



West Midlands
Combined Authority

Audit, Risk & Assurance Committee

Date	18 January 2021
Report title	Arrangements for the Mayoral Elections May 2021
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Report has been considered by	

Recommendation(s) for action or decision:

The Audit, Risk and Assurance Committee is recommended to:

- (1) Note the information in this report.

1. Purpose

This Report is provided to update Members of ARAC on the arrangements for the Mayoral elections in May 2021 and to provide assurance that robust managements of the process will be provided by the WMCA and Coventry City Council working together.

2. Background

As members will be aware all local and regional elections that had been scheduled to take place in May 2020 were postponed due to the Coronavirus pandemic. Legislation passed by Parliament had the effect of postponing all elections in May together with any naturally occurring By elections during the year until May 2021. This included all mayoral and PCC elections across the country. Those in position at the time had an additional year added to their term of office.

Elections will now take place on the 6th May 2021 and preparation is in hand for what will be a very busy election period.

3. Arrangements

The Mayor is the only political figure who is directly elected to the Combined Authority. All other political participants in our governance processes are appointments from constituent or non constituent authorities.

As the mayoral elections are the only election for which we are responsible the WMCA does not maintain an elections team. It has been determined, as before, that the work of running the elections will be undertaken by the elections team at Coventry City Council assisted by Birmingham City Council. Both teams are led by experienced officers who were involved in the last mayoral elections.

The Chief Executive of Coventry City council, Martin Reeves has been formally appointed by the Combined Authority as the Returning Officer. The Returning Officer is the person who has the statutory responsibility for ensuring that the election is run in a lawful manner and complies with electoral legislation. Martin Reeves was the returning Officer for the 2017 mayoral election.

Although it is hoped that the vaccine programme which has just begun will continue to be rolled out over the next few months, at the present time the planning assumption is that the electoral processes will need to be Covid secure. This will mean additional measures at polling stations for the protection of voters and elections staff. There will also need to be revised arrangements for the election counts and these are being worked on at the moment. We can anticipate an increase in the take-up of postal voting although it is understood that it will not be made an all postal ballot.

A strategic Elections Board meets on a monthly basis to plan for and monitor implementation and will be stepped up as we approach the election date. the Board is Chaired by the Returning Officer and the Combined Authority is represented by the Monitoring Officer. A considerable amount of preparation had already been done by the time the elections were postponed in Spring 2020.

4. Internal WMCA Arrangements and Protocols

The WMCA has put a number of arrangements in place to manage the processes around the forthcoming elections.

It is important that the Authority as a publicly funded body remains politically neutral at all times. The Authority must not give the appearance of supporting one candidate over another candidate or to be expending public money for political purposes. This is not the same thing as supporting the delivery of policies which are political choices and properly authorised by the WMCA governance processes, but the Authority must have measures in place to ensure its facilities are not used to further a party political campaign.

Guidance is regularly given to staff about remaining politically neutral and will be reinforced in the period running up to the election. The Monitoring Officer, the Head of the Chief Executive's office and the interim Director of Communications recently addressed these issues at the weekly "all staff webinar" which has a very wide attendance from across the Authority. The Monitoring Officer has attended a number of Directorate Management teams to give guidance on these issues.

It is also important that those who are intending to stand as candidates in the election have the opportunity to be informed about WMCA operations and to engage with senior officers on a factual basis. A detailed Protocol (see attached) has been put in place covering contact with candidates. The principles of this are that we will ensure parity between candidates to ensure no undue advantage. Meetings will be limited to senior officers to ensure consistency of message and notes will be retained to ensure that the principles of equality and parity of any contact between candidates can be monitored and maintained. Monitoring will ensure that no candidate secures an undue preponderance of meeting time (although experience shows that not all will take up this opportunity) All known candidates have been contacted and made aware of the Protocol.

A web page with background and general information about the Combined Authority and its work and functions is being maintained for candidates use and will be updated on a regular basis.

Information requested by an individual candidate will be made available to all candidates and the standard of information which will be supplied will be in line with that which obtains within the Freedom of Information Act.

Arrangements have also been put in place with the Mayor's office to ensure that the Combined Authority does not inadvertently become involved in supporting any political campaigning activity.

5. Conflicts of Interest Update

Since the next few months are likely to be particularly sensitive the Monitoring Officer has reviewed the current situation with regard to conflicts of interest within the Authority.

Officers and elected politicians are covered by statutory and Authority generated codes of conduct. Officers must declare any conflicts of interest to their managers and they should be recorded. Because Officers will normally be covered by the "whole time service" provision, ie their employment with the WMCA is expected to be their only remunerated occupation, such conflicts should be relatively rare. There are occasions

where individuals may, give their time to charities or not for profit organisations which are operating in the individual's professional sphere and these will also be recorded.

Formal meetings of Boards and Committees also have a standing item on agendas relating to the declaration of interests and a register of Member's interests is also maintained as required.

The Authority has also established task forces or working groups which are not part of the formal governance structures but which may meet for a limited time or to focus on a specific area of work. These may be populated by a range of individuals from outside the Authority. When such bodies are established, the Governance team will work with the relevant officers to ensure that arrangements are put in place for the identification and declaration of interests. Meetings of such bodies follow the practice of a declarations item on the Agenda. Recent sampling of practice indicates that these arrangements are well understood and working. The Monitoring Officer is available, and regularly does give advice by officers on any issues that arise.

6. Financial Implications

The Combined Authority's draft budget for 2021/22 was considered by WMCA Board on 15 January 2021. The draft budget includes £3.6 million to run the May 2021 Mayoral Election. West Midlands Combined Authority, alongside other Mayoral Combined Authorities, continues to lobby government to provide funding for the 2021 election. Should government funding not be forthcoming, alternative one-off resources have been set aside to cover these costs.

The Authority is working closely with the Returning Officer's elections team to ensure that the cost of COVID-19 secure measures can be accommodated within the overall budget provision for the Mayoral Election.

7. Legal Implications

This report sets out how the Authority is complying with the requirements of the Combined Authorities (Mayoral Elections) Order 2017. The Board has formally appointed a Returning Officer as required by the Regulations and the Authority is working in partnership with the Returning Officer's elections team.

8. Equalities Implications

There are well established arrangements to ensure that all sections of the community are able to cast their vote in the electoral process. The elections team ensure that any person wishing to stand as a candidate has equal access to information and processes.

9. Inclusive Growth Implications

There are no specific Inclusive growth implications arising from this report.

10. Geographical Area of Report's Implications

The Mayoral election takes place within the WM Metropolitan area only.

11. Other Implications

None.

12. Schedule of Background Papers

Protocol for Contact with Mayoral Candidates.