

## Len Williams

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**From:** Len Williams  
**Sent:** 21 October 2014 14:34  
**To:** [REDACTED]  
**Subject:** FOI 120/14 Response to your request

Dear [REDACTED]

### **Our Ref: FOI 120/14**

Thank you for your request under the Freedom of Information Act 2000 dated 01 October 2014.

The Commission aims to respond to requests for information promptly and has done so within the statutory timeframe of twenty working days.

Your request is in bold below followed by our response.

You have requested:

### **Complaints in connection with the Scottish Independence Referendum**

- 1. How many complaints pertaining to any of the following have you received:**
  - a. highlighting or relating to illegal practices in the referendum**
  - b. vote tampering**
  - c. vote rigging**
  - d. breach of process or the terms of the agreement**
- 2. How many of these have been investigated, internally?**
- 3. How many of these complaints have been passed to an external body?**

Our response is as follows:

1. It may be helpful if I first of all explain that the administration of the poll in Scotland was overseen by the Chief Counting Officer (CCO) in Scotland, not the Electoral Commission, with logistical arrangements, such as those in place for the polling and counting of votes, being the responsibility of the Counting Officer for each local counting area in Scotland. You may therefore also wish to get in touch with the CCO's office regarding your request, which you can do by e-mailing [elections@edinburgh.gov.uk](mailto:elections@edinburgh.gov.uk)

The Commission's approach to complaints handling is set out on our website and you can find information about this [here](#). Given that the Electoral Commission was not responsible for the administration of the poll in Scotland, I can confirm that the Commission has not dealt with any complaints under its formal procedures.

I can however confirm that the Commission does operate a public enquiry service that deals with e-mails, letters and telephone calls in addition to its formal complaints procedure. Through this route, members of the public can request information from the Commission about electoral matters, including about issues related to the Scottish Referendum. The Commission does not categorise public enquiries as 'complaints' unless they are referred into our formal complaints process, nor does it have a definition of what constitutes a complaint as opposed to a 'normal' query outside this process. We do of course indicate in our responses to public enquiries where individuals can pursue a complaint if their enquiry indicates that this would be helpful, but we do not collect information on the number of responses that receive a response of this nature.

Through our public enquiry system, we can identify what kinds of enquiries were received about the Scottish Referendum. Between 18 September and 01 October (when we received your request) we recorded a number of telephone calls and emails which are summarised below:

Voter Registration	71
Postal Voting Application	16
Proxy Voting Application	33
Overseas Voting Application	5
16/17 Voting Application	1
How / Where to vote	28
Referendum Voting Franchise (general)	5
Referendum Voting Franchise (voters from outside Scotland)	12
Campaigning rules & Offences	184
Broadcast impartiality	8
Voting Fraud Allegations	43
Polling Station Access	84
Referendum Count / Declaration Process	96
Role of Electoral Commission	1
Referendum Question	2
Research 6	
Other 30	
Pencils in polling stations	8
Polling station ID	7
Blank Back of Ballot Card	88
Postal Vote Sampling Allegations	10

2&3 The administration of the poll in Scotland was overseen by the Chief Counting Officer (CCO) in Scotland, not the Electoral Commission, whilst the police are responsible for investigating any criminal matters, such as any incidences of potential electoral fraud. As a result, where members of the public have approached the Electoral Commission with queries or complaints that should in fact have been directed towards other bodies, we advised those requesters to approach the relevant body directly. As such, the Commission itself has not 'investigated' any complaints about the conduct of the poll.

However, you may be interested to know that the Commission will be producing a statutory report on the Scottish Referendum, including on any issues arising from the conduct of the poll. This will be presented to the Scottish Parliament and made publicly available at the same time on our website.

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority. If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at: <http://www.electoralcommission.org.uk/about-us/freedom-of-information-requests/how-do-i-make-an-foi-request>

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <http://www.ico.gov.uk>

Yours sincerely

**Len Williams**  
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