out of 4)	Above the standard (4 out of 4)	Improvement in the link to the Local Land and Property Gazetteer, making TMBC one of the few authorities actively using such a link.
3. House-to-house enquiries	Meets the standard (3 out of 4)	Above the standard (4 out of 4)	Additional registration projects undertaken and detailed written plans put in place.
4. Maintaining the integrity of registration and absent vote applications	Below the standard (2 out of 5)	Above the standard (5 out of 5)	Detailed written plans not in place in 2008 although activities were undertaken. Formal documentation now in place.
5. Supply and security of the register and absent voter lists	Meets the standard (2 out of 3)	Above the standard (3 out of 3)	Detailed written plans not in place in 2008 although activities were undertaken. Formal documentation now in place.
6. Public awareness strategy	Below the standard (2 out of 4)	Meets the standard (3 out of 4)	Detailed written plans not in place in 2008 although activities were undertaken. Formal documentation now in place. Requirements for 'above' are unobtainable in the current climate.
7. Working with partners	Meets the standard (3 out of 4)	Meets the standard (3 out of 4)	Links to standard 6, so requirements for 'above' are not obtainable.
8. Accessibility and communication of information	Meets the standard (2 out of 3)	Above the standard (4 out of 4)	Detailed written plans not in place in 2008 although activities were undertaken. Formal documentation now in place.
9. Planning for rolling registration and the annual canvass	Below the standard (1 out of 3)	Above the standard (3 out of 3)	Detailed written plans not in place in 2008 although activities were undertaken. Formal documentation now in place.
10. Training	Above the standard (4 out of 4)	Above the standard (4 out of 4)	Good training continues.

RO standard	2009 performance	2010 performance	Comment
1. Skills and knowledge of the Returning Officer	Above the standard (3 out of 3)	Above the standard (3 out of 3)	Continued high performance, based on awareness, involvement and participation of the RO.
2. Planning processes in place for an election	Above the standard (3 out of 3)	Above the standard (3 out of 3)	Strong planning processes remain in place and full documentation maintained.
3. Training	Meets the standard (3 out of 4)	Above the standard (4 out of 4)	Formal documented training plan now in place, although activities were undertaken previously.
4. Maintaining the integrity of an election	Meets the standard (3 out of 4)	Meets the standard (3 out of 4)	Requirements for 'above' are unobtainable as they require self-assessment against our plans and processes; due to the low levels of electoral fraud in this area such an assessment is not practicable.
5. Planning and delivering public awareness activity	Meets the standard (2 out of 4)	Meets the standard (2 out of 4)	Requirements for 'above' are unobtainable in the current climate due to the requirement therein to deliver activities across a range of media.
6. Accessibility of information to electors	Meets the standard (2 out of 3)	Meets the standard (2 out of 3)	Formal consultation had not been carried out. Since this performance assessment, the consultation has taken place in preparation for the next elections.
7. Communication of information to candidates and agents	Above the standard (3 out of 3)	Above the standard (3 out of 3)	Continued positive liaison between the RO and candidates and agents.

1.3.3 As can be seen in the tables above, the level of performance has remained the same or improved for all standards. There are no standards against which the ERO or RO have been assessed as being below the standard in the most recent assessments.

1.3.4 For those performance standards where the ERO / RO is not 'above' the standard, the primary reason is that the higher level is unobtainable. This is largely due to resource issues – in order to reach the higher level, substantial additional expenditure would be needed although the positive impact of such increased spending is considered to be negligible.

1.4 Legal Implications

- 1.4.1 The ERO and RO are independent of the council, although they perform their functions on behalf of the local authority. The ERO and RO are required to submit a self-assessment against the performance standards to the Electoral Commission.

1.5 Financial and Value for Money Considerations

- 1.5.1 The ERO/RO has considered that it is not appropriate to incur substantial additional costs in order to be assessed as 'Above the standard' for a few of the remaining standards, given such expenditure is unlikely to provide good value for money and would have little positive impact. However, the Service continues to develop and refine the ways in which it works and will continue to consider whether attaining higher assessment scores is in the best interests of the electorate taking the resources required into account.

1.6 Risk Assessment

- 1.6.1 The only material risk associated with completing the performance standards returns is that of reputational damage should performance be assessed to have slipped. Although performance assessment is of the ERO/RO, it would be the Borough Council who would be named in any adverse publicity. However, this risk is highly unlikely to materialise given current project plans and emphasis on ensuring appropriate resource allocation to priority areas.
- 1.6.2 There is a similar risk associated with failing to complete the returns. This is also highly unlikely to materialise given the reminder mechanisms in place to encourage returns.

1.7 Equality Impact Assessment

- 1.7.1 As an information report, an equality impact assessment is not required. However, Members are invited to note that a full Equality Impact Assessment has been carried out for Electoral Services; this is available on the council website.

Background papers:

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Nil

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