6.2 ELECTORAL SERVICES AND VOTING METHOD FOR 2012 COUNCIL ELECTIONS

(RELECT1:NA)

Responsible Officer: Chief Executive Officer

RECOMMENDATION

That:

1. The Council reaffirms that the method of voting to be used for the 2012 general elections will be full postal voting.

2. The Municipal Association of Victoria be appointed as the Council’s agent to conduct the tender process for electoral services for the 2012 City of Monash Council general elections.

3. The Chief Executive Officer be delegated the authority to sign the Agency Deed to allow the Municipal Association of Victoria to conduct the tender process for electoral services for the 2012 City of Monash Council general elections.

4. The Chief Executive Officer be delegated the authority to:
   a) finalise the contract arrangements with the preferred Tenderer for the provision of electoral services for the 2012 Council general elections; and
   b) sign and seal the contract documents for the provision of electoral services for the 2012 Council elections.

5. The Council permits the Returning Officer appointed to conduct the 2012 City of Monash general elections to designate a place outside of the municipality as a counting place for the purposes of the general elections.

INTRODUCTION

In preparation for the 2012 general elections, this report recommends that the Council:

1. Reaffirms that the method of voting to be used for the 2012 general elections will be full postal voting.
2. Appoints the Municipal Association of Victoria (MAV) to act as the Council’s agent to conduct the tender process for the 2012 Council elections.
3. Authorises the Chief Executive Officer to:
   • Finalise the contract arrangements with the preferred Tenderer for the provision of electoral services for the 2012 Council elections.
   • Sign and seal the contract for the provision of electoral services for the 2012 Council elections.
   • Sign the agency agreement with the MAV.
4. Permits the Returning Officer for the election to conduct voting outside of the municipality.

**BACKGROUND AND DISCUSSION**

**METHOD OF VOTING**

Voting at a general election must be conducted by the same means, whether attendance or postal voting, as the previous general election was conducted, unless the Council has decided at least 8 months before the election day to change the means of conducting the voting.

The full postal voting method has been used for Monash elections since the first election in 1997.

Figures provided by the Victorian Electoral Commission (VEC) since that time, have consistently shown that postal voting attracts a higher participation rate than attendance voting. Participation rates of above 76 percent for previous Monash elections confirm this analysis.

*Security of ballots at elections conducted by postal voting*

The VEC, which has conducted the elections for Monash since 1997, has developed stringent processes for postal voting that ensures that the secrecy of a person’s ballot is maintained.

The VEC has undertaken considerable work in designing the envelopes that voters are required to place their completed ballot papers in and the processes in handling these envelopes, to ensure that upon receipt, the envelope and the ballot paper are separated in such a way that the voter’s identity and the completed ballot paper cannot be matched.

For the purposes of the structure of the elections tender, it is recommended that the Council reaffirms its decision to use the full postal method for the 2012 general elections.

**ELECTIONS TENDER**

*MAV Acting As Agent for Councils*

As for the 2008 Council elections, the MAV has again offered to undertake the role of agent for Councils in the electoral tendering process.

This arrangement was successful in 2008, with the sector taking advantage of a collective approach when seeking electoral services. It also assisted those Councils which considered that their limited resources needed to be supplemented so that their staff and the Council were not exposed to unnecessary risks in the preparation of complex electoral tender documentation.

It is recommended that the Council accepts the MAV’s offer.
The terms of the Agreement between a Council and the MAV provide for the relevant Council officers to provide input into the Tender documentation and to participate in the evaluation of the tenders.

It is considered that the MAV, acting as the Council’s agent, would be best placed to secure additional services from the successful Tenderer as well as release Council officers to concentrate on other aspects of the elections.

Under the Agreement the MAV would negotiate the services agreement with the successful Tenderer (subject to gaining Council’s prior consent for any significant amendments) but not be able to sign a contract or represent that the Council has agreed to sign a contract until the Council gives its express written consent.

**Elections Tenders**

It is proposed that tenders will close in late March 2012.

Each Council will be required to approve the contract with the preferred Tenderer.

The MAV’s advice is that the timetable for the calling and assessing of tenders will be tight, with the need to allocate sufficient time to fully assess the tender responses, being a driving factor.

Participating Councils are likely to be asked to make decisions on the tender in shorter timeframes than the Council meeting cycle would provide for. Hence, there is a need to enable the Chief Executive Officer to sign and seal the elections contract documents.

It is therefore recommended that the Chief Executive Officer be authorised to:

1. Finalise the contract arrangements with the preferred Tenderer for the provision of electoral services for the 2012 Council elections.
2. Sign and seal the contract for the provision of electoral services for the 2012 Council elections.

It is anticipated that the tender process will be finalised in late May 2012.

**Structure of Elections Contract**

The contract model is similar to the one used in 2008. It specifically provides for:

- The conduct of the 2012 election.
- The follow up process for those who fail to vote.
- The conduct of extraordinary elections, by-elections or countbacks that may be required between the 2012 general elections and the next general elections.
The tender specifications will be predicated upon the following –

- Conduct of the election by full postal voting.
- 4 wards being contested
- 11 vacancies
- 14 or fewer candidates per ward
- 125,000 voters on the certified voters’ roll (approximate figure only).
- Returning Officer being located at the Monash Seminar and Training Centre.

“Core” Services

The “Core” Services required will be –

- Conduct of the general election by full postal voting
- Conduct of candidate information session.
- A basic communication campaign.
- Appointment of Returning Officer and support staff.
- Printing, postage, etc of ballot material.
- Merge of voters’ lists.
- Compilation of the list of non-voters.
- Ballot count (electronic count, possibly at a venue outside of the municipality).
- Administrative support, including contract management, training for Returning Officer and support staff.
- Communication campaign comprising -
  - Entitlement Day advertisement
  - Notice of Election advertisement
  - Voting details advertisement
  - Declaration of election results advertisement
  - Telephone interpreter service for the elections enquiry line
  - Web site services & media relations
  - State-wide information campaign, including multi-cultural media
  - Communication services for voters with special needs – blind and vision impaired.

Additional services sought will include -

- Additions to the communication campaign, consisting of voting reminder advertisement’ multi-language leaflet in ballot pack & telephone interpreter service; uncontested election leaflet.
- Enforcement of compulsory voting (excluding Infringement Court proceedings).
The conduct of extraordinary elections or count-backs that may be required between the 2012 general elections and the next general elections will be available under the contract, at an additional cost.

As for previous elections, the Council will provide accommodation for the Returning Officer’s office, at the Monash Seminar and Training Centre. This will assist to reduce the costs of the contract.

**ELECTRONIC COUNTING OF VOTES**

As for the 2008 elections, the Returning Officer is likely to make arrangements for the electronic counting of voting.

This may require the use of a facility outside the municipality and the Returning Officer would be required to designate that place as a counting place.

The Local Government (Electoral) Regulations 2005 provide that the Returning Officer may designate a place outside the municipal district of the Council to be a counting place if the Council passes a resolution allowing the Returning Officer to do so, before the entitlement day for an election.

It is therefore recommended that should electronic counting have to take place outside the municipality, the Returning Officer be authorised to make such arrangements.

**FINANCIAL**

The cost to each Council for the MAV to act as agent will be approximately $2,000 excluding GST, or any lesser amount notified by the MAV.

The amount represents an estimate of the external legal costs incurred by the MAV in the preparation and settling of the necessary documents, and is a similar figure paid by participating Councils for the agency services relating to the 2008 elections tender process.

The likely costs for the elections contract are not known at this stage.

However, the economies of scale that the combined approach the sector has taken in the tender process through the MAV is expected to deliver some savings.

The costs for the election will be allocated in the 2012/2013 Budget.

**CONCLUSION**

For the purposes of the structure of the elections tender, it is recommended that the Council reaffirms its decision to use the full postal method for the 2012 general elections.

It is considered beneficial for the Council to appoint the MAV to act as its agent in the electoral services tendering process. Such an arrangement could result in the provision of extra services by the successful Tenderer as well as release Council officers to concentrate on other aspects of the elections.
Given the tight timeframes regarding the calling of tenders and the assessment process, it is recommended that the Council authorises the Chief Executive Officer to:

1. Finalise the contract arrangements with the preferred Tenderer for the provision of electoral services for the 2012 Council elections.
2. Sign and seal the contract for the provision of electoral services for the 2012 Council elections.

It is also recommended that the Returning Officer be permitted to designate a place outside the municipal district of the Council to be a counting place for the purposes of the 2012 general elections.