

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

ACTION NOTE: Friday 30 October 2015, 2pm

Chief Executive's Board Room

Waverley Court, East Market Street

EDINBURGH EH8 8BG

Present:

- **Board Members:** Mary Pitcaithly (MP Convener & RO), Joan Hewton (JH ERO), Pete Wildman (PW ERO), Elma Murray (EM RO), Andrew Kerr (AK RO) Sally Loudon (SL RO)
- **Advisers:** Gordon Blair (GB, DRO SOLAR representative) David Miller (DM DRO, AEA Rep), Alex Mowat (AM Scottish Government), Dougie McGregor (DMcG e-Counting Local Government Liaison), Andy O'Neill (AON Electoral Commission), Emma Lopinska (EL Scotland Office)
- **In attendance:** Chris Highcock (CH, Secretary to the Board, DRO), Liz Crawford (CEC), Mette Christensen (MC EC)

		NOTE	ACTION
1	Note of Previous Meeting/Apologies	<p>MP welcomed Sally Loudon to her first meeting of the EMB</p> <p>Apologies</p> <ul style="list-style-type: none"> • Ian Milton (IM ERO SAA) • Roddy Angus (RA Scottish Government) • Maria McCann (MMc Scottish Government) • Malcolm Burr (MB RO) • Stuart Galloway (SG DRO/ERO) • David Martin (DM RO) <p>Note of Previous Meeting (31 July 2015) & Matters Arising The Action Note was accepted as an accurate record of the meeting.</p>	noted

2	Matters Arising	<p>Royal Mail Rachel Winham (head of elections and local government for Royal Mail) has been invited to attend the November meeting. It was agreed that Rachel also request that that there is representation from the Wholesale side of the business to ensure that there is a consistency of approach across the whoel of Royal Mail, avoiding the issues and confusion of 2014.</p> <p>Personation The draft protocol on the proposed approach to personation is currently with the Electoral Commission. The SOLAR Elections Working Group would continue to consider the issues and advise prior tot 2016 polls</p>	<p>CH</p> <p>GB</p>
3	Update from Scottish Government re CO Fees (Scottish Independence Referendum)	<p>AM confirmed that the additional Fees and Charges Order has been made. It is expected that the final payments will be made to councils in the 1st week of December.</p>	
4	Scottish Parliamentary Elections 5 May 2016	<p>Update from Scottish Government</p> <p>AM advised that the Scottish Parliament (Elections etc) Order - would be laid next week (week commencing 2 November, with scrutiny by the Devolution Further Powers Committee of the Scottish Parliament on 12 November. The Committee had requested written evidence by 6 November ACTION CH to draft.</p>	<p>CH</p>

		<p>Update from Electoral Commission</p> <p>Public awareness – similar model to Scottish Independence Referendum. Feb/March 2016 social medial campaign. MOD, Facebook and BFTV to promote registration until 18th April. 6 page leaflet to all households in March – this is being developed and tested at the moment. TV, Radio and Press campaigns to support registration.</p> <p>Guidance for Candidates and Agents due Mid November with remainder of guidance documents out in mid December, Documents will be circulated for comment prior to being finalised for issue.</p> <p>Electoral Commission deadline for parties to register is 22nd February, new parties or changes to party emblems will need to be communicated to printers asap to avoid possible delays in the production of ballot papers.</p> <p>13 January – Pre Election Event at City Chambers in Edinburgh (joint Electoral Commission and EMB). Suggestions about what would add value to this event are welcome - ACTION proposals to CH or AON. The meeting suggested that some time /space for RROs and their Constituency RO’s to meet would be helpful.</p> <p>It was noted that there are a number of new RO’s and some elections teams have lost considerable experience recently.</p> <p>19 May – Post Election Event at the City Chambers Glasgow.</p>	<p>ALL</p>
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		<p>EMB Role and Recommendations</p> <p>It was noted that the SP is a complex and challenging event. 2 ballot papers, high turnout and requirement to collate the regional results, the variety and number of parties and independent candidates mean add to the challenge.</p> <p>Key timetable dates:</p> <ul style="list-style-type: none"> • Notice of Election is 14 March (<i>proposed EMB recommendation</i>) • Poll Cards issued 14/15 March (<i>proposed EMB recommendation</i>) • Nomination close 1 April • Postal Packs issued 11/12 April (<i>proposed EMB recommendation</i>) • 2nd issue Postal Pack 25 April <p>Printers will want data for Poll cards – 2 March. Potential for confusing messages to the public depending on the dates, especially given the AVI refresh underway 18 January & 29 Feb Postal Voters who have not refreshed their signatures will be removed.</p> <p>It was noted that Political Parties do like to see a clear consistent date for PV issue and that a 2nd issue on 25 April is quite late. ACTION consultation needed with Political Parties re proposed dates</p> <p>Note the SP Order changes arrangement such that Postal Votes packs can be reissued at any time if there is a valid reason to do so.</p> <p>EMB noted that consistency about the cut off date to be included in the first PV issue and use this date in communication with the public. ERO concern that they may not</p>	<p>CH</p>
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		<p>be able to include all people in the first batch because of their ability to process an unknown number of late registrations and PV requests – this may result in being unable to deliver. Further discussion required on this.</p> <p>DMcG advised that he would create a template spreadsheet for the allocation of Regional Seats for RROs. This is being tested and will be available for use.</p> <p>Electoral Integrity Briefing 22nd Feb</p> <p>Joint EMB / Electoral Commission briefing will be held with the Police Scotland SPOC in February. Agenda was shared.</p> <p>It was noted that Regional RO’s may have to deal with more than one printer – consistency in dates would be helpful - dates of issues as well as dates for the provision of data.</p> <p>ACTION liaison needed with printers, ROs, EROs to ensure that proposed dates are achievable</p>	<p>CH</p>
<p>5</p>	<p>Referendum on the UK’s membership of the European Union</p>	<p>CH attended EU Referendum Management Board (EURMB) on 13 October - No date for referendum as yet. Minimum notice will be 10 weeks, possibly 16 weeks. Noted that the risk register and project plans of all election teams across the country for SP election must account for potential of “back to back” polls e.g. a June Referendum.</p> <p>CCO is modelling her approach on the Scottish Independence Referendum.</p> <p>Concerns expressed that the guidance of 2500 Electors per station does not reflect practice in Scotland. The terms “polling station” and “polling place” seem to be</p>	

		<p>confused. If we have 2500 electors per <i>station</i> we will not be able to process that number of people in the polling day and if funding is based on this number of electors per station we will be underfunded.</p> <p>Concern noted about possible confusion for EU citizens and under 18s in Scotland who will be eligible to vote in May 2016 and may 2017 but may not be eligible to vote in the Euro referendum. ACTION – clear communications needed in the period before the Referendum to ensure that there is clarity about the franchise.</p> <p>Prior communication required to avoid management issues in the run up to the referendum or on Polling day.</p> <p>Appointment of Regional Counting Officers</p> <p>Order for the appointment of RROs has yet to be made, but it is anticipated that they will be from the same authorities as had the role in 2011.</p> <p>The Electoral Commission is developing a collation tool / website. It was recognised that this will be used by a variety of areas and circumstances. The tool is currently being tested and DMcG is participating in the test, given his leading of the collation of results for the SIR in 2014.</p> <p>Public awareness work from the Electoral Commission will follow the Scottish Independence Referendum model – with a booklet for all households with a page for each campaign etc.</p> <p>Caroline Binnie (Falkirk) has been nominated as Scotland rep on the EC national Communications group</p>	<p>CH / ALL</p>
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<p>6</p>	<p>Scottish Local Government Elections 2017</p>	<p>eCounting for 2017 Local Government Elections</p> <p>MP expressed the Board’s thanks to thank to James Mathieson, David Miller and Barbara MacGregor for their work throughout the procurement process.</p> <p>CGI and their technology partner IDOX will be the count supplier. Technical compliance testing is underway until December with a programme of development and training through 2016, 3 or 4 weeks of RO staff familiarisation from mid January.</p> <p>Issue or Pens vs Pencils to be resolved.</p> <p>Letter will be issued shortly seeking user group volunteers</p> <p>ACTION AM to note that any changes to legislation now will pose a risk to delivery now that technical compliance and user testing is scheduled.</p>	<p>AM</p>
<p>7</p>	<p>Other Electoral Events/Issues</p>	<p>EL to ask Cabinet Office when the of Recall of MP legislation would come into force.</p> <p>It was noted that the EMB had provided comments on draft Fees and Charges order associated with the recall legislation.</p>	<p>EL</p>
<p>8</p>	<p>Update on Registration Issues</p>	<p>IER Transition</p> <p>The end of the transition to IER is now 1 December 2015. There is some political concern about likely drop off rates from the register. EROs noted that figures currently available would be subject to change and would need to be heavily caveated. ACTION EROs recognise the urgent need for briefings for ROs and political groups. It was recognised that multiple efforts had been made to get people to register (e.g. 9 separate letters in Lothian)</p>	

		<p>EM RO indicated that she had locality staff out in areas every day; they could perhaps assist the ERO if necessary.</p> <p>It was noted that Schools Registration rates are not high. MP willing to write to other Chief Executives to seek assistance on this. ACTION to be raised at SOLACE.</p>	MP
9	Local Government by-elections	<p>It was noted that there were still by-elections pending. A discussion took place regarding the need to adequately resource ballot box opening for e-counts to prevent delays.</p>	
10	EMB Role, Resources	<p>EMB Membership MP welcomed Sally Loudon to the Board.</p> <p>Website It was noted that resources are now available to refresh the Website. Work is underway. Initially all members have been asked to submit update biographies.</p>	CH
11	Election Petition: MP for Orkney and Shetland	<p>It was noted that the case against Alistair Carmichael, MP for Orkney and Shetland is continuing. For clarity it was stressed that while the RO was mentioned in the petition there is not implication that any actions of the RO were at fault. The outcome of the case will be monitored as it may have implications for future electoral events and advice given to candidates.</p>	CH
12	Party Conferences – Autumn 2015	<p>EMB and Electoral Commission had attended Party Conferences for SNP, Lib Dems, Greens and will attend the Labour conference. Response has been good with positive feedback and range of questions</p>	
13	Law Commissions’ Review of Electoral Law	<p>The Commissions are aiming to finalise our substantive law reform recommendations by the end of the year. There will then be a further review point.</p>	

		If the Commissions and Government decide to continue with the project, we aim to publish a final report and Bill in early 2017.	
14	Electoral Fraud	<p>Call for Evidence by Sir Eric Pickles EMB had submitted evidence to the review being undertaken by Sir Eric Pickles in his consideration of electoral fraud. Deadline for submission was 8 October. After considering all of the evidence, Sir Eric will provide a report to the Prime Minister with recommendations and proposals for change by the end of 2015.</p>	
15	Regional Returning Officers' Group and associated meetings	<p>Elections & Registrations Working Group/EU Referendum Delivery Group – update from Secretary Paper from the EU Referendum Delivery Group was circulated.</p> <p>Electoral Advisory Board/EU Referendum Management Board – update from Convener CH attended 13 October Meeting as noted above. Papers circulated.</p>	CH
16	AOB	<p>It was noted that EMB has been asked to participate in a project led by the Electoral Commission to review STV count processes in Northern Ireland. CH DMcG and SG have led planning workshops and will be attending a mock count in Ballymena Calls for recount at by election – need to support train new RO's</p> <p>Adjudication of Doubful votes</p> <p>Issue raised by Election Team in Moray. This reiterates the need for consistency across the whoel country. Even issues which the EMB thought had been resolved d need to be refreshed due to turnover in election teams. RO and RROs to be briefed prior to SP elections and LG elections in 2017.</p>	CH

		<p>Pensions regulations – impact on staff employed by ROs - further research needed to clarify position with respect to need to offer pension (even though it would not be taken by anyone)</p> <p>Resourcing of Elections – all councils are facing significant budget constraints given likely tight settlement with the possibility of reduced staff numbers. It was noted that May 16 – May 17 would see 3 elections in a year. Teams need to be set up to deliver this. Also need to recognise that the council staff that we rely on to do Polling, Postal Vote Opening and Count – may not be available in future given reorganisations, review and redundancy.</p> <p>It was noted that South Lanarkshire had recently undertaken an exercise to assess comparative costs and fees across councils.</p> <p>ACTION MP to highlight the key issues at SOLACE – 3 major electoral events in 12 months.</p> <p>Finance Claims for the UK Parliamentary GE</p> <p>Deadline is 9 November. It was noted that while improved the level of scrutiny far exceeds that applied to other similar levels of expenditure usually undertaken by local authorities and this level of scrutiny may not be necessary</p>	<p>MP</p>
<p>17</p>	<p>Date of Next Meeting</p>	<p>27 November 2015, 2pm, Boardroom, City of Edinburgh Council HQ</p>	
<p>Date of future meetings: NO MEETING SCHEDULED FOR DECEMEBER 2015; Meetings in 2016 will commence in January on the day of COSLA/SOLACE and continue monthly as usual</p>			