

Committee(s):	Date(s):
Policy & Resources	23 June 2015
Subject: Procedure for conducting ballots at the Court of Common Council	Public
Report of: Town Clerk	For Decision
<u>Summary</u>	
<p>This report has been prepared at the request of the Committee and concerns the voting system used at meetings of the Court of Common Council for the election of Members to the various Committees.</p> <p>It reports on the current process and assesses its benefits and disadvantages. It also sets out some potential alternative voting systems which Members might wish to consider along with their respective advantages and disadvantages, including preferential voting systems (where Members rank the candidates in order) and a system which requires every elected Member to receive 50% of votes cast.</p> <p>This paper does not provide an exhaustive assessment of potential voting systems, nor does it take in to account any potential amendments to the current system, such as the timing of ballots or the introduction of electronic voting.</p> <p>Recommendation: That consideration be given as to whether the current voting system be retained, amended, or an alternative system adopted.</p>	

Main Report

Background

1. At the 30 May 2015 meeting of the Policy and Resources Committee, reference was made to the results of the various ballots for places on Committees undertaken at the 23 April meeting of the Court of Common Council.
2. It was suggested that alternative voting arrangements should be explored, with a view to achieving a fairer and more open democratic process and one that would ensure that those elected had a significant proportion of support from the Court as well.
3. The Town Clerk was consequently asked to examine potential alternative systems for Members' consideration.

Current System

4. The existing process is set out in Standing Order No.10, as follows:

10.4 When one vacancy has to be filled the following requirements shall apply:-

a) if there are fewer than four candidates, the successful candidate shall require a majority of the votes cast;

b) if there are four or more candidates, the successful candidate shall require 40% of the votes cast;

c) if, in the circumstances described in both (a) and (b) above, no candidate secures the proportion of votes required, the two candidates with the highest number of votes shall proceed to a second ballot.

10.5 *When two or more vacancies have to be filled, the candidates with the highest number of votes shall be declared to be elected.*

5. This system is what is known as a “plurality” or “first-past-the-post” system. The advantages of such a voting system are as follows:

- Members are clear on the process and how many votes they are able to cast.
- With the exception of an exact tie, or where the required proportion of votes is not achieved, a winner is always returned in one round of voting.
- The count is straightforward and is undertaken relatively swiftly after the vote, requiring no specialist equipment.

The disadvantages are thus:

- The process is undertaken using a basic paper system which can be time consuming and could be improved with a more modern method, such as electronic voting.
- Where there are multiple vacancies, no preference can be expressed between the candidates each voter wishes to return. As a result, Members might hesitate to cast their full allotment of votes for fear of devaluing their vote or inadvertently helping one of their lesser preferred candidates beat their main preference to a vacancy.
- Tactical voting – by this method, a candidate who has the strong support of only a small group of Members can be returned at the expense of others who would command the support of the bulk of the Court. The best way of demonstrating this is through the following example:

There are five candidates, Members A, B, C, D and E, competing for three vacancies on a Committee. The majority of Members cast two of their three votes for Members A and C, as they are popular and well-regarded. However, candidates B and D, who are also effective Members and could do a good job, split the “third” vote. Meanwhile, a relatively small proportion of Members decide to vote for just one candidate, Member E, (who is a less effective candidate) as a protest vote against the other Members. With the votes for B and D split, E is returned to the third vacancy, despite only receiving the support of a minority of Members.

- When there is a tie between Members, a re-ballot is necessary; this causes a delay of another month until the Court reconvenes.
- Under the current system, where there are two or more vacancies (as set out at Standing Order 10.5) candidates can be returned with a relatively small proportion of votes cast. For example, for the recent elections to the Barbican Centre Board, one candidate was returned with 11% of the votes cast.

Alternative Systems

6. Below are two potential alternative systems, with their various advantages and disadvantages set out. This does not represent a comprehensive list of

alternatives. A number of other voting systems have been considered, but discarded either for reasons of impracticality or because they are not applicable to voting Members on to Committees.

Enhanced Plurality Voting (50% Threshold)

7. This system has been adopted by the Policy and Resources Committee for the election of its Deputy Chairmen. All candidates must secure at least 50% of the vote to be elected, unless the number of candidates is less than or matches the number of vacancies, when the candidates will automatically be treated as being elected to office.
8. Where there are more candidates than vacancies, Members are asked to complete a ballot paper and mark it in favour of their preferred candidates; in the case of multiple vacancies, Members can still choose not to vote for the maximum number of candidates i.e. if there are three vacancies Members can choose to vote for three candidates or fewer.
9. The votes are then counted and any candidate having 50% or more of the number of votes is elected, although it may be that no candidate secures 50% of the vote at this stage. In either case, the candidate with the least number of votes drops-out automatically. If there is more than one candidate securing the least but identical number of votes then a ballot is held between those candidates to determine which one will drop-out. Other candidates may also elect to withdraw.
10. A further ballot is then held amongst the remaining candidates and any candidate securing 50% or more of the vote is elected. This process is repeated until all vacancies are filled. There may come a point in the process where a candidate or candidates with the least number of votes drops out, leaving a number of candidates that matches the number of vacancies. In those circumstances, no further ballot is necessary as the candidate is automatically be treated as being elected to office (without having to secure 50% of the vote).

Advantages:

- Every Member elected would undoubtedly command the support of at least 50% of those voting.
- Familiarity with the system amongst Members, given its existing use.

Disadvantages:

- This system may require multiple rounds of voting (although in practice some candidates may withdraw following the initial round of voting if it is clear they have little chance of winning). Multiple rounds of voting would therefore require either:
 - If counts were conducted during the Court meeting, interruptions to allow for re-balloting and also for two Members to exit the Court so as act as scrutineers for the count, therefore meaning they could not fully participate in Court business (however the current system of scrutineers could be dispensed with);
 - If further rounds of balloting were delayed to future meetings, as with ties in the current system, a lengthy wait until vacancies were filled;
 - The introduction of costly electronic technologies to allow for real-time voting and automatic results.

- This system does not remove the possibility tactical voting, although the 50% threshold would diminish the impact of this.

Alternative Vote (or Instant Run-off Voting)

11. This method allows for ranked or preferential voting, where Members number against the candidates the order in which they would like to see them returned. The voter puts a '1' by their first choice a '2' by their second choice, and so on, until they no longer wish to express any further preferences or run out of candidates.
12. Candidates are elected outright if they gain more than half of the first preference votes. If not, the candidate with least first preferences is eliminated and their votes are redistributed according to the second (or next available) preference marked on the ballot paper. This process continues until sufficient candidates are returned.
13. This system is widely used, including in the House of Lords (for electing Hereditary Peers), for Australian State Government and House of Representative elections, the London Mayoral elections, and for the Presidential elections in Ireland and India.

Advantages:

- When voters have the ability to rank candidates, the least preferred candidate cannot win.
- By encouraging candidates to seek first, as well as lower-preference votes, the impact of negative campaigning or tactical voting is significantly diminished.
- Tactical voting is also less prevalent as voters are confident their “first-choice” vote isn’t wasted.
- Elected Members would be confident they were the preferred choice of the majority of the Court.
- No additional rounds of voting would be required, meaning that a result could always be declared following the Court (in the normal fashion).

Disadvantages:

- Lower preferences can potentially throw up a “lowest common denominator” winner without much positive support of their own.

Other Systems considered

14. Other systems were also considered as part of this process, but deemed impractical or inappropriate for use at Court of Common Council meetings.
15. One such system was a cumulative voting system, such as are often used in the field of corporate governance, particularly in the US for elections to Boards, which works through allowing voters to weight their votes for candidates. However, the system is not straightforward and is not widely used for elections given its propensity to encourage tactical voting.

Implications

16. Any changes to the voting system would require amendments to Standing Orders. This would be, subject to Members agreement, handled in the usual way and would require the approval of the Court of Common Council. It is proposed that

any suggested amendments form the basis of a more detailed paper setting out the full implications, practicalities and explanation of how they might work, for consideration by your Committee prior to the Court's approval being sought.

Conclusion

17. This report explains the current system for the election of the Members to Committees and sets out some alternatives for your consideration.

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