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| ELECTORAL MANAGEMENT BOARD FOR SCOTLAND**ACTION NOTE: 2PM 28 October 2021*****MEETING VIA MS TEAM***  |
| Present: MS Teams: Miller, David (DRO AEA rep), Peter Wildman (ERO), Kenneth Lawrie (RO), 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), Steve Grimmond (RO), Sarah Mackie (Electoral Commission) |
|  |  | **NOTE** | **ACTION** |
| **1.0****/****2.0** | **Note of Previous Meeting 1 October 2021 Apologies / Matters Arising** | * Noted and accepted as an accurate record;
* Apologies received from
	+ Andrew Kerr (RO)
	+ Maria McCann (Scottish Government)
	+ Andy O’Neill (Electoral Commission)
* Matters arising
	+ response still needed to Standard Committee covering issues raised at the 23 September meeting.
	+ ERO member to be appointed to replace Kate Crawford. Candidate has been identified and MB is writing to invite them to join the Board.
	+ No other Matters Arising from the previous meeting that were not already on the agenda.
 | **Noted****CH PW****MB** |
| **3.0** | **Preparation for Scottish Local Government Elections 5 May 2022** | **Directions from the Convener – circulated (for agreement prior to formal consultation and issue)*** Final section – “Issues for Consideration” to be retitled as “Further Recommendations”; all are elements that should be expected to be applied but around which formal directions are not required. **ACTION** CH to amend
* With that amendment the Board agreed the proposed Directions.
* **ACTION** Directions tobe submitted to the Electoral Commission for formal consultation as required under the 2011 Act, with the intention to issue by 5 November allowing a full 6 months ahead of the election.

**Print Timetable – paper from the eCounting Print Working Group*** Noted and agreed

**Print Contingency update from eCounting Print Working Group*** Jack Lochans from the eCount Project outlined the issues addressed in the paper.
	+ In an effort to mitigate potential supply chain pressures, paper has already been ordered to ensure it is available for ballot paper and postal pack production.
	+ In addition to quality control measures, there are levels of contingency built into the contract with back up print facilities available. However there remains a small risk that loss of the facility could also see loss of the paper. Options were considered that would provide supplies of contingency paper and envelopes so that there would be supplies to allow the contingency facilities to produce the required material. These options were costs with costs identified per authority
* **ACTION** MB toraise at SOLACE on 29 October, outlining issue to ROs
* **ACTION** MB to circulate paper and costings to ROs, noting EMB’s position that the purchase of the contingency paper and envelope stock would be out of proportion to the likelihood of the risk occurring. This is a theoretical risk for every election and has never before been addressed in this way. Doing so now would be a precedent for future elections, which would fall as a cost to ROs since such contingency is rarely funded. Proposal is that no additional contingency paper is needed
* Further option of third party on site to monitor production also thought to be unnecessary given role of Idox and RO presence at site.

**eCounting Adjudication*** As agreed at the meeting on 1 October the Convener of the EMB will seek the opinion of senior counsel on the treatment at adjudication of papers that have multiple “positive” marks other than or in addition to numerals.
* A memorial has been drafted for review by the Convener and he intends to submit it to senior counsel in the week commencing 1 November.

**eCount for 2022 Scottish Local Government Elections Update*** The project continues to progress through Stage 3 with a shift in focus towards delivery. Testing of the system remains on track. Final user acceptance took place successfully on 19th October. Engagement with councils has increased with a regional manager now allocated to every council, and introduction sessions completed.

**Joint Seminar with the Electoral Commission 27 January 2022, COSLA in Edinburgh*** Paper noted and draft Programme considered.
* Content of the programme was approved, but the timing to be amended to ensure appropriate attention given to key issues – e.g., Covid does not need as much attention as the resilience issues, adjudication and count.
* **ACTION** – it was agreed that no specific session on ERO issues was needed – these were to be woven into the whole day with any necessary detail addressed in the SAA’s ERC.
 | **CH****MB CH****MB****MB****CH AON PW** |
| **4.0** | **Local Government By-elections**  | **Log of By-elections scheduled as at 28 October 2021*** Noted; by-elections now scheduled for Highland, Argyll and Bute, Renfrewshire and East Lothian
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| **5.0** | **Scottish Government General Update** | * Written update submitted and noted**,** covering
	+ Statutory instruments will be considered by the Standards, Procedures and Public Appointments Committee on 28th October 2021.
	+ eCounting
	+ Equality Data Project
	+ Boundaries Scotland and
	+ The Legislative Consent Memorandum for the UK Elections Bill
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| **6.0** | **UK Government Update** | * PD noted that
	+ Following the UK Government reshuffle Kemi Badenoch is continuing to leading the Bill in the new Department for Levelling Up, Housing and Communities (DLuHC)
	+ Elections Bill is through the House of Commons Committee with no amendments and is now at the Report Stage
	+ Expert panel to advise on implementation will include representatives from Scotland
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| **7.0** | **Electoral Commission General Update** | * Catherine Heggie provided an update on Public awareness and Partnership activity, including plans for Welcome to Your Vote week 2022.
* Martin McKeown gave an update on RO guidance. There have been comments provided by stakeholders including EMB and some revision now underway. Guidance will also reflect final Direction issued by EMB Convener.
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| **8.0** | **Electoral Registration Update from the Electoral Registration Committee of the SAA** | * Electoral Registration Committee of the SAA met on 22 October and agreed the proposed date for SIENA as in the draft directions. No concerns with respect to remaining Directions.
* Canvas is underway and progressing well. Publication dates generally 1 December but noted that likely to be 1 November for highland and Argyll and Bute to avoid issues for the by-elections.
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| **9.0** | **Local Government Boundary Commission for Scotland** | **Boundaries Scotland** * In June the Commission submitted its final proposals for the electoral reviews of the six council areas with inhabited islands (Na h-Eileanan an Iar, Orkney Islands, Shetland Islands, Argyll and Bute, Highland and North Ayrshire Council areas). The final proposals will recommend the number of councillors and ward boundaries to be used for the local government elections in May 2022.
* The Scottish Parliament Local Government, Housing and Planning Committee has agreed to adopt the Commission’s final proposals for four of these areas (Na h-Eileanan an Iar, Orkney Islands, Shetland Islands and North Ayrshire Council areas), but rejected the Commission’s final proposals for Argyll and Bute and Highland council areas.

**Boundary Commission for Scotland** * The Commission started its 2023 Review of UK Parliament Constituencies earlier this year. The 2023 Review will recommend 57 constituencies in Scotland, less 2 than at present.
* We are currently conducting an 8-week public consultation on our initial proposals (from 14 October – 8 December 2021).
* We will hold a secondary public consultation in early 2022 and consult on revised proposals in late 2022. We will submit our final report by July 2023.
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| **0.0**  | **Any Other Business**  | * None discussed.
* Next meeting – November and December Meetings to be combined. **ACTION** CH to identify suitable date in consultation with Board.
 | **CH** |

**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** |
| ~~September 2021~~ | ~~1 October~~ | ~~Potential for a hybrid meeting as some RO members will be in Edinburgh for a SOLACE conference~~ ~~Draft directions from the Convener of the EMB for discussion~~ |
| ~~October 2021~~ | ~~28 October~~ | ~~Final consultation on Directions within the Board~~ |
| November 2021December 2021To be combined | To be confirmed | Directions to be issued by Convener in early November |
| To be confirmed | Board meeting dependent on business/other commitments |
| January 2022 | 27 January | Joint EMB/Electoral Commission seminar in January 2022 date to be determined. |
| February 2022 | 24 February |   |
| 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 |