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| ELECTORAL MANAGEMENT BOARD FOR SCOTLAND **ACTION NOTE: 2PM 10 January 2022**  ***MEETING VIA MS TEAM*** | | | |
| Present:  MS Teams:  David Miller, (DRO AEA rep), Peter Wildman (ERO), Paul Docker (UK Government), Martin McKeown (Electoral Commission), Catherine Heggie (Electoral Commission), Jack Lochans (Scottish Government eCount Project Manager), Mark Conaghan (DRO SOLAR Rep), Jim Doig (ERO), Chris Highcock (DRO Secretary to Board), Jim Savege (RO), Malcolm Burr (RO and Convener of Board), Joyce White (RO), Kenneth Pentland (Scottish Government) | | | |
|  |  | **NOTE** | **ACTION** |
| **1.0**  **/**  **2.0** | **Note of Previous Meeting 28 October 2021 Apologies / Matters Arising** | * Noted and accepted as an accurate record; * Apologies received from   + Steve Grimmond (RO)   + Kenneth Lawrie (RO)   + Maria McCann (Scottish Government) * Matters arising   + ERO member appointed to replace Kate Crawford, consent to appointment awaited.   + No other Matters Arising from the previous meeting that were not already on the agenda. | **Noted**  **CH PW** |
| **3.0** | **Preparation for Scottish Local Government Elections 5 May 2022** | **Directions from the Convener / Print Timetable**   * Noted as issued 4 November 2021. * Adjudication of doubtful papers – As agreed at the meeting on 1 October the Convener of the EMB had taken the opinion of senior counsel on the treatment at adjudication of papers that have multiple “positive” marks other than or in addition to numerals. Counsel’s opinion has been received and MB will discuss with AON to inform presentation at the seminar on 27th January.   **Print Contingency**   * ROs had all agreed to the proposed position as discussed at previous meeting – paper to be ordered early but no additional paper to allow for unlikely loss of facilities and paper during a very limited period.   **eCount for 2022 Scottish Local Government Elections Update**   * The project has now transitioned into the final phase, which is Stage 4 – delivery. The testing programme was successfully completed at the end of Stage 3, and the system has been fully signed off via the User Acceptance Group and the algorithm used to run the count engine formally accredited. A security penetration test was conducted by NCC Group who have produced a report with findings and information on ensuring the system is fully robust for delivery. The team are working through the report and have planned a window of time over the next two weeks to undertake any remedial activities on security before the system is fully locked down. * Equipment is now being received, ready for build of training systems and then all 32 council systems. The paper order was placed in November 2021 and is on track to be delivered at the end of January, well ahead of the required schedule for print. Final arrangements are being made for training of council staff which will kick off with eLearning training being made available from mid-January. This will then progress to in-person training across three locations in February/March. * The 2022 system has also been successfully rolled out at 2 recent by-elections and performed as expected with no issues   **Public Health Scotland: impact of Coronavirus on election delivery**   * EMB representatives met on 8 December with consultants from PHS to discuss delivery of the Scottish Local Government Elections in the context of the ongoing pandemic. In delivery of the polls, ROs should   + Take note of the evolving guidance;   + Take advice from local Environmental Health teams;   + Review updated EMB advice / [supplementary guidance](https://www.emb.scot/downloads/file/864/updated-guidance-on-delivering-elections-under-covid-conditions-january-2022); and   + maintaining engagement with the local DPH. * Basically Returning Officers should plan to deliver the elections with the same baseline measures in place as were applied in May 2021 although for the Count distancing may be relaxed if that is consistent with the guidance. * The assumption is that there would be no additional funded for Covid measures * AON noted that the $Electoral Commission are reviewing their guidance around Covid issues.   **Joint Seminar with the Electoral Commission 27 January 2022, COSLA in Edinburgh**   * Programme noted and agreed   + EMB members to lead sessions – material to be provided to support them **ACTION** CH, MMcK * There was discussion around whether given the current guidance encouraging work from home if possible the event would be viable as originally intended as hybrid, should most delegates prefer to attend virtually. * MB noted that that there should be some facility for in person attendance if preferred, possibly using facilities in City of Edinburgh Council if COSLA venue was not suitable. **ACTION** CH AON to investigate options. | **CH MMCK**  **CH AON** | |
| **4.0** | **Local Government By-elections** | **Log of By-elections scheduled as at 6 January 2022**   * Noted; final by-election of this session scheduled for East Lothian on 20 January |  |
| **5.0** | **Scottish Government General Update** | **Local Government Elections 2022 - Statutory instruments**   * The following instruments which are required for the Local Government Elections 2022 have been made, following consideration by the Standards, Procedures and Public Appointments Committee on 28 October: * The Scottish Local Government Elections Amendment Order 2021 * The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Regulations 2021 * The Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2021 * The Representation of the People (Variation of Limit of Candidates’ Local Government Election Expenses) (Scotland) Order 2021 * The Local Electoral Administration and Registration Services (Scotland) Act 2006 (Commencement No. 6) Order 2021 * The Scottish Elections Reform Act 2020 (Commencement No. 3) Order 2021 * In addition the Government has laid a further SI before Parliament, which would make two changes ahead of the 2022 poll: * A new statutory role for the Electoral Commission in producing, and monitoring compliance with, guidance on candidates’ election expenses for Scottish Local Government elections. The Commission currently has this role in all other elections in the UK and produces guidance on this topic on an informal basis for Scottish Local Government elections. * Amending rules on the issue of poll cards so that Returning Officers can send official poll cards after the issue of the notice of election, rather than the issue of the notice of poll. This would bring practice at Scottish Local Government elections into line with other elections in Scotland, where poll cards are already sent after the issue of the notice of election. * This SSI has been developed in discussion with the Electoral Commission, Scotland and the Electoral Management Board for Scotland.   **Diversity Data Project**   * The SG has been scoping out a project to improve the completeness of protected characteristics / diversity data on election candidates and elected representatives in Scotland. To date, we’ve had discussions with representatives of the EMB, Improvement Service, Cosla and Equal Representation Coalition, as well as with the Scottish Parliament Political Parties Panel. * The proposal to collect data on the diversity of candidates at nomination stage in March (for 2022 Local Government elections) has been welcomed, given the current lack of data.   **UK Elections Bill**   * The Scottish Government has lodged a Legislative Consent Memorandum in relation to the Bill, available at:   <https://www.parliament.scot/-/media/files/legislation/bills/lcms/elections-bill/splcms068.pdf>   * The Scottish Parliament’s Standards, Procedures and Public Appointments Committee held evidence sessions in relation to the UK Elections Bill on 18 and 25 November. |  |
| **6.0** | **UK Government Update** | * **UK Elections Bill –** first reading 17 January then will progress to the Lords. Note the timings for implementation are tight with intention to have key measures in place for the next UKPGE. * Much discussion at the moment around resourcing, dates, and specific procedures. Many elements to be dealt with in secondary legislation. * CH and PW involved in expert panel. Significant ongoing discussion currently around Voter ID card. Discussions will be shared with the EMB as appropriate. |  |
| **7.0** | **Electoral Commission General Update** | * Shaun McNally CBE has been appointed the new Chief Executive of the organisation and will take up the post in April 2022. * Letter had been circulated to all current councillors and for forwarding to prospective candidates updating on Electoral Commission Guidance, new Spending Limits, Imprint rules, Awareness Raising campaigns and Directions form the Convener of the EMB. |  |
| **8.0** | **Electoral Registration Update from the Electoral Registration Committee of the SAA** | * PV refresh underway nationally * HNLs to be issued by most EROs between 31 January and 7 February. * TV advert planned to coincide with HNL * Significant engagement planned at a UK level with DHLUC on Elections Bill |  |
| **9.0** | **Local Government Boundary Commission for Scotland** | * No update |  |
| **10.0** | **AEA Update** | * AEA Nationally are looking to request that Royal Mail (not just sales, but delivery colleagues) attend branch meetings. Also are going to ask Rachel from Royal Mail to attend a meeting of the Chairs and Secretaries, likely to be in February. This is around areas of non-delivery of poll cards, postal votes etc and general delivery issues. Deliveries around statutory deadlines also an issue. * Consideration of funding, while normally for the LA to pay for LG elections, position on additional funding in support of steps taken for COVID. * The AEA website will be having a forum dedicated to the Election Bill. This will enable further communication between electoral administrators and the Department for Levelling Up, Housing and Communities on matters relating to the bill. Intention is that it will be open to all, not just members of the AEA and be up and running in January. |  |
| **11.0** | **Any Other Business** | * Revised EMB logo noted. |  |

**Dates of Future Meetings until May 2021**

**DATES OF FUTURE MEETINGS / WORK SCHEDULE**

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| **Month** | **All at 2pm**  **Teams as default** | **Notes** |
| March 2022 | 24 March |  |
| April 2022 | 28 April | Final meeting before 5 May polling/ 6 May eCount |
| June 2022 | 23 June | Opportunity for initial feedback on the conduct of the election |