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| ELECTORAL MANAGEMENT BOARD FOR SCOTLAND **ACTION NOTE: 2PM 17 SEPTEMBER 2020**  ***HELD BY MS TEAMS DUE TO CORONAVIRUS RESTRICTIONS*** | | | |
| Present:   * Board Members: Malcolm Burr (MB, Convener & RO), Pete Wildman (PW ERO), Kate Crawford (KC, ERO), Ian Milton (IM ERO), Roger Meenie, David Martin DM RO), Steve Grimmond (SG RO) Jim Savege (JS RO), Andrew Kerr (RO), Kenneth Lawrie (KL, RO) * Advisers: Dr Penny Curtis (PC Scottish Government), Maria McCann, (MMcC Scottish Government), Mark Conaghan (MC DRO/SOLAR rep), David Miller (DM DRO/AEA Rep), Andy O’Neill (AON Electoral Commission), Martin McKeown, (MM Electoral Commission), Sarah Mackie (Electoral Commission),), Paul Docker (PD Cabinet Office) Roddy Angus (RA Scottish Government), Jack Lochans (Scottish Government) * In attendance: Chris Highcock (CH Secretary to the Board/DRO) | | | |
|  |  | **NOTE** | **ACTION** |
| **1.0/2.0** | 1. Note of Previous Meeting 30 June 2020 *(circulated)* 2. Apologies / Matters Arising | * Noted and accepted as an accurate record * Apologies: | **Noted** |
| **3.0** | **Coronavirus/General Planning activity** | Local Government By-elections in October/November (listed [here](https://www.emb.scot/elections/log-council-elections))   * It was noted that Scottish Borders were planning a further postponement due to resources pressures. * MB noted that there was pressure to postpone from some political positions. The general message from the EMB is that normal life is proceeding, with shops and other facilities open. ROs and other stakeholders should be reassured that voting will be possible in a safe manner s normal life continues under current restrictions. * Supplementary Guidance for ROs has been issued with the Risk Assessment template. This has been well received and used in the planning of the Autumn by-elections. This has also input to development of position for other nations in the UK. * Counting Agents – some discussion of the pressures on Counting Agent numbers due to venue capacity. AON noted the need for a consistent approach to Observers. **ACTION** CH to draft short paper on role of Counting Agents and approach from ROs. This be drafted on the basis of first principles - scrutiny and equity – but recognising pressures of space etc.   Updated Legislation: Home address and Emergency Proxy – *update by Scottish Government, new forms and guidance in place / previously circulated*   * Emergency Proxy forms should be finalised by the end of the week.   Preparations for Scottish Parliament Elections 6 May 2021   * Draft Scottish Parliament election amendment order – EMB comments, previously circulated, had been submitted to Scottish Government.   Discussions with Scottish Ministers / Opposition – *oral update*   * EMB, SAA, EC engaging with Ministers and Opposition MSPs around proposals to deliver SP election in the context of Coronavirus. There are a number of options including a 2 day poll, revision to postal vote timetable, options for postponement and contingency of an all postal vote. * Scottish Government Update on proposed legislative change – currently being drafted and will be shared as finalised. There are issues with all of these options that EMB is raised with Ministers. * There is a need for early clarity. * Electoral Commission research into Scottish voters' attitudes in the context of Covd-19 and possible impact on postal voting ([here](https://www.electoralcommission.org.uk/who-we-are-and-what-we-do/our-views-and-research/our-research/public-attitudes-towards-voting-scotland-context-covid-19)) – noted. Need for increased capacity in EROs to accommodate this increase in postal vote applications was noted. Note that this was research at a point in August and that the work needs to be reviewed and monitored.   Electoral Commission Updates – Public Awareness, Guidance, Campaign finance etc   * Joint January Event with the Electoral Commission to brief ROs and EROs **ACTION** AON and CH to meet to plan. It is likely that this will need to be a virtual event, possibly by the RRO clusters. * Capacity building among EROs – proposals to build capacity to accommodate additional postal vote applications – PW gave update of his work with EROs. A general understanding of the scope of additional resource has been developed and is being shared with Scottish Government.   Directions from the Convener of the EMB – based on directions for 2016, circulated   * To be discussed at the October meeting for final decision at November meeting. Must be consultation with Electoral Commission and with Board. Scope for addition of directions around Coronavirus.   Communications Strategy to support ROs and EROs   * EMB website under revision. * Regular bulletin to be circulated to ROs / EROs as in previous events. **ACTION** CH to draft and circulate. * Note MB makes regular reports to SOLACE   SP21 Risk Register   * Risk Register to be developed for monthly reporting. |  |
| **4.0** | **Electoral Commission Update** | Update on Electoral Commission Education resources / communication with Young Voters   * SM gave update on Commissions work around young voters. Range of material to be developed and deployed e.g. Democracy Cookbook is going online. * Guidance under development and being consulted on. * Guidance around Emergency Proxies ready to roll out to support by-elections. * New Partnership Officer, Katherine Sparrow has been appointed to focus on under-represented groups. * Expenses for by-elections including some consideration of media to support covid security. * Observation underway at all by-elections – **ACTION** Electoral Commission will produce a report to be shared with EMB highlighting lessons learned. |  |
| **5.0** | **Scottish Government Update** | * Written report circulated and noted covering * Scottish Parliament Election 2021 – Contingency Planning, meeting with Ministers, discussions continue on a range of issues including Postal Voting, Legislative Plans and Emergency proxies for shielders. * Scottish Parliament Election 2021 - Conduct Order * Scottish Elections (Franchise and Representation) Act 2020 Royal Assent was obtained on 1 April and the provisions allowing prisoners serving sentences of 12 months or less to vote in devolved elections came into force on 2 April. * Scottish Elections (Reform) Act 2020 – Royal Assent was granted on 8 July. Impact of Covid-19 on the 2020 Canvass * The Representation of the People (Electoral Registers Publication Date) (Coronavirus) (Scotland) Regulations, which postpone the date by which revised versions of the local government register in Scotland must be published by EROs for the year 2020 from 1 December 2020 to 1 February 2021, were approved by a Parliamentary Committee on 27 August. * Emergency proxies The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007 were laid on 14 August and are due to come into force on 23 September. The Regulations have the effect that the categories of people that can apply for an emergency proxy at local government elections are extended to include individuals who cannot vote in person because they are following Scottish Government or medical advice by shielding or self-isolating, and only become aware of the need to shield or self isolate less than 6 days before polling day. A similar change to the emergency proxy provisions for Scottish Parliament elections will be included in the Scottish Parliament (Elections etc.) Amendment (no. 2) Order 2020 * Candidates’ Addresses - candidates in Scottish local government elections can choose not to have their home address on the ballot paper, replacing it with “home address in the XX Council area” |  |
| **6.0** | **Electoral Registration Update from the Electoral Registration Committee of the SAA** | * Canvas underway in the new style. * Leaflet included with respect to foreign nationals. * NO significant change in postal vote applications currently being noted. |  |
| **7.0** | **Local Government Boundary Commission for Scotland update** | * Bill currently in the Lords around * Note vacancy for Commissioner * Changes being consulted on around Island wards. * Various reviews planned for 2021 * Two member words to be introduced to some island wards. |  |
| **8.0** | **Preparation for Scottish Local Government Elections 5 May 2022/ eCount Procurement and implementation (report to follow)** | * The tender process has been completed and the standstill period has now expired which means we can now proceed to agree the detail of the contractual arrangements with the preferred supplier. It is hoped that we can agree the detailed contractual arrangements this month and start the testing programme very shortly thereafter. |  |
| **9.0** | **EMB Financial Statement as at 31 August 2020 (circulated)** | * Noted |  |
| **10.0** | **EMB Annual Report – update** | * In draft |  |
| **13.0** | **Referendum Guidance** | * First draft on schedule for end of the year. |  |
| **14.0** | **Regional Returning Officers’ Group / ECAB and associated meetings** | * None |  |
| **15.0** | **AEA Branch Update** | * None |  |
| **16.0** | **Any Other Business** | * None raised |  |

**Dates of Future Meetings**

October November and December Meetings to be scheduled.