# ELECTORAL MANAGEMENT BOARD FOR SCOTLAND ACTION NOTE: 28 September 2012 2:00pm City of Edinburgh Council HQ

### **Present:**

- Board Members: Mary Pitcaithly (MP Convener & RO), Brian Byrne (BB ERO, SAA rep), Joan Hewton (JH ERO), David Anderson (DA RO) Douglas Gillespie (DG ERO), Bob Jack (BJ RO), Stuart Galloway (SG DRO)
- Advisers: Andy O'Neill (AON Electoral Commission) David Freeland (DF Electoral Commission), Gordon Blair, (GB, DRO SOLAR representative) Jaime Neal (JN Scottish Government)
- In attendance: Chris Highcock (CH Secretary to the Board DRO)

		NOTE	ACTION / RESPONSIBLE
1	Apologies	<ul> <li>Billy Pollock (WP DRO AEA rep)</li> <li>Jon Harris (JH COSLA),</li> <li>Malcolm Burr, (MB RO)</li> <li>Sue Bruce (SB RO)</li> <li>Steve Sadler (SS Scottish Government)</li> <li>Roddy Angus (RA Scotland Office)</li> </ul>	Noted
2	Note of Previous Meeting (29 May 2012)	Accepted as an accurate record	Noted

		NOTE	ACTION / RESPONSIBLE
3	Issues arising from May 2012 Elections	Finance / settlement of accounts	
		<ul> <li>It was noted that the all the Referendum accounts had now been settled with the Elections Claims Unit in some cases following prolonged negotiations;</li> <li>Accounts for the Scottish Parliamentary elections remained a work in progress and further contact with ROs from the Scotland Office was anticipated.</li> </ul>	
		Counting Officers' fees / Superannuation	
		<ul> <li>The recent communications from the Electoral Commission regarding the treatment of RO fees in terms of superannuation were noted. It is understood that a final position for Scotland has still to be agreed.</li> </ul>	
4	Legislation	<ul> <li>Scottish Independence Referendum Bill (update from Scottish Government)</li> <li>JN provided an update. There is currently negotiation on going with respect to a section 30 order with an aim to complete around mid October.         Drafting of a bill would follow to be laid before Parliament in early 2013 (possibly March)     </li> <li>The response to the Consultation on the Referendum are currently being considered and will be published in October with a response</li> </ul>	
		<ul> <li>Role of EMB in Referendum</li> <li>ACTION SS and MP to meet to discuss.</li> <li>It is expected that the EMB will have the opportunity to comment on the Bill between now and its publication in March.</li> </ul>	SS MP CH

		NOTE NOTE	ACTION / RESPONSIBLE
		<ul> <li>It is not currently anticipated that the ole of the EMB will be any different from that outlined in the consultation paper.</li> <li>BB noted that there are clear registration issues that need to be resolved early in the process and preparation for the Bill.</li> <li>IER will have a profound impact and its implementation needs to be clearly aligned with other developments</li> <li>DG and AON noted that these developments make it clear that there is a definite need for additional resources for the EMB so that it can develop appropriate capacity for the role of CCO.</li> </ul>	
5	Draft EMB Annual Report (circulated)	<ul> <li>The EMB needs to align the submission of this report to the Parliament with the annual report form the Electoral Commission</li> <li>ACTION CH to discuss with AON; CH to contact SPICE to discuss process for laying the report.</li> <li>ACTION – there needs to be an added focus on the future direction of the Board. At the recent SP committee the EMB attended the concern was mainly on the future developments rather than recent performance.</li> </ul>	СН
		<ul> <li>ACTION – aim for a submission date of mid October</li> <li>ACTION – mention turnout in the report; this is an area of specific concern to the Parliament</li> </ul>	СН
		<ul> <li>ACTION – ALL to provide any further comments on the draft by 5         October.     </li> </ul>	ALL
6	Electoral Commission	<ul> <li>Report on the administration of local elections held on 3 May 2012 (circulated)</li> <li>It was noted that the Electoral Commission had published their report on the 3 May Local Government Elections in Scotland. A report had also been published on a UK level dealing with all elections in May.         <ul> <li>The key message was that the events went well and that the</li> </ul> </li> </ul>	

NOTE	ACTION / RESPONSIBLE
voters had confidence in the way in which the polls were run. There were a number of recommendations in the report with respect to the EMB. ACTION All to review these recommendations and consider the ways in which the EMB needs to respond. There is a call for the EMB to compile a "national" result. This could be incorporated into future software for the eCount Issues that need to be reviewed and considered for the future will include:  The refreshing of AVIs Potential for informing voters that AVI has been rejected Emergency proxy Classification of rejected votes to be specific about those where multiple X have been used Lessons from London assembly elections Procurement of eCounting solution for the next local Government elections It was noted that the procurement for the most recent elections required significant work; consideration with respect to the procurement of a system for 2017 is needed shortly to allow the procurement to begin next year. ACTION EMB to raise issue with Scottish Government at the meeting with Mary and Steve Sadler.  It is understood that the Scottish Government are considering whether it may be possible, within the	ALL  CH SS MP
procurement rules, simply to seek an extension of the contract  ACTION EMB to seek the legacy document from the eCounting Project asap; a final meeting of the project board is needed	<b>МР GB</b>

		NOTE	ACTION / RESPONSIBLE
		Note that all ROs had achieved the required performance standards. 7     ROs had assessed themselves as above the standard in various classifications. These had been referred to the Steering Group for consideration in terms of how to assess performance above the standard.     The key issue is that all ROs at least met the standards	
7	IER Update and funding	BB and DG gave an update following their meetings with the Cabinet Office. The main issue of discussion has been the issue of funding. Process has been discussion and the point has been made that Scotland is different from England and Wales. A major area of concern is the proposal for a mini-canvas around 2015. This would pose timetabling challenges and certainly need finance.	
8	Preparation for European Elections 2014	<ul> <li>Date of elections         <ul> <li>The count will be held on the Sunday closest to the 10 June, with the poll on the previous Thursday in the UK.</li> </ul> </li> <li>Role of Regional Returning Officer         <ul> <li>Role of RRO will need to be considered at some point. It might seem appropriate for Convener or EMB to take this responsibility but if s/he also had a role with respect to a Referendum a few months later then there could be a severe pressure on EMB resources. ACTION to be discussed in EMB meeting with Scottish Government to discuss resources.</li> </ul> </li> </ul>	CH MP SS

		NOTE	ACTION / RESPONSIBLE
9	EMB Resources	As noted earlier, to be discussed in meetings with the Scottish Government and the Electoral Commission	
10	Regional Returning Officers' Group and associated meeting	<ul> <li>It seems now that there will be no House of Lords reform; however there may be issues to address with respect to revised constituency boundaries, IER, National Park elections (England and Wales), Community Council elections         <ul> <li>Some Boundary Changes may be significant. Note the Boundary Commission Consultation, with responses required by 7 November</li> <li>'Health Board elections – whether national or not, these may require some additional work; even if there is no decision for a national approach in 2014 there may still be a need for new elections in Fife and Dumfries &amp; Galloway.</li> <li>UK Funding review is underway, with an expected report from the Electoral Commission. Note that Scotland seems to spend more than elsewhere on the count and on the cost of postal vote handling.</li> </ul> </li> <li>There is a review of the national Elections Steering Group underway with an expectation that it may develop into an "IEMB style" group of election practitioners.</li> </ul>	
11	Scottish Political Parties Panel	<ul> <li>Group had met on 25 September</li> <li>The Law Commission had attended to discuss their review of electoral law. It was expected that this would become a joint project to cover the whoel of the UK</li> <li>Politicians had requested that preference information, generated by the eCounting system, be made available on websites in excel spreadsheets – as was done by Glasgow – rather than as pdfs, which had been used by some other authorities.</li> </ul>	

		NOTE	ACTION / RESPONSIBLE
12	Evidence given to Scottish Parliament Local Government and Regeneration Committee: Evidence Session on Scottish Local Government Elections 2012, Wednesday 13 June 2012 (circulated)	<ul> <li>Noted</li> <li>It was noted that the Committee may request further information from the EMB as they continue their work.</li> </ul>	
13	Proposed EU Legislation: Right to stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals (circulated)	• Noted	
14	Consultations	"Individual Electoral Registration - Funding the Change " – SAA consultation response  Noted. ACTION EMB to endorse SAA response  Scottish Government Referendum Consultation - (response circulated)  Noted.	

NOTE	ACTION / RESPONSIBLE
Publication of preference profile information – (proposed response circulated)	
• Noted	
Law Commission: Reform of Electoral Law - consultation response & meeting with Law Commission	
<ul> <li>Note that CH, GB and MP had met with representatives of the Law Commission following the PPP to discuss the scoping of the proposed review of electoral law. The SOLAR Working Group Action Note (circulated) was used as a framework for the discussion.</li> <li>Paper to be expanded to reflect the discussion and then submitted to the Law Commission as a SOLAR response, endorsed by the EMB.         <ul> <li>Add note on the role of the Electoral Commission with respect to monitoring</li> <li>Note that the review was not to be concerned with the institutional framework for elections as such</li> <li>ACTION GB to submit, as a EMB endorsed SOLAR response.</li> </ul> </li> <li>Proposed SOLAR training on electoral Law and Practice</li> <li>Note that recent SOLAR meeting had discussed the need for additional</li> </ul>	GB
training for electoral administrators. There is a gap in training for election teams with respect to basic electoral law. Vital to succession planning. The proposal is to fill this with short courses on specific topics.	
<ul> <li>Note that a number of authorities are developing DVDs for polling staff training</li> <li>There is a need to modernise training in general</li> </ul>	
<ul> <li>ACTION – GB to lead within SOLAR on the development of a number of modules focussing on different elements of electoral law – nominations,</li> </ul>	GB

	ELECTORAL MANAGEMENT		
		NOTE	ACTION / RESPONSIBLE
		count, polling etc  DRO / legal experts from different authorities to be approached to assist / take responsibility for different modules.  EMB to endorse and promote.  Training not to duplicate AEA training but to be specific for Scotland and potentially built around the Electoral Commission guidance modules.  Cabinet Office review of treatment of rejected AVIs (response circulated)  Noted	
15	Any Other Business	<ul> <li>Attention needs to be given to the EMB's communication strategy. As previously discussed, web presence is needed</li> <li>Bulletin to be drafted later in the year when there is sufficient material to make it worth while</li> </ul>	СН
16	Dates of future meetings	Next scheduled meeting was to be 16 November 2012, but this is to be rearranged ACTION CH to rearrange	Noted CH
		Date of next meeting to be arranged	