**EXTRAORDINARY MEETING OF THE EMB: PLANNING AND PREPARATION FOR THE EUROPEAN PARLIAMENTARY ELECTIONS 23 MAY 2019**

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| **Telephone Conference** |
| **Date** | **12:00** |
| **Time**  | **16 April 2019** |

1. **Background**: The Day of Poll Order for the European Parliamentary Elections (EPEs) was made on 8 April 2019, coming into force on 10 April 2019. This is initiating the official processes around the delivery of the EPEs. The Returning Officer for the Electoral Region of Scotland is Scotland is Kenneth Lawrie, Returning Officer for the Falkirk County constituency in UK Parliamentary elections, appointed under the European Parliamentary Elections (Returning Officers) Order 2013. The Electoral Management Board for Scotland (EMB) is supporting him and acting on his behalf to deliver these elections in Scotland. Given the timescale and recognising the priority of delivering these polls, the normal schedule of EMB meetings has been suspended. There will now be weekly telephone conferences to oversee the preparation and coordination of this event in Scotland.
2. **Agenda / Issues Log** The log below records key issues for the decision oversight of the RRO / EMB. It will be updated through the coming 6 weeks leading up to the polls.

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| **No** | **Issue**  | **Outline / Action / Update** | **Action** |
| 1.0 | **Risk Register**  | A Risk Register has been drafted to capture and monitor key risks around the delivery of these polls in Scotland. It is in Appendix 1 to this document and will be updated weekly. This addresses capacity and resilience across Scotland (e.g. contingency polling places and count centres). It is very much based on the Risk Register from 2014 |  |
| 2.0 | **Governance** | For clarity, the RRO is Kenneth Lawrie. He will attend all EMB meetings in the lead up to the polls. Malcolm Burr (Convener) Chris Highcock (Secretary) and Andrew Kerr (Member) have been appointed as Deputes. The EMB will support KL but the authority with respect to these elections is with him.* General Support to LROs – available through EMB and Electoral Commission
* Management Survey – already initiated by Electoral Commission
* Direct Contact with LROs considered at risk
* Performance Standards – general approach will be light touch recognising the unique circumstances

**Role of ECAB** – national coordination with 12 RROs and Cabinet Office, facilitated by Electoral Commission.**Nominations** to be taken in Edinburgh. RRO will supply final Ballot paper, Notice of Poll etc to all 32 LROs. Post Nomination briefing for Candidates and Agents will be offered.**Count Collation** – process will repeat approach from 2014 for EPEs and SIR. Dougie McGregor will provide support and coordinate. Further information on process will follow. |  |
| 3.0 | **Potential Directions** | In 2014 RRO made a series a direction well ahead of the polls on dispatch dates for poll cars, dispatch dates for postal votes and % of ballot papers to be printed. Aim was consistency and appropriate contingency. 2019 schedule is much shorter. However some directions may still be helpful or the same aims.**Proposed directions to be considered for 2019 EPEs in Scotland**1. Dispatch date of poll cards – already in hand given print schedules expected around 24 APRIL
2. Dispatch of postal votes – again already in process given print schedules 8 May and 15 May
3. 100% of ballot papers to be printed – contingency to account for loss of papers or place. Not always a popular direction.
4. Count arrangements – verification / count timings across Scotland noting restriction on Sunday working in CNES; mini-count model preferred
5. Ballot Paper – Official Mark and UIM will be supplied to all 32 LROs by RRO acting through EMB; number approach.
6. SIENA date – already agreed by EROs as 24 April, with SIENA determination deadline at 2 May and SIENA publication 3 May.
7. Electors per polling station – was in place for the SIR in 2014. Turnout for these polls harder to predict. Also already close to deadline for this as poll card data already passed to printer in most cases.

Given the circumstances it is likely that there will be minimal directions but more a set of “expectations” for LROs. Major deviations to be referred to RRO. Aim is national consistency in the interest of the voter, plus adequate contingency planning. |  |
|  | **Registration Issues** | Pete Wildman to advise.EU Citizens and potential for disenfranchisement/actionKey dates already agreed. |  |
| 4.0 | **Costs**  | Will be raised at ECAB meeting. MRAs have been intimated by Cabinet Office. CO have confirmed that they will cover all reasonable expenses. Fees and Charges Order will stand even if elections are cancelled. Contractors – some seeking different payment terms to reflect unique circumstances and risk of cancellation. E.g. printing.General concerns around costs if polls are cancelled – venues, staff contracts if cancellation follows appointment contract of staff. |  |
| 5.0 | **Integrity / SPOC** | Police Scotland have already had briefing of all SPOCS by their Gold command (11April)CH, AON met with Silver Command Supt O’Callaghan to discuss preparations.Awareness of Security threat levels.Liaison locally with SPOCs to be initiated now.Storage of ballot boxes in Police cells – no longer supported unless particular local circumstances. |  |
| 6.0 | **Additional advice**  | In addition to directions / expectations the RRO/EMB may want to ensure that there is adequate capacity around some key elements of process.Signature verification – training from Police if possible but time is shortAdjudication – consistency is vital within and between counts especially in a national event such as this. Additional guidance may be offered to DROs etc. (e.g. principles, attendance, how to conduct, authority of DRO)EMB advice on Personation to be recirculatedForms – Aileen Knudsen is looking at draft forms to support DROs |  |
| 7.0 | **Public Awareness** | Electoral Commission Activity LRO responsibilities Level of electorate engagement is hard to predict.Particular concern around EU citizens- UC1 forms moving voters form G to K  |  |
| 8.0 | **Media**  | Requests for media interviews to be channelled to press office in Falkirk Council. Electoral Commission and EMB will provide support for media lines etc. |  |
| 9.0 | **Communications****Coordination**  | Regular newsletter / email updates to 32 LROs and 15 EROs. Role of SAA in coordinating EROS. |  |
| 10 | **Legal Issues**  | Noted in Risk Register - potential for legal challenge to this election seems high. All LROs and EROs need to ensure caveats are in place. Must avoid any ground s for legal challenge. Advice and support from SOLAR? |  |
| 11 | **Meeting Schedule** | Telephone conferences to be held weekly. Schedule to be agreed |  |
| 12 | **Other electoral events** | LROs to be advised that they should avoid 23 May for any potential by-elections that may be arising. |  |

**Appendix 1 - European Parliamentary Elections RRO’s Risk Register – April 2019**

*This is a high-level risk register intended to give an overview of the key risks, their controls and actions in response to assessed current state.*

| Ref | Category | Risk and description | Controls | RAG status 16/04/19 | Action Plan |
| --- | --- | --- | --- | --- | --- |
| P01 | Planning | Failure to plan properly, leading to missed deadlines and impact on project timescalesProject is being initiated at very short timescale. | Formal project management approach – but there has been limited time and resource for a full project management protocol to be established with plans, status reports etc. |  | Continue to monitor and update Project Plan/risk register |
| P02 | Planning | Period of public thanksgiving or public mourning causes dates to become dies non. This would have an impact on the planned timetable, particularly regarding dates for registration / nominations deadlines, etc.  | Consider the impact of this occurrence in plans, with a focus on the impact on key dates.  |  | Monitor situation |
| G01 | Governance | LRO fails to follow guidance or directions from RRO, resulting in different approaches being taken locally (including failure to comply with reporting / announcement procedures of results) and potential breach of legislation.  | Performance management to be undertaken by the RRO |  | Communicate plans clearly to LROs. |
| C01 | Communication  | Inadequate or incorrect guidance regarding the count collation procedures to LROs leading to errors and different approaches being taken, potential breach of legislation | Count Collation guidance being developed for LROs .  |  | Newsletter / bulletins shows to communicate key messages re arrangements and directions/guidance for LROs. RRO team will be available to answer any LRO questions Rehearsal of count collation process will be arranged. |
| C02 | Communication  | LRO unable to communicate effectively with the RRO / RRO's team, resulting in LROs being unable to obtain guidance from RRO | Regular communication with LROs. Contact details for RRO team have been shared with LROs.  |  | Ensure contact details are kept up to date. |
| C03 | Communication  | Inadequate or incorrect guidance regarding the count collation procedures to LROs leading to errors and different approaches being taken, potential breach of legislation | Ensure contact details are communicated clearly  |  | Ensure there are a range of communication options available to LROs e.g. fax, email, mobile phone etc and these are communicated to candidates |
| CT01 | Count | Local discrepancies between the verification figure and the number of votes counted caused by inadequate verification and count procedures, leading to loss of confidence in the process and an inaccurate result.  | Ensure result collation protocol includes steps for RRO to check verification and count figures before they are made public.  |  | Monitor LROs' plans for verification and counting and take follow up action if necessary. Ensure planned local verification and count processes are capable of providing a clear audit trail. |
| S00 | Staffing | LROs unable to source adequate staff for polling or count due to short timescale | LROs to assess staffing position immediately |  | Monitor staffing position of LROs |
| S01 | Staffing  | RRO unable to perform functions, leading to potential impact on governance of election. Replacement would be required to be allocated which may cause timescale issues  | Deputes in place |  | RRO would require to be replaced in that eventuality. |
| S02 | Staffing  | Loss of RRO team staff leading to errors and inability to cover processes | Ensure documents and plans are up to date to allow alternative staff to understand current position of the project. Saving copies of documents in project folder in shared drive.  |  | Continue to ensure documents and plans are up to date. |
| S03 | Staffing  | Industrial action by local authority staff, resulting in inability to adequately resource polling places or gain access to polling places and other issues at local level, resulting in inability to deliver the Election properly |  |  | Liaise with LROs regarding contingency planning arrangements. . |
| S04 | Staffing  | Pandemic or other emergency has an impact on the number of staff available to LROs for polling venues and/or count, resulting in local and national delays | Soap and hot water. |  | Liaise with LROs regarding contingency planning arrangements |
| S05 | Staffing  | Industrial action effecting continuity of fuel supply, having an impact on ability to resource polling places, inability of rural staff to travel to polling stations and inability to transport ballot boxes. Impact on the ability to conduct the Election on the appointed day.  |  |  | Liaise with LROs regarding contingency plans. |
| P01 | Property - Count Centre RRO | Physical event (e.g. flooding, fire, power cut etc) leading to loss of Count Centre premises, resulting in delay to count collation and announcement of result | Identifying alternative venues |  | Ensure contingency plans are in place. Ensure staff are aware of what to do in such circumstances. |
|  | Property – LRO Count Centres | Physical event (e.g. flooding, fire, power cut etc) leading to loss of Count Centre premises, resulting in delay to count collation and announcement of result | LROs to identify contingency count arrangements |  | Monitor / survey |
| IT01 | ICT | Count: Failure of internet connection or email system leading to LROs being unable to communicate local results, delays to count and announcement of results | Establishing alternative methods of collating results e.g. fax, landline and mobile phone. Liaising with ICT Solutions Team within CEC.  |  | Communicate these alternatives to LROs as part of Count communications. |
| N01 | Nominations | Errors or omissions in statement of persons nominated caused by transcription mistake or errors in completing forms, leading to inaccurate information being published about candidates, incorrect information on ballot papers and voter confusion.  | Procedures for proof-reading by several different individuals with all materials verified against the original nomination papers. |  | Provision of nominations pack and clear guidance on completion of forms. Process in place for information checking of nominations. Process in place for accuracy checking statement of persons nominated before publication. |
| N02 | Nominations | Loss of nomination papers, due to inadequate processes being in place for filing paperwork or inability to access building, leading to candidates being unable to participate and the security/integrity of the election being called into question.  | Nomination papers to be clearly filed and kept in secure locked store cabinets |  | Put plan in place for managing nominations. Ensure effective and secure storage arrangements are in place. Establish contingency arrangements for access to back-up copies in the event of being unable to access building. |
| ES01 | External Suppliers / Partners | Royal Mail – Risk of postal strike by their workforce, having an impact on postal voting and delivery of other essential materials. Impact on national count timescales.  | Maintain communication with Royal Mail |  | Seek assurance from Royal Mail regarding their contingency arrangements in the event of a postal strike by their workforce or a fuel strike by producers and suppliers.  |
|  ES02 | External Suppliers / Partners | Police Scotland – Risk that advice and guidance on security is not issued in time to make effective plans, which could result in inadequate security arrangements being in place.  | Integrity guidance will be jointly issued with the Electoral CommissionEMB / RRO team have met with Police Scotland |  |  |
| ES03 | External Suppliers / Partners | Printing suppliers unable to print the ballot papers to specification if there are a high number of candidates, leading to inability for some LROs to print their ballot papers consistently | Discussion with LROs regarding the capacity of suppliers. Discussions are underway with suppliers.  |  | Continue to liaise with LROs. Develop contingency plans. |
| S01 | Security | Inadequate security of count event leading to breach of security and potential impact on the reputation of the election and the RRO, may have an impact on the integrity of the vote and the result, may delay count collation. Threat to safety of staff.  | Ensure robust security arrangements are in place. Liaise with CEC regarding security plans for venue and with Police Scotland. |  | RRO to meet Police Scotland SPOC?. |
| R01 | Resources RRO  | RRO team unable to deliver within estimated financial resources. | Financial monitoring by RRO staff |  | Continue monitoring. |
| R02 | Resources LRO | MRA Allocations to LROs prove in sufficient  | Monitor expenditure and raise issues early with Cabinet Office  |  | Monitor |
| R03 | Resources ERO | Lack of resources for EROs to complete all tasks especially with EU voters as unbudgeted. |  |  | Monitor and raise with Cabinet Office. |
| CH01 | Challenge | Election petition; challenge against RRO leading to doubt being cast on result | Caveats in place for RRO and EROsMaintain a clear audit trail of processes, including evidence of a project management approach and structured risk management process.  |  | Liaise with legal advisor for advice in avoiding such an occurrence. |
| R01 | Registration  | Failure to communicate position with EU voters leads to disenfranchisement of voters and potential legal challenge | Early communication with voters Caveats in place for EROs |  | Monitor and assess |
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