

ELECTORAL REVIEW WORKING GROUP
Tuesday 30 November 2021 at 7.30 pm
Council Chamber - Civic Centre

AGENDA

1. Appointment of Chair
2. Declarations of Interest
3. Terms of Reference (Pages 2 - 3)
To note the terms of the reference of the Working Group.
4. Electoral Review Timetable (Pages 4 - 5)
To note the timetable.
5. Harlow Council Electoral Cycles (Pages 6 - 18)
6. Date of Next Meeting and Next Steps

Electoral Review Working Group

Composition

1. The Working Group shall comprise of five Members and will be politically proportionate.

Scope

2. The Working Group is established to:

- (a) Oversee and ensure full Member involvement in and support to officers in progressing the review of Council size and the ward boundaries in Harlow by the Local Government Boundary Commission for England (LGBCE).
- (b) To formulate draft recommendations to the Local Government Boundary Commission for consideration by the Council relating to:
 - (i) the total number of Members of the Council;
 - (ii) the number and boundaries of electoral wards for the purposes of the election of Councillors;
 - (iii) the number of Councillors to be returned by any electoral division; and
 - (iv) the name of any electoral area.
- (c) To make recommendations to the Council on its future electoral cycle if considered appropriate.
- (d) To advise the Council, in consultation with officers, on proposals relating to any wider “community governance review” of local democratic and electoral arrangements, which emerge that are considered relevant as a result of the current review process.

Procedures

3. The Council Procedure Rules will apply to meetings of the Working Group insofar as is necessary to ensure the effective and efficient discharge of the functions of the Working Group, as they apply to Committees and Sub-Committees.

4. The Working Group will appoint a Chair and Vice-Chair from amongst its membership.

5. It is agreed that the Working Group will be established on a task and finish basis. Working Group business will cease upon the conclusion of the current electoral review.

Quorum

6. The quorum shall be three Members.

Harlow District Council: Electoral Review Timetable

These timetables outline the key dates and activities for both the Council (shown in bold) and the Commission during the review process.

Preliminary Period

Briefings	Attendees		Key Dates
	Council	LGBCE	
Initial Meeting	Council Leader Chief Executive	Chair Chief Executive	19/08/2021
Officer Briefing	Council Officers involved in review	Review Manager Review Officer	Officer Briefing – 02/09/2021 Group Leaders and Full Council - TBC
Group Leaders Briefing	Council Group Leaders	Lead Commissioner Review Manager Review Officer	
Full Council Briefing	All Councillors	Lead Commissioner Review Manager Review Officer	
Parish/Town Council & Local Groups Briefing	Not required	Review Manager Review Officer	TBC

Council Size

Activity	Involvement		Key Dates
	Council	LGBCE	
Develop council size proposal	Council Political Groups	Officers will be available to answer any technical queries on making a submission.	Until March 2022
Submission of council size proposals	Council Political Groups	Officers will acknowledge receipt of submissions.	18 March 2022
Commission Meeting: Council Size	Not required	Commission	19 April 2022

Warding Patterns

Activity	Involvement		Key Dates
	Council	LGBCE	
Consultation on warding patterns	Council Political Groups General Public	Run consultation, collate & analyse responses.	10 May 2022 – 18 July 2022
Commission Meeting: Draft Recommendations	Not required	Commission	20 September 2022
Consultation on Draft Recommendations	Council Political Groups General Public	Publish draft recommendations. Run consultation, collate & analyse responses.	4 October 2022 – 12 December 2022
Commission Meeting: Final Recommendations	Not required	Commission	13 February 2023

Order

Activity	Involvement		Key Dates
	Council	LGBCE	
Order laid	Not required	Commission	Spring 2023
Order made	Not required	Commission	Spring 2023
Implementation	Council	Not required	2024

REPORT TO: ELECTORAL REVIEW WORKING GROUP

DATE: 30 NOVEMBER 2021

TITLE: HARLOW COUNCIL ELECTORAL CYCLES

LEAD OFFICER: SIMON HILL, DIRECTOR OF CORPORATE AND GOVERNANCE SUPPORT (01279) 446099

CONTRIBUTING OFFICERS: ALISON HODGSON, ELECTORAL SERVICES MANAGER (01279) 446038

JANET JACKSON, CORPORATE AND DEMOCRATIC SERVICES MANAGER (01279) 446004

ADAM REES, SENIOR GOVERNANCE SUPPORT OFFICER (01279) 446057

RECOMMENDED that:

- A** The Working Group recommends to Full Council whether a consultation on changing to all-out district elections should be carried out and what form that consultation should take.

BACKGROUND

1. Currently the Council holds its elections in thirds. Each year, one Councillor for each of the 11 wards is elected. On the fourth year, the Council doesn't hold elections. Essex County Council holds its elections in this year.
2. The Council is also, at the request of the LGBCE, reviewing its electoral arrangements. This is because a number of the wards have populations which are over 10 percent above or below the ward average. Should the ward boundaries change, there will be a requirement to hold all-out elections where all seats would be up for election regardless of how long the remaining term was.
3. The Council has the power to switch from holding elections by thirds to all-out elections permanently. If such a change were to occur it would be best for this to align with the all-out elections which would be triggered by ward changes. The Council has been asked to implement new ward boundaries by 2024.
4. There is no one size fits all approach to election cycles. About two thirds of councils currently hold all-out elections with the remaining councils holding them by thirds.

ISSUES/PROPOSALS

5. Neither election cycle type is inherently better than the other, but they have advantages and disadvantages over each other. Below is a table summarising most of the more common ones:

a) Elections by thirds – Pros

- i) Provides continuity of Councillors and knowledge as not all Councillors are up for election. More experienced Councillors can also carry out a mentor role with newer Councillors.
- ii) Provides a more up to date reflection of the views of local people through more frequent opportunities to vote.
- iii) Electorate are used to the current system.
- iv) Fewer candidates needed each election meaning that all seats are more likely to be contested.
- v) More regular opportunities for people to stand for election and provides a regular influx of new councillors who can bring new ideas and fresh approaches to the Council.
- vi) Yearly district elections are more likely to coincide with national elections and it is more likely they can be scheduled alongside by-elections, reducing costs.
- vii) The counting process is more straightforward and faster because electors only vote for one candidate.
- viii) Allows for more stability with gradual change at the council, rather than the possibility of big changes every four years.
- ix) Polling stations, staff and everyone involved can plan for always having an election every year on the first Thursday in May and are less likely to have by-elections at short notice.

b) Elections by thirds – Cons

- i) Wards must all have three Councillors.
- ii) Elections can be costly to administer each year.
- iii) Constant yearly campaigning by Candidates may lead to voter fatigue and a lack of interest.
- iv) Administrations may be more likely to avoid taking contentious decisions through fear of losing votes at upcoming elections

c) All-out elections – Pros

- i) Allows for single or multi-member wards.
- ii) Voters will get to see a four-year mandate and long-term commitments from candidates.
- iii) Potentially more effective political management and greater political stability. It allows for a strategic approach to policy and decision-making in line with medium term financial strategy as the administration has a four year period to deliver its mandate
- iv) Allows for a complete change in councillors.
- v) Less costly as only once every 4 years. It is estimated that over a 10 year period there would be a saving of £285,000 with the electoral cycle being the same as for the Police, Fire and Crime Commissioner.
- vi) Fewer elections may mean less election fatigue so people may be more interested in voting when the times comes.

d) All-out elections – Cons

- i) Administration of the election is more challenging due to the greater number of candidates, and the counting process being more complicated.
- ii) Loss of knowledge and experience if all councillors could change which could impact on build-up of knowledge etc.
- iii) There may be difficulties identifying sufficient candidates to contest all seats, resulting in uncontested elections, lower quality candidates.
- iv) All out elections may disadvantage smaller political parties who may not have the resources to campaign across the town and put forward as many candidates.
- v) Electors can only have their say once every four years on how the Council is performing
- vi) If a large number of Councillors are replaced in one election this may be disruptive and may lead to big changes to policies, plans and services.
- vii) Likelihood of increase in by-elections as councillors may not be able to stay for full 4 years and so would incur more costs and may be difficult to book venues at different times of the year, especially at short notice.

- viii) May lose experienced election staff if they are not used as regularly and staff will have fewer opportunities to develop skills.

Cost of Elections

6. The Council budgets £85,000 for a standalone district election. There are some fixed costs for elections such as polling venue hire, which mean that combined elections are comparatively cheaper.
7. The Council is able to claim back costs associated with non-district council elections, although it must budget for the initial outlay.
8. If the Council switched to all-out elections, there would be some years where there would be no elections ordinary elections at all. The Council would therefore only need to budget for by-elections, which are clearly much cheaper to run due to their limited scale.
9. Under the current electoral cycle the Council budgets £10,000 on non-district council election years in the event there are by-elections. Under all-out elections the likelihood of by-elections is greater and budget of £27,500 would be required.
10. It is estimated that over a ten year period the switching to all-out elections would save the Council £285,000. This does not factor in inflation and assumes that General Elections will be held in five year intervals.

Next Steps

11. The Council would be required to carry out a public consultation on a possible change to all-out elections before Full Council could approve any change. Any change would be aligned to the requirement to have all-out elections for the revised ward boundaries which would take effect from 2024.
12. The Working Groups is invited to consider the information above and decide whether it would like to carry out a public consultation.
13. The Council is also aiming to submit proposals on the number of Councillors that will be elected to the Council. This will be subject to a separate report which will include an analysis of current Councillor workload. However, it is important that the Council determines what electoral cycle it wishes to have as continuing to hold elections by thirds will require the number of Councillors to be a multiple of three.
14. The LGBCE expects the Council to submit its proposals for council size before March 2022. Therefore any work on electoral cycles must take place as soon as possible so it can feed into the work on council size.

IMPLICATIONS

Environment and Planning (Includes Sustainability)

None specific.

Author: Andrew Bramidge, Director of Strategic Growth and Regeneration

Finance (Includes ICT, and Property and Facilities)

As contained in the report.

Author: Simon Freeman, Deputy to the Chief Executive and Director of Finance

Housing

None specific.

Author: Andrew Murray, Director of Housing

Community Wellbeing

As contained in the report.

Author: Jane Greer, Director of Communities and Environment

Governance (Includes HR)

As contained in the report.

Author: Simon Hill, Director of Governance and Corporate Support

Appendices

Appendix A – Electoral Cycles Leaflet

Appendix B – Equality Impact Decision Tree

Background Papers

None.

Glossary of terms/abbreviations used

None.



Council Consultation on Election Cycle

We would like to hear your views on whether we should change to whole council elections every four years, or whether we should keep the current system of ‘elections by thirds’.

We are carrying out a consultation which runs until 31 January 2022.

We have included some background information below, along with the main arguments for both electoral cycles.

Our council

Harlow Council has 33 Councillors who represent 11 wards. Every ward has three councillors, who are elected for four years.

Current cycle – elections by thirds

The Council holds elections for one seat in every ward for three successive years out of four.

Whole council elections

Under this system, all councillors would be elected at the same time, once every four years.

This would not affect other elections such as parliamentary, county council and police, fire and crime commissioner elections.

How to have your say

You can complete the online survey at xxxxxxxxxxxxxxxxxxxx or complete the form overleaf.

Outcome of consultation

The Council has the power to change its election cycles under the Local Government and Public Involvement in Health Act 2007.

Following the consultation a meeting of the Full Council on 24 February 2022 will consider whether to change the electoral cycle or to keep it as it is.

If the election cycle were changed this would happen from May 2024.

Why keep elections by thirds	Why change to whole council elections
<p>More frequent opportunities to make your views known with more immediate political accountability.</p>	<p>Four year mandates and less focus on yearly campaigning.</p>
<p>Greater continuity of Councillors as they can't all be replaced in a single election.</p>	<p>Lower cost as elections won't take place every year.</p>
<p>Gradual change that retains knowledge and experience whilst allowing for new councillors with new ideas.</p>	<p>Allows for a complete change in councillors once every four years and we can have single or multi-member wards.</p>
<p>Voting for one councillor at an election is simpler and understood by voters.</p>	<p>Fewer elections may reduce election fatigue which may increase turnout.</p>

Have your say

Keep elections by thirds

Change to whole council election

What are your reasons for your choice above? (optional)

Completed forms can be handed in at the Civic Centre, the Latton Bush Centre, Harlow Library, Old Harlow Library, Mark Hall Library, Great Parndon Library, or Tye Green Library.

Appendix B

Decision Making Tree - Equality Impact Assessment

Equality Impact Assessment (EIA) is the process by which organisations examine their activities in order to minimise the potential for discrimination. They can help ensure that equality, social inclusion and community cohesion issues can be considered when drawing up policies or proposals which affect the delivery of your services.

The process is also used to monitor interventions designed to have a positive impact on a particular group.

What are the aims of an EIA?

Discrimination can occur due to unforeseen reasons. It is also often the case that organisations sometimes unintentionally overlook or exclude certain groups by not specifically considering their needs. By carrying out an EIA you can obtain a profile of how your policies, services or activities will affect different equalities groups. The potential for discrimination is reduced when undertaking EIA's and awareness among staff who may have little or no experience is raised. Most importantly, your organisation will be complying with legislation by identifying and designing-out discrimination.

Who has to carry out an EIA?

The Equality Act 2010 requires all public bodies to carry out EIA's. They have proved to be so effective in practice that the principles have been extended to cover the nine protected characteristics:-

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

The Process

There are effectively two different levels of impact assessment. The first is the Initial Screening which should be carried out in all cases. Depending on the result of the Initial Screening you may then need to move on to carry out an Equality Impact Assessment (EIA).

Stage One – Initial Screening

By carrying out an initial screening you will be able to determine whether a full Equality Impact Assessment is needed. It should identify positive, neutral or negative impact.

Screening must be done during the development or design of the policy and before it goes to any group or committee for approval. If it is going to the Board for approval, then it is a requirement of the Board that a full EIA is carried out where the policy is found to be relevant to equality and diversity.

Screening is a short easy process which makes use of statistics, consultation outcomes, results of ethnicity monitoring, complaints, analysis of PALS, audit reports, research information, and reviews demographic data. If there is no data, take action to collect the evidence of likely impact and revisit the document (it could be through PPI, research, consultations, desk research/interview, public health data).

When screening a policy or undertaking a full assessment you can involve your team, other colleagues or partners in the sector and together consider the full implications of the policy and improvements to be made.

Before you start screening do the following:

- Be clear about policy aims, purpose, objectives and outcomes and beneficiaries
- Use the evidence/data you have. However, if you have none or require additional information to make an informed decision, the put monitoring in place/gather some data to support the process
- Ask the following questions and in conjunction with the evidence/data you have, your knowledge, expertise, partnership input, past experiences or research about how your policies have affected certain groups, national information about how some groups are affected by our activities/policies/decisions.

Once you have screened the policy or activity to establish if it has any relevant to equality and diversity, answer the questions below to find out whether an EIA is needed:

Questions to be used during the Screening Process	Yes	No
1) Does/will the policy or activity affect the public directly or indirectly?	✓	
2) Have there been or likely to be any public concerns about the policy or proposal?	✓	
3) Does the evidence/data show an existing or likely differential impact for the different strands of diversity? Age, gender, disability, race, religion, sexuality		✓
4) Do/will people who belong to the different strands of diversity have different needs, experiences, issues or priorities in relation to this policy or activity (use evidence)		✓

5) Could the policy or activity affect how services, commissioning or procurement activities are organised, provided, where and by whom?		✓
6) Could the policy or activity affect our workforce or employment practices?	✓	
7) Have complaints been received from different equality groups about the effect of this policy, proposal or our activities in general (having no complaints does not always mean there is no issue – always advisable to find out)		✓
8) Does the policy involve or will it have an impact upon eliminating unlawful discrimination, promoting equality of opportunity and promoting good relations between diverse groups		✓
9) Is there likely to be an adverse/negative impact or risks to the organisation, for users, equality groups and staff if the policy or activity is implemented in its current format?		✓

Nil impact (no yes's) – The process stops here.

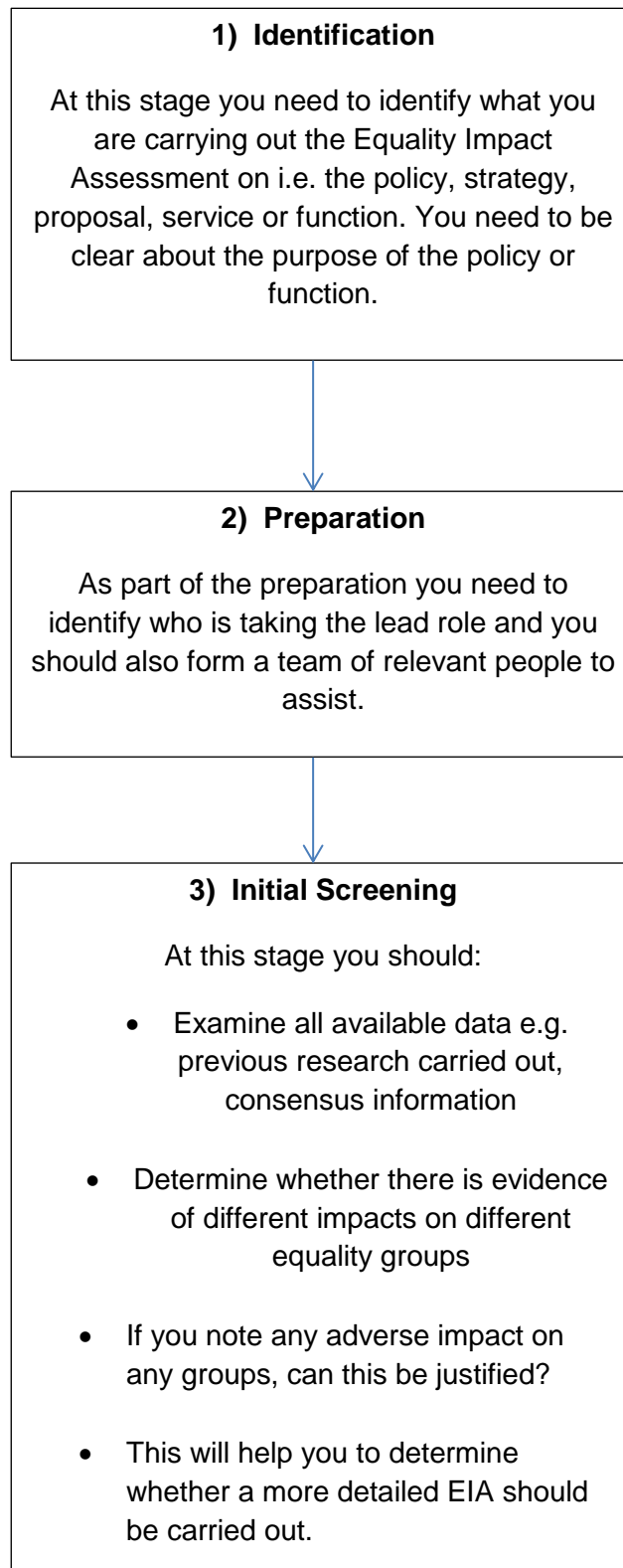
Low impact (1 to 3 yes's) – A full EIA is required but is not an immediate priority, you can prioritise for later on in the year.

High impact (4 to 9 yes's) - A full EIA is required immediately. The EIA should be carried out in consultation with affected groups.

Stage Two – Completing the Equality Impact Assessment

If the initial screening reveals that there may be a negative impact on any particular group, then you should carry out an Equality Impact Assessment (EIA) using the Equality Impact Assessment Form (Appendix D – Part C) and EIA Guidance Sheet (Appendix D – Part B).

Step by step guide to an EIA



4) Gather further data and research

At this stage you should consider all of the information used for the initial screening and then identify and gather other relevant information. You may need to consider new mechanisms for gathering data.



5) Consultation

At this stage you should involve all relevant stakeholders, this might include service users, other community groups etc. It is important that you explain to people what you are doing and think about accessible ways of consulting with people. You might use focus groups, postal questionnaires etc.



6) Assess impact

You should now consider all of the data you have gathered including findings from the consultation to assess the impact. You should assess whether there is, or is likely to be, a positive impact or negative impact for different groups. You should assess and determine the nature of this negative impact.



7) Eliminate or reduce negative impact

Once you have determined the nature of the impact, you should examine why it has occurred or is likely to occur. You will then be able to explore ways to reduce or eliminate the negative impact.



8) The Action Plan – Monitor & Review

This is where you develop an action plan to implement what is needed and set up arrangements for monitoring and review.



9) Publish results

It is important that you make the results of the EIA available so you should consider how you will publish the results. It is also important to identify the people that need to know the results.