

Elections

Scotland

Information Bulletin: August 2011

Update from Mary Pitcaithly, Interim Convener of the Electoral Management Board

With the challenges of the electoral events of May 2011 – for most of us probably the most complex polls that we have ever had to manage - now fading into our memories, we are all now turning to begin planning for 3 May 2012 and the local government elections which I am sure will bring their own challenges.

With the Local Electoral Administration (Scotland) 2011 Act now law, this Board now has a statutory basis. The Act specifies the function of the Board. *“The Board has the general function of co-ordinating the administration of local government elections in Scotland.”*, and further explains that function in terms of

- *assisting local authorities and other persons in carrying out their functions in relation to local government elections, and*
- *promoting best practice in local government elections by providing information, advice or training (or otherwise).*

The Convener of the Board will have a power of direction over ROs and EROs with respect to local government elections, although I anticipate that, given the nature of the community in Scotland and the recent experience of directions from the CCO, any such direction would be made with a “light touch”.

A process for the appointment of a Convener, which will be a ministerial appointment, is already underway. Once the Convener is appointed they will have the task of appointing a Board with 5 Returning Officers or Depute Returning Officers and 3 Electoral Registration Officers.

These appointments will be communicated to the electoral community in Scotland as soon as they are made.

eCounting Bulk Test

All local authorities will now have had the opportunity to participate in the recent bulk testing of the eCounting system which has been procured by the Scottish Government for the use of Returning Officers for the elections next May. These events in Perth were useful and highlighted a range of issues related to the system

The Board contacted each RO following these events and requested any comments about them. I have received a wide range of very useful comments which have been considered by the Board and which I will raise with the project Board. Given the experience of 2007 it is vital that the contractors are responsive to the views of the body of Returning Officers and their staff who will have to operate the system.

Many comments were made regarding specific technical elements of the system and the way in which the workflow was planned. I will ensure that these inform the final design and roll out of the system in the coming months.

I also received some comments about the purpose of the day with some concerned that it was a demonstration rather than a test and this has also been discussed with the Project Board.

If you have any further comments on your experience of the Bulk Test then please raise them with me, via Chris Highcock as Secretary to the Board.

eCounting User Agreements / Contract

Related to this you will all now have received your User Agreements for the system. I would encourage you to review these in detail and to

seek the advice of your Legal and Procurement staff.

There are a number of elements to the agreement of which you need to be aware in your planning for next year. These include:

- Ballot Papers are estimated on 2007 registration figures – not the current electoral roll - and are at a fixed price with a +/- 5% variance;
- Ballot Boxes are only to be supplied sufficient for each polling station. There is no provision for spares or for boxes for postal votes;
- Racking and ballot paper trays will not be supplied by the Contractor and are the responsibility of the User
- Additional Services will have to be booked by end of Oct 2011. We will all therefore have to have the majority of our count logistics agreed by then; and
- The payment schedule sees the initial payment for the system being made in December 2011; we will each need to ensure that there are funds in place for this.

There may be additional issues that you identify of concern in the agreement, but these are some factors of which you need to be aware at this point.

A key issue that this emphasises is that planning for next year needs to be started now, particularly the logistics, layout and accommodation for your count.

With regard to the financing of the system, the Scottish Government will cover the costs of the basic specified set up for each authority and I understand that they are currently in discussion with COSLA as to how best to structure the payments to Councils.

3 May 2012 Election Timetable

While not wishing to imitate either the volume or the tone of the directions issued by the CCO for the electoral events of May 2011, the EMB would wish to promote appropriate consistency in the conduct of next year's elections and specifically around key areas of the election timetable.

The Board will encourage all ROs and EROs to aim for a national consistent date for the dispatch of poll cards and postal votes.

The timetable for next year is still to be fully finalised and the definitive dates will depend on the provision of the Election Order which we expect to be laid before Parliament in the next 2 weeks.

The Forms Working Group will develop a draft timetable once the final Order is available, but given our current understanding the 23 April 2012 looks like an appropriate date by which all postal votes will be dispatched and 1 April a point by which all poll cards should be issued.

However, Returning Officers will need to discuss postal vote dispatch issues in detail with both Opt2Vote who are printing the ballot papers and with the printers who are supplying your mailers, to ensure that the material can be compiled accurately and in good time. You may also need to negotiate with Opt2Vote to ensure that the ballot papers can be delivered to an appropriate site for them to be put into the mailers.

Also with respect to the timetable, the notice of election should be published as early as possible to ensure that there is the longest possible nomination period.

These dates will be *guidance* from the Board rather than directions.

In all these issues the Board wishes to continue to promote the Gould principle of putting the voters' interests first.

Pre-election Period

Another area of consistency that the Board wishes to promote is with respect to the "Pre-Election Period" (still often called the Purdah period).

At a recent meeting of the National Communications Advisory Board there was a clear desire on the part of the Councils in attendance that we should pursue some measure of consistency for the 2012 elections, not least the date on which it comes into force. The Board strongly supports this position.

Stewart Argo from City of Edinburgh Council will lead on this, with support from colleagues in Falkirk.

However, the Board would not wish to impose any national approach which might conflict with local practice and approaches which have developed over the years with the agreement of local politicians and administrations.

AVI Checking – Refresher Training for DROs

Following the electoral events of May a number of ROs and DROs contacted the Board to raise concerns about AVI checking.

With the volume of postal votes continuing to rise the importance of postal votes to the outcome of many polls is recognised by ROs and politicians. Rejection rates in Scotland tend to be relatively low, in the order of 2%-3% and I am not aware of any instances of deliberate or systematic fraud. Rather, in reviewing these identifiers as ROs we can probably all recall instances where we have had to reject postal votes due to mismatched signatures from the elderly or infirm.

When AVI checking was introduced for the 2009 European elections the Forensic Science Service provided some basic training on signature verification, arranged by the Electoral Commission.

With the experience of several elections now under our belts we are all probably more familiar with the practical issues associated with checking signatures. In addition the Board recognises the turnover of staff involved in the verification of AVIs and has contacted the Documents and Handwriting section of the Forensic Services section of the new Scottish Police Services Authority to investigate some refresher training on AVI checking.

Training events should take place in early 2012 in time for next year's polls and you will be contacted about these in coming months.

Timing of the Count

The timing of the Count continues to be a matter of discussion and the Convener of the EMB has written to the Minister responsible for elections in the Scottish Government to seek clarity on the issue.

The Elections Order does not specify a time and as in May it is up to each Returning Officer to choose the timing of the count that is most appropriate and which will facilitate an accurate, secure and efficient poll in which the voters can have full confidence.

The EMB continues to support the principle of counts on the day following the day of poll and will seek to promote this position with ministers.

Communication and Other Issues

The Board exists to support the electoral community in Scotland, always aiming to put the interests of the voter first. Our focus initially is on next year's local government elections and if there are any further items which you would wish to see added to the Board's work programme, then please let us know.

Please continue to escalate any issues of concern with the Board or to raise any items for discussion.

In the first instance you should contact Chris Highcock (0131 469 3126, chris.highcock@edinburgh.gov.uk) who is acting as Secretary to the Board.

Mary Pitcaithly

Interim Convener, Electoral Management Board for Scotland