

Minutes of the meeting of the Electoral Commission held on Thursday 17 January 2008, London

Present: Sam Younger (SY) (Chair)
Sir Neil Macintosh (NM)
Glyn Mathias (GM)
Karamjit Singh (KS)
Henrietta Campbell (HC)
Max Caller (MC)

In attendance: Peter Wardle (PW)
Clare Ettinghausen (CE)
Carolyn Hughes (CH)
Stephen Rooney (SR)
Lisa Klein (LK)
Andrew Scallan (AS)
Bob Posner (BP)
Kay Jenkins (KJ) - items 1, 2, 3, 4, 5
Kate Sullivan (KBS) – items 2 and 3
Tom Hawthorn (TH) – items 2 and 3
James Haddon (JH) – item 6
Dan Adamson (DA) – items 7, 8 and 9
Vera Markos (VM) - minutes

Observer: Ian Kelsall (IK) (Commissioner designate)
John McCormick (JM) (Commissioner designate)

1. Minutes of the meeting of 12 December 2007 (EC01/08)
 - 1.1 The Commission agreed the minutes of the meeting held on 12 December 2007.
 - 1.2 In relation to agenda item 6 (Party and Election Finance: legislation recommendations- EC161/07), PW noted that the Commission had held discussions with the Ministry of Justice.
 - 1.3 In relation to agenda item 9 (Evaluation of English Offices - EC164/07) AS noted that from 1 Feb 2008 responsibility for the English Offices would transfer from the Deputy Chief Executive to the Electoral Administration and Boundaries Directorate.

2. Data standards for electoral registration (EC04/08)

2. 1 KBS provided the Commission with an update on the ongoing work on data standards for electoral registration, stemming from the Coordinated Online Record of Electors (CORE) project, in advance of the expectation that the Commission would be requested to make a recommendation to the Secretary of State for Justice to make a direction mandating Electoral Registration Officers meet a specified data standard (based on the BS7666 national addressing standard) in compiling and maintaining their electoral registers.
2. 2 KBS stated that the Ministry of Justice consultation on the proposed data standards was ongoing, but the key issue identified by practitioners was the implementation timetable. Although both practitioners and political parties that responded saw implementation tied to the publication of new registers on 1 December, parties advocated 1 December 2008 whereas practitioners preferred 1 December 2009. The parties had discussed the potential benefits of a midpoint implementation, such as March 2009, with the Commission and concluded that the option was worth exploring.
2. 3 PW noted that the Commission's support for the introduction of data standards for electoral registration does not commit the Commission to the wider CORE agenda which will be subject to further discussions on the longer term handling of electoral registration.
2. 4 The Commission noted the likely request for a recommendation to the Secretary for State for Justice and agreed to delegate the detail of the recommendation to the Chair and Chief Executive.

3. Examination of electoral administration – project update (EC05/08)

3. 1 AS provided the Commission with a project update and the list of overarching principles for electoral administration, noting that the Commission would have an opportunity to for a more detailed discussion on this project on 7 February.
3. 2 GM noted that stakeholder engagement was a crucial to ensuring successful outcome of this project.
3. 3 The Commission expressed concern that the timescale for the project was ambitious. AS responded that the report in July would provide an outline of the challenges, principles and potential different options and that further work would have to continue beyond this initial report.
3. 4 The Commission noted the update.

4. BCFE- Possible future electoral reviews: Cornwall, Shropshire, Wiltshire, Northumberland, East Cheshire and West Cheshire and existing County of West Sussex (EC06/08)
 - 4.1 AS updated the Commission on the status of the proposed electoral reviews and budget estimates, informing that there had been delays to draft structural change Orders being laid before parliament for Cornwall, Shropshire and Wiltshire unitary authority. AS further noted that there would be a significant financial impact flowing from the need for more reviews than anticipated for which the Commission would need to request additional funding from the Speaker's Committee.
 - 4.2 The Commission expressed concern at the tight timelines in order to implement the changes in time for the May 2009 elections in Cornwall, Shropshire and Wiltshire and was adamant that if the 30 October deadline for completion of reviews was missed the May 2009 elections could not take place under the new arrangements.
 - 4.3 BP noted that in terms of procedures for boundary reviews and any implementation work by the Commission thereafter, changes to established procedures would be required. In addition there were no contingencies for delay in the timetable. Even if matters proceeded to the timetable there was a likelihood that this would result in Orders being made close to the May elections. This would place the authorities in a difficult administrative position to implement those orders in time for the May elections.
 - 4.4 In view of the proposed changes to procedures the Commission asked for a report on existing procedure protocols and the proposed changes.
 - 4.5 In regard to Cornwall, Shropshire and Wiltshire the Commission agreed the recommendation subject to:
 - i) Parliament approving the structural change Orders by 26 February
 - ii) approval of funding requirements by the Speaker's Committee
 - iii) regular progress reports to identify any delays in the programme
 - 4.6 The Commission agreed, subject to the same criteria in 4.5 above, to direct electoral arrangement reviews of Co Durham, Northumberland, East Cheshire and West Cheshire for completion by September 2009.
 - 4.7 The Commission agreed to direct a review of West Sussex on a whole County basis.

5. Response to WAG Consultation Exercise - The Draft Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 (EC07/08)

5.1 KJ introduced the proposed response to the draft Local Authorities (Conduct of Referendums) (Wales) Regulations 2008 that will govern the conduct of a referendum for a local mayor, or other structural change within a local council. KJ noted that this was a statutory consultation from the Welsh Assembly Government and that the revised Regulations would implement changes arising from the Electoral Administration Act 2006. For a mayoral referendum to be held in Wales, a petition must be signed by 10% of the local electorate and held within a six month window available once every four years.

5.2 The Commission approved the response.

6. Q3 performance and finance report (EC08/08)

6.1 CH and VM briefly presented the highlights of the Commission's financial and operational performance for the period from October to December 2007.

6.2 The Commission noted the report.

7. Update on Party and Election Finance investigations

7.1 The Commission received a verbal update from LK on ongoing investigations and requested to receive a full report on two matters for a Commission meeting to be held on 23 January 2008.

8. Party and election finance: Advisory and Guidance Services Protocol (EC02/08)

8.1 The Commission considered the protocol and agreed the strategic direction outlined, whilst acknowledging that further development would be required.

9. Party and election finance: allegations handling procedures (EC03/08)

9.1 The Commission considered the framework for handling of allegations of non-compliance with party and election finance laws and agreed the strategic direction outlined. The Commission noted that further development would be required and that a further paper addressing procedures for the actual conduct of investigations would be submitted at a subsequent meeting.

10. AoB

11. 1 PW noted that the Corporate Plan and Estimate had been submitted to the Speaker's Committee on 4 January 2008.
11. 2 PW noted that the Ministry of Justice were hoping to bring forward a White Paper on party funding in the near future. Discussions with the MOJ indicated that they were open to including a more flexible range of powers for the Commission as proposed.
11. 3 PW noted that the recruitment process to the Chair of the Commission had begun and should be complete before summer recess. PW noted that the House of Commons had appointed an independent panel were responsible for the process. The first meeting of the panel was scheduled for 28 January.
11. 4 AS noted that the Commission's work on electoral integrity for the May 2008 elections was scheduled to be launched, including the joint guidance with the ACPO, on preventing and detecting electoral malpractice, on 18 January
- 11.5 The Commission extended its gratitude to Sir Neil Macintosh and Glynn Mathias, at their final meeting, for their contribution and dedication to the Commission over the past seven years.