

Bulletin: January 2011

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

This is the first bulletin that has been issued by the Board since I took over as Convener and before I begin to address some of the key issues that need to be considered in preparation for the electoral events of 5 May 2011, I wanted to take the opportunity to recognise the work done by my predecessor, Tom Aitchison. Tom oversaw the establishment of the Board and served as Convener during the European Parliamentary Elections of 2009 and the UK Parliamentary Elections of 2010.

His vision for the Board and his leadership of it was excellent and as he retires I take responsibility for a body which is increasingly respected and seen as a key feature in the Scottish political landscape. Legislation will soon be in place to put the Board on a statutory footing and the Board will continue to work to achieve the aims which it has worked towards since its inception: facilitating national consistency, simplifying decision making and keeping the focus on the elector.

Preparation for the 5 May Electoral Events – Role of the Chief Counting Officer and Regional Counting Officer

Ultimate responsibility for UK referendums lies with the Chair of the Electoral Commission who assumes the role of Chief Counting Officer (CCO). I will be Regional Counting Officer (RCO) for Scotland.

As CCO, Jenny Watson has prepared number of directions as to how she wishes the Referendum to be managed and just before

Christmas these were issued to Counting Officers as part of a series of instruction modules. As you review these documents you will note that there are a number of deadlines for us to meet, including the need for project plans and risk registers to be submitted to the Electoral Commission's Scottish Office by 28 January.

Early drafts of the guidance had been shared with a [Steering Group of RCOs](#) of which I am a member and the IEMB made a series of comments on the proposals, some of which have influenced the shape of the instructions as they now stand.

The CCO is keen to deliver a consistent, safe and secure Referendum right across the UK and her directions have been drafted with that intention.

If, as a CO, you consider that you have a legitimate reasons for not following these directions you must apply directly to me as RCO for an exception. The CCO will discuss with me how exceptions should be considered and the factors that will be taken into account.

As RCO there are a number of procedures and protocols that I will need to put in place, for example with respect to the reporting of the referendum results to me for transmission to the CCO. These are being drafted at the moment and I will explain the processes further in the coming weeks.

Challenges for 5 May 2011

As Convener of the Board I have had some meetings in recent weeks with both the UK Government and the Scottish Government to discuss the challenges that will be presented in administering the complex events of 5 May 2011, with the additional complications of formal combination.

Some of the challenges that I have identified in my own thinking and planning include the following, a number of which I mentioned in discussions with the Governments. I would encourage you to ensure that your own planning is taking account of these issues.

Recruitment of staff

- Increased numbers of polling staff for combined poll
- Increased counting staff if fresh team needed to do referendum count starting at 4pm on Friday 6 May
- Full, i.e. detailed, training of polling staff
- Increased inspections of polling stations
- Less staff available in councils with financial cut backs

Combined poll cards

- First issue date
- Final issue by 26 April
- Revised contractual arrangements with printers required

Postal votes

- The number of issues of postal votes – whether there will be a single issue of postal votes or two
- Increasing numbers of postal votes
- First issue by 18 April – i.e. getting postal ballot packs out as early as possible
- Ensuring delivery across whole of counting area – i.e. minimising incidents of postal voters not receiving their ballot packs
- Identifying last dates by which postal ballot packs, for national consistency, should be issued and received by voters requires negotiation with Royal Mail

- Managing implications of a postal strike
- Negotiating changes to current contracts for issue of PVs – potential for increased costs
- Increased potential for contractors failing to deliver due to size of combined poll
- Working around all the public holidays in run up to 5 May – both for ROs' contractors and staff and also Royal Mail
- Collection of PVs from all polling stations at least once on polling day – difficult and costly for rural areas

Printing of ballot papers

- Increased potential for contractors failing to deliver due to size of combined poll
- Increased likelihood of numbering errors because of different franchises

Verification procedures

- Full verification of three sets of ballot paper accounts/POs' sacks overnight substantially increases requirement at count venues for space, staff, time taken and cost
- CCO's count model requiring existing locally accepted systems to be adapted
- The need for robust recount criteria from CCO for referendum and the potential impact on length of count time

Costs

- Referendum costs to be subject to approval of CCO –
- The CCO also has power to restrict the fee paid to the CO amount if CCO thinks CO performed a service inadequately

- Increased costs identified above will be shared with SP elections which are subject to capped sum in Charges Order. Costs to be managed very carefully.

Count Timing

A further key factor relates to the timing of the Count. The CCO is minded to direct that the verification of the Referendum papers is completed by 1pm on Friday 6 May and that the count of the Referendum papers commences at 4pm that same afternoon.

The CCO's requirements for the referendum do give the possibility of a Scottish Parliament count on the Friday.

In any case, the combined events will pose a major challenge with respect to staffing and resourcing the two counts and much planning and analysis will be needed to ensure adequate preparation.

Consistency Issue –Ballot Papers for the Scottish Parliamentary Elections

A basic premise of the IEMB has been to support appropriate consistency in the delivery of elections in Scotland. We have had some initial discussions of one of the key consistency issues – Ballot Papers.

With respect to the design of the paper there are guidelines in the [Conduct Order](#) and a sample design has been circulated by Chris Highcock.

In terms of colour the Board has decided that the same colours are used as were for the Parliamentary papers in 2007: The precise pantone references will be circulated shortly.

The Referendum paper will be light grey in colour as per the guidance issued by the CCO.

Royal Mail

As in previous elections the Board has commenced a dialogue with senior managers at Royal Mail. You will have noticed that, as ever, the postal vote timetable is extremely tight and the situation is made worse by the

number of public holidays that will occur in the fortnight before the election.

The Chief Counting Officer has also proposed directions concerning the dispatch of postal votes and poll cards.

At a Board meeting early in the year we will be discussing the implications of these pressures directly with Royal Mail senior managers.

Royal Mail will have a clear protocol for the resolution of problems, but if you have any problems that cannot be resolved using the identified escalation procedure please let me know and I will raise the issue directly with Ian McKay, Director of Scottish Affairs for Royal Mail.

A Royal Mail Sweep

One of the recommendations of the CCO will be that every CO undertakes a Royal Mail Sweep at the close of poll to recover postal votes. This will be funded by the Government as part of the finance for the Referendum although, of course, it will also retrieve Parliamentary ballots from the process.

Insurance & Caveats

Can I also take this opportunity to encourage all ROs and COs to check their insurance position to ensure that there is sufficient cover in place to take account of both the elections and the referendum.

In a similar vein, I would also advise you to ensure that you have the appropriate caveats lodged to address any potential challenges to the election. The issue of prisoners' voting rights is one area in which such challenges may occur, but there are others. Caveats may need to be renewed or redrafted to accommodate the referendum.

Forms

For the UK Parliamentary elections in May 2010, a "Community of Practice" was established on the IDEA website hosted by the Improvement Service and officers across the country used it to download the forms prepared

by the Forms Group and take part in discussions through the associated forum.

For the events of 5 May the Forms Group is again meeting and preparing set of forms to be available for use across Scotland.

In addition, the CCO is working on a series of standard "voter facing forms" which will be expected to be used by COs across the UK. These will include poll cards, postal vote statements and certain notices for the polling station.

It is expected that these will be ready for the end of January 2011, although the Board has made representations to the CCO expressing our concern that these must be available as early as possible, to facilitate planning by printers, particularly with respect to postal vote materials.

Future Briefing Events

Some further joint briefing events are planned by the IEMB and the Electoral Commission. The first will be held on 24 February and will allow a more detailed briefing of the key issues, specially in light of the event that had to be cancelled late last year due to the severe weather.

ROs / COs will also be briefed on major issues at SOLACE meetings and a meeting is also planned for the Public Awareness Network.

The Future of the Board

You will be aware that the Scottish Parliament is currently progressing legislation which will put the IEMB on a statutory footing, initially for local government elections. This is expected to become law in March 2011 and come into force after July.

The Bill will also change the composition of the Board slightly – in addition to advisors the Board will consist of 6 Returning Officers (or Deputy Returning Officers) and 3 Electoral Registration Officers. The legislation also gives the convener of the Board a power of direction over Returning Officers for Local Government elections, similar to that which the Regional Returning Officer has for European Parliamentary elections. You will also have

noted that the current Scotland Bill also anticipates the transfer of responsibility for Scottish Parliamentary elections to the Scottish Government and as such there may also be a role for the IEMB in these polls.

A set of "standing orders" of the Board is being prepared at the moment and I will circulate these as soon as they are finalised for any feedback from ROs and DROs. A Corporate Plan is also to be drafted.

eCounting Project 2012

You will now have been invited to an initial trial / demonstration of the eCounting system to be used for the Local Government elections in 2012. Following a rigorous procurement process a solution offered by Logica and Opt2Vote has been selected and the Board is now working closely with the Scottish Government to support the implementation of the service.

The Board has secured funding from the Improvement Service, the Scottish Government and the Scotland Office to support a consultant to oversee the implementation stage and Alex Thomson, former DRO in Edinburgh will be leading this work for the Board.

Communication

In recent months the Board has been making an effort to communicate more effectively with the electoral community within Scotland. The agendas and action notes from Board meetings are now circulated to ROs and EROs as well as to members of the AEA, SOLAR and EROs across Scotland. As soon as resources are available it is also my intention to put these documents onto an EMB website.

Chris Highcock as Secretary to the Board will circulate any relevant information to Returning Officers and their Deputies as issues arise and he will continue to do this as 5 May approaches.

One of the prime functions of the Board is to simplify decision making with respect to elections in Scotland, but I also see it as an advocate for the profession. I would encourage you to escalate any issues with the Board or to identify any items for discussion or intervention.

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

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Interim Electoral Management Board for Scotland