

		NOTE	ACTION / RESPONSIBLE
		<ul style="list-style-type: none"> ACTION Members of the Project Board need to be identified. 	MP
3	Preparation for European Parliamentary Elections 2014 (update from Cabinet Office / Scotland Office)	<ul style="list-style-type: none"> RA confirmed that the EU had agreed on a date of 22-25 May for the elections. However, each member state would need to agree with the date only becoming official at that point. The RRO Order is still awaiting issue. <p>Draft - Representation of the People (Scotland) (Amendment) Regulations 2013 re Anonymous Registration (circulated)</p> <ul style="list-style-type: none"> Noted It is understood that these changes are being combined into a single amendment to the regulations to be laid in the beginning of July. There will also be an order regarding actions at the close of poll – allowing those in a queue to vote as was applied at the local government elections last year. <p>Draft regulations regarding postal votes (circulated)</p> <ul style="list-style-type: none"> Noted Postal votes will be able to be issued early but there will need to be coordination between the RO and ERO regarding how to cancel any postal votes in that period The effect of new paragraph (5A) is that: <i>a postal voter (or postal proxy voter) for a definite or indefinite period (under paragraphs 3(5)(a) or 7(9)(a) of Schedule 4 to the RPA</i> 	

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		<p><i>2000) who has been issued with their postal ballot papers may apply to the ERO up until day 11 to cancel the postal vote which will be accepted by the ERO providing that the voter has not completed and returned the postal ballot paper to the Returning Officer (RO), i.e. made an attempt to cast a postal vote (and to support this, new regulation 78A(3) specifies that no postal ballot paper may be cancelled after it has been returned to the RO, though this does not apply in relation to regulations 77 and 78 concerning spoilt/lost postal ballot papers).</i></p> <p><i>Also, an application by a long term postal voter to vote by proxy instead at an election (under paragraph 3(6) or 4(3)(b) of Schedule 4, RPA 2000) that is made by the day 11 deadline will be accepted by the ERO providing that the voter has not completed and returned the postal ballot paper to the RO.</i></p> <ul style="list-style-type: none"> • PVS verification systems and procedures may have to be amended to cope with these new regulations. 	<p>ALL to note</p>
<p>4</p>	<p>Scottish Referendum on Independence</p>	<p>Referendum Bill</p> <p>Scottish Parliament Evidence Session 16 May (submission circulated)</p> <ul style="list-style-type: none"> • Noted. • The Committee had since developed a Timetable to accompany the Referendum Bill which had been published on the Committee website. Note that this had been checked by the Electoral Commission but was not authorised by them. 	

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		<ul style="list-style-type: none"> The Board had received a letter from Bruce Crawford regarding the wording in the Bill restricting the employment of poll staff , excluding those involved in the Referendum campaign. The letter enquired why the wording here was different from that in the PVSC 2011 Act. ACTION CH to draft a response. The Board’s position was that the intention of both was clear - staff would need to affirm that they have not been involved in active campaigning, the definition of which would be left to the individual, and if it is found that they have been then their employment at the poll would be forfeit. Ultimately it is a matter of trust and common sense. <p>SOLAR comments on Bill (circulated)</p> <ul style="list-style-type: none"> The EMB expressed its thanks to SOLAR for the detailed work that had been completed through the Elections Working Group in developing its comments and commentary on the Referendum Bill. These were being taken into account by the Scottish Government through its representatives who attended the Elections Working Group meeting of SOLAR. <p>Franchise Bill & registration issues</p> <ul style="list-style-type: none"> A timetable for the passage of the Bill had been circulated, but it was understood that it was only indicative. There remain some issues of practice to be clarified and these may be discussed further with the PPP, including the supply of marked registers. <p>Release of data on 15 year-olds – data protection issues</p> <ul style="list-style-type: none"> EROs have written to local authorities and to independent schools to request data. This is already normal practice for 16 year olds. These 	<p>CH</p>

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		<p>requests have been made and the Referendum (Franchise) Bill, when enacted, will allow this to be done in respect of 15 year olds. EROs need the name and address, nationality, and date of birth of any student who will be at least 16 years of age by 18 September 2014. This will allow pre-population of the forms which are to be issued in autumn 2013: either the normal canvass form for those already 16 or the Young Voter Registration Form for those still 15.</p> <p>IER Update / current issues</p> <ul style="list-style-type: none"> • Colin Dingwall has been in contact with EROs and plans are progressing for testing of systems over the summer. • EROs are investigating local data sources to develop a robust and comprehensive register. • The timing of publication around the referendum is key and is the current subject of much discussion. The Referendum register will close at day -11, but the treatment of new applications from that date needs to be clarified until post referendum. <p>Fees and Charges Order (update from Scottish Government)</p> <ul style="list-style-type: none"> • Note that the EMB had provided a response to the Scottish Parliament’s Finance Committee’s call for evidence on the Financial Memorandum of the Scottish Independence Referendum Bill • ROs are keen to ensure that that the Fees and Charges Order for the Referendum will be adequate and appropriate taking account of the various local issues faced. There may be a need to build from first principles. 	

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		<p>Pre-Referendum Period / “Purdah” (discussions with ADES etc)</p> <ul style="list-style-type: none"> • Guidance is needed as to the approach to be taken by councils to activity during the pre-referendum period. This will be on the same principles as the guidance available in 2012 with respect to elections. This is an issue for individual councils, but where possible the guidance should be shared to allow a consistent approach to be developed across the country. • Work has already been undertaken with ADES, Education Scotland and the Electoral Commission to draft guidance for local authorities on the issues to be considered in addressing the Referendum with school pupils. This has been drafted by the Commission for issue by Chief Executives. ACTION CH to circulate. 	<p>CH</p>
<p>5</p>	<p>CCO Project Workstreams Update</p>	<p>Governance /Project Management (including appointment of consultant)</p> <ul style="list-style-type: none"> • A Project Manager has been approached to take responsibility for the Project Management / Risk Management/ Performance Management for the Referendum. He will submit a project proposal to the CCO to detail the work that will be undertaken in support of the CCO in these areas. <p>Guidance – (including appointment of consultant)</p> <ul style="list-style-type: none"> • Anne Laird – a former member of the Interim EMB had been approached to draft guidance for the COs on the delivery of the Referendum. This would be: <ul style="list-style-type: none"> ○ Consistent with the style of the Electoral Commission’s guidance in recent years ○ Take account of and fit with the work of the Forms Group 	

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		<ul style="list-style-type: none"> ○ Provide a framework on which a performance management system can be drafted. • A proposal from AL to undertake with work was considered by the EMB and accepted • AL has already met with Aileen Knudsen to discuss the work of the Forms Group and meetings are planned with the Electoral Commission. • Both consultants will work from home predominantly, but office space is being made available in Edinburgh for meetings etc, in rooms next to the Electoral Commission <p>Count Collation (including timing issues)</p> <ul style="list-style-type: none"> • The Regional Returning Officers on a UK level have discussed proposals for the count collation for the European Parliamentary Elections in May 2014. • At this point there is no intention to mandate a system or approach for the UK. • It is therefore the intention of the Convener to use the European Parliamentary Elections as an opportunity to trial the system that will be used for the Referendum. This will be based on the system used for the 2009 elections but updated. • With respect to the timing of the count, the expectation is that there will be an overnight count, with counts starting as soon as practical after the close of polls. <ul style="list-style-type: none"> ○ ACTION – the EMB / CCO will undertake a consultation exercise on Count Timing. Despite the intention to count overnight there a number of issues that need to be clarified and highlighted regarding the difficulties that some ROs may face and the risks that may exist. 	<p style="text-align: center;">CH</p>

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		<ul style="list-style-type: none"> ○ Argyll and Bute and The Western Isles in particular may face challenges in retrieving boxes from some remote polling places and strategies need to be considered – e.g. alternative transport/distributed counts – to cope with these risks. <p>Count Declaration (including Venue, media discussion)</p> <ul style="list-style-type: none"> • A small group has been convened including Comms/ Media officers from councils and the Scottish Government to begin to consider issues around the Count Declaration Event. • A number of venues in Edinburgh had been assessed as to their suitability to host the declaration. This will be a major event subject of significant media interest from around the world. • Of the venues considered – over 25 across the city – only the Royal Highland Showground at Ingliston was judged appropriate. • Work will now commence to put in place a team to plan and deliver this event. 	<p>CH</p>
6	<p>Issues raised by the Election Teams across Scotland</p>	<p>Printing</p> <ul style="list-style-type: none"> • There had been discussion of the potential for a national print contract for the production of papers for the Referendum given that they will be standard for the whole country and that a single contract might have delivered some efficiency savings. However, given the timescale it was not going to be possible to deliver and manage a full procurement exercise. • It is noted however that there will be common papers for both the European Parliamentary Elections and the Referendum across Scotland; printers should be able to work from a common pdf supplied by the RRO / CCO. 	

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		<p>CCO Directions re Polling Scheme and Staffing Ratios</p> <ul style="list-style-type: none"> • DROs are beginning to plan polling schemes for the electoral events next year and their have been queries made regarding whether the CCO / RRO plans to issue and directions or guidance on the ratios for the allocation of electors to polling stations or the allocation of staff to polling stations. Standards were issued for the 2012 Local Government Elections of <ul style="list-style-type: none"> ○ 2500 electors per station ○ 1 PO & 1 PC per 1000 ○ 1 PO & 2 PC up to 1750 ○ 1 PO & 3 PC up to 2500 • At this point the CCO/RO has no plans to issue guidance on polling schemes, but this is an area that may be addressed as guidance and performance standards are developed. <p>Performance Standards</p> <ul style="list-style-type: none"> • Some DROs have asked about the CCO’s intentions with respect to Performance Standard for the Referendum. These are being developed as part of the project management approach and will align with the guidance material that is being drafted <p>Promotion of Participation</p> <ul style="list-style-type: none"> • There has been some concern raised around the current drafting of the Referendum Bill. In its current form Paragraph 25(1) to Schedule 4 will 	

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		<p>prohibit the Council during the pre-referendum period (13 August – 18 September) from providing any material which –</p> <ul style="list-style-type: none"> (a) provides general information about the referendum, (b) deals with any of the issues raised by the referendum question, (c) Puts any argument for or against any outcome, or (d) is designed to encourage voting at the referendum. <ul style="list-style-type: none"> • This restriction seems unusual and different from the standard approach at elections where Returning Officers are required to promote participation. It also differs from the standard approach to the Pre-Election Period • ACTION CH to raise the issue with the Scottish Government and suggest some revision to the Bill as it applies to promotion of participation 	<p style="text-align: center;">CH</p>
<p>7</p>	<p>Regional Returning Officers' Group and associated meetings</p>	<p><i>(Papers available at http://www.electoralcommission.org.uk/elections/elections-and-referendums-working-groups)</i></p> <p>Elections and Referendums Steering Group – Update from Convener</p> <ul style="list-style-type: none"> • Discussions have been commenced around initial preparations for the European Parliamentary Elections in 2014. This has included consideration of potential software systems to manage the compilation of the Regional Results. • There is no indication that a UK wide system will be required. This would allow Scotland to use the system that was used successfully in 2009 and which DROs across the country were satisfied with in terms of its safety, security and simplicity. 	

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		<p>UK Electoral Advisory Board – Update from Convener</p> <ul style="list-style-type: none"> MP had been attending recent meetings of the Board. There had been particularly interesting discussion around the funding of elections and a proposed review of Elections Funding. There seemed to be a high degree of variation across ROs with respect to the costs that are claimed for various basic elements such as printing. Work is underway at a UK level to develop a more consistent approach to funding. It is not clear how this will impact on Scotland. <p>Elections & Registrations Working Group – Update from Secretary</p> <ul style="list-style-type: none"> The focus of recent discussions has been the development of guidance for EROs on the introduction of IER. 	
8	EMB Website	<ul style="list-style-type: none"> Website had been designed by the web team in the City of Edinburgh Council. Draft had been circulated for information to the Board Website is located at www.electionsscotland.info and will be fully populated by the autumn 	
9	EMB Bulletin	<ul style="list-style-type: none"> EMB Bulletin for May 2013 had already been circulated. The contents were noted 	
10	Consultations / Evidence Sessions	<p>Joint Committee on the draft Voting Eligibility (Prisoners) Bill – Call for Evidence</p> <ul style="list-style-type: none"> EMB to submit a response. BB had already formulated a response from the SAA. This would be shared with the EMB and submitted as a joint response. <p>ACTION CH BB</p>	CH BB

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		<p>Scottish Parliament’s Finance Committee re Scottish Independence Referendum Bill’s Financial Memorandum – submission circulated</p> <ul style="list-style-type: none"> Noted 	
11	Any Other Business	<p>eCounting for 2017</p> <ul style="list-style-type: none"> Had been discussed under Matters Arising at the start of the meeting <p>Caveats</p> <ul style="list-style-type: none"> Given that the cost is minimal, ACTION all ROs/COs should ensure that they have lodged the relevant caveats in the appropriate courts so that they are able to gain some warning of any potential action. <p>SOLAR Training</p> <ul style="list-style-type: none"> SOLAR’s Elections Working Group has planned a set of training events for Depute Returning Officers and Election Administrators. The first session is planned for 26 September, with content provided by a various members of the group. The session would be in Glasgow with accommodation provided by Glasgow City Council. EMB would fund the catering for the event. 	ALL ROs / COs

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		<p>Politically Restricted Posts & Referendum</p> <ul style="list-style-type: none"> • There had been some discussion of the way in which the rules around politically restricted posts should apply to the Referendum. The relevant legislation is the Local Government Officers (Political Restrictions) Regulations 1990, as amended (the “1990 Regs”). The Schedule to the 1990 Regs sets out several restrictions which apply to officers holding politically restricted posts. • There is nothing in the relevant restrictions above to prohibit the holder of a politically restricted post from undertaking political activity which is not on behalf of a political party or intended to affect public support for a political party. Whilst the referendum on independence is a significant political issue and the various UK and Scottish political parties have associated themselves with a particular outcome, canvassing for such an outcome does not, of itself, entail affecting public support for a political party. Therefore, the holder of a politically restricted post would not, in terms of the law, be prohibited from doing so. • However, this is an issue on which individual council’s may wish to seek their own legal advice. ACTION it may also be a subject on which COSLA might wish to source its own legal opinion 	<p>SOLACE</p>

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12	Date of future meetings	<ul style="list-style-type: none"> • Scheduling of meetings is challenging given diary commitments of the various members/advisers. • As planning for the Referendum continues, there may be a need for additional meetings or sub-meetings to oversee each workstream • The meeting schedule in general would continue with EMB meetings on the afternoon of the COSLA Leader’s meeting in Edinburgh. However, this would be kept under review. 	
Date of next meeting: 30 August at 2pm			

DRAFT