

# Governance Committee

12 March 2021

<b>Report title</b>	Update on 2021 Elections – preparations for covid secure elections	
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<b>Accountable director</b>	David Pattison: Director of Governance	
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<b>Report has been considered by</b>	Election Board	23 February 2021

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## Recommendation for action:

The Governance Committee is recommended to:

1. Note and provide feedback on the preparations underway for the May 2021 elections.

## 1.0 Purpose

- 1.1 To provide an update on preparations underway for the combined elections taking place on 6 May 2021, and outline the steps being taken towards the Government delivery plan to deliver safe and secure elections.

## 2.0 Background

- 2.1 On Thursday 6 May 2021, there will be Local elections, Police and Crime Commissioner and West Midlands Combined Authority Mayoral elections taking place in Wolverhampton. These are the postponed polls that were due to take place in May 2020, as well as subsequent by-elections (Heath Town and Tettenhall Wightwick).
- 2.2 The Government has confirmed that the May 2021 polls will take place and they launched a [delivery plan](#) on 5 February 2021 to set out how these polls will proceed. In summary the Government is making the following commitments:
1. Voters will have a choice between in person and absent voting. Postal and proxy voting will be supported, and proxy voting rules changed so that those affected by COVID-19 in the days before the poll can still vote.
  2. We will work with our partners to make sure that voters, electoral staff, candidates, campaigners and the wider public are protected to the maximum extent possible from the spread of disease. We will be clear about how existing public health regulations and guidance apply to essential voting activities.
  3. Candidates and their agents will have additional guidance on the specific application of social distancing and other regulations to their activities, including nominations and campaigning.
  4. Returning Officers and local authorities will have support from the Government that they need to deliver the elections, including additional funding for the extra costs the necessary public health measures will generate.
- 2.3 The Electoral Commission have issued supplementary guidance to support electoral administrators with preparing for the polls against the backdrop of the coronavirus pandemic. They will also be issuing supplementary guidance for candidates and agents shortly.
- 2.4 Learning has been taken from the Scottish by elections which took place in Autumn 2020. The Returning Officer must take additional steps to ensure that public health advice around physical distancing, proper hand hygiene and the use of face coverings is followed at key election events. Many practical learning points can be taken from these elections, but the May 2021 elections are on a much bigger scale, and elections under coronavirus restrictions will take more time to plan and cost more to deliver.
- 2.5 The Council has been planning for these elections for a number of months already and as such a great deal of work has already taken place to ensure that there will be safe and effective elections. The election will be different to elections in previous years but we will ensure that the changes are communicated out regularly.

### **3.0 Electoral process and how it will run in May 2021**

- 3.1 The Government has confirmed that the polls will run as normally as possible, and they will put in place sensible measures to protect against the spread of disease and overcome practical challenges. The government will ensure that the regulations and guidance governing the COVID-19 response take into account the need for essential elections activity. For example, regulations are already clear that:
- voting is a permitted, lawful reason to leave your house during general restrictions;
  - elections staff can leave home for work where it is not reasonably possible to work from home,
  - premises and business can open for the purposes of voting, counting of votes or associated activities,
  - Test and Trace is not required for polling stations (unless a voter remains in the building for some other purpose).
- 3.2 Voters will continue to have access to three methods of voting:
- In person at the polling station
  - By postal vote
  - By proxy vote
- 3.3 The Government are changing the rules for proxy voting to ensure that anyone who is self-isolating can request a proxy vote up to 5pm on polling day itself, without having to find someone to attest their application, as is the case for the usual emergency proxy process.
- 3.4 The Government recognise that the pandemic may change people's needs and preferences. They are taking steps to support an increase in capacity to process postal votes, so that everyone who would like to use a postal vote will be able to do so. Royal Mail have agreed to prioritise the delivery of elections mail including postal packs, in the same way as it does now for coronavirus tests. The delivery plan sets out that those wishing to use a postal vote should apply early and Returning Officers should encourage them to do so.
- 3.5 All households in Wolverhampton have received a household notification letter in the first week of March to give electors another opportunity to update the details on the electoral register, and to provide more information on the elections taking place in May, the safety measures that will be in place in polling stations and the voting options available to them. Every elector without a postal vote has been sent a postal vote application form to widen their choice so that they feel comfortable with making their democratic choice. This is also to give them the opportunity to apply for a postal vote in good time so that their postal vote will be included in the first dispatch following close of nominations.

## **4.0 Public health and social distancing**

- 4.1 The Government's delivery plan sets out that at every stage in the preparations and delivery of these polls, we must all prioritise the protection of public health and minimise the risk of coronavirus transmission.
- 4.2 Social distancing and other safety measures will be in operation in polling stations, as in all public spaces. Everyone should wear a face covering in polling stations and at the count and the Government will amend the guidance on face coverings and the relevant legislation to clarify this.
- 4.3 The Government delivery plans set out what to expect in polling stations during coronavirus:
- Social distancing (inside and outside venues)
  - Limited number of people inside polling stations
  - Masks worn by staff and voters
  - Voters bring their own pen or pencil
  - Maximum ventilation
  - Plastic screens (where appropriate)
  - Hand sanitiser
  - Regular cleaning
- 4.4 An individual risk assessment and layout plan has been completed for each of the 102 venues used for the 123 polling stations in Wolverhampton to ensure that they are well ventilated, one way system in place where possible, large enough for social distancing and to identify any additional equipment required to help with social distancing and elector flow through the station.
- 4.5 A covid marshal will be appointed to each polling station to ensure that social distancing is maintained outside the venue, to limit the number of people inside the polling station at any one time, ensure that voters are wearing face coverings and offering a mask if they do not have one, and to ask electors to sanitise hands when entering the polling station.
- 4.6 As part of the communications plan, electors will be reminded to wear a face covering and bring their own pen or pencil to the polling station. This messaging will also be put on their poll cards. Where electors do not bring their own pen or pencil, a single use pencil will be issued to them.
- 4.7 Polling station staff will always be wearing masks at all times and will be cleaning touch points at least every half an hour. There will be double width tables and a Perspex screen between electors and staff to create social distancing.
- 4.8 A decision has been taken to keep the three temporary polling stations. There will be a strict one in and one out policy adopted for these stations and Perspex screens will be provided between staff and between the electors and staff in the temporary stations to ensure the safety of staff and electors where social distancing may not be possible.

4.9 One of the key risks with polling stations that was identified as part of local risk assessments is that only one elector is able to vote at a time in the polling booth, which will lead to more queues at polling stations and it may also delay the time it takes to close the polling station and deliver ballot boxes to the count if a queue is formed just before 10pm. An additional polling booth with one compartment has been purchased for each polling station, so that for larger stations they will be able to have two polling booths at 2 metres apart to enable up to two electors to vote at one time.

## **5.0 Nominations and campaigning**

5.1 The Government has made changes to the nomination form to reduce the number of subscribers from ten to two for this election only in order to reduce the travel and contact involved in completing nomination forms.

5.2 The Government has been clear that under the current national lockdown, leafleting and door-knocking by party activities is not permissible. They advise that many forms of campaigning can be carried out without increased face to face contact including online campaigning, campaigning by telephone, and delivery of leaflets by post or other commercial delivery services (who are already operating, without causing additional circulation of campaigners). The rules on campaigning will be changing from 8 March and details can be seen on the guidance here - <https://www.gov.uk/government/publications/the-governments-approach-to-elections-and-referendums-during-covid-19/the-governments-approach-to-elections-and-referendums-during-covid-19>

5.3 The Returning Officer held a candidates and agents briefing on 2 March, and the presentation along with nomination packs can be accessed on councils [website](#). The Returning Officer is going to hold another candidates and agents briefing after the close of nominations on 15 April to provide further information about polling day, postal vote opening and the count, recognising that plans will continue to change to reflect the latest public health advice in place at the time.

5.4 One of the key risks with the delivery of nomination papers is that they must be hand delivered. However, this does not have to be by the candidate, it can be by their election agent or someone they trust. Candidates and agents will be asked to make an appointment with Electoral Services in advance and to wear a face covering when they arrive at the Civic Centre. On arrival, they will be asked a series of questions to check that they are not experiencing symptoms of covid. Electoral Services staff will be wearing face coverings. If the candidate and agent would like their nomination paper to be checked in person prior to submitting, then a meeting room will be available where candidates and agents will be sat 2 metres apart from electoral services staff with a Perspex screen between.

5.5 Candidates and Agents have also been invited to take up the offer of an informal check over email, phone call or video call. More detailed information about the nominations process has been provided at the candidates and agents briefing, and information packs and nomination forms are available from Electoral Services on request.

## 6.0 Delivery of polls

- 6.1 The final section of the Government's delivery plan recognises two major delivery challenges for this election with regards to venues and staffing.
- 6.2 Identifying suitable venues to act as polling stations, count venue and postal vote opening represents a challenge for this election. It is also clear that given the importance of avoiding any further disruption to education, schools should not be used where alternative venues are available.
- 6.3 Returning Officers will need more staff to support social distancing and other protective measures, managing any increase in postal and proxy votes and replace staff who usually work on election duties who are unable to carry out public facing duties for health reasons.
- 6.4 The Government have outlined that local authorities have the flexibility to use part of the unringfenced additional funding for coronavirus to support Returning Officers to deliver local elections. Increased costs of the Police and Crime Commissioner elections will be met by the government, including the necessary additional costs such as protective equipment, hiring of larger or more expensive venues and additional cleaning requirements. Further guidance to local authorities will be published on this shortly.
- 6.5 A number of polling stations became unavailable due to venues not willing to accommodate a polling station during these times or they were being used for other covid-19 purposes. A review of all schools used as polling stations was undertaken in Autumn 2020. The 28 schools that are used in Wolverhampton are being used because there are no other suitable or available venues in the relevant polling districts. A final polling station schedule has been agreed and can be found in **Appendix 1**. We will continue to work closely with the schools to minimise the impact on them and their pupils.

## 7.0 Risk management

- 7.1 Planning for the elections has been underway for months. The Election Board, chaired by the Returning Officer, started meeting earlier than usual in December 2020 and will continue to meet once a month. The Director of Public Health and Head of Health and Safety attend this Board. A detailed risk register is reviewed at each board meeting.
- 7.2 A new working group was established to advise the Returning Officer on how to safely conduct the poll. This group is made up of leads from Electoral Services, HR, Public Health, Health and Safety and the Resilience team. Risk assessments have been developed for polling stations, receipt of nomination papers, postal vote opening and attending the count. These can be accessed [here](#) and will be kept under constant review to reflect the latest public health guidance in place at the time. Every staff member recruited to work the elections will be required to complete an individual risk assessment and will be required to get a lateral flow test in advance of working election duties.

## **8.0 Work with Police Area Returning Officer (PARO) and Combined Authority Returning Officer (CARO)**

- 8.1 Wolverhampton has a close working relationship with all elections teams in the West Midlands Combined Authority Area who regularly meet to discuss roles and responsibilities for delivering the PCC and CAM elections. Martin Reeves (Coventry), is both the PARO and CARO for these elections and has issued supplementary guidance to all Local Returning Officers for the conduct of the regional elections. Wolverhampton regularly reports on progress to the PARO/CARO. A Verification and Count Protocol has been issued to all Local Returning Officers in the region to outline the arrangements for communicating information about the verification of ballot boxes and the counting of votes to the PARO/CARO in order for them to declare a result for the Combined Authority and West Midlands Police Area.
- 8.2 The PARO/CARO has also issued additional guidance about covid-secure elections and work is underway to ensure that there is consistency across the region in the additional safety measures that are being put in place to deliver safe elections.

## **9.0 Postal vote opening**

- 9.1 There will be daily opening sessions on the first floor of the Civic Centre every weekday from Tuesday 27 April until election day. Staff will be kept in 3 bubbles of 6-9 per session as per Electoral Commission guidance. Postal vote opening staff will wear face coverings at all times and will wear gloves when opening post and removing postal packs from envelopes. Staff will keep 2 metre distance working in forward facing pairs at opposite ends of table with Perspex screen between each other and at the end of the desks.
- 9.2 Candidates and agents are required to notify Electoral Services of attendance at sessions at least 24 hours in advance. They will be required to provide their contact details for track and trace. Candidates and agents will be able to observe the process at 2 metre distance and must wear face coverings.

## **10.0 The Count**

- 10.1 The Government has confirmed that they will work with Returning Officers to ensure that the count is covid secure and effective, and that they expect the counts may take more time than for previous polls. Further guidance is expected over the coming weeks.
- 10.2 The verification and count will be held at GTG Conference Centre. The verification of all ballot papers will take place on Thursday 6 May after close of poll, and this is anticipated to be completed by 3am. The counting of votes for the local election will take place on Friday 7 May, with 10 wards being counted in the morning and 10 wards in the afternoon. The counting of votes for Police and Crime Commissioner and Combined Authority Mayoral Elections will take place on Saturday 8 May.

10.3 Due to social distancing requirements, the Returning Officer has taken the decision to not allow guests to attend the verification and count. Only candidates, election agents and count agents will be able to attend. This decision will be kept under review.

## **11.0 Financial implications**

11.1 The actual cost of the Combined Election in May 21 will clearly not be established until later this year, but early preparatory work indicates that it will be in the region of £450,000. The Council will meet the third of this total cost associated with local elections, with two thirds to be funded by the Government and the Combined Authority for the Police and Crime Commissioner and Mayoral elections respectively. The anticipated £150,000 cost to the Council will be funded from the £192,000 budget currently set aside for local elections.

11.2 Additional preparations are being made for the May 21 elections due to the impact of Covid-19. This is in accordance with the latest Government guidance and includes the purchase of personal protective equipment and planned use of Covid Marshals at polling stations. The estimated costs of these are included in the forecasts identified above, though the possibility of funding these elements from unringfenced Government Covid-19 grants is to be reviewed. There is already an intention to use this funding to meet the £52,000 cost of the household notification letters sent out in March. [GE/23022021/O]

## **12.0 Legal implications**

12.1 There are a number of statutory provisions covering the delivery of these combined polls, and provisions will be carried out in line with the Government's Delivery plan to ensure safe and secure elections [DP/02032021/A].

## **13.0 All Other Implications**

13.1 There are no other implications arising from the recommendation in this report.

## **14.0 Schedule of background papers**

14.1 May 2021 polls delivery plan: <https://www.gov.uk/government/publications/may-2021-polls-delivery-plan/may-2021-polls-delivery-plan>

14.2 The Government's approach to elections and referendums during Covid-19: <https://www.gov.uk/government/publications/the-governments-approach-to-elections-and-referendums-during-covid-19/the-governments-approach-to-elections-and-referendums-during-covid-19>

14.3 Elections and voting, City of Wolverhampton Council: <https://www.wolverhampton.gov.uk/your-council/elections-and-voting>

14.4 Working at elections risk assessments, City of Wolverhampton Council:  
<https://www.wolverhampton.gov.uk/your-council/elections-and-voting/working-elections/working-at-elections>

## **15.0 Appendices**

15.1 Appendix 1: Schedule of Polling Stations for May 2021.