



Elections Scotland

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND

Malcolm Burr

Convener of the Board

**FOR THE ATTENTION OF ALL
RETURNING OFFICERS AND
ELECTORAL REGISTRATION OFFICERS IN
SCOTLAND**

Our Ref: CH051121/SLGE22DIR

Your Ref:

Date: 5 November 2021

Dear Returning Officer/Electoral Registration Officer,

SCOTTISH LOCAL GOVERNMENT ELECTIONS 5 MAY 2022: DIRECTIONS FROM THE CONVENER OF THE ELECTORAL MANAGEMENT BOARD (EMB)

The Local Electoral Administration (Scotland) Act 2011 as amended by the Scottish Elections (Reform) Act 2020 gives the Convener of the EMB authority to make Directions to Returning Officers (ROs) and Electoral Registration Officers (EROs) in relation to the exercise of your functions in delivering Scottish Local Government Elections.

The EMB has considered the major issues related to the delivery of these elections in May 2022 and I have determined that it is appropriate to make a number of Directions with respect to elements of the election process. These Directions are the product of the experience of delivery of a number of major electoral events over recent years, especially the Scottish Parliament Election in May of 2021 which has provided many lessons to ROs and EROs. They are also informed by a review of the conduct of the Scottish Local Government Elections in May 2017 and subsequent by-elections, especially those under Covid conditions. Our successful operation in the context of the pandemic has a legacy that will continue into future events.

Purpose of the Directions

The Directions are intended to coordinate delivery of the elections across Scotland to promote the interests of the voter. The overall goal, as ever, is to deliver results that will be trusted as accurate, resulting from elections that are accessible, consistent, efficient and secure. The experience of COVID emphasised that there is a duty to promote operations that are safe for all stakeholders not just in terms of electoral integrity, but also around health. These goals are to be achieved through a consistency in voter experience and a resilient approach to planning. The Directions will assist ROs, EROs and other persons in carrying out their functions. I also intend that they will promote best practice in the planning and management of elections in Scotland.

The Gould Principle

These Directions are being made today which is six months ahead of the election to which they apply, which allows me to comply with the principle established by the Gould Report of allowing this minimum interval ahead of any electoral event should new legislation, rules or regulations be applied.

Consultation

As required by legislation the Directions have been the subject of formal consultation with the EMB, which includes both ROs and EROs, and with the Electoral Commission. The final Directions attached reflect comments from those consultations. There have also been informal discussions with print and IT suppliers to ensure that they are aware of the production schedules that will be required, and with Royal Mail. At its meeting on 28 October 2021 the EMB considered this final set of Directions. Following discussion at that meeting I am now content formally to make the Directions which are presented in Appendix 1. This includes a full statement of the Directions with a short commentary where clarification might be useful.

Scope for Additional Directions

It is the hope of all that the public health situation will improve over the coming months. However we all know that circumstances, regulations and guidance are frequently changing given the fluid nature of the COVID situation. The EMB continues to engage with Public Health Scotland to ensure that our approach is informed and guided by the latest advice. The [EMB supplementary guidance](#) for the delivery of elections under Covid conditions remains valid. The EMB will keep these issues under review and if necessary and appropriate additional directions will be issued. I would always seek to make any such Directions as early as possible to support your planning. It is expected that the elections will at least be delivered in a “Covid sensitive” manner; while there may not be a public health *need*, the arrangements from 2021 in terms of physical distancing, enhanced ventilation, hand hygiene, Perspex screens, fresh pencils and regular cleansing etc may well be *expected*. You should continue to engage with your local Health and Safety advisers and Director of Public Health.

Recommendations

Included with the Directions are a set of “recommendations”. While not formally given as Directions, ROs and EROs should give appropriate attention to those areas. Some of these are related to measures that may be recommended to address public health issues arising from the Coronavirus pandemic, others address good practice in the delivery of the count.

Print Timetable

Also enclosed as Appendix 2 is a timetable that has been developed by the Print Working Group of the eCount Project which shows the various tasks and deadlines, with a note of those who own any tasks. I trust that this will be useful in your planning and project management, given that there is a single print supplier.

Briefing Event

I have a regular, if brief, opportunity at each SOLACE meeting to speak to Chief Executives in a forum that allows most ROs to consider election issues corporately. I would like to stress that in addition to that meeting I am available to any Returning Officer to discuss concerns around the delivery of particular electoral events and especially as 5 May 2022 approaches. The community of electoral professionals in Scotland is small but is also both supportive, helpful and experienced. I am encouraged that there are always those who are willing to offer advice, expertise and support to colleagues.

The EMB is holding a Joint Seminar with the Electoral Commission for ROs and EROs on **27 January 2022** which will address a range of issues related to your planning and delivery of the elections next year. This will build very much on the lessons from May 2021, particularly considering issues of resilience and picking up on some elements where we know improvement is possible. I look forward to seeing you at that event. More information will be circulated shortly by the Electoral Commission but please hold the date in your diary.

If you have any questions about these Directions, please do not hesitate to contact me directly or to speak to the Secretary of the EMB, Chris Highcock, (chris.highcock@edinburgh.gov.uk 0131 469 3126).

Yours sincerely,

MALCOLM BARR

Convener of the Electoral Management Board for Scotland

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Appendix 1 – Scottish Local Government Elections 2022, Directions to Returning Officers and Electoral Registration Officers from the Convener of the Electoral Management Board for Scotland

Appendix 2 - Local Government Elections Scotland 5 May 2022 Print Schedule

