Appendix 1

<table>
<tr><td colspan="3">Scottish Local Government Elections 2022

Directions to Returning Officers and Electoral Registration Officers from the Convener of the Electoral Management Board for Scotland</td></tr>
<tr><td></td><td>Subject</td><td>Direction</td></tr>
<tr>
<td>1</td>
<td>Ballot Paper

Colour of Ballot Papers</td>
<td>Ballot papers must be white; tendered ballot papers must be pink.

The ballot paper is the fundamental voter facing document in the election. Production is an element of the eCounting contract and will be undertaken by a single print supplier for the whole of Scotland. This provides a consistent form of paper for all voters and supports a reliable, tested scanning process.</td>
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<tr>
<td>2</td>
<td>Ballot Paper

Official Mark</td>
<td>The Official Mark used for polling stations ballot papers must be different from those issued in postal vote packs. Returning Officers must ensure that all ballot papers include the appropriate official marks as agreed by the EMB with the printer supplier.

ROs will be informed of the agreed Official Marks prior to ballot paper production to allow them to confirm that papers meet the specifications. The Official Mark will be a secure design (difficult to copy or imitate) that will not feature images, letters or numbers. A different mark on postal ballot papers will ensure that they are distinct at the count and would be easily identified should any be found in ballot boxes from polling stations.</td>
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<tr>
<td>3</td>
<td>Notices

Publication of Notice of Election</td>
<td>Returning Officers must publish the Notice of Election on 14 March 2022.

Given that Polling Day is on 5 May 2022, this is the earliest possible date for publication and allows the maximum length of nomination period. This is important given the volume of nominations that ROs will have to handle. A lengthy nomination period will also be helpful should any Covid controls place further restrictions on the checking of nominations. As a result the "Pre-election period" (not-Purdah) will also commence on this date, although this is an issue for Councils not ROs.</td>
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<tr>
<td>4</td>
<td>Poll Cards

Date of dispatch of poll cards</td>
<td>Returning Officers must ensure that poll cards are dispatched from printers between 15/16 March 2022 to achieve delivery to electors within five working days of the publication of the Notice of Election.

There is in effect a "deadline" of 7 February 2022 for a validly registered elector to be included in this first issue. The poll card data will be based on the register as published on 1 March 2022 which will include valid applications up to and including 7 February 2022.</td>
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<tr>
<td>5</td>
<td>Absent Votes

First dispatch of Postal Ballot Packs</td>
<td>Returning Officers must ensure that postal ballot packs for inclusion in the first delivery to all validly registered electors are passed from printers to the postal services on 14 April 2022. All postal ballot packs are to be dispatched by first class post.

A consistent date of dispatch supports national communication and voter awareness activities and allows political parties and others to plan their campaigns. Postal ballot packs dispatched must include those sent to electors who are temporarily overseas e.g. on holiday. Under this franchise there are no overseas voters although some voters may be overseas at the time of the election - there will be service voters and may be some holiday makers/students with overseas ballot paper addresses.</td>
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6	Second Interim Election Notice of Alteration (SIENA) *Publication Date*	**Electoral Registration Officers must publish the Second Interim Election Notice of Alteration (SIENA) on 8 April 2022.** *With publication of the SIENA on 8 April 2022 a second issue of postal votes is able to pick up those electors who have applied for a postal vote since the first issue, ensuring they get their postal packs as quickly as possible and do not have to wait until the final issue.*
7	Absent Votes *Further dispatches of Postal Vote Packs*	**Returning Officers must ensure that there are at least three issues of postal ballot packs to ensure that packs are sent as soon as possible.** *The final dispatch to all validly registered postal voters should be handed over from printers to the postal services on 26 April. There is also scope for manual issue by ROs should numbers be very small.*
8	Verification and Count *Count Timing*	**Returning Officers must ensure that the first ballot boxes are opened after 8am and not later than 9:30am on Friday 6 May 2022 to allow the verification and count to begin for their wards. There will be no overnight counting of votes but the verification/count in all councils must be underway by 9:30am on 6 May 2022.** *This is in line with the 2012 and 2017 directions. For Local Government Elections in Scotland a "next day count" is now well-accepted, offering important resilience to the eCounting systems. There was also a next-day Count in the 2021 SP Election, on account of the Covid restrictions, following which there was wide agreement that the daytime count this year offered many advantages. The Direction formalises the position that there will be no overnight count, but ensures that there will be no undue delay, with all Counts underway by 9:30am.* *The Direction does not require that all ballot boxes will have been received at the Count Centre by 9:30am on 6 May. It only requires that boxes begin to be opened by 9:30am. These could be boxes of postal ballot papers.* *The Direction does not prevent an overnight reconciliation of unused/spoilt papers or the checking of Ballot Paper Accounts. However, if these tasks are done overnight then there must be allowance and facilities for observation to promote transparency.*
9	Postal Votes *Royal Mail Sweep*	**Returning Officers must make arrangements with Royal Mail for a polling day sweep of the sorting office for their Council area to ensure that, as far as possible, all postal packs in the system are recovered.** *The EMB will liaise nationally with Royal Mail, but the local arrangements for the receipt of the sweep need to be made by each RO with their Royal Mail representative. It is clearly in the interest of the voters that every effort is made to recover all the votes cast. With the substantially increased number of postal voters following the 2021 growth, this is of continuing importance.*

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10	Verification and Count *Information in Count Centre*	**All Returning Officers must ensure that the Candidate First Preference Vote bar chart is clearly displayed during the scanning/adjudication for each contest.** *This will support transparency, promote confidence in the Counts and deliver consistency across Scotland. ROs must make sure that candidates and agents are fully briefed on the STV count method and the eCount system so that they understand the information that is displayed and its relation to the final results (i.e. that first preference totals do not always correspond to the ultimate results). This should benefit all those present, enhancing the transparency of the Count.* *This display has been revised following consultation in the development of the eCount system and experience in 2017. Formerly the display only showed the position until 80% of voters had been counted. The new system is a continuous display that includes 100% of first preference votes. When all boxes have been verified a line is included on the graph showing the provisional quota to be reached, this is not the final quota as the quota will reduce if any votes are rejected, reducing the number of "valid votes" in the count.*
11	**Declaration of Results** *Agreed Script*	**The "Declaration of Results" report generated by the eCount system provides a script that the Returning Officer must use in declaring the result in each Ward.** *This will support a consistent and legal declaration of results in each contest, recognising the statutory responsibility of the RO to declare the result. Returning Officers will not read the second page as part of their verbal declaration; general practice is that the second page of the "declaration" is for the electronic or printed versions only.*

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12	**Results and Reports** *Publication of Information*	**Returning Officers must publish the reports below, generated by the eCount system, to Council Websites as soon as possible after the final declaration of the Count. For consistency, only these reports are to be published.** At the conclusion of each contest the following reports can be downloaded for explanation to candidates and declaration by the Returning Officer: • Candidate Votes Per Stage Report; and • Declaration Report *Note that the current eCount system will allow these reports to be downloaded and published as soon as each individual Ward contest is complete. There is no need to delay download and publication until all contests are complete as was required in 2017.* At the end of the election a folder will be produced with a full set of reports for publication to your website, you will however need to add the Preference By Ballot Box Report after amalgamation of any boxes with under 200 ballot papers issued: 1. Declaration of Results (pdf) 2. Preference Summary (pdf) 3. Transfers (pdf) 4. Candidate Votes per Stage (pdf) 5. Preference Profile (blt file) 6. First Preference (pdf) *Publication of this set of reports will allow the Returning Officer to fulfil the requirements of the Election Order in 56 (c).*
		RECOMMENDATIONS TO RETURNING OFFICERS AND ELECTORAL REGISTRATION OFFICERS (NOT CURRENTLY DIRECTED) While **not** formally given as Directions, ROs and EROs should give appropriate attention to the following areas. Some of these issues are related to measures that may be required or recommended to address public health issues arising from the Coronavirus pandemic. The EMB is engaging with Public Health Scotland to ensure that current and accurate advice is available to the electoral community as in 2021. The <u>EMB material/supplementary guidance for the delivery of elections under Covid conditions</u> remains valid for these elections. The EMB will keep these issues under review and if necessary and appropriate additional directions will be issued. It is expected that the elections will be delivered in a "Covid sensitive" manner and that while there may not be a public health **need**, the arrangements from 2021 in terms of physical distancing, enhanced ventilation, hand hygiene, Perspex screens, fresh pencils and regular cleansing etc will be expected.
a	**Covid Risk Assessment**	As part of their general duty of care for staff and voters Returning Officers should be completing Risk Assessments of the venues used during the election. In preparation for the Scottish Parliament Election in May 2021 ROs were required to complete a full Coronavirus focused risk assessment ahead of the publication of the Notice of Election. This was to ensure that they had considered and where appropriate addressed all relevant issues. This is not specifically being required for these elections although it is expected that ROs and EROs will have incorporated these issues in their general assessment of risk across the election.

b	**Polling scheme** *Allocation of voters to polling stations*	While **not** at this point fixing a ceiling on the number of voters allocated to each polling station, Returning Officers must plan their polling arrangements to ensure there is sufficient capacity to allow voters to cast their vote without having to wait in a queue for an unacceptable time. Physical distancing and the limited capacity of polling places due to COVID prevention measures mean there is a risk of queues developing. Limiting the number of in-person voters allocated *per* station should minimise this risk. In addition ROs should review all polling places to ensure that where places contain multiple polling stations, overall arrangements for that location will provide for appropriate physical distancing and other measures consistent with guidance and risk assessments, such as one way routes and ventilation. Particular attention should be given to polling places with three or more stations and to those that are especially compact, to ensure that the layout of the building, particularly at the entrance/exit points of the polling place, allows space for the movement of voters through the premises. ROs will wish to consider how to support especially busy periods although it has been noted at recent by-elections that with people working from home the usual peaks before and after working hours were less marked.
c	**Performance Management and Monitoring**	As usual the Electoral Commission will support and challenge Returning Officers and Electoral Registration Officers and report on the elections. The EMB may, depending on circumstances, undertake additional monitoring to provide assurance to the Convener that ROs and EROs are complying with his Directions and that all planning and delivery tasks are being undertaken to the appropriate timescales and standards.
d	**Adjudication of doubtful papers**	A working group of the EMB, with input from the Electoral Commission, has been reviewing the approach to the adjudication of doubtful papers to ensure a consistency of approach with respect to 1st level adjudication (ballots being passed to RO for adjudication) and RO adjudication (the allocation of ballots to the different rejection categories within the Order.) Further advice will be issued by the EMB to ensure consistency across the country.
e	**Transparency at Box Opening**	Returning Officers must provide adequate space, access and facilities to allow candidates and agents to observe the opening of ballot boxes, the unfolding of papers and their orientation in preparation for scanning. In the interests of transparency and the support of scrutiny every effort must be made to allow this process to be observed as it is a unique opportunity for candidates/agents to have sight of the papers, which will be prepared for scanning face up. To achieve confidence in the result of an election all processes must be transparent, accurate, auditable and evidenced, while maintaining secrecy. Full and effective scrutiny of processes is an important element in promoting confidence in and acceptance of results.

MALCOLM BURR
CONVENER OF THE ELECTORAL MANAGEMENT BOARD FOR SCOTLAND
5 November 2021

Election Timetable: Local Government Elections Thursday 5 May 2022

The days which are disregarded in calculating the timetable are Saturday, Sunday, Good Friday, Easter Monday[1], Monday 2 May, bank holidays and any day appointed for public thanksgiving or mourning.

Please be aware that the timetable may change in the event of days being appointed for public thanksgiving or mourning.

Event	Working days before poll (deadline if not midnight)	Date
Publication of notice of election	Not earlier than 35 days and not later than 28 days	Monday 14 March (DIRECTION)
Delivery of nomination papers	Not later than 4pm on any working day from the day after the publication of notice of election until 4pm on the 23rd day	Not later than 4pm on any working day after the publication of the notice of election until 4pm on Wednesday 30 March
Deadline for withdrawals of nomination	23 days (4pm)	4pm on Wednesday 30 March
Deadline for the notification of appointment of election agents	23 days (4pm)	4pm on Wednesday 30 March
Publication of notice of poll, including situation of polling stations	As soon as practicable after the deadline for withdrawals	As soon as practicable after 4pm on Wednesday 30 March
Publication of the first interim notice of alteration	23 days	Wednesday 30 March
Deadline for receiving applications for registration	12 days	Monday 18 April
Deadline for receiving new postal vote and postal proxy applications, and for changes to existing postal or proxy votes	11 days (5pm)	5pm on Tuesday 19 April
Deadline for new applications to vote by proxy (not postal proxy or emergency proxies)	6 days (5pm)	5pm on Tuesday 26 April
Publication of the second interim notice of alteration	Between 22 days and 6 days	8 April (DIRECTION)

[1] Although disregarded in relation to calculating the election timetable, Easter Monday is not a disregarded day in Scotland in relation to calculating the registration deadline.

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Event	Working days before poll (deadline if not midnight)	Date
Publication of final election notice of alteration	5 days	Wednesday 27 April
Deadline for notification of appointment of polling and counting agents	5 days	Wednesday 27 April
POLLING DAY	0 (7am to 10pm)	**7am to 10pm on Thursday 5 May**
Last time that electors can apply for a replacement for a spoilt or lost postal vote	0 (10pm)	**10pm** on Thursday 5 May 2022
Deadline for emergency proxy applications	0 (5pm)	5pm on Thursday 5 May
Last time to alter the register due to clerical error or court appeal	0 (9pm)	9pm on Thursday 5 May
Verification and Counting of the Votes (Electronic Count)	+1	From 8am on Friday 6 May
Last day to submit election campaign spending returns	+35	Friday 10 June
Sending postal vote identifier rejection notices	Within 3 months beginning with the date of poll	By Thursday 4 August

Note that the verification/counting of the votes on 6 May does not preclude a reconciliation of unused or spoilt papers and the checking of arithmetic on Ballot Paper Accounts at the close of poll/overnight. However, Returning Officers are reminded that if they undertake any such checking of spoilt or unused papers at the close of poll/overnight then access of candidates, agents, observers etc. to observe will need to be permitted. The need to ensure transparency, scrutiny and acceptance is paramount so the details of any such activities would need to be publicised to candidates, agents, observers etc.