

## Response to the Local Government Association's second consultation paper

"Towards a consistent form of publishing elections data"

### 1. INTRODUCTION

- 1.1. The Association of Electoral Administrators (AEA) was founded in 1987 and is the professional body representing the interests of electoral administrators in the United Kingdom. It is a non-governmental and non-partisan body and has some 1,933 members, the majority of whom are employed by local authorities to provide electoral registration and election services.
- 1.2. This paper sets out the AEA's views in relation to the questions raised in the consultation document *Towards a consistent form of publishing elections data* dated 8 August 2016.
- 1.3. The AEA's primary concern is about the effect of any proposed changes to the law or process that would impact on electoral registration and the administration of elections and which might arise as a result of the issues identified in the consultation paper. Any such changes would need to be carefully considered in terms of the practical implications and the way in which the changes would be introduced and administered.

### 2. COMMENTARY

- 2.1. We are pleased to note that the concerns we raised in our response to the first consultation stage in April 2016 over inaccuracies in the first paragraph of the consultation document that "Local authority returning officers currently have a statutory duty to publish local and national elections on local authority web sites" have been corrected with the introduction for the consultation paper dated 8 August 2016 now quoting the wording as suggested in our response:

*"Although there is no statutory requirement to do so, local authorities generally publish local and national election results on their web sites once those results have been provided to them by the relevant returning officer. There is no guidance or common practice to publish*

*such data in any particular style, format or web location other than the statutory requirement placed on the returning officer to give public notice of the name(s) of the elected candidate(s) (and the fact that they were duly elected), the total number of votes given to each candidate in a contested election and details of the rejected ballot papers as shown in the statement of rejected ballot papers."*

- 2.2. We are also pleased to note that the majority of our comments made in response to the first consultation paper have been considered and taken on board.
- 2.3. We hope you find our responses to your second consultation of some assistance and look forward to continuing to work with you on the continued development of this project.

### **3. ANSWERS TO SPECIFIC QUESTIONS**

#### **A. Does the data specification meet the requirements for publishing election results?**

Yes, the data specification does meet the requirements for publishing election results. However, consideration needs to be given to the following areas:

#### **Local transparency guidance – publishing election results data document**

- **Rejected votes**

Page 13 details four reasons for the rejection of votes. At multi-vacancy elections, which occur in many local authority areas, there is also the reason "rejected in part". This reason is included in Annex 1 on page 22.

- **Type of Election**

Page 16 lists various election types. For completeness, consideration needs to be given to including the following election types following the introduction of first past the post elections:

- Police and Crime Commissioner; and
- Greater London Authority: Mayoral, Assembly and Constituency.

Consideration would also need to be given to the following election types if the proposals were to be extended UK wide:

- Welsh Assembly;
- Scottish Parliament;
- Northern Ireland Assembly; and
- Community Council Elections in Wales.

- **Electoral Area URI**

Page 17 – “parish ward” needs to be included under “What is required”. It will also be essential that any changes to boundaries are reflected in the Electoral Area URIs in time for the data export.

- **Electoral Area Label**

Page 18 – the AEA agrees with the Electoral Commission response that, as long as you have the local authority name and the ward name, it should be fine. However, in the case of a parish area, you may wish to include the local authority name, parish name and parish ward name where the parish is warded.

- **Candidate Surname**

Page 18 – reference is made to the fact that there is no obligation for this to be capitalised. For consistency, the data should reflect how it would be shown on the election results notice published by the RO.

- **Alternate Political Label**

Page 20 – this would probably be better described as “Candidate’s description”. Reference in the additional information column refers to “registration documents” where it, in fact, relates to the description provided on the candidate’s nomination paper.

The description also refers to “The field is optional and can be left blank is appropriate at the discretion of the returning officer”. This field should reflect the content of the description on the candidate’s nomination paper as it would appear on the notice of results.

- **Votes Won**

Page 20 – how are uncontested elections dealt with and published? Reference is made on page 21 to “Votes Cast”. The actual process is that the RO will publish a notice which states the candidate was elected unopposed.

- **Ballots Rejected Official Mark**

Page 22 – reference is made to “polling station stamp”. However, stamping instruments are very rarely used in polling stations with ballot papers being validated as live ballot papers in other ways, e.g. via a water mark. We therefore recommend that you remove the wording “polling station stamp”.

- **Percentage Turnout**

Page 23 – the description states “A percentage figure calculated to one decimal place as Votes Cast divided by Eligible Electorate times 100.” The percentage turnout is calculated using the total verified ballot papers and the eligible electorate figures.

Votes cast are the number of votes cast on a ballot paper, for example, a multi-member ward could have 3 votes if there are 3 vacancies but to calculate the turnout it would be 1 ballot paper and not 3 votes. This also applies to the footnote on page 13.

The description also refers to “Note this figure may be subject to revision and republication at a later date if the Eligible Electorate is revised.” The eligible electorate does not change after the results have been declared. The data extract will be exported from the Electoral Management System (EMS) after the election results have been inputted and any changes to the eligible electorate will have been made on the EMS software already. The eligible electorate figure will therefore be correct at the time of the data export.

- **Returning Officer Name**

An official notice of result would include the RO name. Whilst a contact email and telephone number is requested for electoral services, should consideration be given to including the name of the RO?

**B. Where do you suggest that changes should be made?**

Please see the answers to question A above.

**C. Do you foresee any barriers for publishing the election results in the format suggested?**

The potential barriers identified after reviewing the consultation paper are the same as those we raised in our response to the first consultation paper, which for completeness are as follows:

- **Software functionality** being able to export the election results in a standard national data format, and the costs associated in developing the EMS software to the meet this requirement. Data codes will also have to be maintained as new political parties are registered, party descriptions, area names/codes and boundaries change. It is important that all EMS suppliers continue to be engaged in the following stages.
- **Funding** may be required to develop the EMS software.
- **Organisation code and organisation label** details of national codes for the local authority, individual wards and parliamentary constituencies. Are there national codes available for the following areas which will be needed when introduced for Parish/Town Councils and in the future should it be extended to other elections:
  - Parish/Town Councils – some areas of parish/town councils are warded;
  - Greater London Authority Assembly constituencies;
  - Police and Crime Commissioner police areas?

If the proposal were to be extended UK-wide, are there national codes available for the National Assembly for Wales as these constituencies are different to UK Parliamentary constituencies?

**D. Do you have any suggestions for improving the data content or process?**

As outlined above.

**E. Is the guidance clear and understandable?**

Yes.

**F. How can the guidance be improved?**

It would be extremely useful to electoral administrators if, once the project is live, the process could be included in the Electoral Commission guidance produced for each election, e.g. Part E - Verifying and counting the votes, and Part F - After the declaration of result.

It is also essential that the all EMS suppliers continue to be fully consulted and engaged throughout the consultation and development process to ensure that the format of outputs is achievable without any duplication of effort required by the RO.

**G. Do you have any advice on the best way to ensure involvement and take-up?**

Once the project is live, it is imperative that the data is captured in the same way for all future elections and not just specific elections. This will enable a consistent approach and ensure take up.

In addition, it will be necessary to:

- Continue to work closely with all EMS suppliers to ensure that the data can be extracted in the data specification format required and maintained;
- Ensure there is no duplication of effort required by ROs; and
- Work closely with the AEA to inform members and the Electoral Commission in relation to their guidance as outlined in question F above.

**H. Can you articulate the benefits that might accrue to you from this initiative?**

Whilst the AEA will not corporately benefit from the initiative, the Association does support it. The initiative outlined will enable easier access to election results in a standard data format across the country for the public and other interested parties and stakeholders. The proposal will also make election results more open and transparent.

Although it is noted that the intention is to focus first on elections which are undertaken with the “first past the post” process and be constrained to local authorities in England, the AEA recommends that consideration be given to all types of elections throughout the United Kingdom.

## 4. OTHER COMMENTS

### **Towards a consistent form of publishing elections data – second consultation document**

- **Page 8 point 7**

“The key to a successful outcome will be if suppliers of Electoral Management Systems are able to extend their systems’ capabilities to output data as an additional option that conforms to the schema specification ...”

It is worth bearing in mind that not all ROs will input the election results onto their EMS system. A significant number of counts will be conducted away from the town hall or civic centre in venues such as sports centres, with no access to their EMS. In many cases, counts are conducted outside of the EMS by using tailor made spreadsheets. At the end of the count, the RO completes a paper copy of the notice of results and a copy of the results will be placed on the LA website immediately. It may be some time later before the results are entered on the EMS, if at all in some cases.

- **Page 8 point 10**

“The key to re-use and take-up is the publication of timely data ...”

Taking into account the comments above relating to point 7, the data may not be available as timely as envisaged especially if the result is declared in the early hours the following morning or even later in the event of combined polls in a local sports centre.

- **Page 9 point 13**

Should also include reference to ROs in the first sentence.

- **Page 10 Licensing**

“It is recommended that local authorities should self-certify their dataset(s) with the Open Data Institute under the open data certificate....”

As the data is the RO's and not the local authorities, should it not be the RO that self-certifies the data? We are also unclear what benefits this approach will bring.

On page 6 of the Local transparency guidance – publishing election results data – it is highlighted that two of the stakeholders listed have expressed an interest in offering support and expertise in progressing the standard. The AEA is also more than happy to continue to offer support and expertise in progressing the standard.

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**Chief Executive**

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