



Election Results Management Framework

Draft III

September 26, 2016

Vision

A credible electoral management body committed to strengthening democracy in Kenya

Mission

To conduct free and fair elections and to institutionalize a sustainable electoral process

Core Values

Respect for the rule of law
Independence
Integrity
Teamwork
Innovativeness

IEBC, 2016

Your Vote, Your Future

Table of Contents

Table of Contents	i
Abbreviations and Acronyms	iii
SECTION I: Introduction.....	1
Mandate and Strategic Focus of the Commission	1
Legal Basis for Elections Results Management	2
SECTION II: Contextual Background of Results Management	4
Recent Reforms in Election Results Management	4
Lessons Learnt in the 2013 Election Results Management	4
Current Context of Results Management	5
SECTION III: Purpose, Objectives and Principles	7
Purpose	7
Objectives.....	7
Principles for Results Management	7
Scope of the ERMF.....	8
SECTION IV: Results Management Operations	9
Polling Station.....	1
<i>Persons allowed at the Counting</i>	9
<i>Counting Process at the Polling Station</i>	10
<i>Handling disputes during counting at the polling station</i>	10
<i>Announcement, Distribution, Sealing of ballot Box and delivery of Results</i>	11
<i>Electronic Transmission of Provisional Results</i>	11
<i>Results from Polling Stations outside Kenya</i>	12
Results Management at Tallying Centres	12
<i>Constituency Tallying Centre</i>	13
<i>County Tallying Centre</i>	13
<i>The National Tallying Centre</i>	13
Display of the Provisional Results.....	14
National Tallying Centre Process.....	14
SECTION VI: Communication Plan.....	16
Communication Responsibilities.....	16
Communication Protocol	17
Call Centres	17
ICT Command centre	18
Stakeholder Engagement.....	18
SECTION VII: Deployment of Resources.....	20
Roles of electoral officials	20
Distribution of Personnel at Polling Stations	20
SECTION VIII: Risk Management	21
Appendices.....	I
Appendix 1: Election Results Management Workflow	I
Appendix 2: General Elections Results Management Flow Chart	IV
Appendix 3: Layout of the Counting Room at the Polling Station	V
Appendix 4: National Tallying Centre Process	VI
Appendix 5: County/Constituency Tallying Centre Layout	VI
Appendix 6: Communication Tree for Election Results Management.....	VIII

Appendix 7a: Form 34 - Declaration of Presidential Election Results at Polling Station	IX
Appendix 7b: Form 35 - Declaration of MNA/MCA/Senator/County Woman Representative /Governor Election Results at Polling Station.....	XI
Appendix 8: Risk Matrix for Results Management Process.....	XIII
Appendix 9: Human Resources Deployment	XV
Appendix 9: Glossary of terms.....	XVI

Abbreviations and Acronyms

CEO	Chief Executive Officer
CRO	County Returning Officer
DCRO	Deputy County Returning Officer
DPO	Deputy Presiding Officer
DRO	Deputy Returning Officer
ECK	Electoral Commission of Kenya
EMDS	Electronic Data Management System
EMB	Electoral Management Body
EOP	Election Operations Plan
ERMF	Election Results Management Framework
ERMS	Election Results Management System
GE	General Election
GPS	Global Positioning System
ICT	Information communication technology
IEBC	Independent Electoral & Boundaries Commission
IREC	Independent Review Commission
NRO	National Returning Officer
PDD	Polling Day Diary
PO	Presiding Officer
RO	(Constituency)Returning Officer
RPP	Registrar of Political Parties
RTS	Result Transmission System
SMS	Short Messaging Services
NTC	National Tallying Centre
VPN	Virtual Private Network

SECTION I: Introduction

1. This Elections Results Management Framework (ERMF) provides a comprehensive guide with respect to the process of managing election results by the Independent Electoral and Boundaries Commission (IEBC or the Commission). It describes the process through which the Commission counts, tabulates, aggregates and announces the results of an election – after the closing of the polls.
2. This ERMF covers results for all six elective positions (County Assembly Ward, National Assembly, County Woman to the National Assembly, Senator, President and governor) from the polling station, Constituency, County and National.
3. The ERMF flows from the IEBC 2015-2020 Strategic Plan, the 2017 Election Operations Plan (EOP) and builds on the lessons learnt from the 2013 General Election and subsequent by-elections.

Mandate and Strategic Focus of the Commission

4. Article 88 of Constitution of Kenya, establishes the Independent Electoral and Boundaries Commission (IEBC) [“the Commission”] as the body mandated to conduct and/or supervise elections and referenda in Kenya.¹ This mandate is further amplified in other Acts of Parliament and Regulations.²
5. In July 2015, the Commission launched a new strategic plan that sets out the priorities for the next five years. The plan is anchored on three inter-related strategic goals: *managing elections*, *institutional transformation*, and *trust and participation*. Table 1 below presents the summary of the pillars and strategic outcomes.

Table 1: *Expected Strategic outcomes for the Commission in the next five years:*

Strategic Pillar	Strategic Outcome	Objectively Verifiable Indicators
1. Managing Elections	1.1 Elections that are efficient, effective and credible	<ul style="list-style-type: none"> • Elections observer verdict declaring the 2017 General Elections as free, fair and credible. • The 2017 General Elections conducted as per the laid down laws and timeframes. • 2017 elections budget variation (percentage) maintained within allowable legal limits of not more than 10% if at all. • Proportion of pre and post-elections disputes/ petitions reduced by 50%.

¹Article 88 (4) of the Constitution of Kenya, 2010

² The Independent Electoral and Boundaries Commission Act, 2011; The Elections Act, 2011; The Political Parties Act, 2011; The Elections (Registration of Voters) Regulations, 2011; The Elections (General) Regulations, 2011; The Electoral Campaign Financing Act, 2013; Rules of Procedure on Settlement of Disputes, 2012; Elections (Parliamentary and County Election) Petition Rules, 2013; Supreme Court (Presidential Election Petition) Rules, 2013; Formula and Criteria for Allocation of Special Seats (Political Party List); and Independent Electoral and Boundaries Commission Fund Regulations, 2012 (published and gazetted but not yet operational).

2. Institutional Transformation	2.1 A respected corporate brand in the provision of electoral services.	<ul style="list-style-type: none"> • IEBC rated as a model EMB in the African region by the year 2020. • IEBC among the top 3 public sector institutions in service delivery. • Majority of Kenyans perceive IEBC as having gained a positive momentum.
3. Public Trust and Participation	3.1 Improved and sustained public confidence and participation in the electoral process.	<ul style="list-style-type: none"> • At least 75% of Kenyans perceive the 2017 General Elections as free, fair and credible. • At least 75% perceive the IEBC as an independent, impartial, and efficient electoral management body by 2017. • Voter turnout maintained at a minimum of 80% in the 2017 General Elections. • Proportion of invalid ballots reduced to 0.40% in the 2017 General Elections. • At least additional 8 million eligible voters turn out to register as voters by 2017.

Table 1: IEBC Strategic Outcomes

Legal Basis for Elections Results Management

6. Elections Results Management is a highly regulated process in Kenya. Articles 35, 38, 81, 86, 88 and 138 of the Constitution of Kenya clearly articulate the regime to govern the management of elections result. Section 14 of the Elections Laws (Amendment) Bill, 2016 sets out guidelines for the determination and declaration of results, while giving visibility to transmission of Presidential from the polling station to the constituency tallying center and national tallying center. The Elections (General) Regulations, 2012 provide for the administrative procedures regarding the election results process within a legislative framework, specifically in counting, announcement, packaging and transmission of results from polling stations to tallying centres as well as tallying, announcing and declaration of results at tallying centres. The following regulations specifically address counting of votes and declaration of results:

Regulation No.	Focus
68	Ballot papers design
69	Voting procedure
73	Procedure on close of polling
74	Attendance at counting of votes
75	Commencement and sequence of the count
76	Counting of votes
77	Rejection of ballot papers
78	Rejected ballot papers
79	Signing of results declaration by Candidates
80	Recount
81	Sealing of ballot papers by Presiding Officer
82	Results to be transmitted electronically
83	Tallying and announcement of election results

84	Venue of final tallying
85	Persons allowed into tallying centre
86	Sealing of ballot papers by returning officer

SECTION II: Contextual Background of Results Management

Recent Reforms in Election Results Management

7. The ERMF is informed by the IEBC Strategic Plan and Election Operations Plan (EOP). These two documents incorporated findings and recommendations from the Report of the Independent Review Commission (IREC) [Kriegler Commission] - that followed the 2007 General Election, and also the Post-2013 Election Evaluation.
8. In early 2008, IREC was established to specifically investigate all aspects of the 2007 General Election and to make recommendations to improve the electoral process in Kenya. Following the Commission's recommendations, the Electoral Commission of Kenya (ECK) was disbanded and the Interim Independent Electoral Commission (IIEC) established.
9. IIEC was mandated to develop, *inter alia*, a modern system for collection, collation, transmission and tallying of election results. Consequently, IIEC implemented a Results Management System that featured traditional vote counting and tallying processes and use of technology to transmit provisional results.
10. Based on improved application of technology, especially in results management prior to the 2013 General Elections, there was increased public confidence in IIEC.

Lessons Learnt in the 2013 Election Results Management

11. Key evaluations of various electoral processes including the 2013 General Election and post-2013 by-elections indicated that despite elaborate preparations, the Commission was still confronted with major challenges out of which a number of lessons were learnt including:
 - It is important to provide intensive training to electoral staff ahead of Election Day to ensure they are familiar with the technology they will use.
 - Stakeholder engagement and public awareness on the nature of technology to be used for results management is important and this must take place well ahead of Election Day.
 - There is need to clarify the role and participation of different stakeholders in the results management process. This helps in managing expectations and allocating responsibility to the results chain.
 - There is need to re-engineer the processes of production and packaging results management forms as well as the system of tallying, recording, transcribing and announcing results.

- The Commission must continuously engage with service providers especially in telecommunication industry to ensure availability and reliability of network coverage across the country.
- Vetting of all service providers during elections so as to ensure political neutrality.
- Gaps identified in the legal framework following experiences in the 2013 General Elections must be addressed through legal reforms.
- All processes of results management must be captured in a single reference document for both internal and external stakeholders' use.

Current Context of Results Management

12. **Political, social and cultural factors:** Election results have consequences that go beyond who wins and who loses. Even among election observers and analysts, there are those who view the process of election results management with suspicion and scepticism. It is therefore imperative that the Commission takes greater care in managing elections results from polling stations to tallying centres, and to exercise transparency and openness including access to the results management process by key electoral stakeholders. This *modus operandi* is important for ensuring stakeholder trust and legitimacy of the election outcome.
13. **Technology deployment:** the use of technology especially in election results management in Kenya has so far had mixed results. The Results Transmission System (RTS) challenges experienced in the 2013 General Election in particular was a major setback to the electoral process. The Commission has however taken notable measures to address this situation - they include adopting appropriate technology for results management and transmission and to simplify the results management process. Further, noting that Kenya has geographic areas without adequate telecommunication network coverage, the Commission is taking key steps to address this challenge.
14. **Availability of electricity:** Most of the technology used by the Commission requires constant supply of electricity. Variation in availability of electricity across the country poses a major challenge in the deployment of technology in results management.
15. **The transport/road network:** The nature of the road network in Kenya impacts on the movement of election personnel and material. In the past, there have been delays occasioned by lack of transport or the fact that accessibility is hampered by poor road infrastructure.
16. **Operational environment:** This includes operations and maintenance of the RTS system, and human resource training and deployment. In addition, the physical transfer of election results from polling stations to tallying centres requires adequate preparations and a clear work flow management.

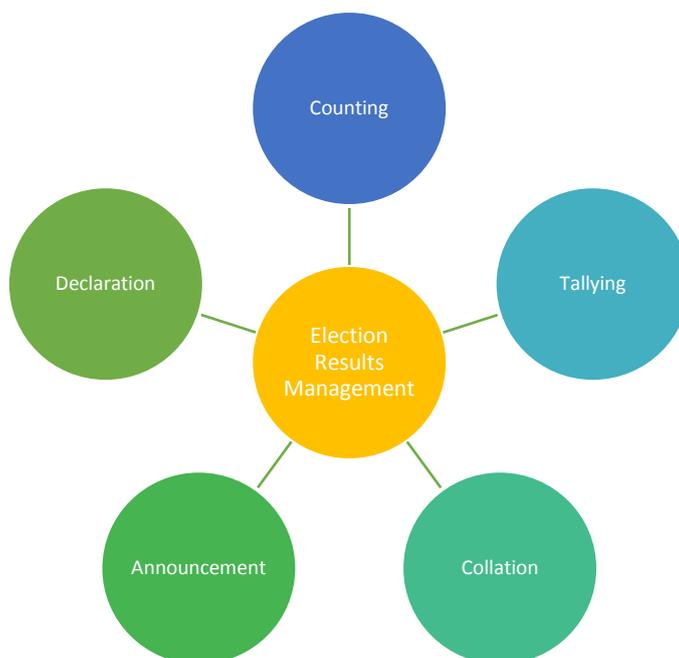
Considerations for an audit trail of all the documents at the different stages must be given priority.

17. **Procedures, guidelines and development of manuals:** In preparation for operationalization of ERMF operations manuals and quick reference guides will be developed for use by electoral officials.
18. **Procurement and logistics:** There will be need to ensure that material and equipment required during results managements are procured and distributed in time for the elections and thereafter stored in a safe and secure place.
19. **Financial resources:** The Commission will mobilize resources to ensure that the ERMF is full operationalized.

SECTION III: Purpose, Objectives and Principles

Purpose

20. The purpose of the ERMF is to ensure that processes of counting, tallying, collating, announcing, transmitting and declaration of election results is transparent, verifiable, secure and undertaken in accordance with the law.



Objectives

21. Objective of the ERMF are:
- i. To provide an elaborate and comprehensive election results management process for all elective positions in Kenya.
 - ii. To provide a quick reference point for election officials and other stakeholders on the election results management process.

Principles for Results Management

22. The following will be the key guiding principles in the operationalization of the ERMF:
- i. **Transparency** - The Commission will ensure that all stakeholders are well informed about the election results management process from the polling station to the different tallying centres.
 - ii. **Verifiability** - The Commission will ensure that the result management process has a proper audit trail that guarantees stakeholders' easy access.

- iii. **Accuracy** - The Commission will ensure that errors and correction of mistakes are minimised at all stages of results processing.
- iv. **Secrecy of the ballot** - The Commission will ensure that the secrecy of the ballot is not compromised.
- v. **Consistency** - The Commission will ensure that all rules and regulations are observed and are applied equally to all voters and stakeholders.
- vi. **Integrity** - The Commission will ensure that appropriate measures are taken to safeguard the integrity of the results management system by minimising risks of fraud or any form of electoral malpractice.
- vii. **Timeliness** - The Commission will ensure careful planning at all stages of the counting process to facilitate timeous announcement of results in accordance with the law.

Scope of the ERMF

- 23. The ERMF identifies all the elements of a successful results management process for all six elective position. It sets out the objectives and principles of results management. It provides details of results management operations which include results management at the polling stations, different tallying centres (constituency, county and national) and transmission of results. It also outlines the communication plan, human resource deployment and responsibilities, and risk management.

SECTION IV: Results Management Operations

31. During the General Elections, voters vote for six elective positions on Election Day: President, Governor, Senator, Member of National Assembly, Women Member of the National Assembly and the Member of the County Assembly. The results of the different seats are processed through different stages and stations. The two main stages of counting and processing of elections results are at the polling station for all six elective position and the tallying centres. The tallying centres are established at three levels: constituency (County Assembly Ward and National Assembly), county (County Woman to the National Assembly, Senator and Governor) and the national level (presidential).

Polling Station

32. In accordance with the law, voting takes place at polling stations between 6.00 a.m and 5.00 p.m
33. At the end of voting, the Presiding Officer (PO) transforms the voting room into a counting venue and ensures that the space and the arrangement within the venue guarantee transparent and effective counting of the ballots. The counting venue should be secure and only minimal movement of people should allowed until the counting process is concluded.
34. The PO arranges the desks or tables to form a rectangular block, places polling booths and/or banner on top of the desks or tables and ensures there are no visible spaces on the counting-top as provided in Regulation 75(1). (*Refer to Appendix 3*).
35. Prior to counting of any ballot, the PO seals all ballot boxes and makes a Statement of Ballot Counts as provided for in Regulation 73(2). The table below shows the format to be used for the Statement on the Ballot Paper Count for each elective position.

<i>Ballots Issued to the PO</i>	
<i>Number of Unused Ballots</i>	
<i>Ballots issued to Voters</i>	
<i>Number of Spoilt Ballots</i>	
<i>Number of issued minus spoilt Ballots</i>	
<i>Number of Registered voters</i>	

Persons allowed at the Counting

36. Election officials present at the polling station during counting include the Presiding Officer (PO), Deputy Presiding Officer (DPO) and Voting/Counting Clerks.
37. The PO should ensure easy access of authorised persons to witness the county process. This will include accredited political party/candidates agents, media

and observers. Access can be extended to any other person(s) authorized in writing by the Commission.

38. All accredited stakeholders will receive a brief from the Commission on the polling process, counting and result management.
39. Security officers deployed by the Commission to all polling centres shall ensure security of elections materials, election officials and voters. Before the deployment, security officers shall be briefed on electoral security and remain under the command of the Commission.

Counting Process at the Polling Station

40. Counting rules should be clear, known in advance and understood by everyone involved in the counting process for the six elective positions.
41. Prior to the commencement of the counting process, the PO should as much as practically possible establish consensus with all agents present on what constitutes a “*rejected vote*” as provided for under Regulations 77 and 78.
42. The PO should, as the first step, enable agents to take note of the seal numbers of the ballot box before it is opened. The opening of ballot box should, in the presence of agents and/or election observers if present at the polling station.
43. The PO should proceed to sort the ballot papers and determine those that are valid, rejected or disputed. Once the sorting is completed, the PO proceeds to count the ballots cast in favour of each candidate.

Handling disputes during counting at the polling station

44. Upon completion of counting of the ballots by the PO, candidates or their agents may seek for a recount as stipulated in Regulation 80.
45. During counting, the PO should take note of all disputed ballots and record the same in the Polling Day Diary (PDD). For the purpose of announcement of results at the polling station, a disputed ballot is treated a valid vote. This means that, the disputed vote will be added to the votes received by a candidate.
46. Ballots marked “DISPUTED” shall be subject to review by the Returning Officer at the Constituency Tallying Centre and witnessed by candidates and/or agents. The Disputed ballot may affect the final tally of the result depending on the decision by the RO to allow or reject the disputed ballot.
47. A candidate or his or her agent may object to the rejection of a ballot. In this event, the PO will stamp the rejected ballot as “REJECTION OBJECTED TO”.
48. Upon completion of the counting, the PO will then fill in the tallying sheet – Form 33.

49. The PO will accurately fill (in form 34 or 35) the following information: *number of registered voters, total voter turnout, number of invalid ballots and votes obtained for each candidate* (as recorded in form 33).
50. The PO will fill a ballot reconciliation form that will indicate the total number of ballot papers issued to the polling station, used and unused ballots. The ballot reconciliation form will be submitted to the Returning Officer together with the Polling station Dairy.
51. The PO will sign all forms. In accordance with Regulation 79(1) all political party or candidate agents who are present in the counting room should append their signatures in the all the forms 34 and 35. Where an agent declines to sign, the reason shall be noted on the form.

Announcement, Distribution, Sealing of ballot Box and delivery of Results

52. The PO shall announce results as recorded in form 34/35 in accordance with Article 86(b) and 138 (3) 10 of the Constitution and Regulation 79. The results forms will then be distributed as follows:
 - a) Election results declaration form in a tamper-proof envelopes shall be delivered to the Returning Officer at the constituency-tallying centre. This form shall be considered the official results from a given polling station.
 - b) Each agent of a political party or candidate who participated in the counting process shall be given a copy of the result declaration form.
 - c) The PO shall ensure that a copy of the Result is posted at the Polling Station.
53. The marked register should not be put in the sealed ballot boxes with other items but packed separately in a tamper-proof envelope and delivered to the Constituency Returning Officer for safe custody in accordance with Article 86 (d) of the Constitution.
54. The PO shall seal the ballot boxes at close of counting as provided for in Regulation 81. The PO shall ensure that all packets that should go into the box are in place and make a record of seals used to seal the box in the Polling Day Diary (PDD).

Electronic Transmission of Results

55. After the announcement of the Results the PO electronically transmit the tabulated results of an election for the presidential, Member of National Assembly, Member of County Assembly, Senator, County Woman Member of National Assembly and Governor, from Polling station to constituency, County and national tallying center.
56. The Elections results are securely transmitted over a mobile data network to the Commission's servers for consolidation and visualization for all the elective positions.

57. The PO shall adhere to Regulation 82 and ensure that all results are transmitted from the polling station. The transmission of results shall be in accordance with Regulation 75(2).
58. The transmission ensures that each polling station reports the provisional results to the three different tallying centres simultaneously - constituency, county and national tallying centres.
59. The results are transmitted beginning with President, followed by Member of National Assembly, Member of County Assembly, Senator, County Woman Member of National Assembly and Governor, in that order as provided in Regulation 75(2).
60. The PO will immediately deliver the accurately computed forms 34 & 35 together with the ballot boxes containing items listed in Regulation 81(2) to the Constituency Returning Officer.

STEPS IN RESULTS COUNTING AND ANNOUNCEMENT

- A. Record of seals prior to counting for each elective position
- B. Break seals (in the presence party agents and observers who are at the polling station)
- C. Empty contents onto counting top
- D. Unfold the ballots & place face down
- E. Determine the validity and sort according to candidate
- F. Count and fill Forms 33 and bundle the counted ballot papers in groups of 25
- G. Fill forms 34 or 35 respectively and statement of rejected ballots where applicable
- H. Announcement of the results
- I. Sealing of the Ballot Box
- J. Delivery of the Results to Constituency Tallying Center

Results from Polling Stations outside Kenya

61. The Commission will treat diaspora results for the presidential election in line with the *IEBC Policy on Voter Registration and Voting for Citizens Residing outside Kenya*.
62. In the event of any delays in the delivery of presidential and referendum results from polling stations outside the country, the Commission will not delay the proclamation of the final results if, in the view of the Commission, the final outcome of the election will not be affected by the submission of the delayed results.

Results Management at Tallying Centres

63. The Commission shall establish tallying centres at three different levels – constituency (290), county (47) and national levels (1). In total, there will be 338 tallying centres across the country.

Constituency Tallying Centre

64. Upon receiving the results and ballot boxes from the polling stations, the Constituency Returning Officer checks for “accuracy of the computations” on the statutory forms and where necessary requests the PO to make amendments, after advising the Constituency Chief Party/Candidate Agents. The Constituency Returning Officer accurately collates the data from Forms 34 and 35 into Form 36 according to Regulations 83 and Article 86(c) of the Constitution.
65. Each RO will announce all the election results in their constituencies and declare winners in the case of the election of Member of the National Assembly and Members of County Assembly.
66. The RO will then scan the results declaration forms onto the Electronic Document Management System (EDMS).
67. For purpose of enhancing efficiency, the Commission will have two Deputy Returning Officers at the Constituency who will deputize the Returning Officers
68. Upon completion of collation of results, a Deputy Returning Officer will proceed to the County Tallying center with the collated results for Senator, County Woman Member of National Assembly and Governor. For Governor, Senator and County Woman Member of National Assembly, the Deputy Constituency RO shall hand-over the duly signed tabulated forms to the County Returning Officer.
69. In the case of Presidential results, each Constituency Returning Officer shall submit Form 34’s to the National Tallying Centre for further processing.

County Tallying Centre

70. Upon receiving Form 35 from the DRO, the CRO accurately collates the data from Form 35 into Form 36 and declares the Senatorial, Governor and County Woman Representative to National Assembly results and issues certificates (Form 38) to the winners.
71. As part of enhancing access to the public, the County Returning Officer shall then scan the results onto the Electronic Document Management System (EDMS).

The National Tallying Centre

72. Upon receiving Forms 34, 35 & 36 at the National Tallying Centre (NTC), the Commission shall process the forms to ensure accuracy of results. Where necessary, the Commission may be requested to address any discrepancy in the results in the presence of chief agents. At the NTC, the Commission shall verify and declare the Presidential results within seven days in accordance with Article 138 (10) of the Constitution.

73. The Chairperson of the Commission will then deliver a written notification of the results to the Chief Justice and the incumbent President.

Display of the Elections Results

74. Elections results will be displayed in tallying centers as shown below:
- National Tallying Centre - Presidential results
 - County Tallying Centre - Governor, Senator, County Woman Member of National Assembly and Presidential Results
 - Constituency Tallying Centre - Member of National Assembly, Members of County Assembly and Presidential results
75. The Commission shall also avail Elections results real-time via a web portal and through mobile platform. The data will be accessed in a user-friendly format as part of enhancing transparency.

National Tallying Centre Process

76. The overall management and supervisory responsibilities of the tallying centre shall be under a National Tallying Centre Management Team (NTCMT) headed by the CEO. All staff deployed to the NTC will take an oath.
77. Access to the tallying centres shall strictly be in conformity with Regulation 85. The Commission shall provide colour-coded accreditation badges for identification with photographs and allowing authorised persons to access the tallying centres. The badges will be assigned to individuals and will not be transferable.
78. The layout of the NTC shall be such that different teams and processes are clearly demarcated as follows:
- **Receiving Team (D001):** The team shall be responsible for receiving the returning officers and directing them to result preparation desk.
 - **Data Processing Team (D002):** The team shall be responsible for receiving all the results from the constituency ROs and verifying that all results forms have been submitted. The team shall ensure that all results have been captured electronically. In the case of presidential results, the team will forward the result forms to the quality assurance team for verification before announcement.
 - **Quality Assurance Team (D003):** The team shall be responsible for reviewing presidential results forms to ensure that the results are consistent. In the event of any discrepancy, the team shall notify the Commission through the CEO. In the presence of the RO of the respective electoral area and the chief agents, corrections shall be effected.

- **Records Management Team (D004):** The team shall be responsible for filing, packaging and storage of all elections results forms received at the NTC. Further, the team shall ensure that all results forms have been scanned and uploaded onto the EDMS.
79. For the efficient and effective management of results at the NTC, the Commission shall apply the principle of segregation of duties.

SECTION VI: Communication Plan

80. Proper communication will be key to electoral process and in particular results management. Effective communication allows election officials to deal with details of elections management, monitoring and responding to emerging issues, and building trust among key stakeholders, which enhances credibility of the elections.

Communication Responsibilities

81. The communication plan will operate through well-structured multi-layer communication teams organized at National, County and Constituency levels.
82. At the national level, the Commission and the CEO will have the overall responsibility on internal and external communication. A technical team will be set up that will monitor and advise the Commission on all communications related to results management.
83. Returning Officers at the county and constituency levels will have the overall responsibility for managing both internal and external communication within their jurisdictions. This responsibility may be delegated to the heads of the respective communication teams at the two levels. The presiding officer will handle all communication at the polling station level.

Modes of Communication

84. The Commission will deploy different tools to address both internal and external communication needs on results management. For internal communication, call centres, command centre, Electronic Data Management System (EDMS), will be key sources of information.
85. For external communication, the Commission will reach the public through stakeholder forums, elections hotlines, print and electronic media as well as online platforms. The Commission will leverage mobile application to ensure ease access of information on results by Kenya.

Contact Information

86. Contact details of election officials at all levels will be collected and organized in an easily retrievable database. These details will include names, designation, duty station, mobile phone numbers, email addresses and physical locations of the officials, where applicable.
87. For purposes of election results management, the database will contain contact information for the following officials:
 - IEBC Chairperson and Commissioners
 - All IEBC regional and head office staff
 - Returning Officers and their deputies
 - Presiding Officers and deputy presiding officers

- All elections security personnel and their commanders
- Network service providers/ICT Support personnel
- Transport providers
- Accredited election agents
- Accredited observers and media personnel covering the elections
- Persons responsible for facilities used as polling stations and tallying centres
- Call centre personnel and hotline numbers
- Emergency services (fire brigade, police, ambulances, hospitals *etc*)

Communication Protocol

88. Communication teams will have clear demarcation of electoral areas and communication-related responsibilities geared to quick crisis resolution and grievance monitoring and information flow.
89. Routine information shall be obtained on pre-identified issues and events at predetermined times. Significant events at any locations will be monitored and responded to in a timely manner.
90. Communication teams will receive information from the field and where possible respond and if unable to respond, escalate to a supervisor who may respond and if unable to respond, escalate to the communication team leader, who shall either; resolve or hold the query as they consult with the relevant officials.
91. Every member of the communication team at each tier including the polling station level must know all contact numbers and other details of all the persons associated with them in related higher and lower tiers.
92. Every person in the communication setup must be clear as to who is to talk to whom and how. Communication will be professional, focused and precise for tracking specific feedback. *It is about getting the correct information from the correct location by the correct persons to be passed on to the correct persons in a correct manner in correct time.*

Elections Results Management Centres (ERMC)

93. The Commission shall establish ERMC at national, county and constituency levels to provide regular updates on progress of electoral process, respond to enquiries and provide a feedback mechanism on incidents management.
94. The national ERMC shall also serve the public as an election hotline centre. This will open up lines of communication to voters, candidates, political parties, observers and the media.
95. The ERMC will have ICT trained personnel amongst other election staff, who will support election officials in the field. The solution will also provide Real-Time Monitoring of incidents and analyse information for effective decision-making.

96. Constituency and County ERMIC will operate for not less than Seven (7) days while the National Call Centre shall operate for a period of at least one month.

ICT Command centre

97. An ICT command centre will be established, as part of the call centre solution, to provide a centralized system for reporting, recording and assigning responsibility for issues and tracking their resolution. ICT command centres will perform certain basic functions including, monitoring of incidences, monitoring of RTS phones that are not working, trouble shooting and maintenance of tally servers in case of any issues and business analysis of Election Day data.
98. Once information is received from the field, it will be communicated to those responsible for decision-making to resolve. Decisions will be monitored to ensure that issues are addressed. The personnel at the command centre will act as a liaison between the polling officials, the field ICT assistants and the call centre.

Media Centre

99. The Commission shall provide a media operation facility within the National Elections Centre. The media centre will be equipped with the necessary communication infrastructure to allow accredited media personnel access election results and information.
100. The media centre will be a focal point to the media for gathering and dissemination of information relating to key Election Day activities including timely and accurate election results in both electronic and hard-copy formats. It will have a capacity to accommodate 200-300 journalists and have at least 100 fully-equipped workstations connected to reliable internet.
101. The media centre will be operational for one-and-a-half months (six weeks) comprising of two weeks for setup, three weeks election date operations, and one week for breakdown/closing.
102. To complement the media centre, provision will be made for audio and visual feeds, outside broadcast (OB) vans, makeshift studios, media help desk, a rostrum for media camera tripods and a media gallery.

Stakeholder Engagement

103. Results management is generally a sensitive process. In this regard, stakeholders must be well-informed to avoid misunderstanding that could jeopardise the electoral process. The Commission will as much as possible provide platforms and opportunity to engage key stakeholders including political parties during the process of counting, tallying, collation, announcing, declaration and transmission of election results.
104. The Commission shall proactively engage with the different stakeholders throughout especially in relation to results management. These stakeholders

will include voters, political parties, candidates and their agents, security agencies, observers and the media, service providers and development partners.

105. During the various stakeholder engagements on the Elections Results Management framework, key messages will include:

- The laws and principles underpinning the election results management framework.
- Voting and counting procedures.
- How the Results Transmission System works and its components (software, hardware, network).
- Provisional vs. final results.
- Types of statutory forms and integrity features.
- The procedure for counting, tallying, collation, tabulation, announcement and declaration of election results
- The role of various players in results management process.
- Alternative platforms of accessing election results.

SECTION VII: Deployment of Resources

Roles of electoral officials

106. The following officials are involved in results management at polling stations
- i. Presiding officers - the overall in charge of the polling station. S/he counts and announces the results for different elective positions at the polling station.
 - ii. Deputy presiding officers - deputizes the presiding Officer on management of polling stations
 - iii. Polling/Counting clerks - The clerks carry out specific duties as designated by the presiding Officer. They transit from polling to counting clerks during the vote counting sessions
 - iv. Party/Candidates agents – these are representatives of either the party or candidates at polling stations and tallying centres.
 - v. Security personnel - ensure the safety of the electoral officials and their materials and equipment
 - vi. Observers – assess the electoral process against the accepted internationally standards of conducting elections
 - vii. Media personnel – inform the public on the electoral process
107. Observers and the media have no operational input into the process of results management. The role of political parties /candidate agents is limited to signing off the results and requesting for a maximum of two recounts.
108. All elections officials will be trained on results management at different levels depending on their role. Practical training on elections results technology will be incorporated at all levels.

Provisional Distribution of Personnel at Polling Stations

109. Polling personnel will start working on the night before election and continue with polling activities till the last vote is counted, packaged, recorded, transmitted and transported to the constituency-tallying centre.
110. For uninterrupted and fast tracked accurate and credible polling day and result process, the following deployment is the proposed.

Number of centre that registered	POs	DPOs	Polling Clerks	Counting Clerks
1-10 voters	1	0	1	0
11-100 voters	1	1	4	0
101-175 voters (101-350)	1	1	5	0
176-350 voters	1	1	6	2
351-500 voters	1	2	6	3

SECTION VIII: Risk Management

111. A comprehensive risk management framework has been developed for the ERMF. The risks assessed are technological, operational, social, political, institutional among others. Risk monitoring will also be conducted during the implementation process based on above parameters. *(See appendix 8)*

Appendices

Appendix 1: Election Results Management Workflow

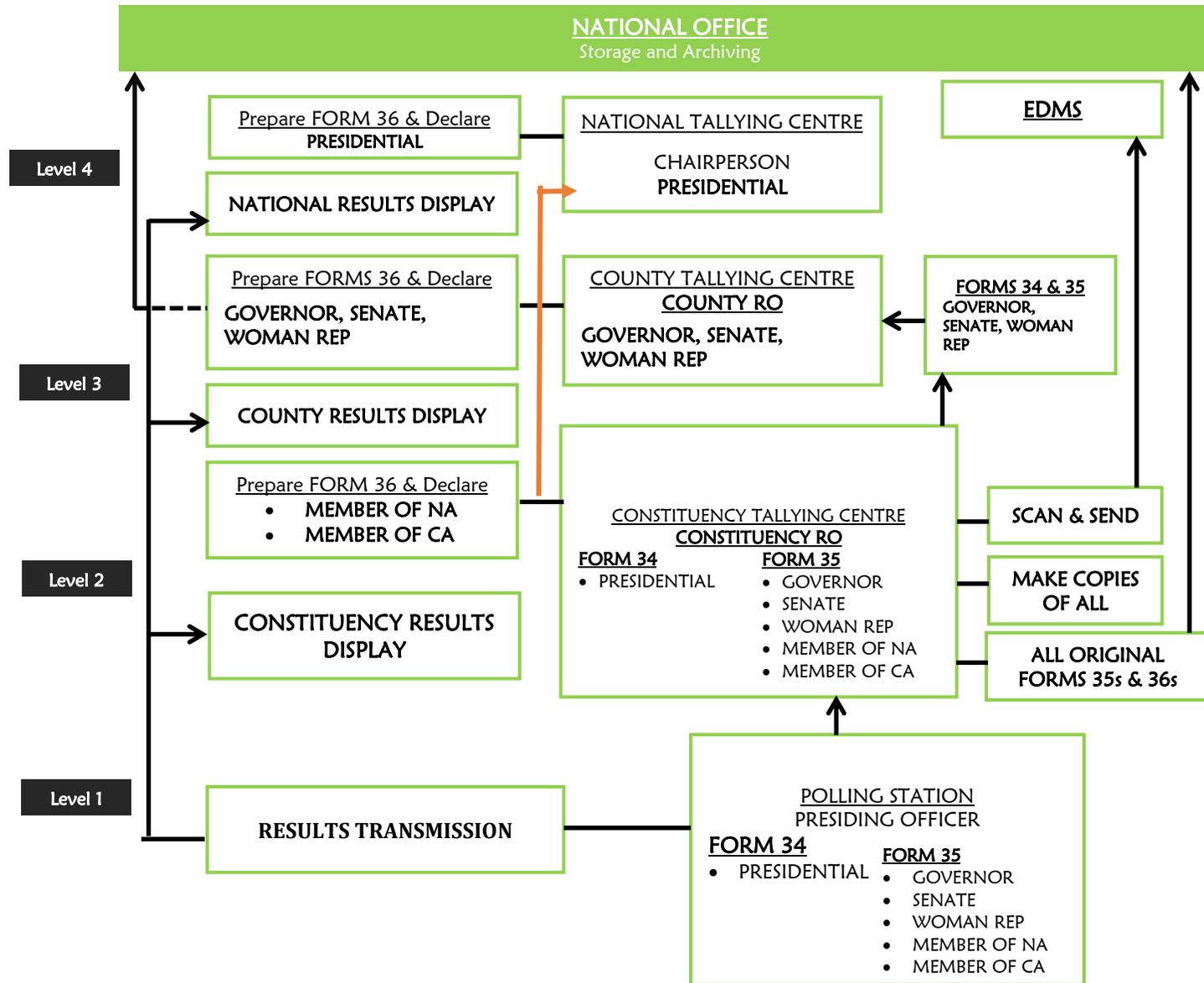
Elective Positions Levels of Announcement and Declaration of Election Results				
No.	Polling Station – PO	Constituency RO	County RO	National RO (Chairman)
1	Presidential Election Results Flow			
	<ol style="list-style-type: none"> 1. POs announce results at the Polling Station reg. 79(2)(a). 2. Electronically transmits results and confirms transmission as successful in PDD. 3. PO forwards results, earmarked ballot box and counter foils to Constituency RO. 	<ol style="list-style-type: none"> 1. Prepares a constituency presidential ballot accountability report, 2. Delivers copies of election results Forms 34s & 36 from constituency to the National Tallying Centre with the original presidential results. 3. Scan the forms 35 & 36 onto Electronic Document Management System (EDMS). 	N/A	<ol style="list-style-type: none"> 1. Commission tallying and verifies the results from polling stations. 2. Compare with constituency tabulation alert agents for any discrepancy for joint correction, 3. Compute per cent vote count of each candidate in each county 4. Declare Presidential Election results reg. 87(4)(a) 5. Preserve all form 34s through scanning and secure storage 6. Prepare results for Publication of results 7. Deliver written notification of the election results to the chief justice and incumbent president 8. Secure custody of election results and related materials 9. Compiles national election returns for the position by polling stations constituencies and counties.

Elective Positions Levels of Announcement and Declaration of Election Results				
No.	Polling Station – PO	Constituency RO	County RO	National RO (Chairman)
2.	National Assembly Member/Member of County Assembly Election Results Flow			
	<p>POs announce results at the Polling Station reg. 79(2)(b)</p> <p>2. Electronically transmits results to tallying centres.</p>	<ol style="list-style-type: none"> ROs accurately collate the election results from each polling stations by tabulation Invites Agents to sign off the results declaring form Declares results Prepare ballot paper reconciliation report Issue certificate to winners Scan the forms 35 & 36 onto Electronic Document Management System (EDMS) Takes the results to the Commission 		<ol style="list-style-type: none"> Safe custody of election results and related materials Preparation of results for Publication of results Compiles national election returns for the positions by polling stations, constituencies and counties.
3.	County Woman Representative to National Assembly/Senator/Governor			
	<ol style="list-style-type: none"> POs Announce results at the Polling Station reg. 79(2)(b) Transmits results to tallying centres. PO forwards results, white ballot box and counter foils to Constituency RO. Reg. 79(2)(b) 	<ol style="list-style-type: none"> Prepares a constituency ballot accountability report Scan the forms 35 & 36 onto Electronic Document Management System (EDMS) Delivers copies of 	<ol style="list-style-type: none"> ROs accurately collate the election results from each polling stations of county constituencies by tabulation, Invites Agents to communicate results Declare the Results Prepares a county ballot 	<ol style="list-style-type: none"> Receive election results from the County ROs Reg. 87(3)(b), Prepares election results for Publication compiles national election returns for the position by polling stations constituencies and counties Prepares a counties ballot

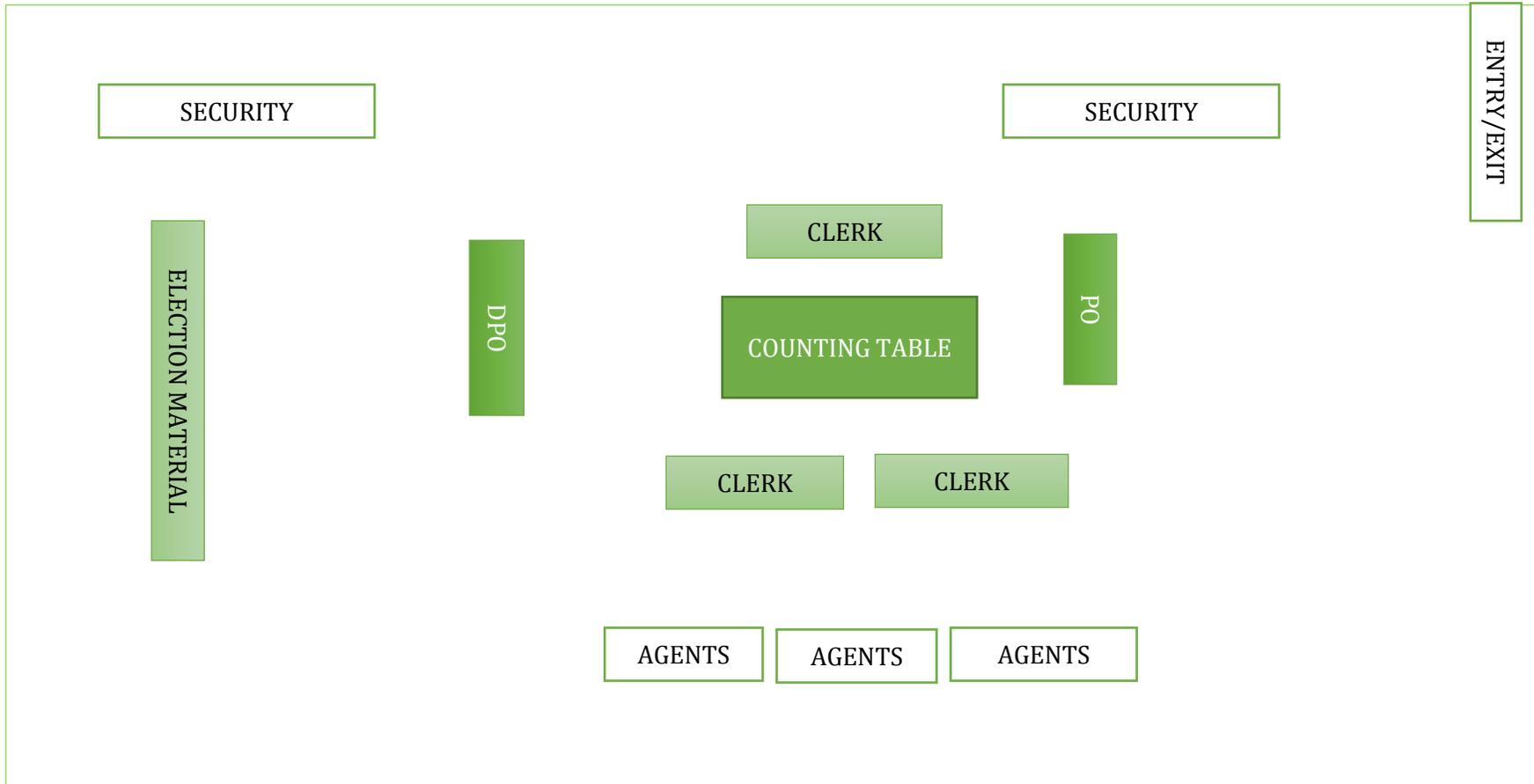
Elective Positions Levels of Announcement and Declaration of Election Results

No.	Polling Station – PO	Constituency RO	County RO	National RO (Chairman)
		election results forms 35s & 36 from constituency to the county tallying centre.	accountability report 5. Delivers election results from 35 and 36 from constituencies to National commission office for compilation, preservation and publication and safe custody reg. 87(3)(a)	accountability report 4. Preserve results declaration forms by scanning and secure storage

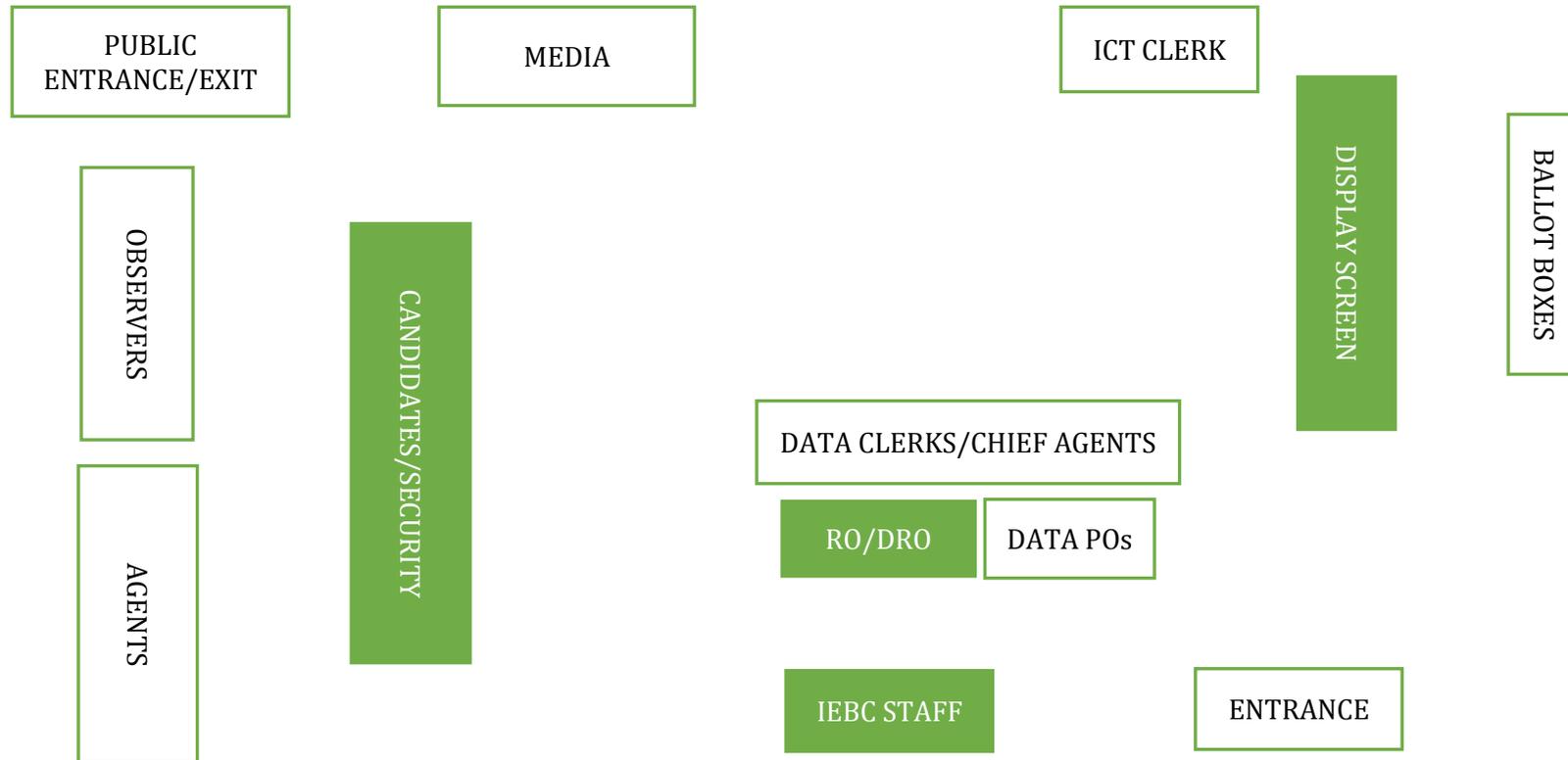
Appendix 2: General Elections Results Management Flow Chart



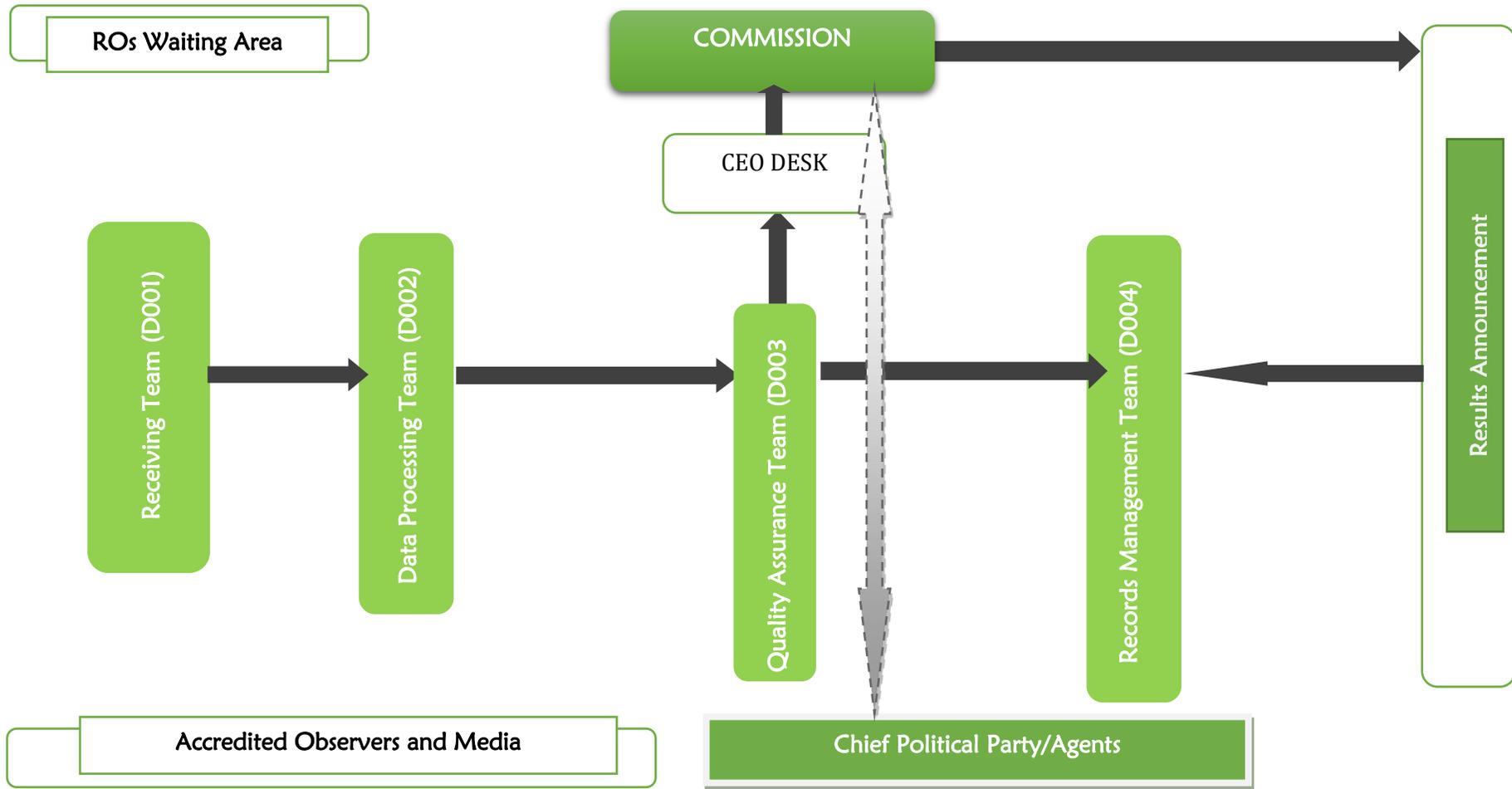
Appendix 3: Layout of the Counting Room at the Polling Station



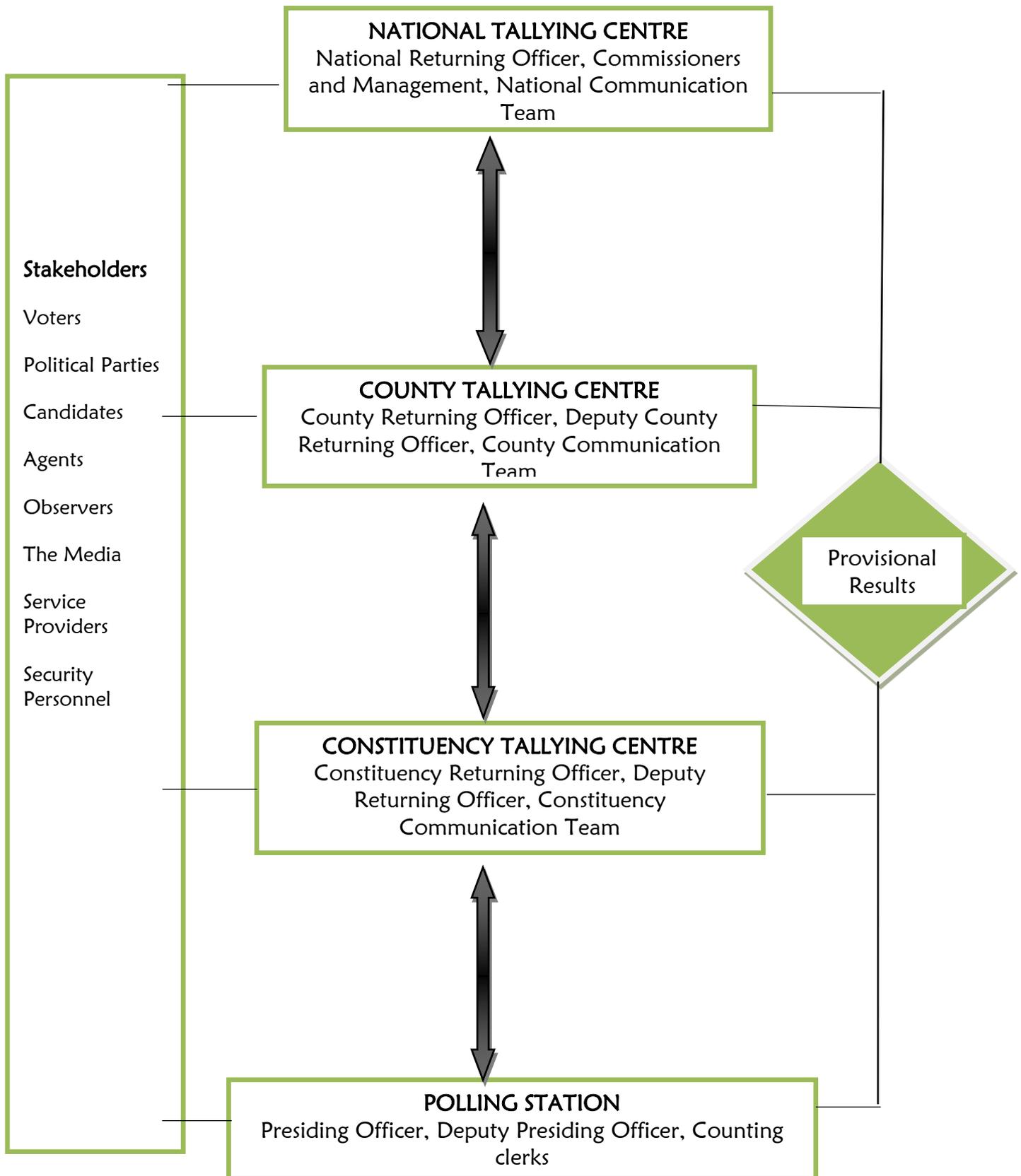
Appendix 5: County/Constituency Tallying Centre Layout



Appendix 4: National Tallying Centre Process



Appendix 6: Communication Tree for Election Results Management



Appendix 7a: Form 34 - Declaration of Presidential Election Results at Polling Station

S/NUMBER.....

POLLING STATION.....CODE.....

CONSTITUENCY.....CODE.....

Number of votes cast in favour of each candidate:

Name of Candidate	No. of valid votes cast
1.	Total number of registered voters for the polling station;
2.	Number of spoilt ballot papers.
3.	Total number of votes cast;
4.	Number of rejected votes;
5.	The number of disputed votes
6.	Number of rejection objected to votes;
7.	Total number of valid votes cast;

Decision on disputed/rejected objected ballots if

Serial number of disputed ballot	Name of Candidate assigned the ballot

6. Declaration

We, the undersigned, being present when the results of the count were announced, do Hereby declare that the results shown above are true and accurate count of the ballots in.....polling station, constituency.

Presiding officer: Name:.....*Signature*.....Date.....

Deputy Presiding officer: Name.....*Signature*.....Date.....

Candidates or Candidates' Agents name	Candidates or Candidates' Agents ID Number	Party	Candidates or Candidates' Agents signature
1			
2			
3			

Reasons for refusal to Sign

.....
.....

7. Presiding Officer's statutory comments:

.....
.....

Note: Delete *the statutory comments space on form 34 & 35*

Appendix 7b: Form 35 - Declaration of MNA/MCA/Senator/County Woman Representative /Governor Election Results at Polling Station

S/NUMBER.....

POLLING STATION.....CODE.....

CONSTITUENCY.....CODE.....

<i>Name of Candidate</i>	<i>No. of valid votes cast</i>
1.	Total number of registered voters for the polling station;
2.	Number of spoilt ballot papers.
3.	Total number of votes cast;
4.	Number of rejected votes;
5.	The number of disputed votes
6.	Number of rejection objected to votes;
7.	Total number of valid votes cast;

Number of votes cast in favour of each candidate:

Decision on disputed/rejected objected ballots if

<i>Serial number of disputed ballot</i>	<i>Name of Candidate assigned the ballot</i>

6. Declaration

We, the undersigned, being present when the results of the count were announced, do Hereby declare that the results shown above are true and accurate count of the ballots in.....polling station, constituency.

Presiding officer: Name.....*Signature*Date.....

Deputy Presiding officer: Name..... *Signature*..... Date.....

Candidates or Candidates' Agents	Candidates or Candidates' Agents ID Number	Party	Candidates or Candidates' Agents signature
---	---	--------------	---

name			
1			
2			
3			

Reasons for refusal to Sign

.....

7. Presiding Officer's statutory comments:

.....

.....
 [Redacted area]

Note: Delete *the statutory comments space on Form 34 & 35*

Appendix 8: Risk Matrix for Results Management Process

No.	Activity	Risk	Level Of Risk	Mitigation
Polling Station				
1.	Consensus building based on law	Lack of agreement with agencies	Medium	Provide a standardized consensus tool
2.	Filling of forms	Arithmetic Errors arising from multiple originals of form 34 &35 Failure of agents to sign the forms Additions of figures in Form 34 &35	High Medium Medium	Have one original with two duplicates Redesign Form 34 &35 to minimize incidences of arithmetic errors Enforce compliance by the PO to Reg 79 (4)
3.	RTS	Network unavailability POs Inability to transmit	High High	Stress test the server and network Boost network during exercise More training of P.Os and engagement of technology compliant P.Os
4.	Packaging	Failure to pack materials in the rightful place	High	Introduce package check list and stick on each transparent ballot box
5.	Provisional Results	Variances between Provisional and Final results	low	Stakeholder engagement to understand the RMS
Constituency/ County Tallying Centre				
	Admission to the tallying centre	Influx of unauthorised persons to the tallying centre	High	Ensure compliance by ROs of Regulation 85
	Tallying and announcement and declaration of results	Errors in tabulation of results	High	Stagger the process, with RO and DRO taking alternate rest within the tallying Centre.
	Results	Failure of machines and technology at the tallying centre	High	Pre-test the servers and machines in advance. No printing, scanning or uploading of results outside the tallying centre

No.	Activity	Risk	Level Of Risk	Mitigation
		Blackouts	High	Ensure backup lighting is on throughout the process. Two laptops for results entry with continuous back up.
	Security of ballot boxes and other materials	Loss of materials	High	Have sufficient security and details of officers manning the storage
	Agents role	Interruptions during tallying and announcement of results	High	Enforcement of commission's mandate by Returning Officers
National Tallying Centre				
1	Admission to the tallying centre	Excess or influx of unauthorised persons to the tallying centre	High	Ensure compliance to the law and vetting of who is admitted to the tallying centre
2	Tallying centre Layout	Multiple layers of verification and processing rooms	High	Agents witnessing the tallying & compilation of results
3	Receiving and processing results from the field	Delay in verification and announcement of results.	High	Adherence to the work flow system.

Appendix 9: Human Resources Deployment

Workstation	Proposed adjustments to results management
Polling Station	<ul style="list-style-type: none"> • Additional DPO • Recruitment of counting clerks • Specialized training for TC officials • Simulation of results transmission process by all election officials • Work flows and relationships to be drawn and communicated • Color-coded accreditation badges • Rehearsals be done in the last two days
Constituency Tallying Centre	<ul style="list-style-type: none"> • Add 2 more Tallying Centre POs • Add 5 more Tallying Centre clerks • Introduction shift plans to count fatigue • Specialized training • Work flows and relationships to be drawn and communicated • Color-coded accreditation badges • Rehearsals be done in the last two days
County Tallying Centre	<ul style="list-style-type: none"> • Add 1 ICT clerk • IEBC permanent staff to be deployed to the County • Specialized training • Work flows and relationships to be drawn and communicated • Proper accreditation of persons allowed in the tallying centre – with names, photos and ID number • Color-coded accreditation badges with clear indication of limit and access of each levels for each color code. • Rehearsals be done in the last two days
National Tallying Centre	<ul style="list-style-type: none"> • Clear assignment on roles and responsibilities • Place a booth for observers • Early simulation and rehearsals by April 2017 • Specialized training • Work flows and relationships to be drawn and communicated • Proper accreditation of persons allowed in the tallying centre – with names, photos and ID number • Color-coded accreditation badges with clear indication of access levels for each color code • Rehearsals be done in the last two days

Appendix 9: Glossary of terms

Term	Meaning
Ballot Count	<p>The number of ballot papers provided to a polling station, the number of unused ballots, the number of ballot papers spoiled or rejected, as well as the valid ballots included in the count are typically recorded at the polling station level.</p> <p>All this information is necessary to permit a full accounting for all ballot papers used in an election. This accounting is called ballot reconciliation.</p>
Certification	<p>Refers to a process of formally stating that the results announced by a returning officer have been validated and are correct. If an electoral management body (EMB) is the authority certifying the election results, it is often required to gazette the result and the winners. Accurate and reliable certification is facilitated by a transparent and accountable results management system (RMS).</p>
Consolidation	<p>The votes within results forms from multiple polling stations or multiple ballot boxes are added together to give a cumulative total for each candidate, party or referendum option.</p>
Counting	<p>The votes cast for each candidate, party or referendum choice are counted following the determination of validity of each ballot paper.</p>
Official results	<p>Relates to the provenance of results data. Results coming from an EMB may be said to be official. These may be partial, provisional, preliminary or final - it is their source that makes them official.</p>
Provisional results	<p>Results whose accuracy has not been verified by the Commission.</p>
Publication of results	<p>Making election results publically available. Publication may be done on paper or in electronic format (or both).</p>
Recount	<p>The repeat of a counting process. A recount may be automatic (where certain criteria, typically a narrow winning margin, are met); on request (where political parties or candidates or their agents may be permitted to ask for a recount); or upon an order by pertinent judicial authorities to investigate allegations of irregularities.</p>

Results form	A form or forms completed by the presiding officer, usually witnessed by party or candidate agents and citizen or observers.
Tabulation Collation	<ol style="list-style-type: none"> 1. The votes within results forms from multiple polling stations or multiple ballot boxes are added together to give a cumulative total for each candidate, party or referendum option. 2. Refers to the inclusion on a single document (or presentation), usually in tabular format (hence the name), the results from multiple polling stations (or ballot boxes) for each of the candidates, parties or referendum options.
Verified	Results whose accuracy and authenticity have been checked to the satisfaction of the Commission may be said to have been verified.
Polling Day Diary	A diary kept by the presiding officer for the purpose of recording incidents as may be prescribed by the Commission;
Election officer	A person appointed by the Commission to assist in conducting an election under these Regulations and includes a returning officer, deputy returning officer, a presiding officer, a deputy presiding officer, a clerk or an interpreter;
Ballot papers	<p>Valid ballot paper: Ballot paper which clearly indicates the voter's intention and fulfils the requirements of electoral law and can be included in the vote count.</p> <p>Spoilt ballot paper: Means a ballot paper accepted as spoilt by the presiding officer in an election due to accidental or deliberate errors of marking by the voter. Spoilt ballot papers never find their way into the ballot box but handed over to presiding officer in exchange for a new blank ballot paper that is then marked by the voter and placed in the ballot box.</p> <p>Disputed vote: Ballot paper counted but whose validity has been questioned by a candidate or an agent. Such ballot paper shall be treated as valid for the purpose of the declaration of election results at the polling station.</p> <p>Rejected ballot paper: Is a ballot paper that has made its way into the ballot box, but has been invalidated at the count</p> <p>Rejected objected to: Ballot paper rejected by Presiding Officer but whose rejection has been questioned by a candidate or an agent</p>