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26 June 2025 2PM Action Note of Meeting

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| **Attendance/Apologies** | **Attendance**: Chris Highcock (Secretary of the EMB) , James Newman (Scottish Government), Jim Savege (RO Member of EMB), Karen Greaves (RO Member of EMB), Liz Ure (Scottish Government), Mark Adam (ERO Member of the EMB), Mark Conaghan (SOLAR rep on EMB), Malcolm Burr (Convener of the EMB), Paul Docker (UK Government) , Brian Rout (ERO Member of the EMB), Robert Nicol (ERO Member of the EMB), Kelsey Gillies (Electoral Commission), Alison Davidson (Electoral Commission), Emma Swift (Electoral Commission),  **Apologies**: Kenneth Lawrie (RO Member of the EMB), Pippa Milne, (RO Member of the EMB), Peter Hessett (RO Member of the EMB)  **In attendance** – Andrew Kerr – Chair of the Independent Review into the Process for Determining Electoral Boundaries in Scotland |
| **Action Note from meeting of EMB on 24 April 2025/ Actions Outstanding** | * Note accepted * No actions outstanding |
| **Presentation by Andrew Kerr OBE:**  **Process for Determining Electoral Boundaries in Scotland –** | * Paper from AK had been circulated. AK outlined the issues addressed in the review and the process underway. * **ACTION** – EMB to submit a response to the review addressing practical issues but also noting that policy issues are outwith EMB remit. Deadline for response is 7 August 2025. * **ACTION** – RO and ERO members and their councils to be encouraged to submit their own responses. |
| **Postal Vote/Print Roundtable –Letter to UK Minister** | * Letter from Rushanara Ali M, Parliamentary Under-Secretary of State for Homelessness and Democracy, noted in response to the EMB sharing the findings of the roundtable event on print and postal voting. * Letter from Jamie Hepburn MSP, Minister for Parliamentary Business also noted; Conduct Order for Scottish Parliament election too advanced for major change in response, but some of these issues could be picked up for the SLGE in 2027. * Note that the UK Government will be publishing a Strategy paper setting out the approach to electoral reform later in the year. * **ACTION** – EMB to consider and respond to UK Strategy paper when published, and input to any subsequent legislation to ensure interests of voters in Scotland are maintained. * **ACTION** – EMB to continue to engage with SG as rules for SLGE in 2027 are developed |
| **Local Government By-elections** | * Recent by-elections were noted including performance of Fujitsu/Idox at eCounts. * Adjudication rates were noted. * Idox were experimenting with a different printer and with glued rather than perforated books. |
| **Scottish Parliament By-election in the Hamilton, Larkhall and Stonehouse constituency** | * By-election had been delivered successfully * Both EMB and EC had provided a range of support and advice to the DRO and team. * Any lessons to be highlighted to inform delivery of SP election in May 2026 |
| **Manual Verification and Count: Good Practice** | * Paper had been circulated noting the background, aims, workstreams and proposed approach to the work * Timeline proposes meetings in August, September and November, with a seminar in January. * **ACTION** – Progress to be reported to the EMB as the work continue. |
| **Accessibility Subgroup – general update** | * The accessibility sub-group met on 12th June 2025. The Group agreed to seek the EMB’s agreement to use ballot paper overlays at the 2026 Scottish Parliament election. It was also agreed to invite the EMB to decide on an audio solution, either a national telephone service procured centrally by the EMB, or an online and telephone audio service to be provided by individual local authorities and supplemented by EMB guidance and standards. * The Group agreed to hold a workshop in the Autumn to consider a future work programme, with suggested topics to include accessible poll cards, postal vote packs, other equality groups, and communications and engagement.   **Tactile and Audio Workstream update - circulated**   * Paper noted * **ACTION –** EMB to write to all election teams to seek their views on options for offering additional accessibility support for visually impaired voters for next year’s Scottish Parliament election.   + **ACTION** The EMB intends to make the ballot paper overlays available to all RO Teams for use in May 2026.  The Board will also make suggestions on how these can be promoted locally through engagement with local sight loss groups.   + **ACTION** - EMB is to seek comment from RO teams as to their preferred option.  A nationally procured helpline that would provide an audio version of each paper and files for hosting locally can be developed and implemented for May 2026 and has already been trialled.  Alternatively, local RO teams may prefer to offer their own audio support options either through existing telephone lines or by hosting audio files online.   **Access to Elected Office Fund**   * Noted - Councils to be encouraged to highlight availability of the fund to local political parties and potential candidates. Could be added to websites etc. * EMB has already circulated to all RO teams   **Electoral Commission - Accessibility Guidance for Returning Officers – Advance notice of consultation**   * Noted. The EC guidance is currently under revie. A draft had been shared with the EMB ahead of statutory consultation. * There is nothing that the EMB would want to raise with respect to the draft guidance as it generally reflects the position already promoted in Scotland. ACTION EMB to respond formally to the consultation when it commences. |
| Scottish Parliament Election 2026 Legislation, Funding, Guidance | * **Scottish Elections (Representation and Reform) Act 2025 – Commencement -** The Scottish Elections (Representation and Reform) Act 2025 received Royal Assent in January, and commencement regulations were made on 1 April. There will be three ‘tranches’ of commencement over 2025. The first set of sections were commenced on 14 April, the second will commence on 1 August and the third on 1 October. * This approach will ensure there is sufficient time for the Electoral Commission to produce guidance on the relevant new provisions in the Act ahead of their commencement, and to ensure sufficient time for familiarisation with sections relating to the May 2026 Scottish Parliament elections. Commencement of the remaining provisions, on the Electoral Management Board, is proposed for spring 2026, via a separate order. This will reflect the time needed to ensure systems and governance arrangements with the Scottish Parliament are in place before the legal status of the EMB changes, as per the Act. * **Secondary legislation for the Scottish Parliamentary elections -** The Scottish Parliament (Elections etc.) (Miscellaneous Amendments) Order 2025 was laid in draft in Parliament on 23 June. The draft largely follows the proposals shared in July 2024 with relevant stakeholders. * **Fees and Charges Order for Scottish Parliament Election 2026 - MB and CH had met with SG for** an initial discussion of the Fees and Charges Order. SG are preparing a proposal and will aim to share this for comment with EMB members in the near future. |
| **OAVA / Absent Voting (Elections in Scotland and Wales) Bill – update** | * Tracy Gilbert MP presented the Absent Voting (Elections in Scotland and Wales) Bill on 16 October 2024 which includes provisions that required the Scottish Government to lodge a Legislative Consent Memorandum with the Scottish Parliament. The Bill is due to have its second reading on **4 July**. Officials from SG and the UKG are working together to take this forward, with a view to OAVA becoming available for voters in Scottish Parliament and local elections in December. * **RN** noted concerns around dates as target has been to achieve convergence to be achieved by 1 December if possible * **ACTION** RN, CH, SG to meet to continue discussion on timeline and implementation |
| **Directions from the Convener of the EMB** | * Draft directions had been shared at meeting in February on the basis that they would be similar to those applied in 2016 and 2021. **ACTION** CH to revise Directions for consultation and agreement ahead of issue in November 2026 following Gould deadlines. * **Count Timing** – Letters from Jamie Hepburn MSP, Minister for Parliamentary Business were noted as was meeting that MB had had with the minster. * The Minister for Parliamentary Business has since been engaged in discussions with the Convener on timing of the count and has resolved against making any change to the law to specifically require counting to begin overnight. His letter of 24 June to the Convener provides further context. This leaves the Convener with scope to direct on a timing if that was deemed appropriate. * **ACTION** MB was to discuss the issue with SOLACE on Friday 27 June noting the majority preference for a Friday count for reasons of resilience, staff welfare, cost etc. MB would ask ROs to give any concerns over this timing but otherwise it is likely that the Convener will, following appropriate consultation, direct for a count on 8 May. |
| **Support for ROs and EROs: Conference in September/October 2025** | * Conference would be held on 7 October at Stirling university. * Draft agenda agreed * **ACTION** CH and AD to finalise agenda in consultation with MB (EMB) and SM (Electoral Commission) * **ACTION** AD to circulate a “Hold the Date” email to all RO Teams and all EROs |
| **Draft EMB Position Paper on Electronic Registers** | * Draft paper considered * General points of the paper agreed * Papers outlining products from Modern Democracy and Democracy Counts were noted. * **ACTION** – CH to redraft as a position paper and circulate to EMB for approval then to ROs |
| **Scottish Government update** | * Written update noted. Points not covered elsewhere: * **Designation of Returning Officers for the 2026 Election** – SG grateful for all responses to the communication on 22 May setting out plans for designating regional returning officers and the designation of constituency returning officers for those Scottish Parliament constituencies which cross local government boundaries. **ACTION** A draft order following the designations will be prepared and submitted to Ministers for approval. * **eCounting 27 -** The period for submitting responses to the invitation to tender (ITT) for the contract for the eCounting 2027 project closed on 30 May. Work on evaluation is underway and the evaluation panel anticipate making an award recommendation in August. * **Boundaries -** Boundaries Scotland submitted its final recommendations for the Constituencies and Regions of the Scottish Parliament on 30 April. The draft Order was laid on 22 May and Boundaries Scotland gave evidence on Thurs 12 June. * **Dual Mandates** The Scottish Government’s consultation seeking views on the principles and practical issues of ending dual mandates closed on 23 May 2025. The responses received and our analysis of them are due to be published this week in the usual way at http://consult.gov.scot. The Minister for Parliamentary Business held roundtable discussions with interested stakeholders including the EMB during May and discussed the issue with the Parliament’s Standards Committee at a public Committee meeting on 12 June. Regulations are expected to be laid in September. |
| **Electoral Commission update** | * Electoral Commission Annual Report on Electoral Registration in Great Britain – [noted](https://www.electoralcommission.org.uk/research-reports-and-data/electoral-registration-research/electoral-registration-great-britain-2024) RN had discussed findings with AD * EC guidance for Returning Officer and for Candidates and Agents for the Scottish Parliament Election is in draft and will be shared with EMB and others for comment. The material is moving form pdf to html. * Work continuing on the “Canal Ward” issues considering options to increase understanding of STV and to minimise rejection rates. * EC had observed at recent Highland Council by-elections. * Work continuing on ERO Performance Standards |
| **Boundaries Scotland / Boundary Commission for Scotland** | * Boundaries Scotland submitted its final recommendations for the Constituencies and Regions of the Scottish Parliament on 30 April. The draft Order was laid on 22 May and Boundaries Scotland gave evidence on Thurs 12 June. |
| **Scottish Parliament (Recall and Removal of Members) Bill** | * Graham Simpson MSP’s Bill, the Scottish Parliament (Recall and Removal of Members) Bill, is currently at Stage 1 in the Scottish Parliament. The Standards, Procedures and Public Appointments Committee has finished taking oral evidence, with the Member in Charge giving evidence on 19 June 2025. Following the Scottish Government’s submission of a Memorandum to the Committee, the Minister for Parliamentary Business gave evidence to the Committee on 12 June, supporting the general principles of the Bill, while noting that matters relating to the recall and removal of members are a matter for the Parliament to lead and take a view on. Issues for further consideration following that session were commencement and campaign finance. The Scottish Government awaits the Committee’s Stage 1 Report. * EMB gave evidence on 8 May and subsequently wrote to the committee to clarify some points that had been raised. :Letter had been circulated for information. |
| **UK Government update** | * Oral Update from PD. * Noted preparation of UK Strategy to be published in July |
| **EMB Membership** | * Note that Karen Greaves had been appointed as RO of Moray Council and would be resuming her position as an RO member of the EMB. |
| **AOB** | * None |
| **Future meetings scheduled for** | * Date to be identified in September given preparation needed for SP Election in 2026. **ACTION** CH * 27 November |