

ELECTORAL MANAGEMENT BOARD FOR SCOTLAND
ACTION NOTE: 14 December 2011 3:00pm
City of Edinburgh Council HQ

Present:

- **Board members:** Mary Pitcaithly (MP Convener & RO), Brian Byrne (BB ERO, SAA rep), Douglas Gillespie (DG ERO), David Anderson (DA RO) Joan Hewton (JH ERO)
- **Advisers:** Andy O'Neill (AON Electoral Commission) David Freeland (DF Electoral Commission) Alex Thomson (AT Scottish Government Consultant) Roddy Angus (RA Scotland Office) Gordon Blair (GB DRO SOLAR rep) Steve Sadler (SS Scottish Government)
- **In attendance:** Chris Highcock (CH Secretary to the Board DRO) Colin Dingwall (CD Cabinet Office)

		NOTE	ACTION / RESPONSIBLE
	Presentation: Colin Dingwall (Cabinet Office) – The Transition to Individual Electoral Registration	<ul style="list-style-type: none"> • Presentation on issues associated with the transition to individual electoral registration. • Further questions clarified that registration remained voluntary • ACTION CH to circulate the slides from the presentation • ACTION ALL to consider any questions arising from the presentation and forward to Cabinet Office. 	<p>CH</p> <p>ALL</p>
1	Apologies	<ul style="list-style-type: none"> • Stuart Galloway (SG DRO) • Sheila Scobie (SSc Scotland Office) • Billy Pollock (WP DRO AEA rep) • Malcolm Burr, (MB RO), • Bob Jack (RJ RO), • Andy Sinclair (AS Scottish Government) • Jon Harris (JH COSLA), 	Noted
2	Note of Previous Meeting (18 November 2011)	<ul style="list-style-type: none"> • Accepted as an accurate record. • There were no matters arising which were not already on the agenda. 	Noted

		NOTE	ACTION / RESPONSIBLE
3	Preparation for Scottish Local Government Elections 2012	<p>Legislation</p> <p>Supplementary legislation (update from Scottish Government) (circulated)</p> <ul style="list-style-type: none"> • SS noted the two pieces of supplementary legislation that were being laid before Parliament: <ul style="list-style-type: none"> • The Scottish Local Government Elections Amendment Order 2012 • Local Electoral Administration (Scotland) Act 2011 (Consequential Amendments) Order 2012 • Work was also being undertaken to consider a revision to the appropriate level for candidates expenses. It was expected that these may be increased in line with inflation since the last review • ACTION CH to highlight these issues in the next Bulletin <p>Note of other source legislation (circulated)</p> <ul style="list-style-type: none"> • A summary of other source legislation relating to the elections had been circulated. The addition of some commentary to explain what each element covers was suggested. • ACTION CH and DF to discuss <p>EMB Work Programme Update</p> <p>Pre Election Period – Draft Guidance Material (circulated)</p> <ul style="list-style-type: none"> • The draft paper had been well received at the Communications Network meeting on 13 December. It was noted that this was guidance from the Board and while national consistency was the target, this was not issued under the power of direction. • ACTION CH to circulate to Chief Executives (not Returning Officers) 	<p style="text-align: center;">Noted</p> <p style="text-align: center;">CH</p> <p style="text-align: center;">CH DF</p> <p style="text-align: center;">CH</p>

		NOTE	ACTION / RESPONSIBLE
		<p>Consultation Paper on Count Timing (circulated)</p> <ul style="list-style-type: none"> • Draft paper had been circulated • Paper was to be amended on the basis of comments already submitted and also raised in discussion: <ul style="list-style-type: none"> • Not every Council election since 1995 had been the next day: some ROs had undertaken parallel overnight counts for combined SP/local elections • Issue about impact of Geography should be moved to align with comments on national consistency • Paper should ensure that the focus is on the needs of the voter, not the restrictions of suppliers or systems • Wording to be revised to make consultation element more explicit – actively seeking comment • Convener must consult with Electoral Commission and Board prior to issue of any Direction • On the basis of responses Convener to consider direction early in 2012 • ACTION – CH to issue to stakeholders with a deadline for responses of 6 January 2012 <ul style="list-style-type: none"> • Stakeholders to include: All ROs, All EROs, PPP, Electoral Commission, the COSLA Leadership Group and media. • ACTION – Electoral Commission to provide details of their media contacts <p>Information in the Count Centre for Observers (to follow)</p> <ul style="list-style-type: none"> • Guidance drafted by AT was tabled. It had been written to build on the Electoral Commission Guidance and the EDS • It was noted that this would be part of a portfolio of guidance including material to be displayed at the Count Centre, PA announcements etc. • There was some discussion around the degree to which the guidance should highlight particular areas of attention for observers but the focus was to be on transparency to limit the potential for calls for recounts • ACTION – ALL to review and supply comments to AT • ACTION AT CH and AON to meet to finalise the document, to bring a final 	<p style="text-align: center;">CH</p> <p style="text-align: center;">Electoral Commission AON</p> <p style="text-align: center;">ALL AT CH AON</p>

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		<p>version to the next EMB on 27 January 2012</p> <ul style="list-style-type: none"> • ACTION In the context of discussions around count timing it was to be stressed that if there was a next day count it should be made clear to candidates and agents that no boxes would be opened until the next day, although there may be some work undertaken overnight e.g. AVI checking and verification of Ballot Paper Accounts <p>E Counting</p> <ul style="list-style-type: none"> • The eCounting Project Board had met on 13 December. The action note and papers would be circulated and the issues below were all discussed at that meeting <p>Printing Issues</p> <ul style="list-style-type: none"> • As announced at the seminar on the 6 December the Scottish Government had agreed with the eCounting supplier that: <ul style="list-style-type: none"> • Postals would be printed separately • Produced loose-leaf to facilitate filling of postal vote packs • Delivered to printers if required • Delivered earlier than the 18 April that had previously been intimated • All the associated additional costs would be met by the Scottish Government • ACTION AS to circulate a note of these issues to all ROs and EROs • ACTION postal vote delivery date to be clarified. <p>Training</p> <ul style="list-style-type: none"> • Logica are preparing training plans for Councils, with training for all staff through March. Logica Count Managers would be involved in the training for their local authorities • eLearning package has been finalised and released to Councils. A public facing solution would be released for Parties etc in the new year. • Note that Logica were identifying their top 50 managers to be present at counts to assist in PR / media management if necessary. The RO would 	<p>CH</p> <p>AS</p> <p>AS</p>

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		<p>retain full control of the election and all communications</p> <ul style="list-style-type: none"> Logica are to bring details of the 'job description' for these officers to the next Project Board meeting (as ROs are anxious to ensure that the Logica senior managers' role fits into the structure for election night) <p>Lessons from recent by-elections</p> <ul style="list-style-type: none"> There had been some concern over reported difficulties with the eCounting solution used at recent by-elections in Hillhead and Hamilton. Scottish Government had discussed with Logica and they had stressed that while the software was the same as will be used in 2012 the rest of the arrangements were not, another contractor had been responsible for these counts. There had been an issue with scanning in Glasgow but that was due to the hardware used. Other concerns were raised regarding the adjudication rates. ACTION Scottish Government to investigate and report to next Project Board and then EMB. It was apparent from both by-elections that ROs need to ensure that they adequately resource and plan for ballot box opening and paper preparation. Mis-oriented papers will have a significant impact on scanning times. <p>Official Mark</p> <ul style="list-style-type: none"> Officers in City of Edinburgh Council were to design an official mark for all ballot papers. Several options would be offered to the Convener for decision at the Board <p>Ballot Boxes</p> <ul style="list-style-type: none"> Final design of the ballot box is awaited. Description has been seen by Scottish Government with an insert which should prevent papers from being jumbled in transit. However, SG hadn't seen the sample, only a description of it. The prototype is expected imminently 	<p>Scottish Government</p>

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		<p>Tactile Devices</p> <ul style="list-style-type: none"> Westminster style Tactile devices should be appropriate for these papers, but ROs need to ensure that staff are trained to help the visually impaired to vote without if necessary. <p>Adjudication</p> <ul style="list-style-type: none"> Adjudication issues would be discussed at the forthcoming seminars in February / March. Key issues from by-elections seems to be 2 against second candidate etc. Guidance is clear that this is not acceptable – there is no first preference. <p>Recounts</p> <ul style="list-style-type: none"> eCounting Project Board had discussed a paper on recounts. Note that a recount is only possible after the whole system and count has been cleared down. ROs should ensure that they communicate and involved observers through out the process to ensure that they are happy with the process at each stage to minimise the chance of recount requests. Clear communications before the count are also important and at each stage – verification and scanning. <p>Update from Electoral Commission</p> <ul style="list-style-type: none"> Guidance for ROs should be released on 16 December RO Performance Standards should be released 19 December Briefings in February / March in Edinburgh, Glasgow, Perth and Kilmarnock should cover <ul style="list-style-type: none"> AVI checking – workshop on signature checking with input from the Forensic Science Service Adjudication of doubtful votes Integrity issues 	

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		<p>Public Awareness</p> <ul style="list-style-type: none"> • Communications Network had met on 13 December to discuss work in preparation for May 2012. Campaign would have three targets: <ul style="list-style-type: none"> • How to vote • Confidence in the system / integrity • Turnout • Other issues were discussed including the Pre-Election Period and the increasing use of Social media <p>Postal Voting</p> <ul style="list-style-type: none"> • Note that Ian McKay would attend EMB in January to discuss these issues • EROs raised concern about the potential price increases that had been rumoured from the Royal Mail. ACTION CH to raise with Ian McKay <p>Royal Mail</p> <ul style="list-style-type: none"> • Ian McKay – Director of Scottish Affairs - had been invited to attend the next meeting of the EMB 	CH
4	EMB Administration	<p>Appointments</p> <ul style="list-style-type: none"> • Formal letters of appointment to be sent to each Board member • EROs had identified nominees for membership – BB, JH and DG <p>EMB Subgroups</p> <ul style="list-style-type: none"> • Forms Group – work was continuing and material would be placed on the Communities of Practice site as completed. The Forms Working Group has been working together with the Commission to develop templates for May 2012. The template poll cards and postal voting statements, plus postal voting guides, will be available on the Commission's website from Monday 19 December. We will also be notifying the printers and suppliers that the templates have been published. Next steps are to develop the 'guidance for voters' notice in the New Year (for publication in February). 	

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		<ul style="list-style-type: none"> • Communications Network – see above 	
5	Bulletin / Newsletter	<ul style="list-style-type: none"> • Future topics: <ul style="list-style-type: none"> • Revised Legislation • Count Timing • Recounts • Adjudication • Information for Candidates and Agents • Risk e.g. Industrial action 	CH
6	By-elections	<ul style="list-style-type: none"> • Noted above 	Noted
7	Regional Returning Officers' Group and associated meetings	<ul style="list-style-type: none"> • Noted 	Noted
8	Scottish Political Parties Panel	<ul style="list-style-type: none"> • Next meeting 31 January 2012 • Actions from last meeting: <ul style="list-style-type: none"> • SNP had requested consistent polling district numbering formats for Scotland. BB had discussed this with them and explained the difficulties given the different software systems • SNP had requested information on the approach for the aggregation of ballot boxes in the post election information ACTION RA to share the methodology used by the Scotland Office in 2007. The aim needs to be simple – combine with another polling station in the same place if possible or if not with an adjacent place. EMB to consider 	Noted RA EMB / CH / AT
9	Consultations Review of UK Parliament Constituencies in	<ul style="list-style-type: none"> • Electoral Commission Consultation on Count Timing was noted. Response needed in March 2012. 	CH

		NOTE	ACTION / RESPONSIBLE
	Scotland - Initial Proposals		
10	Any Other Business	<ul style="list-style-type: none"> • SG had asked that the following issues be raised: • Potential for Industrial Action on 3 May – should be noted as a Risk ACTION CH to note in next bulletin • National list of those who have taken severance payments in 2007 so that it is clear that they are ineligible to stand. ACTION Ensure that this is clearly stated in the Nomination Papers. RO must accept the paper on face value. 	<p>Noted</p> <p>Forms Group</p>
11	Dates of future meetings	<p>The following dates were agreed for the EMB meetings in 2012, starting at 2pm</p> <ul style="list-style-type: none"> • 27 January 2012 • 24 February 2012 • 30 March 2012 • 20 April 2012 • 25 May 2012 • 29 June 2012 • 31 August 2012 • 28 September 2012 • 19 October 2012 • 16 November 2012 • 14 December 2012 	<p>ALL</p>
Date of next meeting - 27 January 2012, 2pm			