[redacted]

From: FOI
Sent: 27 October 2022 09:15
To: [redacted]
Subject: FOI 075-22 - Response

Dear [redacted],

Our Ref: FOI-075-22

Thank you for your request for information, dated 24 September 2022 and received by the Commission on 26 September 2022.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is shown below followed by our response.

Have you had any correspondence with LB Havering regarding the 2022 May local elections?

On 27 September 2022 we wrote to you asking for clarification of your request and on 8 October you replied with the following:

Has there been any correspondence with LB Havering about the conduct of the May local elections and the election count regarding election irregularities and fraud, and if not, what is the procedure for improving the local authority conduct of local elections?

Our response is as follows:

We do not hold the information requested.

We do not hold any direct correspondence with LB Havering on this issue. However, we have provided below as much detail as we can in relation to this query.

There has not been any direct correspondence with LB Havering about the conduct of the May local elections and the election count regarding election irregularities and fraud. We did receive two complaints about the conduct of the count from individuals representing parties and candidates at the count, and an enquiry from the local press.

In the course of responding to these enquiries we spoke to the Electoral Services Manager at LB Havering on 10 May 2022 to gather some background information about the conduct of the count and the issues that arose, from the Returning Officer (RO) perspective.

A brief summary of the conversation follows:

> "*… the allegations have arisen as a result of a highly contested and contentious ward in Havering where tensions were high between competing parties. As far as (LB) Havering are concerned, although the Conservative Leader of the Council did go into the central secure counting area he was challenged immediately and asked to leave by the DRO before he got anywhere near the tables where ballot papers were being counted. Tensions were heightened further because provisional and informal results shared with agents and candidates were different to the final result after a recount because of the close number of votes, and because a small pile of votes at the recount stage had been found to have been mis-sorted"*

There is no offence as such of being in the RO's central area of a count and candidates and agents are often invited in to witness parts of the procedure, dependent upon circumstances.

The Electoral Commission does not have any powers to investigate allegations of electoral malpractice. Allegations of electoral offences are a matter for the police to investigate and as such, an allegation should be reported directly by a complainant to the police.

Whilst Returning Officers are answerable only to the Courts, the Commission works with ROs to ensure that they have the appropriate guidance and knowledge in order to run elections according to the legislative requirements. Following an election, our written guidance to ROs advises that they undertake a thorough evaluation of the election and document lessons learned. The lessons learnt document should include an analysis of what practices were successful, what the RO would do again or do differently to address any issues or difficulties that may have arisen, and key recommendations. The lessons learnt document should then be used to inform the project plan and risk register for future polls.

In our conversations with Returning Officers in the run up to future polls, we would look for assurance that lessons learned outcomes from previous polls were being incorporated into current election planning and delivery. This will be the case with LB Havering as we approach the next set of elections for the Mayor of London and the Greater London Assembly, scheduled for May 2024.

The Commission strives to be an open, transparent authority and I trust that this information satisfies your request.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: https://www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-request.

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: https://ico.org.uk/.

Yours sincerely

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The Electoral Commission
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