

<b>Committee:</b>	<b>Date:</b>
Policy and Resources	19 November 2020
<b>Subject:</b> Electoral Registration Update	<b>Public</b>
<b>Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?</b>	3, 4, and 10
<b>Does this proposal require extra revenue and/or capital spending?</b>	Y
<b>If so, how much?</b>	To be determined
<b>What is the source of Funding?</b>	Committee Contingency
<b>Has this Funding Source been agreed with the Chamberlain's Department?</b>	Y
<b>Report of:</b> Town Clerk and Chief Executive	<b>For Decision</b>
<b>Report author:</b> Charlotte Gordon, Elections and City Occupiers Database Manager	

### Summary

Due in part to the adverse impact the COVID-19 pandemic was having on the City Corporation's ability to compile the Ward Lists, undertake the canvassing activities associated with it as well as the schedule of promotional activities planned to encourage businesses and residents to register to vote ahead of the 2021 elections, the Policy and Resources Committee agreed in July that the all-out Ward elections should be postponed from March 2021 to March 2022. This was subsequently supported by the Court of Common Council and an Act of Common Council was made to formally effect the change.

The Committee has acknowledged that the change of date presents the City Corporation with an opportunity to improve the registration process and encourage greater participation in the City elections. This was reinforced at the last meeting where Members were keen for the digitisation of the registration process and more innovative communication with businesses and residents to be explored. In July it was also suggested that the City should also consider taking the lead in modernising the current voting process and investigate the possibility introducing electronic voting.

This report therefore:-

- Updates Members on voter registration, including the proposals for widening electronic registration;
- Addresses the issue of electronic voting;
- Reminds Members of the promotional activities previously agreed to encourage businesses and residents to register. It also includes a couple of other areas of activity you might wish to consider;
- Reminds the Committee of the promotional campaign to encourage a diverse range of candidates to stand in the 2022 City elections;
- welcomes any further suggestions which you feel might assist in the lead up to the all-out elections.

- asks the Committee to agree that the previously agreed allocation of £127,000 from the Committee's contingency to meet the cost of the promotional activities be transferred from 2020/21 to 2021/22.

### **Recommendations**

Members are asked to:

1. Note the report.
2. agree that the previously agreed allocation of £127,000 from the Committee's contingency to meet the cost of the promotional activities be transferred from 2020/21 contingency to 2021/22.
3. Consider the additional activities referred to in paragraphs 25 to 30 of this report. Should any be supported, note that a more detailed report on some of the activities including the cost will need to be considered.
4. Consider whether there are any further activities which could be considered.

## **Main Report**

### **Background**

1. At its meeting in July the Committee agreed to the postponement of the all-out Ward elections from March 2021 to March 2022. This was in part due to the adverse impact the COVID-19 pandemic was having on the City Corporation's ability to compile the Ward Lists, complete the database of businesses with the relevant degree of accuracy, undertake canvassing activities and the planned schedule of promotional activities planned to encourage businesses and residents to register to vote ahead of the 2021 elections. An Act of Common Council was subsequently made by the Court to effect the change.
2. As part of its deliberations in the summer, the Committee acknowledged that the change of date would present an opportunity to improve the registration process and encourage greater participation in City elections. This was reiterated at the last meeting where Members were keen for the digitisation of the registration process and more innovative communication with businesses and residents to be explored. In July it was also suggested that the City should also consider taking the lead in modernising the current voting process and investigate the possibility of introducing electronic voting.
3. A programme of promotional activities was agreed earlier this year to raise awareness of voter registration in readiness for the then 2021 Ward Elections and, as part of the City Corporation's efforts to enhance the diversity of the Court of Common Council, this included activities to encourage people from a diverse range of backgrounds to consider standing for election. As a result of the pandemic this work will now be pursued next year in the lead up to the elections in 2022.

### **Current Position**

4. The timetable for the preparation and publication of the Ward Lists is fixed as set out in section 7 of the City of London (Various Powers) Act 1957. The qualification date for inclusion on the Ward List is 1 September each year.

5. The Town Clerk is required to make house to house or other sufficient inquiries as to persons entitled to vote in Ward elections. This involves sending voter registration forms to every eligible business in the City of London and every residential address. This activity has been interrupted by the COVID-19 pandemic and since April the City Occupiers Database team has been working remotely to compile an accurate, up to date Ward list by emailing existing business contacts. In addition, the team have made use of the Companies House website and data held by the City Corporation's Business Rates department.
6. Provisional Ward Lists must nevertheless be prepared and published by 30 November each year to enable any claims or objections to be considered. The final Ward Lists must then be published by 15 February and these are the definitive lists of persons entitled to vote in Ward elections held between 16 February and 15 February in the following year.
7. The postponed all-out Ward elections in March 2022 will therefore use the Ward Lists compiled in Autumn 2021 to identify the eligible voters.
8. The current number of voters is 19,200. This is made up of 6,484 residential voters and 12,716 business voters. The Ward Lists have grown steadily over the past two years. In 2018/19 there were 18,631 voters and in 2019/20 there were 18,829 voters. At the all-out elections in March 2017, there were 18,983 voters. It is important to ensure that as many voters remain on the Ward Lists for the March 2022 elections, as well as identifying other eligible voters and encouraging them to register.
9. The number of businesses appointing voters was 3,120 (out of a possible 7,615). This compares with 3,304 businesses appointing voters (out of a possible 7,441) for the 2019/20 Ward List.
10. With regard to potential candidates, the Elections Office maintains a list of people who have expressed interest in standing for election in future who are notified of all forthcoming elections including the all-out elections. 119 people are currently on the list.
11. In terms of encouraging greater diversity, the Committee has acknowledged that more needs to be done to improve the current situation and a more high-profile campaign to encourage as diverse a range of candidates as possible to stand for the 2022 City elections has been approved. Further details are referred to below.
16. Ahead of the all-out Common Councillor elections in March 2021 a series of activities to promote voter registration, the work of the City Corporation and to raise awareness of the elections were agreed earlier this year at a cost of £127,000 to be met from the Committee's contingency. As a result of the pandemic and the subsequent change of date of the election to 2022, these activities will now take place next year and it is proposed that the funds are now transferred from the 2020/21 contingency to 2021/22.

### **Impact of Remote Working on Registration**

17. Due to the pandemic most office-based employees are now working remotely. This is likely to have an impact on qualification and voting numbers in the long term. In the summer, the Committee was advised that virtual offices do not have any voting rights. This is because qualifying bodies must ordinarily occupy as owner or tenant the whole or part of any premises in that ward. 'Occupying' means occupying premises by personal physical presence there (which can be through a director, officer, employee, agent or office holder) for the purpose of carrying on any trade, business, profession or other occupation or calling. The right to appoint voters then depends on the size of the workforce. 'Workforce' means all those persons whose principal or only place of work on the qualifying date is ordinarily those premises occupied by the qualifying body. Additionally, one of the categories of person who may be appointed as a voter by a qualifying body is employees whose principal or only place of work is within the City and has been for the whole of the twelve months preceding that qualifying date.
18. At that time the Committee was advised that a temporary total absence from the office would not lead to disenfranchisement, so long as it was intended that workers would return to the premises in question as their principal or only place of work following the relaxation of the pandemic restrictions, and that workers temporarily working from home could be included in the workforce size and the calculation for the number of voters that each business can appoint. This is in the same way that a period of absence due to illness or holiday or temporary work commitments elsewhere, even if this includes the qualifying date, does not affect eligibility to vote, as long as the overall requirements are still satisfied.
19. However, it is becoming increasingly clear that even in the longer term it is unlikely that all businesses will return to their previous numbers of employees working in their buildings at the same time. One business has already indicated its plans to continue remote working in future and is expecting that the maximum number of staff in its building at any one time will be about 50% of its previous workforce. As a result, it will be looking to sublet any excess space.
20. It was possible prior to the pandemic to count employees who worked from home for a proportion of the time and this is still the case. So long as employees have a particular City office as their principal or only place of work on 1 September 2021 then they will still count towards the workforce there – it is not necessary that they attend the office every working day. Obviously, however, employees who work from home in future without an office base would not be included in the canvass.
21. Further advice has been sought from the Comptroller and City Solicitor and the City Remembrancer and they have advised that, for the time being, legislation must be applied as it stands. Local legislation specifically requires a personal physical presence on the premises which are ordinarily the place of work and does not explicitly provide for working from home or multiple locations. The Town Clerk and Chief Executive as the arbiter on Ward List registration (subject to any appeal) has fairly wide discretion or 'margin of appreciation' to take into account the facts of each case and the reason for any absence from the premises in determining whether each of the above tests are met.

### **Promotional Activities Previously Agreed in the Lead up to March 2022**

22. In February, the Committee agreed a number of activities which were scheduled to take place throughout 2020 to increase awareness and promote voter registration and participation. These will now take place in 2021 and are as follows:-

#### ***Digital Communications***

- The creation of a series of webpages around the theme “CityVote22” which will contain all information relating to the elections including key deadlines, lists of candidates and polling stations and other relevant information;
- Production of a series of YouTube videos promoting the City Corporation, explaining what their vote can influence, voter registration and the elections;
- Creation of an electronic campaign logo for use on email signatures by officers and Members;
- A social media campaign, which can be used to disseminate the YouTube video and other key messages;
- Email communications to business contacts before and during the registration period;
- Send link to YouTube videos to contacts within firms or the footage to imbed in their intranets
- Emails to residential voters to say “Look out for your registration form” during the canvass
- Ask departments across the City Corporation to include the electronic campaign logo or a news item in their regular email newsletters to their contacts in the City
- Promotion at the Guildhall reception areas

#### ***Paper Communications***

- Production of leaflets, posters, flyers and business cards with the “CityVote22” messaging for use in business and residential voter registration forms, business surveys from the City Occupiers Database team and distribution outside key train stations. It should be noted that this involves physical distribution and will be dependent on the situation at the time.
- Production of posters, leaflets, email templates that contacts within businesses can use to promote the City and voter registration within their business. These will also include a statement encouraging businesses to nominate voters that reflect the make-up of their organisation – from the Chief Executive to regular contractors - as we currently do.
- An advertising campaign in CityAM and City Matters and Corporation publications (City Resident, CityView, ward newsletters and Livery Briefing) – this will involve at least three campaigns in each of these fora throughout 2020. Again, this will now depend on the situation at the time.
- It was agreed previously that a pocket card with fixtures for the Euro 2020 football tournament should be created and given out in key City locations with “CityVote21” branding. Depending on sporting arrangements, we will continue to look to capitalise on any major sporting event with multiple fixtures occurring next year to

promote the City Corporation, its work and elections to be given out at key areas of footfall.

- A letter from the Town Clerk and Chief Executive to business contacts prior to the voter registration process to raise awareness of the registration period
- A letter from the Town Clerk to new voters (both business and residential voters) appointed during the registration period to inform them that they will be a voter in February and will be able to vote at the elections in March, and to encourage them to look out for further information as the elections approach
- A letter from the Lord Mayor to companies that have not responded towards the end of the canvass explaining the importance of appointing voters and participating in the City's democratic process

### **Informative Events**

- Two briefing meetings to be held in the autumn for potential candidates. The aim of this will be to provide candidates with details of the election process, give them the opportunity to ask questions and to hear more about the City Corporation and its work.

### **Promotional Events**

- An early evening reception to be held during Inclusion Week (usually September/October). The purpose of the reception would be to brief and engage a diverse range of networks operating in businesses across the City as well as raise awareness through established contacts in organisations such as the 100% Club and those involved in International Women's Day, Business in the Community Race at Work Charter, the Women in Finance Charter or the Pride flag raising event to promote the City Corporation's work and the benefits of undertaking civic duties.
- As part of efforts to encourage as diverse a range of candidates as possible, a more high-profile campaign across appropriate print channels and in London Underground sites within the City will also take place. For example, this would include large format display adverts in City AM and City Matters newspapers (once a month for four months) and advertising on London Underground escalator panels in stations across the City.

### ***Additional Temporary Staffing***

- The employment of two additional temporary members of staff over the canvass and election period (August 2021 to March 2022) to enable extra follow-up work to be undertaken, help to ensure the accuracy of the Ward Lists and ensure there are sufficient resources to administer the elections effectively and efficiently.

### **Additional measures which could be considered**

23. Members are keen for more to be done to improve the registration process and encourage greater participation in the City elections. A number of possible activities have therefore been explored in addition to the programme of promotional events the Committee agreed at the beginning of this year. These are considered in turn below.

### **Electoral Registration**

24. Residents and businesses must return a form each year to remain on the Ward List for the next year. Businesses and residents are sent one initial form and two subsequent reminders throughout the Autumn. Businesses are also able to complete their registration form online through a system operated by the Corporation's IT department. Members have asked the Electoral Services Team to explore ways of increasing the digitisation of the electoral process for both residential and business voters.
25. The City Corporation moved to a new Electoral Management Software system from Democracy Counts in February this year. This new software enables digitisation of the registration process and increased integration of emails that can be used around elections. The new system has an integrated online canvass response system called *Register Securely*. Due to the unique electoral system in the City of London and the requirement to develop the Ward List element of the new software system, it has not been possible to use this for residential properties in the City of London this year. Notwithstanding this, the groundwork has been done in preparation for its use for the canvass in 2021. This will also enable emails to be sent to residents who can then respond online to both the electoral register and ward list canvasses. This should make responding to the canvass a much easier process for residents.

### **Additional Communication**

26. In the absence of a physical canvass for this year, arrangements are being made to contact residents by telephone where those details are held. Prior to this canvass we have only requested the email addresses of the business contacts. All voters have been asked to provide email addresses for the first time in the 2020 canvass. It is not compulsory for voters to provide an email address and, due to the Data Protection Regulations, they could withdraw consent for the Electoral Services Team to contact them by email at any time. The aim will be to include email communication and telephone calls as part of canvass process next year.
27. As mentioned, the Democracy Counts software system provides more integrated digital communication methods. It is therefore also proposed that emails are used in conjunction with postal communications for the 2022 City elections. An email poll card with attached postal vote and proxy vote application forms can be sent to those voters we hold email addresses for and returned digitally.
28. An election newsletter aimed at firms and workers could be created under the banner of a "CityView special edition" which brings together different strands of the campaign: what the City Corporation is and does; why registering is important and how votes can shape the City; why all levels within firms should be represented; encouraging interest in standing for election. It is anticipated that an additional budget in the region of £12,000 -15,000 would be required if Members were minded to support this.
29. Consideration could also be given to an event delivered during either Local Democracy Week or National Democracy Week both of which usually take place in the autumn each year. This could, for example, take the form of an interactive Panel discussion with a cross section of our Members (ensuring we tick all the right boxes) or a webinar encouraging participation in democracy, the importance of electoral registration and

voting. Depending on Members views, precise details would need to be explored further including the cost and submitted for approval.

### **Online streaming of Wardmotes**

30. Wardmotes are held the day before the day of poll in each Ward and must be held in the Ward itself. Turnout at Wardmotes can be low, and yet this is also a key method of finding out where candidates stand on issues and can assist voters in deciding which candidate(s) they would like to cast their vote for. It is proposed that consideration be given to the statements made by candidates at the Wardmotes being recorded and made available on the website or on the Corporation's YouTube channel, so that those voters who are unable to attend the Wardmote are able to access the statements given by candidates and the answers to any questions they respond to. The intention is not to record members of the public and to solely focus on candidates. If Members were supportive of this direction of travel the detailed particulars of the proposal, including the cost, would need to be worked through to ensure that it was viable.

### **Online Voting**

31. At the Committee meeting in July, Members were keen for the City Corporation to consider taking the lead in modernising the voting process. Consequently, officers were asked to investigate possible mechanisms for electronic voting.
32. Electoral online voting would require a change in primary legislation, with the grant of the necessary powers for operating one. The case for granting those powers would therefore need to be made to Parliament's satisfaction. The Cabinet Office was approached to ascertain whether there might be scope to introduce online voting for the City of London. We have been advised that the evidence surrounding the robustness of electronic voting systems is insufficient. Cybersecurity is a critical challenge for internet voting, and current technology was not able to address the range of cybersecurity threats that could undermine online voting. Therefore, the Cabinet Office was not currently looking at online voting as a possible voting solution.

### **Corporate & Strategic Implications**

33. The opportunities presented in this report will assist the City Corporation's vision in terms of its Corporate Plan. It will help the organisation's contribution to a flourishing society by ensuring that when it comes to democracy, people have equal opportunities to enrich their lives in that area. The promotional opportunities and areas of further engagement will help encourage residents and businesses to become more invested in engaging with democracy at a local level.

### **Climate implications**

34. The proposals included in this paper do not carry any significant implications for the Climate Action programme. However, the increasing digitisation of the electoral process will contribute to decreasing the City Corporation's footprint. Production of paper materials will still be required for access to some voters as well as for candidates, but this will be reduced.

### **Equality Impact Assessment and Public Sector Equality Duty**

35. Under the Equality Act 2010, all public bodies have a duty to ensure that when exercising their functions due regard is given to the need to:-

- *eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the 2010 Act;*
  - *advance equality of opportunity between people who share a protected characteristic and those who do not; and*
  - *foster good relations between people who share a protected characteristic and those who do not.*
36. In advancing equality of opportunity public bodies also need to have due regard to the need to:-
- *remove or minimise disadvantages suffered by people due to their protected characteristics;*
  - *take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people; and*
  - *encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.*
37. An equality analysis has been undertaken to ensure that any potential negative impact on a particular group of people based on their protected characteristics would be mitigated where possible. Modernising and simplifying the electoral process digitally is a practical step which might encourage more City constituents to participate in the democratic process, including those with protected characteristics, for example, those with mobility issues.

### **Conclusion**

38. Moving the City elections to 2022 presents the City Corporation with an opportunity to improve the registration process by digitising elements of the process and encourage far greater participation in City elections. The approved programme of publicity and events to be held in the period preceding the elections will also assist with this. It is anticipated that activities set out in this report will also enhance communication and encourage a diverse range of candidates to consider standing for election. The Committee's views are sought on the additional areas of activity set out in the report and whether there are other areas the City Corporation ought to consider. It should be noted that it will be necessary to report back on the extra resources which might be required should any of the additional activities be supported.

### **Appendices**

None.

### **Background Papers**

Reports to the Policy and Resources Committee:-

- 20 February 2020 – Common Council Elections in March 2021
- 7 May and 9 July 2020– COVID-19 Implications – possible postponement of the City-Wide elections in March 2021
- 10 September and 8 October 2020 - Common Council Elections Change of Date from March 2021 to March 2022 – Bill for an Act of Common Council

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