

Confirmed on 12 May 2004.

Minutes of the meeting of the Electoral Commission held on 14 April 2005, in London.

Present: Sam Younger (SY) (Chair)
Pamela Gordon (PG)
Glyn Mathias (GM)
Sir Neil McIntosh (NM)
Karamjit Singh (KS)

In attendance: Peter Wardle (PW)
Jacqui Dixon (JD)
Archie Gall (AG)
Roger Gough (RG)
Kay Jenkins (KJ)
Angela Salt (AS)
Kate Sullivan (KBS)
Chris Welford (CW)
Rael Zackon (RZ)
Tom Hawthorn (TH)
Michael Harold (MH)
Tim Atkinson (TA)

1. Minutes of the meeting of 10 March 2005 (EC58/05).

- 1.1 The Commissioners agreed the minutes of the meeting held on 10 March 2005.
- 1.2 It was noted that PW had reported on IMIE meeting at the Commission Meeting on 21 March 2005.
- 1.3 SY reported that a response had been received from Ofcom concerning the broadcasting codes of practice. The Commission and Ofcom still held divergent views on what the legislation required.

2. Minutes of the meeting of 21 March 2005 (EC59/05).

- 2.1 The Commissioners agreed the minutes of the meeting held on 21 March 2005.

- 2.2 CW reported that, following agreement by Commissioners, the Labour Party of Northern Ireland had been registered and that he had written to the Labour Party to advise them of the reason for the decision.

3. Local elections in Wales 2004 (EC61/05).

- 3.1 KJ advised that the Welsh Assembly had agreed to the establishment of a permanent all-Wales election planning group, and there was a commitment to a communications programme to be in place by 2007. The latter would require an amendment to primary legislation. The Commissioners welcomed the fact that the Assembly was taking in lead in responding to the Electoral Commission's report.
- 3.2 **The Commissioners welcomed and noted the report.**

4. Audit Committee: terms of reference (EC62/05).

- 4.1 RG presented the report on the proposed terms of reference, which had twice been considered by the Audit Committee. The terms of reference were in line with HM Treasury guidelines; some of the proposals had already been put in place.
- 4.2 NM referred to the need for rotation of members, and the role of the independent member. John Quin and Liz Sandwith ought to be able to attend Commission meetings at their request. JD advised that they would be attending the meeting on 12 May, when there would be a report on the last year's activities of the Audit Committee.
- 4.3 It was agreed that there should be at least three members of the Audit Committee, to include two Commissioners and an independent member. The quorum of two should be one Commissioner and the independent member, or two Commissioners.
- 4.4 **The Commissioners noted the requirements for terms of reference, and approved the proposed terms of reference, with the amendment relating to membership.**

5. Statement of accounts: extension of time (EC68/05).

- 5.1 CW presented the report, which outlined and supported a request for an extension of time to submit the statement of accounts for the Liberal Democrat Edinburgh West constituency party.
- 5.2 **The Commissioners approved an extension of time until 31 May 2005.**

6. Directors' reports to 31 March 2005 (EC64/05).

6.1 The Commissioners received the following reports from Directors on the activities for the period 30 September 2004 to 31 March 2005. In addition to the information contained in the reports, the following comments were noted.

6.1.2 Boundary Reviews:

- There was a possibility of another tranche of FERs
- The parish reviews must be completed in time for 2006 elections
- PG reported that joint advice on parishes would be issued by the Commission and the ODPM

6.1.3 Communications:

- AS gave an update on the current campaign and the registration of service voters
- Tracking research would be made available as soon as possible
- The post-code search facility was now on the website

6.1.4 Corporate Services:

- The Commission had been awarded IIP accreditation
- The staff in Edinburgh had moved into new accommodation
- Some claims were still awaited from North East England Accounting Officers
- JD and RG would be addressing the Commissioners' IT and communications requirements
- There were 30 live recruitment exercises at present. There had been a small glut of resignations, and Boundary Committee staff had been able to be redeployed. The Commissioners and managers were concerned that expertise was being lost. Exit interviews were positive.
- It was inefficient to stop temporary contracts at 31 March; the budget decision needed to be made before Christmas so that decisions on staffing could be made earlier.
- Recruitment was being delayed because of lack of accommodation; some reconfiguration of work space was required.

6.1.5 Electoral Administration:

- Work was still being done on the evaluation of training for the North East England referendum
- Richard Jordan was commended for his work on the draft code of conduct and the work with ACPO

6.1.5 Legal:

- ON FOI, there is still work to be done and experience to gain on such questions as how to strike the balance between competing public interests in disclosure and maintenance of an exemption.

6.1.6 Policy and Strategy:

- An Election Coordination group had been set up, chaired by Doug Stewart
- Implementation of internal restructuring was taking significant amount of time (staffing issues were referred to in the report from Corporate Services).

6.1.7 Regulatory Services:

- Information updates would be provided to Commissioners on applications for registration, and on complaints received
- The training events had received positive feedback
- Some applications for PDGs had to be chased up
- A heavy workload on donations was anticipated

6.1.8 Secretariat:

- 23 FOI applications had been received, of which 21 had been dealt with.
- Three areas of concern about exemptions related to investigations, information received in confidence, and personal information
- Commissioners confirmed that the principle to be adopted by the Commission is to provide information when requested
- The Equalities Commission for Northern Ireland had asked for only one amendment to the draft Equalities Scheme, and it would now be formally submitted for approval.

6.2 The Commissioners noted the Directors' reports for the period from 30 September 2004 to 31 March 2005.

7. Devolved offices report (EC65/05).

- 7.1 KJ presented the report. All staff were now in place and the staff in Edinburgh were in their new office accommodation.
- 7.2 KS drew attention to the simultaneous elections in Northern Ireland, using different counting arrangements. GM advised that a pre-election meeting of the Wales PPP, Royal Mail and ACPO had been very useful. NM reported on a very helpful meeting with the Deputy Crown Agent in Scotland, at which postal voting was a key issue.
- 7.3 **The Commissioners noted the devolved office report for the period from 30 September 2004 to 31 March 2005.**

8. General Election

- 8.1 The arrangements for the following activities were outlined:
- Post-election seminars: there will be one in each of Wales, Scotland and Northern Ireland, one in the Midlands and one in London.
 - Constituency visits: Commissioners would be in constituencies with high levels of postal voting.
 - Northern Ireland: there will be local observers, using Commission staff and consultants from the voluntary sector.
 - International visitor briefing: this will be held on 3 May, and will be organised by FCO.
 - Requests for studio presence: Commission representatives would be required.
 - OSCE Conference in Vienna on 21/22 April.
 - Post election work by Regulatory Services.
 - The circulation of media interest and articles: TH is collating a file of press articles.
 - The police and CPS were being more proactive in advising how to deal with complaints.
- 8.2 KBS reported that 80% of local authorities had ordered the Commission training materials. She also advised that action had been taken in relation to sale of votes on websites.
- 8.3 KBS reported on the current situation following the decision in the Birmingham case. A seminar held on 8 April had been attended by fifty local authority representatives. A circular was being issued to remind Returning Officers of good practice; evidence was being gathered of actions which local authorities could take if the law allowed. Reference

was also made to the suspension of two members of staff of Birmingham City Council, and to the application for Judicial Review which would be heard on 15 April 2005.

- 8.4 SY stated that Manchester, Hackney and other larger local authorities were checking on redirection requests to single addresses. However there were significant resource issues for local authorities.
- 8.5 **The Commissioners noted the current situation, and the actions being taken to address the issues raised.**

9. Foundation model of voting (EC63/05).

- 9.1 TH presented the report, which outlined the format of the document and the key measures which had to be taken. There were four aspects to be considered in the matrix of recommendations: secrecy, security, reliability and accessibility. The Commissioners considered each aspect in turn in relation to the key activities:

9.1.1 Registration:

- Information requested should relate only to entitlement to vote
- Data checking
- Sufficient resources for local authorities
- Registration up to nomination date

9.1.2 Polling stations:

- Options for identity checks
- Public consultation on polling place schemes

9.1.3 Proxy voting:

- Value is in emergency situations

9.1.4 Postal voting:

- Secrecy warnings on ballot papers
- Absent voting offences
- Systems for checking redirections
- Resources must be adequate for handling postal votes
- Ballot papers need not be same as those used at polling stations
- Restate issues such as watermarks and bar codes
- Options for counting

9.1.5 Electronic voting:

- Keep separate from other forms of voting
- Same standards need to be achieved

9.2 TH referred to the logistics of getting all the measures in place. The absolute minimum identified must be in place for elections in 2006.

9.3 The Commissioners agreed to consider the draft document again on 28 April 2005, together with the proposals for handling, including the possibility of piloting in the 2006 elections, which will all be in England.

9.4 **The Commissioners noted the progress which had been made, and requested that a further draft be considered at the meeting on 28 April 2005, to include the issues discussed at this meeting.**

11. Matters for information.

11.1 The Commissioners received the following items for information:

- Minutes of the Audit Committee of 25 November 2004 (EC66/05).
- Corporate calendar (EC67/05): this would be e-mailed to Commissioners at the end of each month.