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| ELECTORAL MANAGEMENT BOARD FOR SCOTLAND **ACTION NOTE: 2PM 16 DECEMBER 2020**  ***HELD BY MS TEAMS DUE TO CORONAVIRUS RESTRICTIONS*** | | | | | | | |
| Present:   * Board Members: Malcolm Burr (MB, Convener & RO), Pete Wildman (PW ERO), Steve Grimmond (SG RO), Kenneth Lawrie (KL, RO), Andrew Kerr (AK RO), Jim Savege, (JS RO), Ian Milton (IM ERO), Kate Crawford (KC ERO) * Advisers: Dr Penny Curtis (PC Scottish Government), Mark Conaghan (MC DRO/SOLAR rep), David Miller (DM DRO/AEA Rep), Andy O’Neill (AON Electoral Commission), Martin McKeown, (MM Electoral Commission), Catherine Heggie (KH, Electoral Commission), Paul Docker (PD Cabinet Office). Iain Hockenheim (IH, Scottish Government), James Newman (JN Scottish Government) Roger Mennie (DRO, RM), Sarah Mackie (SM Electoral Commission) * In attendance: Chris Highcock (CH Secretary to the Board/DRO), Supt Gerry Corrigan (Police Scotland) | | | | | | | |
|  | | |  | **NOTE** | | **ACTION** | |
| **1.0/2.0** | | | **Note of Previous Meeting (20 November 2020)**  **Apologies / Matters Arising** | * Noted and accepted as an accurate record; * Apologies noted from David Martin (RO) and Isabel Drummond-Murray (Boundaries Scotland) * The Convener noted for formal record his appreciation for the work of David Martin, RO for Dundee and previously Renfrewshire and Chief Executive of Dundee City Council, as a Member of the EMB and a Returning Officer over many years. * Joyce White, RO for West Dunbartonshire will join the EMB from January 2021 | | **Noted** | |
| **3.0** | **Scottish Parliament Election 6 May 2021** | | | It was noted that [The Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2020](http://www.legislation.gov.uk/id/ssi/2020/426) is now in force  **Update on the** [**Scottish General Election (Coronavirus) Bill**](https://beta.parliament.scot/bills/Scottish-General-Election-Coronavirus-Bill)  It was noted that the Convener of the EMB had provided an Advice Note to Ministers assessing the need for multiple days of poll. This stressed that a single day of poll should be sufficient with sufficient measures to support polling to address potential queues. The conditions will continue to be monitored.  **ACTION** EMB will also consider whether an additional Direction is needed with respect to polling schemes and the number of voters allocated to each polling station.  It was noted that more amendments to the Bill are being discussed and that the Convener will discuss the practical implications of these with the Minister in coming days. There is a general consensus of support in Parliament for the Bill and broad appreciation of the support from the EMB.  **Directions to ROs and EROs from the Convener of the EMB – *circulated***  Revised Directions to be issued by the Convener to ROS and EROs were considered. These had been the subject of previous consultation with the EMB and with the Electoral Commission as required by law.  Some concern was expressed over the new deadline for postal vote applications and the date of Easter. **ACTION** CH to contact Royal Mail to check plans for service on Good Friday and Easter Monday.  ERO members expressed some concern about the wording of Direction 7 dealing with the development of ERO capacity to support the suggested volume of postal vote applications. It was confirmed that they were required to take all “reasonable steps” and this would require further polling and monitoring to assess the capacity needed. **ACTION** PW and MB to discuss prior to issue of directions.  IM noted that there would be volumes that EROs simply could not process in time, e.g. if 70% of the electorate were to apply for a postal vote. MB confirmed that the context to the Directions was reasonableness, that the Directions were based on the best current information and that there would be continued monitoring to highlight concern if capacity was at risk of being breached.  MC noted that there is an argument for a further Direction with respect to polling schemes to support a single day of poll and address potential queues. JS agreed that early clarity would be needed given current allocation of voters in many areas.  **ACTION** additional Direction to be considered for issue in January 2021 specifying a maximum of 800 voters in person to be allocated to each station. There would be an exception process to any such Direction.  JS noted the proposals from Modern Democracy to support electronic registers which may have benefits in COVID conditions. It was agreed that there was no funding to support and no legal scope for the use of electronic registers at polling stations at present.  **Timing of the Count** – A day time count on the day following poll is preferred given the pressures of social distancing etc. Social distancing may also imply counts that take several days. **ACTION** a further Direction may be considered but at present it is accepted that ROs are working on the assumption of a day time count and this seems to be accepted by the politicians.  **Joint Briefing Event *– oral update from Electoral Commission***  It was noted that the event was now planned for 5 February to be held by Teams. Information would be circulated to ROs and EROs before Christmas by the Electoral Commission.  **Risk Register *– circulated***  Risk register was in draft and noted. **ACTION** CH to maintain under review and update as needed.  **Police Scotland support for ROs and EROS**  Supt Gerry Corrigan, National SPOC was attendance. The command structure for support of elections in 2021 was outlined with the ACC Mark Williams in Gold. General support to ROs and EROS will be given by the 18 Divisional SPOCs. It is again the intention of Police Scotland to work with candidates to provide security advice so they will be looking for candidate details from nomination. Other intelligence will be provided to the Convener as necessary.  Supt Corrigan will continue to attend EMB meetings leading up to the Election. | | **CH**  **PW MB**  **CH MB**  **CH MB**  **CH MB**  **MMCK**  **CH** | |
| **4.0** | | | **Preparation for Scottish Local Government Elections 5 May 2022** | **eCount for 2022 Scottish Local Government Elections**  Project Board report was circulated. Initial training and demonstration had now been delivered to the 32 local authorities. This had been well received with no major issues.  Issue of ballot papers tearing identified at Edinburgh by-election will not be repeated. The score [Chris: is this right?]is no longer needed as the scanners are now sufficiently sensitive that the fold does not matter to the accuracy. | |  | |
| **5.0** | | | **Referendum Guidance** | In final draft and will be considered further at the February meeting of the EMB **ACTION** CH to add to February agenda. | | **CH** | |
| **6.0** | | | **Local Government By-elections -** | **Update on postponements**  Paper circulated showing the remaining by-elections that have been postponed or rescheduled to March 2021. ROs will keep all under review given volatile changing circumstances.  **Observations from Electoral Commission**  Electoral Commission are drafting a report that will be circulated shortly. The events in October and November were all well delivered under challenging circumstances. There has been much interest across GB seeking to learn the lessons of the events. Report will be published first week in January 2021. | |  | |
| **7.0** | | | **Scottish Government Update** | Paper previously circulated by the Scottish Government covering key legislative activity including Scottish Parliament Election 2021 – Contingency Planning, Postal voting planning, Scottish Parliament Election 2021 - Conduct Order and the Scottish Elections (Franchise and Representation) Act 2020 | |  | |
| **8.0** | | | **Electoral Commission General Update** | **Guidance**  Revised Guidance for the SP elections has been published including a series of supplementary guides dealing with the Coronavirus conditions.  Note that the Electoral Commission has circulated its Management Information Survey. It was noted that much of the information sought will still need to be clarified.  **Activity in Schools ahead of the 2021 election**  Range of work planned in schools commencing week of 22 February 2021. Electoral Commission will continue to keep EMB informed of work.  **Democracy Club polling station data**  It was noted that Democracy Club were seeking accurate data on polling place locations from ROs to allow construction of their database. **ACTION** CH an SM to meet with Democracy Club early in 2021. | | **CH SM** | |
| **9.0** | | | **Electoral Registration Update from the Electoral Registration Committee of the SAA** | PW offered a brief update on the work of the EROs across the country. All registers were published on 1 December except for Glasgow. Statistics indicate that there is no apparent increase in postal vote numbers. Postal vote numbers will be monitored monthly an discussed within the regular SAA meetings.  It was noted that some prisoners had already registered to vote. | |  | |
| **10.0** | | | **Local Government Boundary Commission for Scotland update** | No new update provided. | |  | |
| **11.0** | | | **Regional Returning Officers’ Group / ECAB and associated meetings** | ECAB had been focussed on review of updated Electoral Commission guidance and there had been much interest across GB in the experience of Scotland in delivering by-elections under COVID conditions. | |  | |
| **12.0** | | | **AEA Branch Update** | No update provided. All issues dealt with elsewhere in the meeting. | |  | |
| **13.0** | | | **EMB Membership** | **New Member from January 2021**  As discussed earlier Joyce White will be a member of the EMB from January 2021.  **EMB Members deputising for Convener in the case of temporary incapacity**  A Paper had been circulated identifying proposed arrangements for RO EMB members to deputise for the Convener if he were to be temporarily incapacitated. The Board agreed to the proposal **ACTION** CH to update appointment letters an circulate. | | **CH** | |
| **14.0** | | | **Any other business** | None | |  | |

**Dates of Future Meetings**

To be confirmed

Proposed dates:

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| **Date all 2pm** |
| **27 January** |
| **24 February** |
| **24 March** |
| **28 April** |