

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

ACTION NOTE: 28 September 2012 2:00pm

City of Edinburgh Council HQ

Present:

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

| | | NOTE | ACTION / RESPONSIBLE |
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| 1 | Apologies | <ul style="list-style-type: none"> • Billy Pollock (WP DRO AEA rep) • Jon Harris (JH COSLA), • Malcolm Burr, (MB RO) • Sue Bruce (SB RO) • Steve Sadler (SS Scottish Government) • Roddy Angus (RA Scotland Office) | Noted |
| 2 | Note of Previous Meeting (29 May 2012) | <ul style="list-style-type: none"> • Accepted as an accurate record | Noted |

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| 3 | Issues arising from May 2012 Elections | <p>Finance / settlement of accounts</p> <ul style="list-style-type: none"> It was noted that the all the Referendum accounts had now been settled with the Elections Claims Unit in some cases following prolonged negotiations; Accounts for the Scottish Parliamentary elections remained a work in progress and further contact with ROs from the Scotland Office was anticipated. <p>Counting Officers' fees / Superannuation</p> <ul style="list-style-type: none"> The recent communications from the Electoral Commission regarding the treatment of RO fees in terms of superannuation were noted. It is understood that a final position for Scotland has still to be agreed. | |
| 4 | Legislation | <p>Scottish Independence Referendum Bill (update from Scottish Government)</p> <ul style="list-style-type: none"> JN provided an update. There is currently negotiation on going with respect to a section 30 order with an aim to complete around mid October. Drafting of a bill would follow to be laid before Parliament in early 2013 (possibly March) The response to the Consultation on the Referendum are currently being considered and will be published in October with a response <p>Role of EMB in Referendum</p> <ul style="list-style-type: none"> ACTION SS and MP to meet to discuss. It is expected that the EMB will have the opportunity to comment on the Bill between now and its publication in March. | SS MP CH |

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| | | <p>RO Performance Standards</p> <ul style="list-style-type: none"> Note that all ROs had achieved the required performance standards. 7 ROs had assessed themselves as above the standard in various classifications. These had been referred to the Steering Group for consideration in terms of how to assess performance above the standard. The key issue is that all ROs at least met the standards | |
| 7 | IER Update and funding | <ul style="list-style-type: none"> BB and DG gave an update following their meetings with the Cabinet Office. The main issue of discussion has been the issue of funding. Process has been discussion and the point has been made that Scotland is different from England and Wales. A major area of concern is the proposal for a mini-canvas around 2015. This would pose timetabling challenges and certainly need finance. | |
| 8 | Preparation for European Elections 2014 | <p>Date of elections</p> <ul style="list-style-type: none"> The count will be held on the Sunday closest to the 10 June, with the poll on the previous Thursday in the UK. <p>Role of Regional Returning Officer</p> <ul style="list-style-type: none"> Role of RRO will need to be considered at some point. It might seem appropriate for Convener or EMB to take this responsibility but if s/he also had a role with respect to a Referendum a few months later then there could be a severe pressure on EMB resources. ACTION to be discussed in EMB meeting with Scottish Government to discuss resources. | CH MP SS |

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| 9 | EMB Resources | <ul style="list-style-type: none"> As noted earlier, to be discussed in meetings with the Scottish Government and the Electoral Commission | |
| 10 | Regional Returning Officers' Group and associated meeting | <ul style="list-style-type: none"> It seems now that there will be no House of Lords reform; however there may be issues to address with respect to revised constituency boundaries, IER, National Park elections (England and Wales), Community Council elections <ul style="list-style-type: none"> Some Boundary Changes may be significant. Note the Boundary Commission Consultation, with responses required by 7 November Health Board elections – whether national or not, these may require some additional work; even if there is no decision for a national approach in 2014 there may still be a need for new elections in Fife and Dumfries & Galloway. UK Funding review is underway, with an expected report from the Electoral Commission. Note that Scotland seems to spend more than elsewhere on the count and on the cost of postal vote handling. There is a review of the national Elections Steering Group underway with an expectation that it may develop into an “IEMB style” group of election practitioners. | |
| 11 | Scottish Political Parties Panel | <ul style="list-style-type: none"> Group had met on 25 September The Law Commission had attended to discuss their review of electoral law. It was expected that this would become a joint project to cover the whole of the UK Politicians had requested that preference information, generated by the eCounting system, be made available on websites in excel spreadsheets – as was done by Glasgow – rather than as pdfs, which had been used by some other authorities. | |

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| 12 | Evidence given to Scottish Parliament Local Government and Regeneration Committee: Evidence Session on Scottish Local Government Elections 2012, Wednesday 13 June 2012 (circulated) | <ul style="list-style-type: none"> • Noted • It was noted that the Committee may request further information from the EMB as they continue their work. | |
| 13 | Proposed EU Legislation: Right to stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (circulated) | <ul style="list-style-type: none"> • Noted | |
| 14 | Consultations | <p>"Individual Electoral Registration - Funding the Change " – SAA consultation response</p> <ul style="list-style-type: none"> • Noted. ACTION EMB to endorse SAA response <p>Scottish Government Referendum Consultation - (response circulated)</p> <ul style="list-style-type: none"> • Noted. | |

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| | | <p>Publication of preference profile information – (proposed response circulated)</p> <ul style="list-style-type: none"> • Noted <p>Law Commission: Reform of Electoral Law - consultation response & meeting with Law Commission</p> <ul style="list-style-type: none"> • Note that CH, GB and MP had met with representatives of the Law Commission following the PPP to discuss the scoping of the proposed review of electoral law. The SOLAR Working Group Action Note (circulated) was used as a framework for the discussion. • Paper to be expanded to reflect the discussion and then submitted to the Law Commission as a SOLAR response, endorsed by the EMB. <ul style="list-style-type: none"> ○ Add note on the role of the Electoral Commission with respect to monitoring ○ Note that the review was not to be concerned with the institutional framework for elections as such ○ ACTION GB to submit, as a EMB endorsed SOLAR response. <p>Proposed SOLAR training on electoral Law and Practice</p> <ul style="list-style-type: none"> • Note that recent SOLAR meeting had discussed the need for additional training for electoral administrators. There is a gap in training for election teams with respect to basic electoral law. Vital to succession planning. The proposal is to fill this with short courses on specific topics. • Note that a number of authorities are developing DVDs for polling staff training • There is a need to modernise training in general • ACTION – GB to lead within SOLAR on the development of a number of modules focussing on different elements of electoral law – nominations, | <p style="text-align: center;">GB</p> <p style="text-align: center;">GB</p> |

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| | | <p>count, polling etc</p> <ul style="list-style-type: none"> ○ DRO / legal experts from different authorities to be approached to assist / take responsibility for different modules. ○ EMB to endorse and promote. ○ Training not to duplicate AEA training but to be specific for Scotland and potentially built around the Electoral Commission guidance modules. <p>Cabinet Office review of treatment of rejected AVIs (response circulated)</p> <ul style="list-style-type: none"> • Noted | |
| 15 | Any Other Business | <p>Bulletin</p> <ul style="list-style-type: none"> • Attention needs to be given to the EMB's communication strategy. As previously discussed, web presence is needed • Bulletin to be drafted later in the year when there is sufficient material to make it worth while | CH |
| 16 | Dates of future meetings | <ul style="list-style-type: none"> • Next scheduled meeting was to be 16 November 2012, but this is to be rearranged ACTION CH to rearrange | Noted CH |
| Date of next meeting to be arranged | | | |