

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

ACTION NOTE: 4 December 2012 2:00pm

West Lothian Room, The Lothian Chambers, 59-63 George IV Bridge
Edinburgh, EH1 1RN

Present:

- **Board Members:** Mary Pitcaithly (MP Convener & RO), Brian Byrne (BB ERO, SAA rep), Joan Hewton (JH ERO), Douglas Gillespie (DG ERO), Bob Jack (BJ RO),
- **Advisers:** Andy O'Neill (AON Electoral Commission) David Freeland (DF Electoral Commission), Gordon Blair, (GB, DRO SOLAR representative) Steve Sadler (SS Scottish Government), Gillian Cross (GC Scottish Government)
- **In attendance:** Chris Highcock (CH Secretary to the Board DRO)

		NOTE	ACTION / RESPONSIBLE
1	Apologies	<ul style="list-style-type: none"> • Billy Pollock (WP DRO AEA rep) • Stuart Galloway (SG DRO) • David Anderson (DA RO) • Malcolm Burr, (MB RO) • Sue Bruce (SB RO) • Roddy Angus (RA Scotland Office) • Jaime Neal (JN Scottish Government) 	Noted
2	Note of Previous Meeting (28 September 2012)	<ul style="list-style-type: none"> • Accepted as an accurate record 	Noted

		NOTE	ACTION / RESPONSIBLE
3	Annual Report of the Electoral Management Board for Scotland 2011 / 2012	<ul style="list-style-type: none"> • EMB Annual Report had been drafted, circulated and laid before Parliament on 16 November. • CH had drafted text with input from EMB members and Convener • Falkirk Council had designed document, including logo. Design was well received • Document being hosted on the City of Edinburgh Council website at http://www.edinburgh.gov.uk/info/799/elections_and_voting/1889/the_electoral_management_board_for_scotland while the EMB website is being set up 	
4	EMB Funding 2012/13	<ul style="list-style-type: none"> • Following meetings and discussion with the Scottish Government, a claim had been submitted to them for funds to cover the activities of the EMB for the financial year 2013/13 • A project plan is being drafted for the work programme for the year 2013/14 and on the basis of this a further funding claim will be submitted next year 	
5	EMB Website & Logo	<p>Website</p> <ul style="list-style-type: none"> • URLs have been purchased for electionsscotland.org.uk and electionsscotland.info • ACTION – CH to investigate other versions (.com.gov etc) to prevent other organisations from buying the names • LVJB web designer has offered to design a site. This is being investigated • Site will be hosted and made as easy to maintain / update as possible <p>Logo</p> <ul style="list-style-type: none"> • Note logo was created by Falkirk Council for the Annual Report. It is now being used on all materials 	CH

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6	Scottish Parliament Local Government and Regeneration Committee Evidence Session 28 November 2012	<ul style="list-style-type: none"> • Convener, BB and CH had attended on behalf of the EMB. • Transcript and video of the session now available on the SP website. • A variety of issues were covered including the franchise, Robson's rotation, nomination, registration issues, posters on lampposts, etc 	
7	Review of 2012 eCounting Project	<ul style="list-style-type: none"> • Final Gateway review sessions had been undertaken • Note that the advice from Scottish Government Procurement is that the Ecounting contract cannot be rolled over into 2017 but that there will need to be a new procurement exercise 	
8	Issues arising from May 2012 Elections Finance / settlement of 2011 accounts Counting Officers' Fees / Superannuation	<ul style="list-style-type: none"> • Note that Scotland Officer are planning to have all 2011 Scottish Parliamentary accounts settled by the end of the year 	
9	Electoral Commission update RO Performance Standards (update)	<ul style="list-style-type: none"> • Final decision still awaited regarding the performance standards although it is understood that a decision is imminent 	

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10	Publication of Voting Information Draft Guidance from the EMB	<ul style="list-style-type: none"> • Scottish Local Government Elections Amendment (No. 2) Order 2012 to become law on 7 January • Guidance for ROs had been prepared for circulation by the EMB to ROs, explaining what to make available and how. • Guidance also proposed a uniform day for publication across Scotland. • ACTION ALL to consider draft guidance, comments to CH; CH to circulate to ROs 	ALL CH
11	Scottish Referendum on Independence	<p>The Edinburgh Agreement (circulated for information)</p> <ul style="list-style-type: none"> • Noted <p>Update from Scottish Government</p> <ul style="list-style-type: none"> • Paper circulated from Scottish Government, which gave a briefing with respect to <ul style="list-style-type: none"> ○ The Edinburgh Agreement - The Scottish and UK Governments agreed that the referendum should have a clear legal base; be legislated for by the Scottish Parliament; be conducted so as to command the confidence of parliaments, governments and people; and deliver a fair test and a decisive expressions of the views of people in Scotland and a result that everyone will respect. The Scottish Government will promote legislation in the Scottish Parliament which will set out: the date of the referendum; the franchise; the wording of the question; rules on campaign financing; and other rules for the conduct of the referendum. ○ The Franchise Bill - The Scottish Government intends to introduce legislation on the franchise to Parliament in the New Year so that, subject to Parliamentary approval, it receives Royal Assent by the 	

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		<p>Summer</p> <ul style="list-style-type: none"> ○ The Question - testing of the question using focus groups and other methods being undertaken by the Electoral Commission, who will publish a report of its findings before the Referendum Bill is introduced to the Scottish Parliament. ○ The Referendum Bill - Subject to the agreement of the Scottish and Westminster Parliaments the Section 30 Order is due to be approved by the Privy Council in February 2013. The Scottish Government will introduce the Referendum Bill (setting out detailed arrangements for the Referendum) shortly after that.. Discussions with the EMB and the Commission about the delivery of the Referendum will continue. <p>SOLAR Elections Working Group – update</p> <ul style="list-style-type: none"> • SOLAR’s Elections Working Group had met on 16 November to discuss the proposed rules in the Draft Referendum (Scotland) Bill. Comments on a range of issues in the Bill were subsequently submitted to the Scottish Government. SS noted that this had been a very helpful process. <p>Role of EMB / Chief Counting Officer – Key Tasks (circulated)</p> <ul style="list-style-type: none"> • Noted 	

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		<p>Project Plan (to follow)</p> <ul style="list-style-type: none"> • CH is working on a headline project plan which will identify the key tasks and the associated resource requirements • Project Governance approach from eCounting Project would be a good basis for this project <p>Funding for 2013/14</p> <ul style="list-style-type: none"> • See note above <p>Working Groups / Portfolio Managers</p> <ul style="list-style-type: none"> • MP has suggested that the Board should identify workstream / portfolio managers to lead on various tasks – e.g. finance, media, printing, count, etc • ACTION – to be considered in the context of the project plan <p>Fees and Charges Order</p> <ul style="list-style-type: none"> • Note that the CCO is responsible for the Finance for the Referendum, drafting and agreeing the Fees and Charges Order and the associated assumptions. ACTION RA to share the work of the Scotland Office in planning these aspects. ACTION All to consider most appropriate approach to finance, e.g. subcontracting it to a lead authority or to an agency such as Audit Scotland 	

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		<p>Support from Electoral Commission</p> <ul style="list-style-type: none"> • Meeting have been held with the EC (Jenny Watson and Andrew Scallon) to discuss their experience of being a CCO both for the UK Referendum and the Wales Referendum, both in 2011. • EC has offered whatever expertise and support that the CCO requires for 2014 <p>Guidance, Forms etc</p> <ul style="list-style-type: none"> • The forms Working Group should be tasked with specification and drafting of a set of forms and other materials in support of the referendum. This work can start as soon as the Referendum rules are clear early next year. • ACTION CH to raise with Aileen Knudsen <p>Performance Monitoring</p> <ul style="list-style-type: none"> • Approach used in 2012 by the Commission – checklists etc had many advantages and should be the basis of the 2014 approach by the EMB. <p>Draft Code of Conduct for Campaigners (circulated)</p> <ul style="list-style-type: none"> • Noted 	

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		<p>Support from the Scottish Government</p> <ul style="list-style-type: none"> • Similarly the Scottish Government have offered whatever support eh CCO needs in order to deliver the Referendum • The EMB noted that while they will make use of such support, they must also ensure that there is clear independence and that there can be no impression that the CCO is being led by either the Commission nor the Government <p>Project Governance</p> <ul style="list-style-type: none"> • A robust project management approach – PRINCE2 style will be applied. • This may need the support of an experienced Project manager / administrator with knowledge of Prince 2 <p>Registration Issues</p> <ul style="list-style-type: none"> • Note the points above regarding the introduction of a Franchsie Bill; once the section 30 order is agreed the Franchise bill will eb introduced, probably around March • There will be stakeholder consultation e.g. around child protection issues. Also to consider the experience of the health board pilots where 16/17year olds voted. 	

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12	<p>Preparation for European Elections 2014</p> <p>Date of polling</p>	<ul style="list-style-type: none"> It was noted that amid all of the preparation for the Referendum, the work needed to deliver the European Elections must not be neglected. These are major polls and will require significant planning in order to deliver safe, transparent and consistent elections with results in which the elector can have full confidence It is expected that the date of polling will be 5 June 2014, although there is some uncertainty since this may coincide with Pentecost and associated holidays in some countries of the EU. 	
13	<p>Regional Returning Officers' Group and associated meetings</p> <p>Elections and Referendums Steering Group Agenda and Papers – Update from Convener</p> <p>Elections & Registrations Working Group Agenda and Papers – Update from Secretary</p>	<ul style="list-style-type: none"> Recent discussion had focussed on the PCC elections in England and Wales. The Convener and Secretary attendance at these groups has been limited in recent months since most of the discussions have not been relevant to Scotland. It was noted that the RRO Group has been looking at revising its approach to operate more on the model of the EMB 	

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14	<p>Scottish Political Parties Panel</p> <p>4 December 2012</p>	<ul style="list-style-type: none"> • Agenda was circulated. • Issues discussed included <ul style="list-style-type: none"> ○ Legacy document for the eCounting Project ○ Franchise Bill ○ Boundaries issues ○ Publication of full preference information ○ EC review of process of how to stand for election 	
15	<p>Consultations</p> <p>House of Lords Constitution Committee Report on The Agreement for a Referendum for Independence for Scotland – with evidence provided by the EMB available here</p>	<ul style="list-style-type: none"> • EMB submission to the Committee and their subsequent report were noted 	

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	<p>Electoral Commission call for evidence regarding electoral integrity / fraud in the UK</p>	<ul style="list-style-type: none"> Electoral Commission are undertaking a review of Electoral Fraud focussing on potential vulnerabilities in the Electoral System. Any input is requested by 17 December. ACTION – BB is compiling a response for the SAA. CH will consider this and compile into a response from the EMB 	

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16	<p>AOB</p> <p>Date of Next Meeting</p> <p>Advisor for SP Referendum Committee</p> <p>Cabinet Office presentation on IER</p>	<ul style="list-style-type: none"> It was agreed that the meetings of the EMB should continue to be aligned with SOLACE meetings, making it easier for ROs to attend. The next meeting of SOLACE is 22 February. The Scottish Parliament Referendum Committee has decided to seek an advisor to assist it in its consideration of issues associated with the Referendum. They had requested that the Board suggest names of ROs/EROS/DROs who might be able to offer appropriate advice. ACTION – CH to identify some candidates in consultation with the Convener and submit to the Committee Clerk Colin Dingwall from the Cabinet Office had asked to attend the Board in the near future to give an update on the progress with respect to IER. It was agreed to invite him to attend the next meeting of the Board. ACTION CH 	<p>ALL</p> <p>CH</p> <p>CH</p>
Date of next meeting - 22 February 2012 2pm			