

# Part A – Returning Officer role and responsibilities

Council elections in Scotland,  
4 May 2017: guidance for Returning  
Officers

Published October 2016 (last updated December 2016)

In this guidance we use 'must' when we refer to a specific legal requirement. We use 'should' for items we consider to be recommended practice, but which are not legal requirements.

## Translations and other formats

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## Updates to this document

<b>Updated</b>	<b>Description of change</b>	<b>Paragraph number</b>
December 2016	Updated to reflect the final legislation and the confirmed directions and guidance issued by the Convener of the EMB.	N/A

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# 1 Introduction to this guidance

## Purpose

1.1 The purpose of this guidance is to assist Returning Officers (ROs) with the practice and procedure of administering a council election in Scotland.

1.2 The guidance has been developed in close consultation with the Electoral Management Board for Scotland (EMB), the UK Electoral Coordination and Advisory Board (ECAB), the Elections, Registration and Referendums Working Group (ERRWG), the Scottish Assessors' Association and the AEA. It reflects what we, the EMB, the ECAB, the AEA and the ERRWG believe that ROs should expect of their staff in preparing and delivering the 4 May 2017 council elections.

1.3 You should read the guidance in conjunction with any additional guidance and directions issued by the Convener of the EMB. The Convener has the power to give general or specific directions to ROs relating to the discharge of their functions, and so when acting as RO you must comply with any such directions.<sup>1</sup> The Convener's directions are reproduced in full at [Appendix B](#).

1.4 This guidance has been produced based on, and should be read in accordance with, the requirements set out in the following legislation (as amended):

- Local Government (Scotland) Act 1973
- Representation of the People Acts 1983, 1985 and 2000
- Political Parties, Elections and Referendums Act 2000
- Representation of the People (Scotland) Regulations 2001
- Local Governance (Scotland) Act 2004
- Local Electoral Administration and Registration Services (Scotland) Act 2006
- Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Regulations 2007
- Representation of the People (Absent Voting at Local Government Elections) (Scotland) Regulations 2007
- Representation of the People (Postal Voting for Local Government Elections) (Scotland) Regulations 2007
- Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment Order 2009
- Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2009
- Political Parties and Elections Act 2009

- Absent Voting at Scottish Local Government Elections (Provision of Personal Identifiers) Regulations 2009
- Scottish Local Government Elections Order 2011
- Local Electoral Administration (Scotland) Act 2011
- Scotland Act 2012
- Scottish Local Government Elections Amendment (No.2) Order 2012
- Local Electoral Administration (Scotland) Act 2011 (Consequential Amendments) Order 2012
- Representation of the People (Post-Local Government Elections Supply and Inspection of Documents) (Scotland) Amendment Regulations 2012
- Electoral Registration and Administration Act 2013
- Scottish Elections (Reduction of Voting Age) Act 2015
- Scotland Act 2016
- The Scottish Local Government Elections Amendment (No. 2) Order 2016
- The Representation of the People (Absent Voting at Local Government Elections) (Scotland) Amendment (No. 2) Regulations 2016
- The Representation of the People (Postal Voting for Local Government Elections) (Scotland) Amendment Regulations 2016
- The Representation of the People (Variation of Limit of Candidates' Local Government Election Expenses) (Scotland) Order 2016

1.5 The list above includes only the legislation that makes provision in areas that this guidance relates to and that is currently in force.

1.6 You are also required to have regard to the public sector equality duty contained in Section 149 of the Equality Act 2010 when carrying out your duties.<sup>2</sup>

## How to use this guidance

1.7 The guidance is divided into six areas:

- Part A – Returning Officer roles and responsibilities
- [Part B – Planning and organisation](#)
- [Part C – Administering the poll](#)
- [Part D – Absent voting](#)
- [Part E – Verifying and counting the votes](#)
- [Part F – After the declaration of results](#)

1.8 Each of these parts covers:

- what you are required to do by law ('must')
- what we expect you will need to have in place and what we would expect to see to be able to be satisfied that the key outcomes of the Commission's performance standards can be delivered
- recommended practice to assist you in understanding and discharging your duties

1.9 This guidance is supplemented by resources which can be accessed through links contained throughout the guidance.

1.10 Should you have any questions about the guidance or any other matter relating to the administration of the elections on 4 May 2017, we are available to provide on-going support. We will also be providing an out-of-hours advice service to deal with urgent electoral administration queries in the run-up to and immediately following the May 2017 elections. Further information on the out-of-hours service will be provided through our [Bulletin for electoral administrators](#).

## 2 The May 2017 elections

2.1 The elections will bring their own particular challenges and it is likely that your work to deliver well-run polls will come under considerable scrutiny – from voters, candidates and political parties, and the media, including through social media. This chapter seeks to highlight some of the particular aspects of context relevant to the May 2017 elections which you should ensure underpin all aspects of your planning.

### Nature of the contests

2.2 There may be a significant number of new or less experienced political parties, candidates and agents who are unfamiliar with the practices and processes of an election and who will need your assistance to be able to participate effectively.

2.3 Council elections are often hard fought and you should be prepared for the integrity of the election to be scrutinised. Allegations and cases of electoral fraud will not only have a negative impact on the confidence of electors and campaigners, but they may also have a significant impact on your capacity to manage the election process effectively. It is therefore crucial that you put in place detailed and robust plans for monitoring and maintaining the integrity of the elections in your area. You should work closely with the local police, ensuring you have in place good lines of communication for referring any allegations.

2.4 As the council elections are held under the STV voting system, it will be important that voters understand how they can cast their vote in a way that they intended. In particular, the reduction of the voting age at Scottish council elections will see 16 and 17 year olds able to participate in this poll<sup>3</sup>, who will not have cast their vote at a council election before.

### Scale

2.5 Many aspects of planning for the election will need to reflect assumptions as to the likely turnout. Establishing such assumptions at an early stage in planning is of key importance as the scope for adjusting plans is limited at a later stage in the process. There are always challenges with developing such planning assumptions, with it often being difficult to predict in advance of the election period what the levels of engagement in particular polls are likely to be. Given the potential for high levels of interest and engagement in this election, some of which may not emerge until close to the poll, the potential for a high turnout needs to be reflected in all aspects of planning for the elections.

2.6 For example, higher turnout will mean more voters at polling stations, and it is vital that appropriate provision is made, with the numbers of stations



and the numbers of staff within them sufficient to deal with the number of electors allocated to them.

2.7 As polling day becomes closer, the context will continue to evolve as the campaigns pick up pace. You will need to be prepared to react to events which could have an impact on the effective delivery of the poll, and this will include having robust contingency plans in place that you can turn to where required.

2.8 There is likely to be a media focus on the count and declaration of results and it will be important to manage expectations, not only of the media but of all with an interest in the results, by consulting on your proposed approach and subsequently communicating clearly what you expect to deliver and by when.

## Registration of electors

2.9 The focus on the numbers of those registered and not registered is as high profile as it's ever been, and this is set to continue.

2.10 Online registration in particular brings greater opportunities for you and the Electoral Registration Officer (ERO) to engage local residents in the democratic process, and to boost the levels of registration amongst under-registered groups. The council election provides a hook for local public engagement activity, and opportunities for working with local partners who can reach out to voters in under-registered groups in your area could be a valuable part of your engagement work locally and should be sought out and seized.

2.11 The potential for a high number of registration applications close to the deadline for the election should be anticipated and built into your plans, reflecting lessons learnt from the experience of recent polls. The impact of such applications and related questions from residents about their registration status is not only relevant to the ERO, but will also have implications for the administration of the poll and your plans should ensure you are able to respond effectively.

# 3 Roles and responsibilities

3.1 Every council in Scotland must appoint an officer of the council to be the RO for the election of councillors to their council<sup>4</sup>.

## Your role and responsibilities

3.2 As RO, you play a central role in the democratic process. Your role is to ensure that the election is administered effectively and that, as a result, the experience of voters and those standing for election is positive.

3.3 You should set out at an early stage what you want to achieve and what success would look like for you.

3.4 While you can appoint one or more persons to discharge any or all of your functions<sup>5</sup>, you cannot delegate your personal responsibility for delivering the election.



Further information on the appointment of deputies can be found in [Part B – Planning and organisation](#).

3.5 As RO you are personally responsible for the administration of the council election in your area, including:

- publication of the notice of election<sup>6</sup>
- the nomination process<sup>7</sup>
- publication of the notice of poll and situation of polling stations<sup>8</sup>
- the provision of polling stations<sup>9</sup>
- the appointment of Presiding Officers and Poll Clerks<sup>10</sup>
- management of the postal voting process<sup>11</sup>
- the verification and counting of votes<sup>12</sup>
- the declaration of results<sup>13</sup>
- complying with any directions issued by the Convener of the EMB<sup>14</sup>

3.6 Your duties as RO are separate from your duties as a council officer. As RO you are not responsible to the council but are directly accountable to the courts as an independent statutory office holder<sup>15</sup>.

## Your skills and knowledge

3.7 You should have a working knowledge of the legislation governing the conduct of the election. This means that, in addition to having a clear understanding of your particular statutory functions, you should have an overview of what the legislation contains and an understanding of how it

affects the administration of the election, so that you can review, question where necessary, and quality-assure the whole process.

3.8 There are management responsibilities attached to your role. For example, you should:

- command the required staff and resources to deliver a well-run election
- draw in the necessary support, skills and expertise from across your council
- oversee the planning, project management and risk management of the election and incorporate any lessons learnt from previous polls
- identify and oversee any actions necessary to mitigate any issues arising
- ensure that staff are appropriately trained to deliver the roles required of them
- support the staff administering the election and provide appropriate oversight of their work
- provide direction to staff, monitor progress and receive regular feedback on activities
- maintain an effective working relationship with the Convener of the EMB
- maintain an effective working relationship with the ERO
- maintain an effective working relationship with your police Single Point of Contact (SPOC)
- ensure that you account for your spending in line with council procedures

## The Electoral Registration Officer

3.9 You should ensure that you are in regular contact with the ERO and that they are able to provide the relevant registration and absent voting data for the election. For example, to ensure that you are able to issue postal ballot packs as soon as practicable after the close of nominations and to ensure that voters have the maximum time available to receive, complete and return their postal vote, you will need to agree the timing and method of the various transfers of the necessary postal voting data.

## Electoral Management Board for Scotland

3.10 The Electoral Management Board for Scotland (EMB) seeks to ensure that the interests of the voter are kept at the centre of all elections planning and administration. The EMB undertakes this by assisting ROs and EROs in relation to council elections through the promotion of good practice by providing information, advice or training. The EMB Convener has the power to issue directions to ROs and to EROs in relation to council elections<sup>16</sup>.

3.11 The Convener has consulted on the directions for the 2017 council elections which aim to deliver results that will be trusted as accurate – resulting from elections that are accessible, consistent, efficient and secure.

3.12 We have reflected the final directions in our guidance and a full list of directions can be found in [Appendix B](#). The directions are also available on the [EMB's website](#), alongside any additional guidance provided by the Convener.

## Breach of official duty and power to correct procedural errors

3.13 As RO, you are subject to breach of official duty provisions. This means that if you or your appointed deputies are, without reasonable cause, guilty of any act or omission in breach of official duty you (and/or your deputies) are liable on summary conviction to a fine not exceeding £5,000<sup>17</sup>.

3.14 You have the power to take such steps as you think appropriate to remedy acts or omissions that arise in connection with any function of the election for which you are responsible and that are not in accordance with the rules<sup>18</sup>.

3.15 This power allows you to correct procedural errors that are made by you as RO, an Electoral Registration Officer, a Presiding Officer (or any deputies of any of these) or a person providing goods or services to you/them.

3.16 Where you remedy an act or omission in full by using your power to correct a procedural error, you will not be guilty of an offence of breach of official duty. You should remember that the power to correct procedural errors does not enable you to recount the votes once the result has been declared<sup>19</sup>.

3.17 As you are personally liable for the conduct of the election you should ensure that you have insurance cover and that it is up-to-date. You should be prepared to demonstrate robust planning and decision-making processes in the event of any challenge to the election and a claim against you. The team at your council dealing with insurance may be able to help determine what existing cover is in place and available, and to provide advice as to whether it should be extended.

# 4 Performance standards

4.1 The Electoral Commission sets standards and monitors and reports on the performance of ROs<sup>20</sup>. The performance standards applicable to the May 2017 polls can be found at [Appendix A – Performance standards for Returning Officers](#).

4.2 The framework was developed around the key outcomes from the perspective of voters and those who want to stand for election, and in particular whether ROs are taking the necessary steps to deliver the following outcomes:

- Voters are able to vote easily and know that their vote will be counted in the way they intended.
- It is easy for people who want to stand for election to find out how to get involved, what the rules are, and what they have to do to comply with these rules, and they can have confidence in the management of the process and the result.

4.3 [Parts B to F](#) of this guidance include what we expect ROs will need to have in place, and what we would expect to see to be able to be satisfied that the key outcomes of the standards can be delivered.



To avoid duplication, the Commission and the Convener of the EMB are currently discussing a co-ordinated approach to performance monitoring at these elections. Both the Commission and the Convener will update all ROs on the approach once it has been finalised.

# Appendix A – Performance standards for Returning Officers in Great Britain

## Performance standard 1: Voters

**Ensuring that planning for and delivery of the poll enables voters to vote easily and know that their vote will be counted in the way they intended**

Outcome	What does the RO need to do to achieve the outcome	What will demonstrate how the outcome has been met
<p>Voters receive the information they need, in an accessible format and within time for them to cast their vote</p>	<ul style="list-style-type: none"> <li>• Develop and implement robust project management processes</li> <li>• Evaluate planning for and delivery of previous polls and identify lessons learnt, updating plans as required</li> <li>• Put in place arrangements to manage contractors and suppliers to ensure that the work is delivered as required by the specification</li> <li>• Ensure robust processes are in place for ensuring that there are no errors on voter materials, notice of poll and notice of election</li> <li>• Ensure poll cards are received by voters as soon as possible so that</li> </ul>	<ul style="list-style-type: none"> <li>• Project planning documentation which is kept under regular review</li> <li>• Planning documentation reflecting lessons learnt</li> <li>• Arrangements in place for the management of contractors and suppliers</li> <li>• Processes for the proof-checking of voter materials, notice of poll and notice of election</li> <li>• Information on the method for delivery of poll cards, including an estimation of when poll cards will be delivered</li> <li>• Information on the poll easily</li> </ul>

	<p>voters have the maximum amount of time to act on the information</p> <ul style="list-style-type: none"> <li>• Ensure information on the poll, including the notice of election and notice of poll, is easily accessible to voters, such as through the local authority website</li> </ul>	<p>accessed through the local authority website</p>
<p>Voters receive a high-quality service</p>	<ul style="list-style-type: none"> <li>• Ensure that access needs are taken into account when planning for and setting up polling stations</li> <li>• Decide on the allocation of electors and staff to polling stations to ensure polling stations are properly staffed so that voters receive a high-quality service, giving consideration to the factors set out in Commission guidance</li> <li>• Ensure polling station staff are trained to set-up polling stations in such a way that takes account of voter needs</li> <li>• Ensure postal ballot packs are received by voters as soon as possible so that voters have the maximum amount of time to act on the information</li> </ul>	<ul style="list-style-type: none"> <li>• Assessment regarding access needs, identifying any problems and actions taken to remedy these</li> <li>• Approach taken to allocating electors and staff to polling stations</li> <li>• Guidance/training provided to polling station staff</li> <li>• Information on the method for delivery of postal ballot packs, including an estimation of when postal ballot packs will be delivered</li> </ul>

<p>Voters have confidence that their vote will be counted in the way they intended</p>	<ul style="list-style-type: none"> <li>• Maintain a clear audit trail of the issue, receipt and opening of postal ballot packs</li> <li>• Have in place processes to identify any patterns of activity that might indicate potential integrity problems, including what steps are to be taken to deal with any such problems</li> <li>• Maintain the secure storage of ballot papers and postal ballot packs at all times</li> <li>• Put in place appropriate resources to ensure the verification and count is timely</li> <li>• Ensure the results are communicated to voters in a clear and timely way</li> <li>• Ensure count processes are designed and managed to secure an accurate result, with a clear audit trail</li> </ul>	<ul style="list-style-type: none"> <li>• Arrangements to maintain a clear audit trail of the issue, receipt and opening of postal ballot packs</li> <li>• Processes for dealing with integrity problems</li> <li>• Arrangements for securely storing ballot papers and postal ballot packs</li> <li>• Information on how the verification and counting is to be organised and managed, including the process you followed to arrive at your decision</li> <li>• Arrangements for communicating results to voters</li> <li>• Arrangements in place to maintain a clear audit trail of the count processes</li> </ul>
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## Performance standard 2: Those who want to stand for election

Ensuring that planning for and delivery of the poll enables people who want to stand for election to find out how to get involved, what the rules are, and what they have to do to comply with these rules, and enables them to have confidence in the management of the process and the result

Outcome	What does the RO need to do to achieve the outcome	What will demonstrate how the outcome has been met
<p>People who want to stand for election receive all the information they need to take part</p>	<ul style="list-style-type: none"> <li>• Ensure information on the election process and spending is easily available for candidates and agents, including through providing briefing sessions and ensuring they are issued with written guidance</li> <li>• Ensure that candidates have the opportunity to have their nomination papers informally checked prior to their formal submission</li> </ul>	<ul style="list-style-type: none"> <li>• Written guidance issued to candidates</li> <li>• Date(s) of briefing sessions and briefing resources</li> <li>• Arrangements in place for candidates to have their nomination papers informally checked prior to formal submission</li> </ul>
<p>Candidates have confidence that the process is well-managed, and have confidence in the results</p>	<ul style="list-style-type: none"> <li>• Ensure that those entitled to attend postal vote opening sessions are able to follow what is happening, where and when</li> <li>• Ensure count processes are transparent, with everything at the verification and count carried out in clear view of all those entitled to</li> </ul>	<ul style="list-style-type: none"> <li>• Layout plan of postal vote opening sessions</li> <li>• Information provided to attendees at postal vote opening sessions</li> <li>• Layout plan of the count</li> <li>• Information provided to attendees at the count</li> </ul>

	<p>attend, with information provided to attendees on the processes to be followed</p> <ul style="list-style-type: none"> <li>• Ensure count processes are designed and managed to secure an accurate result, with a clear audit trail</li> <li>• Have in place processes to identify any patterns of activity that might indicate potential integrity problems, including what steps are to be taken to deal with any such problems</li> </ul>	<ul style="list-style-type: none"> <li>• Arrangements in place to communicate progress at the count</li> <li>• Arrangements in place to maintain a clear audit trail of the count processes</li> <li>• Processes for dealing with integrity problems</li> </ul>
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# Appendix B – Directions from the EMB Convener

Please note that the directions below are the directions which have been issued by the Convener.

WORKSTREAM	DIRECTION	COMMENTARY
1	<p><b>Ballot Paper</b> <i>Colour of Ballot Papers</i></p> <p>Ballot papers must be <b>white</b>; tendered ballot papers must be <b>pink</b>.</p>	<p>Ballot paper production is an element in the eCounting contract and will be undertaken by a single supplier for the whole of Scotland. This will give assurance of the consistency of the ballot paper - the fundamental voter facing document.</p>
2	<p><b>Ballot Paper</b> <i>Official Mark</i></p> <p>The Official Mark used for polling stations ballot papers must be different from those issued in postal vote packs. ROs must ensure that their ballot papers include the official marks as agreed by the EMB with the printers. ROs will be informed of the agreed Official Marks prior to ballot paper production to allow them to confirm that papers meet the specifications</p>	<p>The Official Mark will be a secure design (difficult to copy or imitate) that will not feature images, letters or numbers. A different mark on postal ballots will ensure that they are distinct at the count and would be identified should any be found in ballot boxes from polling stations.</p>
3	<p><b>Notices</b> <i>Publication of Notice of Election</i></p> <p>ROs must publish the Notice of Election on <b>13 March 2017</b>.</p>	<p>This is the earliest date possible and will allow the maximum length of nomination period. This is important given the volume of nominations that ROs will have to handle. As a result “Purdah” will also commence on this date.</p>

4	WORKSTREAM	DIRECTION	COMMENTARY
	<p><b>Poll Cards</b> <i>Date of dispatch of poll cards</i></p>	<p>ROs must ensure that poll cards are dispatched from printers between <b>14/15 March 2017</b> to achieve delivery to electors within five working days of the publication of the Notice of Election</p>	<p>There is in effect a “deadline” of 7 February for a validly registered elector to be included in this first issue. The poll card data will be based on the register as published on 1 March 2017 which will include valid applications up to and including 7 February 2017.</p>

	WORKSTREAM	DIRECTION	COMMENTARY
5	<p><b>Absent Votes</b> <i>First dispatch of Postal Ballot Packs</i></p>	<p>ROs must ensure that postal ballot packs for inclusion in the first delivery to all validly registered electors are passed from printers to the postal services between <b>13 and 14 April 2017</b>.</p> <p>All postal ballot packs are to be dispatched by first class post.</p>	<p>A consistent date of dispatch will support national communication and voter awareness activities and allow political parties and others to plan their campaigns.</p> <p>Postal vote applications from all validly registered electors received by <b>29 March 2017</b> will be included in this first issue.</p> <p>Packs for validly registered postal voters included in the Second Interim Election Notice of Alteration (SIENA) should be dispatched in a separate issue as soon as practicable. With publication of the SIENA on <b>7 April</b>, a dispatch on <b>13-14 April</b> is achievable</p> <p>The postal ballot packs dispatched must include postal votes being sent to electors who are temporarily overseas e.g. on a holiday. There is no special provision for overseas voters, although their numbers will be limited under this franchise. There will be service voters and some holiday makers/students with overseas ballot paper addresses.</p>

	WORKSTREAM	DIRECTION	COMMENTARY
6	<p><b>Absent Votes</b>  <i>Final dispatch of Postal Vote Packs</i></p>	<p>ROs must ensure that there is at least one additional issue of postal ballot packs.</p> <p>The final dispatch to all validly registered postal voters should be handed over from printers to the postal services on <b>25 April</b> using the Final Election Notice of Alteration (FENA).</p>	<p>Note the <b>5pm 18 April</b> deadline for requests for a new postal vote or to change or cancel an existing postal vote or proxy appointment, for those electors who are already registered.</p> <p>This does not preclude ROs from issuing postal vote packs at other times if necessary e.g. because an elector is going to be on holiday or away on business by the time of the next issue of postal votes, and the RO decides, as they can, to issue an individual postal vote pack.</p> <p>The postal ballot packs dispatched must include postal votes being sent to electors who are temporarily overseas e.g. on a holiday. Again, there is no special provision for overseas voters, although their numbers will be limited under this franchise. There will be service voters and some holiday makers/students with overseas ballot paper addresses.</p> <p><i>The EMB will work with the Print Supplier and EROs to develop an agreed schedule of determination, data upload and production to allow ROs to meet these deadlines. This schedule will be clearly communicated to EROs and ROs separately from these Directions. It will include further information about the dispatch of postal vote packs to validly registered postal voters included in the Second Interim Election Notice of Alteration (SIENA) which will be published on 7 April.</i></p>

	WORKSTREAM	DIRECTION	COMMENTARY
7	<p><b>Verification and Count</b> <i>Count Timing</i></p>	<p>ROs must ensure that the first ballot boxes are opened after 8am and not later than <b>9:30am on Friday 5 May 2017</b> to allow the verification and count to begin for their wards.</p> <p>For the avoidance of doubt there will be no overnight counting of votes and the verification in all councils must be underway by 9:30am on <b>5 May 2017</b></p>	<p>This is in line with the 2012 direction; for local government elections in Scotland a “next day count” is now well-accepted, offering important resilience to the eCounting systems.</p> <p>The direction formalises the position that there will be no overnight count, but ensures that there will be no undue delay, with all counts underway by <b>9:30am</b>.</p> <p>The direction does not require that all ballot boxes will have been received at the count centre by <b>9:30am on 5 May</b>. It only requires that boxes begin to be opened by <b>9:30am</b>. These could be boxes of postal ballot papers.</p> <p>The direction does not preclude an overnight reconciliation of unused paper/spoil and checking of ballot paper accounts.</p>

	WORKSTREAM	DIRECTION	COMMENTARY
8	<p><b>Coordination and Best Practice</b> <i>Performance Management Framework</i></p>	<p>All ROs must complete, to a timescale to be determined, the elements of a Performance Management Framework (PMF) that the Convener of the EMB will issue separately from these Directions.</p>	<p>The PMF will require all ROs to submit two returns, one around mid-February and the other around mid-April. In addition, a small sample of ROs may be subject to more detailed scrutiny.</p> <p>The PMF provides assurance to the Convener that ROs are complying with these Directions and that all planning and delivery tasks are being undertaken to the appropriate timescales and standards.</p> <p>ROs should be aware that the Electoral Commission will also be monitoring the performance of ROs at these elections. The EMB will coordinate with the Electoral Commission to ensure that ROs are not asked to provide the same information twice.</p>



WORKSTREAM	DIRECTION	COMMENTARY
9	<p><b>Provision of Information</b> <i>Results collation</i></p> <p>ROs must submit to the Convener of the EMB, to a timescale to be determined, information relating to the elections in each of the wards for which they are responsible. This will allow the EMB to compile a full analysis of results for the contests across all 32 councils, 354 wards and the 1,227 individual councillors to be elected.</p> <p>ROs will be informed about the information they need to provide to the EMB and in what format by <b>23 December 2016</b>, with the first data collection after close of nominations.</p>	<p>It is in the interest of the voter for a full set of results to be held and published centrally. This will allow voters and other stakeholders quickly to find information about the Scotland-wide results soon after the conclusion of the counts. In 2012, no one held this central set of results, which raised questions from voters, elected members and the media as to why this was the case.</p> <p>With the EMB holding this data a consistency in approach and presentation will be possible.</p> <p>Provision will need to be made by the EMB for the collation and publication of this data.</p>
10	<p><b>Results</b> <i>Declaration Scripts</i></p> <p>RO scripts for the declaration of results will be produced by the eCounting system and must be used by all ROs to ensure consistency in the announcement and publication of results.</p>	<p>A “Declaration Report” is produced for each contest by the system. This should be used as a script for the declarations.</p>
11	<p><b>Royal Mail Sweep</b></p> <p>ROs must make arrangements with Royal Mail for a polling day sweep of the sorting office for their voting area.</p>	<p>Sweeps are now accepted as best practice in all polls. It is clearly in the interest of the voters that every effort is made to recover all of the votes that have been cast. While the volumes may be lower in these polls, the principle remains valid.</p>

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- <sup>1</sup> Section 5(3), Local Electoral Administration (Scotland) Act 2011 (LEAS 2011).
- <sup>2</sup> Section 149(2), Equality Act 2010.
- <sup>3</sup> Scottish Elections (Reduction of Voting Age) Act 2015.
- <sup>4</sup> Section 41(1), Representation of the People Act 1983 (RPA 1983).
- <sup>5</sup> Section 41(2), RPA 1983.
- <sup>6</sup> Rule 3, Schedule 1, Scottish Local Government Elections Order 2011 (Local Government Rules 2011).
- <sup>7</sup> Rules 4 to 11, Local Government Rules 2011.
- <sup>8</sup> Rule 20, Local Government Rules 2011.
- <sup>9</sup> Rule 22, Local Government Rules 2011.
- <sup>10</sup> Rule 23, Local Government Rules 2011.
- <sup>11</sup> Rule 21, Local Government Rules 2011 and the Representation of the People (Postal Voting for Local Government Elections) (Scotland) Regulations 2007.
- <sup>12</sup> Rules 41 to 55, Local Government Rules 2011.
- <sup>13</sup> Rule 56, Local Government Rules 2011.
- <sup>14</sup> Section 5(3), LEAS 2011.

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<sup>15</sup> Section 63 and 127, RPA 1983.

<sup>16</sup> Section 5(1) and 5(2), Local Electoral Administration (Scotland) Act 2011.

<sup>17</sup> Section 63(1), RPA 1983 and section 225, Criminal Procedure (Scotland) Act 1995.

<sup>18</sup> Section 4, Local Electoral Administration and Registration Services (Scotland) Act 2006 (LEARS 2006).

<sup>19</sup> Section 4(2), LEARS 2006.

<sup>20</sup> Sections 9A and 9B, Political Parties, Elections and Referendums Act 2000.