

“...to deliver  
a result that will  
be trusted  
as accurate”

Electoral Management Board for Scotland  
**2016/17 Annual Report**  
with financial summary 2014/15, 2015/16 and 2016/17



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## Outline

This annual report reviews the work of the EMB through the major electoral events of 2016 and 2017. It reviews the history, function and roles of the Board and revisits its objective, principles and general approach.

A review of the major activities of 2016 and 2017 is followed by a reflection on that period and how its lessons and the current context combine to shape a series of priorities and a work programme for the EMB in the period 2018-21.

The report includes the Board's Financial Statement, a list of the members and links to further resources and information.

## Introduction

The EMB was set up under the Local Electoral Administration (Scotland) Act 2011. This Act gives the Board "the general function of co-ordinating the administration of local government elections in Scotland."

The EMB is independent of both Scottish and UK Governments and political parties, but is accountable to the Scottish Parliament. The Convener is appointed by Ministers and leads a Board consisting of Returning Officers, their Deputies and Electoral Registration Officers.

Advisors include professional associations - the Association of Electoral Administrators (AEA), the Electoral Registration Committee of the Scottish Assessors Association (SAA), the Elections Working Group of the Society of Local Authority Lawyers & Administrators in Scotland (SOLAR) - the Scottish and UK Governments and the Electoral Commission.

## **Foreword**

### **By the Convener of the Electoral Management Board for Scotland**

With the Electoral Management Board for Scotland (EMB) formally established in 2011 in relation to council elections, the years following have seen a period of unprecedented workload for election professionals in Scotland, with 8 major electoral events between 2012 and June 2017. During that period the EMB has become increasingly recognised and valued as a pillar of the democratic landscape in the country. The advantages of the consistency and coordination it delivers have become obvious and are appreciated by political parties, electoral administrators and by the voter. Even where the Board has no statutory role, the community of election professionals still look to it to provide leadership in key areas.

2017 had been the focus of much planning given the EMB's formal role in the coordination of the Scottish Local Government Elections and I was pleased to see those polls proceed so well. However, the "election season" was unexpectedly extended with the announcement in early April of a UK Parliamentary General Election. This added hugely to the workload of electoral administrators who had to plan for the Westminster polls while delivering the complexities of the local elections. I was proud of the way in which the community across Scotland rose to this challenge and gave the electorate a set of professional polls in which they could have full confidence. The EMB was able to offer support, advice and guidance through this period with specific recommendations made to support consistency and promote resilience across the country.

The current "pause" in the election timetable offers an opportunity for the community to review its approach and focus on the delivery of elections with increasingly limited resources. There are opportunities for new methods, more partnership working and increased innovation. It is also an opportunity for the EMB to move towards a new statutory basis with increased powers for all statutory elections in Scotland. I look forward to continuing to work with Governments, the Electoral Commission and other stakeholders in the coming years to maintain a resilient and creative infrastructure ready for the challenges of future elections in which we always put the interests of the voter "front and centre".

Mary Pitcaithly OBE,  
Convener of the Electoral Management  
Board for Scotland

January 2018

## Function and Roles

The EMB's "general function of co-ordinating the administration of local government elections in Scotland," involves two specific roles:

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

A primary focus is ensuring that the interests of the voter are kept at the centre of all election planning, delivery and administration.

Over recent years, the EMB has had an increasingly important role in promoting a consistent delivery approach, acting as a single point of contact for stakeholders and providing a source of professional expertise and support to the electoral community.

## Objective and Principles

With respect to specific electoral events this function translates into a single clear objective:

**"...to deliver a result that will be trusted as accurate"**

The currency of elections is trust. Confidence in the result is fundamental to the democratic process and is predicated on confidence in all stages of the process of planning and delivering an electoral event.

## Principles

To achieve this objective the EMB shapes its work around four key principles:

- **Accessibility** - there should be no barriers to any voter taking part
- **Consistency** - voters should have the same experience wherever they are in Scotland
- **Efficiency** - electoral events will be administered efficiently
- **Integrity** - electoral events will produce results that are accepted as accurate

## Approach

The Convener has the power to issue directions to Returning Officers (ROs) and Electoral Registration Officers (EROs) in relation to their duties around local government elections. Where there is no power of direction the Board makes recommendations to ROs and EROs to promote consistency and support resilience.

The Board makes use of the close and mutually supportive community of electoral professionals in Scotland. The preferred approach is to operate through a progression:

- **Consensus** where possible
- **Guidance** where helpful
- **Direction** if necessary

## MANAGEMENT COMMENTARY: 2016/2017

### 2016

#### Scottish Parliament Elections

- No legal role, no power of direction over ROs or EROs
- Recommendations to ROs and EROs to promote consistency and support resilience
- Produced a consistent suite of election forms and documentation for use by ROs
- Published "Guidance on preventing and detecting electoral fraud in Scotland", jointly with Police Scotland and the Electoral Commission
- Briefing material on actions to be undertaken on the death of a candidate
- Protocol for approach to dealing with suspected cases of personation
- Produced a Regional List Seat Calculator and associated Data Collection Sheet to support Regional Returning Officers and give a consistent approach across Scotland
- Collated final electorates and election results nationally for use by public, political parties, the media and researchers

## 2016

### Referendum on UK's Membership of the EU

- No legal role, no power of direction over Counting Officers (COs) or EROs
- Convener was Regional Counting Officer and had key role in oversight for whole of Scotland and planning on a UK level
- EMB Forms Group published a set of forms to support Counting Officers with consistent material to assist work with Agents, managing the Poll, dealing with Absent Voters and delivering the Count

## 2017

### Scottish Local Government Elections (SLGE)

- Directions issued to ROs and EROs to give consistency in key voter facing areas with second set of additional directions including ballot paper colour, official mark, date for publication of notice of election, dispatch of poll cards and postal votes, count timing, performance management, adjudication of doubtful papers and collation of results
- Collation and publication of key information on the Elections: Summary Results Data from the 32 Council Elections; Polling Day Electorate; Details of all candidates by ward and local authority; Summary Of Candidates Nominated
- Project Sponsor for the delivery of the eCount Project 2017, Electronic Vote Counting Training Guide, regular bulletins to ROs on the delivery of the project, key role in the procurement of the ICT solution, subgroup eCount Print Group to give consistent commonly agreed materials. Note that project was managed by the Scottish Government due to lack of resource within EMB
- Guidance materials for use by ROs including Personation Guidance, advice on the adjudication of doubtful papers with examples, full suite of forms and documentation produced by the Forms Working Group covering all elements of electoral administration
- Project planning documentation including key project milestones timeline to support work with the national printer
- National briefing event for ROs and EROs to support initial project planning, with input from Scottish Government, ICT provider, Electoral Commission and Police Scotland
- Worked with Electoral Commission to monitor performance of ROs through a Performance Management Framework with quality assurance exercises across Scotland

## 2017

### UK Parliamentary General Election (UKPGE) Delivered at Short Notice

- No power of direction, but Convener had tasks as part of oversight for whole of the UK
- Recommendations to ROs and EROs to promote consistency and support contingency
- Consistent dates for publication of notice of election, issue of poll cards, dispatch of postal votes

### Additional Activities 2016/2017

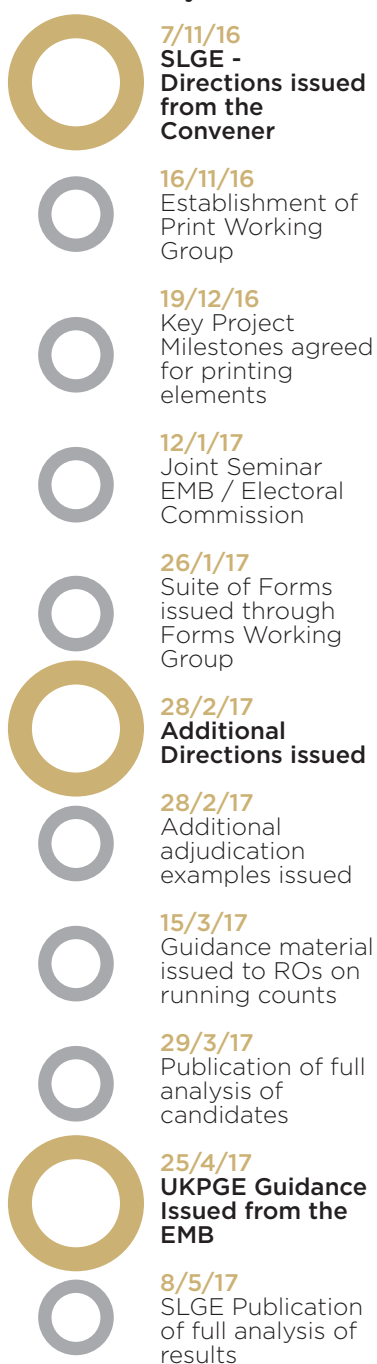
- Annual seminars and workshops – developing the professional community of ROs, EROs and their teams
- Reviewing past events to learn lessons
- Planning future events to improve performance
- Close work with Police Scotland and the Electoral Commission on electoral integrity, developing resources for ROs and for Police Officers, briefing Police nationally on the integrity issues for electoral events
- Provision of professional advice and comment on all electoral matters to the Scottish and UK Governments and the media, including the provision of evidence to various Committees of the Scottish Parliament

### Electoral Registration

- During 2016/17 EROs in Scotland prepared and issued registers to Returning Officers for the Scottish Parliament Elections in May 2016, the EU Referendum in June 2016, the Scottish Local Government Elections in May 2017 and the UK Parliamentary Election in June 2017
- In the run-up to these events EROs had to deal with a significant number of new applications. In the case of the EU Referendum the numbers applying online were so large that they brought down the gov.uk/registertovote website. Emergency legislation was passed by the UK Parliament to extend the deadline for registration. This had the knock on effect of reducing the time for checking and producing ballot box registers
- The UK Parliamentary Election in June 2017 was a “snap” election and therefore required EROs to move swiftly to prepare for this election. Despite this, no significant issues with the registers in Scotland were reported at any of these electoral events

- EROs also continued with their year-round work of identifying new electors through data mining and through the annual canvass. The procedure for the annual canvass under Individual Electoral Registration is heavily prescribed in legislation and it is recognised by government that consideration should be given to relaxing the legal requirement to give EROs greater flexibility in how the canvass is carried out. The EROs for Glasgow and Dumfries and Galloway took part in pilot schemes in 2017 to trial alternative approaches to the annual canvass

### Timeline of Key Activities 2017



### Reflections on the Events of 2016/17

The remainder of this report reflects on the events of 2016/17, drawing out specific actions to address the lessons that have been learned from elections within this period.

- **Lessons** – specific lessons from 2016/17 events
- **Principles** – guiding principles derived from these events
- **Strategic context** – a pause in major scheduled electoral events
- **Strategic direction** – taking the opportunity to strengthen and develop the community
- **Workstreams** – consistency, efficiency, integrity, innovation
- **Work Programme** – projects and work elements

### Specific Lessons from the Events of 2016/17

#### The benefits of consistency

- Voters, candidates, agents, media, academics and parties all value consistent materials, forms, dates and approaches especially around voter facing elements
- Common dates for publication of notices and dispatch of poll cards and postal votes
- Agreed designs for ballot papers, reports and polling place notices
- Collation and publication of single set of national results (SLGE2017)

#### Operating with limited resources

- Council resources for the delivery of elections are becoming increasingly pressured
- Common national approaches and contracts offered savings and efficiency / economies of scale
- Forms / notices / documentation - elimination of duplication of work
- eCount contract SLGE – single national contract for eCount and print offered consistency and single point of contact
- Emergence of national framework contracts – e.g. for postal votes – offering substantial savings

### **Dealing with the consequences of an engaged electorate**

- Well engaged electorate as a legacy of 2014 Scottish Independence Referendum (SIR)
- Need to plan and prepare for increased turnout
- Need to be prepared for questions and challenges on integrity due to enhanced scrutiny

### **The benefits of a single supplier / national contract**

- eCount contract for SLGE2017 was well managed and delivered, offering efficiency and consistency
- A single national point of contact on both sides – contractor and EMB resolved many issues early in the process
- The contract was led by the Scottish Government; in future it would be more appropriate for the EMB to lead on the procurement and management of the contract given sufficient resource. While the Scottish Government provides the funding it is the EMB that has responsibility for the delivery

### **Benefiting from partnership with Police Scotland**

- EMB/Electoral Commission briefing of Police Scotland gave national consistency in approach
- Partnership contacts especially valued in context of May / June 2017 terrorist attacks and heightened threat level

### **Learning from experience and repetition**

- Teams across Scotland now benefiting from experience and repetition – sheer number of electoral events in recent years has added to experience, skill and expertise of practitioners

### **Principles flowing from 2016/17**

#### **Voter focus**

**Continued effort is needed to keep the voter at the centre of all decisions.**

Materials, timetables, procedures all need to be challenged and developed on the basis of how they benefit the voter. Schedules from suppliers e.g. for printing or dispatch must take account of their impact on voters. Increasingly engaged voters need additional support.

#### **Consistency**

**There are major benefits to consistency for voters, ROs, EROs and political parties.**

Consistent dates for the dispatch of poll cards and postal votes allow focused information campaigns across the country and promote economies of scale. A single supplier of print products (under eCount) gave consistency in materials and also simplified the management of the process with a single point of contact.

#### **Efficiency**

**In an age of austerity there is a need to focus on efficiency wherever possible.**

Local authorities subsidise parliamentary elections in many ways and for local government elections the costs fall wholly on the local authority. With tightening budgets there is an opportunity for efforts to address costs and identify efficiencies. The current model of multiple local contracts with suppliers is ripe for attention to generate savings from procurement. There is an opportunity for additional collaborative working and shared resources to limit duplication of effort and rework across the country.

#### **Professional Expertise**

**There is an appetite for advice guidance and support from a practitioner perspective.**

The EMB is separate from both Government and the Electoral Commission. In this role, responsible for the delivery of elections, it has a unique position to advocate for the voter. As professional experts the EMB can provide important input to policy decisions that need to be informed by practical realities rather than just political or theoretical positions. An expanded statutory role for the EMB would recognise its work across all elections, not just those for local authorities.



## Strategic Context – a pause in the schedule

Due to an early UKPGE, the next scheduled national electoral events are:

- 2021 – Scottish Parliament Elections
- 2022 – Scottish Local Government Elections
- 2022 – UK Parliamentary General Election

While there is a gap in the schedule for the delivery of major electoral events until 2021 this does not mean a pause in work for Electoral Administrators across Scotland - Registration activity continues and there are a range of tasks to be undertaken by Returning Officers including statutory reviews of Polling Provision and the development of plans, facilities and capacity in anticipation of the future polls

The electoral community needs to retain a state of readiness, capacity and resources to cope with future unscheduled elections

Other events may occur – e.g. referenda for which the community also needs to be prepared

Also local by-elections are already in process which need to be delivered to the same high standards

This “pause” in the schedule offers both opportunities and threats

### Opportunities:

Analysis and consolidation of lessons from recent busy schedule to enhance future delivery

Develop and embed new structures, technologies and approaches without pressure of delivery of electoral events

Specify and implement national contracts with key suppliers

Educate voters and address integrity concerns to enhance voter confidence

### Threats:

#### A 4 year gap introduces risk

**Loss of core staff experience** – staff turnover and pressures in other areas could see erosion of expertise and experience in the delivery of elections

**Loss of capacity** – broader infrastructure used to support elections may also be eroded or lost. Accommodation, ICT resource, stores etc may all be threatened if authorities are seeking efficiency savings and there are no immediate polls to deliver

**Loss of voter familiarity with the electoral process** – leading to potential ignorance about process and consequent loss of confidence and integrity challenges

**Loss of expertise within candidates and political parties**

**Loss of capacity in the market from key suppliers**

## The Electoral Commission’s Review of the Scottish Local Government Elections 2017

The Electoral Commission’s report on the administration of the May 2017 Scottish council elections was published on 11 September 2017 and their analysis and research with voters and campaigners shows high levels of satisfaction and confidence in the process, supporting their overall assessment that the elections were well run.

**“Our analysis and research of the May 2017 Scottish council elections shows high levels of satisfaction and confidence in the process. Our assessment is that the elections were well run.”**

The report also made a number of recommendations for action by the EMB. These have been reviewed and will be incorporated into the Board’s future work programme. These include:

- EMB to review the provision of training for polling station staff and the written instructions in polling stations and postal voting stationery, to ensure that information is consistent and as accessible as possible for voters
- EMB to work with ROs to identify strategies to mitigate against higher rejection rates in wards with a history of this problem
- EMB to lead a review, in consultation with political parties and other stakeholders, of the transparency of the e-count processes within the count centre, including the use and content of information screens to ensure the highest levels of transparency and confidence in the count
- EMB to lead planning and delivery of the e-counting solution ahead of future council elections

## Strategic Context – an engaged electorate

- While turnout continues to vary across different polls, there is certainly an increasingly engaged electorate as evidenced by increased scrutiny of the process
- Scrutiny means that integrity increasingly needs to be demonstrated to address challenge and combat public scepticism
- Increased numbers of younger voters also means an enhanced interest in innovative approaches to voting, counting, registration etc

### A Strategic Direction

The EMB through 2018-21 will support ROs and EROs by growing and maintaining its infrastructure to provide advice and support in the delivery of co-ordinated electoral events that demonstrate

- **Consistency across Scotland**
- **Efficiency in the use of scarce resources**
- **Visible integrity**
- **Innovation**

In this period there is an opportunity to address the legal status of the EMB and its statutory recognition in relation to elections other than those for Scottish councils.

The EMB will also look to take the lead in the procurement of an eCount solution for the 2022 council elections.

## Future Workstreams

**Consistency** – the experience of every voter and candidate in Scotland should be the same in terms of information, support and materials

**Efficiency** – professionally delivered elections with limited resources through improved process, pooled resource and efficient procurement

**Visible integrity** - elections are predicated on the confidence of the voter, approaches must visibly promote and preserve integrity, reassuring voters about the robust checks and balances that exist

**Innovation** – working with government and suppliers to develop new technical solutions that take advantage of new technologies and expectations

## Future Work Programme

### Consistency

#### Promoting and supporting consistency in all key voter facing elements of elections in Scotland.

Through the EMB Forms subgroup, develop an enhanced set of forms, templates and documentation to support all ROs and their teams

- Timetables
- Training Materials for Polling, Postals and the Count
- Common project plans / layouts / templates for key tasks and election elements

EMB to work with ROs to identify strategies to mitigate against higher rejection rates in wards with a history of this problem (Electoral Commission recommendation)

EMB to review the provision of training for polling station staff and the written instructions in polling stations and postal voting stationery, to ensure that information is consistent and as accessible as possible for voters (Electoral Commission recommendation)

### Efficiency

#### Professionally delivered elections with limited resources through improved process, pooled resource and efficient procurement.

Investigate national framework contracts with key suppliers for

- Printing
- EMS systems
- AVI checking

Investigate shared infrastructure for

- Training materials
- Training Provision
- Finance support (claims)
- EMS systems

## Visible integrity

### Promoting and supporting confidence in the result.

- Draft Integrity Plans
- Develop partnerships with Police and Political Parties
- Educate voters, especially the young
- Engage in social media
- Engage with government to trial new approaches and technologies
- EMB to lead review of the transparency of the e-count processes within the count centre (Electoral Commission recommendation)
- Monitor developments around UK with respect to voter ID

## Innovation

### Working with government and suppliers to develop new technical solutions that take advantage of new technologies and expectations.

- Seminars and workshops with suppliers and government to identify, develop, test and trial new technologies
- Input to governments as they develop proposals around changes to electoral legislation to ensure that they are practical and reflect the best interest of the voter
- Input to the Electoral Commission and Governments in their planning
- EMB to lead planning and delivery of the e-counting solution ahead of future council elections (Electoral Commission recommendation) assuming sufficient resource

## **A new statutory basis and adequate resourcing**

“It is now ten years since the Commission recommended the creation of an EMB with statutory powers to co-ordinate and direct other ROs at elections in Scotland and it is six years since the Scottish Government legislated to set the EMB in statute in respect of local government elections. Despite the clear benefits which the EMB has demonstrated in respect of delivering well-run electoral events for voters in Scotland, the Scottish and UK Governments have yet to legislate to set the EMB in statute for Scottish Parliament and UK Parliament elections respectively.”

“The legal status and funding of the EMB also needs to be reviewed to allow it to undertake the management roles it was initially envisaged it would undertake, including overseeing the procurement and delivery of the e-counting project for council elections.”

### **Electoral Commission Report on the administration of the Scottish council elections held on 4 May 2017.**

The EMB supports these recommendations of the Electoral Commission. In order to continue to deliver its work programme to an optimal degree, promoting consistency, best practice and the focus on the voter it will need the security of a clear statutory basis and adequate resourcing.

## **Future Election Schedule 2018 - 2023**

While individual ROs may face by-elections in local wards or constituencies, there is currently no national electoral event scheduled until 2021. There is always the potential for a national referendum or for a General Election to be called, but the schedule currently faced is as follows:

### **Date (1st Thursday in May)**

#### **2018**

Electoral Event: Fallow

#### **2019**

Electoral Event: Fallow

#### **Comments:**

Elections to the European Parliament will take place across the EU but Brexit should have occurred before these polls such that the UK will not be electing MEPs.

#### **2020**

Electoral Event: Fallow

#### **Comments:**

This would have been the UK Parliamentary General Election had an election not been called in 2017.

#### **6 May 2021**

Electoral Event: Scottish Parliament

#### **5 May 2022**

Electoral Events: UK Parliamentary General Election and also Scottish Council Elections

#### **Comments:**

With the shift of the UK Parliamentary General Election to 2022 there is a clash with the previously scheduled Scottish council elections. Any move to transfer the council elections to a different date to avoid this clash would require legislation.

#### **2023**

Electoral Event: Fallow

## Strategic Report - Financial Statement

	2014/15 Actual	2015/16 Actual	2016/17 Actual
<b>Expenditure</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Staff secondees	60	77	85
Other staff costs	3	6	2
Property costs	-	6	7
Communications Support	15	-	-
Website	12	7	2
Other expenses	7	5	4
e-Counting Project	4	14	35
<b>Total Expenditure</b>	<b>101</b>	<b>115</b>	<b>135</b>
<b>Income</b>			
Scottish Government	79	137	154
Scotland Office	17	-	-
<b>Total Income</b>	<b>96</b>	<b>137</b>	<b>154</b>
<b>Net Expenditure</b>	<b>5</b>	<b>-22</b>	<b>-19</b>

## Board Members

### Convener

#### Mary Pitcaithly OBE

Returning Officer for Falkirk Council.  
Regional Counting Officer for the EU Referendum (2016),  
Regional Returning Officer for the Electoral Region of Scotland (2014),  
Chief Counting Officer for the Scottish Independence Referendum (2014).

### Returning Officer Members

#### Malcolm Burr

Returning Officer for Comhairle nan Eilean Siar

#### Andrew Kerr

Returning Officer for City of Edinburgh Council

#### David Martin

Returning Officer for Dundee City Council

#### Elma Murray OBE

Returning Officer for North Ayrshire Council

#### Jim Savege

Returning Officer for Aberdeenshire Council

### Electoral Registration Officer Members

#### Kate Crawford

Electoral Registration Officer for Renfrewshire

#### Ian Milton

Electoral Registration Officer for Grampian

#### Pete Wildman

Electoral Registration Officer for Central Scotland

### **Links to Key Documentation and EMB Products**

All EMB guidance, directions, minutes etc.  
are posted on the EMB website at  
[www.electionsscotland.info](http://www.electionsscotland.info)

### **Electoral Management Board Contact Details**

[www.electionsscotland.info](http://www.electionsscotland.info)

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