



Elections Scotland

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

Mary Pitcaithly

Convener of the Board

**FOR THE ATTENTION OF ALL
RETURNING OFFICERS &
ALL ELECTORAL REGISTRATION
OFFICERS**

Our Ref: CH230115/UKPGE DIR

Your Ref:

Date: 9 February 2015

Dear Returning Officer,

UK PARLIAMENTARY GENERAL ELECTION 7 MAY 2015: RECOMMENDATIONS FROM THE CONVENER OF THE EMB

*Role of the Electoral Management Board for Scotland with respect to 7 May 2015:
Recommendations*

As part of the Chief Counting Officer (CCO) Governance framework for the Scottish Independence Referendum I made a set of directions for Counting Officers and Electoral Registration Officers (EROs). You will recall my objective for that event - to deliver a result that will be trusted – and those directions were focussed on some fundamental areas where consistency was vital to give an assurance of an accessible, consistent and efficient electoral process operated to the highest standards of integrity.

As convener of the EMB I have no remit to give directions relating to the UK Parliamentary General Election (UKPGE) on 7 May. However, following discussion at the Board, it was decided that it would be helpful to Returning Officers, EROs and their respective teams to provide some recommendations on how key elements of the delivery of this event should be planned for and managed. The focus is as always is on ensuring that all elements of planning and delivery are undertaken with the interests of the voter at the heart of all decisions. This will support confidence in the result, built on a consistent national approach, where appropriate, with suitable contingency integrated into the processes.

Lessons from 2014

These recommendations are the product of a careful review of the experience of the two major electoral events that we all delivered so successfully last year. As Regional Returning Officer (RRO) and CCO I had responsibility for both the European Parliamentary Elections and the Independence Referendum in Scotland. Reflecting on those two events has led me to a number of conclusions about planning and delivery of major polls.

The EMB has been established to promote best practice in the delivery of electoral events in Scotland, coordinating activity to achieve a consistent, efficient and secure approach, promoting confidence for the voter. To support those aims, the recommendations I make below apply lessons that we all learnt through 2014, especially from the Referendum where a highly engaged electorate posed a number of challenges. Current indications are that the electorate will remain highly engaged for the General Election which is itself a major electoral event, albeit not on the scale of the Referendum.

Consultation

Before making my directions last year, drafts shared with Counting Officers, Electoral Registration Officers, political parties, campaigners, the Electoral Commission, the Electoral Management Board for Scotland and its advisers including the Scottish Government and the Scotland Office. A number of responses were made and the directions revised in some areas in response.

In considering recommendations for the UKPGE, such extensive consultation has not been undertaken although the content and approach has been discussed within the EMB and at SOLACE. As recommendations rather than directions, these proposals have a different status. Also the timescale is tighter. The recommendations are intended to support national consistency but also to inform your own planning. They do not have the force of directions, but if you have major concerns or objections to them I would be grateful if you could write to explain your concerns. This would help the EMB as we develop frameworks and directions for those polls where there is a power of direction, such as the Local Government elections in 2017.

UK Parliamentary General Election 7 May 2015: Recommendations from the Convener of the EMB

	Topic	Recommendation
1	Publication of Notice of Election	<p>Returning Officers can expect to be in receipt of the Writ from the Royal Mail on Tuesday 31 March. The notice of election in a particular constituency must be published no later than 4pm on the second day following the receipt of the writ.</p> <p>However it is recommended that the Notice of Election is published immediately on receipt of the Writ, on Tuesday 31 March, to maximise the time available for subsequent elements of the process.</p>
2	Date of dispatch of poll cards	<p>Legislation requires Returning Officers to issue poll cards as soon as is reasonably practicable after publishing the notice of the election. If the Notice of Election is published on Tuesday 31 March, ROs, should ensure that poll cards are handed over by the printer for dispatch between Tuesday 31 March and Wednesday 1 April.</p> <p>A narrow window of time is being recommended rather than a single date in order to strive for consistency in voter experience across Scotland while still allowing an element of flexibility for Returning Officers.</p> <p><i>This recommendation has already been communicated to ROs in an email sent by Chris Highcock, Secretary to the EMB, on 9 January.</i></p>

3	Date of dispatch of postal ballot packs	<p>Legislation states that postal ballot papers and postal voting statements should be issued as soon as is practicable.</p> <p>It is recommended that Returning Officers ensure that the first issue of postal votes is handed over by the printer for dispatch between Monday 20 April and Tuesday 21 April. Arrangements should be made for the postal votes to be issued by first class post.</p> <p><i>This recommendation has already been communicated to ROs in an email sent by Chris Highcock, Secretary to the EMB, on 9 January.</i></p>
4	Voter Education Activity / Communications Strategy	<p>ROs should take steps to promote an awareness of count procedures among voters and other stakeholders including candidates and agents.</p> <p>This may include media releases, briefings for counting agents, activities with schools and other information to emphasise the audit trails through the process which ensure that every ballot paper is accounted for. The Electoral Commission are producing some material that might be helpful in this regard.</p> <p><i>The Referendum involved unprecedented scrutiny of the count process and significant subsequent challenges regarding the practice and integrity of the process.</i></p>
5	Folding of Ballot Papers and displaying the UIM	<p>Under the standard electoral legislation, and again at these elections, Polling Station staff are required to instruct voters to fold the ballot paper after they have made their mark and then to show the UIM to the Presiding Officer before placing the ballot paper in the ballot box.</p> <p>ROs should ensure that training for polling station staff emphasises these requirements for how ballots are to be presented prior to deposit in the ballot box.</p> <p><i>ROs will be aware of the claims by numerous voters at the Referendum that they received ballot papers that were blank on the back. There was no evidence of this having happened, as noted in the Electoral Commission's report on the Referendum, but a strict application of the requirements of legislation with respect to the presentation of the UIM would have prevented or undermined such claims.</i></p>
6	Requirement for Secrecy at Postal Vote Openings	<p>ROs should ensure that all those who attend postal vote openings to observe the process are aware of and give their clear agreement to abide by the Requirement for Secrecy.</p> <p>Postal vote opening and verification process should be set up such that the ballot papers are handled facedown so that no mark on the front of the paper is able to be seen by observers.</p> <p><i>ROs will be aware of the significant media coverage given to allegations that postal voting agents had sampled votes at postal vote opening sessions around the country in the days before polling day. The matter remains under investigation by the police.</i></p>

7	Method of verifying and counting of the votes	<p>Legislation requires ROs to carry out a verification of the ballot paper account with (i) the number of papers actually recorded, (ii) the unused and spoiled papers and (iii) the tendered votes list.</p> <p>ROs must prepare a statement of this verification which may be copied by counting agents present. It is recommended that, as was directed at the Referendum, this statement should be made available to counting agents as a matter of course, to support transparency and promote confidence in the integrity of the count.</p> <p>Confidence in the result is predicated on confidence in the processes that deliver the result. While there are different approaches to verification and count which can meet the requirements of legislation, I recommend that ROs apply a mini-count approach to the verification and count, breaking constituencies into smaller units to support an accurate, timeous result with clear audit trails</p>
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Recommendations based on the lessons of 2014

Following last year’s referendum the electoral community in Scotland has been recognised across the UK for its high standards in planning and delivering such a high profile and complex event. As Convener of the EMB I am obviously keen for us to maintain those high standards. Wherever possible we tend to work by consensus but occasionally guidance or direction can be helpful.

The proposals above are offered as recommendations to Returning Officers in a spirit of cooperation, mutual support and seeking to learn from recent experience. In particular we need to reflect on and learn from the Scottish Independence Referendum. I am not intending to add additional burdens of work or responsibility, but to offer some suggestions that would prevent or limit some of the challenges and criticisms that arose following the Referendum. Our delivery of the Scottish Independence Referendum in 2014 has been widely recognised across the UK and further afield as a best practice in many ways. This success was built to a large degree on consistent delivery of key elements of the process, something that these recommendation will help to maintain.

If you have any questions about these recommendations, please do not hesitate to contact me or the Secretary of the EMB, Chris Highcock.

Yours sincerely,

Mary Pitcaithly
Convener of the Electoral Management Board for Scotland

cc Electoral Registration Officers

