

Minutes of the meeting of the Electoral Commission held on Wednesday 26 May 2010 at 9.30am

Present: Jenny Watson (JW) Chair
Max Caller (MC)
Henrietta Campbell (HC)
Tony Hobman (TH)
Ian Kelsall (IK)
John McCormick (JMcC)

In attendance Peter Wardle (PW)
Carolyn Hughes (CH)
Stephen Rooney (SR)
Andrew Scallan (AS)
Tony Stafford (TS) (for Lisa Klein)
Bob Posner (BP)
Kairen Zonena (KZ)
Joel Blackwell (JB)

Tom Hawthorn (TH1) – for item 5
Seamus Magee (SM) – for item 5
Clinton Proud (CP) – for item 5
Gemma Rosenblatt (GR) – for item 5
Ailsa Irvine (AI) – for Item 5
Louisa Parry (LP) – for item 6
Bola Bajomo (BB) – for item 6

1 Apologies

Lisa Klein for absence.

2 Declaration of Interests

In relation to item 5, JW declared that she was a Board member of the Audit Commission. TH declared that in his new role as Chief Executive of the Consumer Financial Education Body, the Treasury was the department with primary interest, and in that capacity he had and would continue to have contact with the Financial Secretary to the Treasury, Mark Hoban. AS declared that he was seconded from Manchester City

Council. It was agreed that these declarations did not make withdrawal from decision or discussion necessary.

3a Minutes of the Commission Board meeting of 14 April 2010 (EC45/10)

Agreed: That the minutes of the Commission Board meeting held on 14 April 2010 be approved as an accurate record and the Chair be authorised to sign them.

3b Decision/Action tracker (EC46/10)

Noted

4 Update from Chief Executive for May (EC47/10)

4.1 PW highlighted key aspects of the Chief Executive's report. These included:

- Problems at polling stations on 6 May (para 1.5) – The interim review into polling station queues was published on 20 May. The Board noted that the key messages in the report, on the whole, had been understood by media outlets, and that Government, Ministers and Returning Officers (ROs) had engaged with its findings. JW confirmed that she had written to the ROs who had contributed to the interim report to express thanks. The Board paid tribute to the work and effort of all staff involved in the review.
- New UK coalition government (para 2.1) – The Board noted the new coalition government's ambitious programme of constitutional and electoral reform and the potential impact of the legislative agenda on the work and resources of the Commission.
- Registration of names, descriptions and emblems (para 3.4) – staff were considering the issues that had arisen during the election campaign and the potential need for changes to the rules. The Board noted the need to focus on delivering the right result for voters when presented with ballot papers. The review would potentially draw on the Making your Mark and Gould Report recommendations. It was confirmed that the Board would consider the issues, and the Commission's approach, in more detail at its meeting in July.
- Individual Electoral Registration (IER) (Para 4.1) – It was noted that the coalition programme included a commitment to speed up the implementation of IER in Great Britain. The Board confirmed that it was important to reiterate to the Government

the key principles that the Commission would want to see observed in any revised approach.

- Wales Referendum (Para 4.3) – A meeting took place between JW, IK and the new Secretary of State for Wales on 24 May. A decision had yet to be made on the timing of the referendum.
- Move from Trevelyan House (Para 5.1) – Commissioners noted that arrangements were now in place to co-ordinate the move from Trevelyan House and that the intention was to find a solution that produced at least a 30% saving in cost. It was confirmed that the Board would be asked for formal approval of the plans at the 7 July meeting.
- Campaign to encourage voter registration (Para 1.2) – The Board commented on the success of the public awareness campaign, and the fact that this would be an important aspect in future elections, not least of all due to the apparent success in reaching young people, a key under-registered demographic, during the campaign.

- 4.2 It was noted that Karen Quintmere, Head of Improvement, had left the Commission. The Board wanted to record their thanks for her long and distinguished service and wished her well in her new role.

Agreed: That the Board consider issues relating to the registration of party names, descriptions and emblems, and the Commission's approach, in more detail at its meeting in July.

5 Well-run elections (presentation EC 48/10, tabled, and background reading documents 1-10)

- 5.1 JW opened by saying that the discussion was intended to look at the Commission's objectives for elections; consider recent experience; review where the Commission wanted to get to; and what needed to be done to get there.
- 5.2 AS and TH1 rehearsed Objective 2 (well-run elections, referendums and electoral administration), the key priorities within that, and the progress indicators beneath it.

2010 elections

- 5.3 The interim report on close of poll problems at polling stations had been published on 20 May. The report estimated that approximately 1200 people had been affected by the close of poll problems, and made recommendations for dealing with the difficulties which had been highlighted.
- 5.4 The Commission's support materials and guidance had been very well received, and the registration campaign had been a notable success, receiving good media pick-up and favourable coverage.

- 5.5 The publication of first quarter donations had also gone well, and received some pick-up.
- 5.6 There was a wide-ranging discussion on the nature of the relationship between the Commission and statutory office holders and it was accepted that the approach to Performance Standards should change to make it more objective and assertive in tone. AS reminded the Board that the Commission would be collecting Performance Standards data for Returning Officers (ROs) for only the second time at these elections and that it was intended to change the timing and nature of Performance Standards so that the assessment was made in advance of the election and collected at the same time as electoral registration data.
- 5.7 The Board expressed the view that the skills of ROs should be considered in more detail including consideration of how they were trained and whether an accreditation system should be introduced to improve the professionalism of the statutory office holders. The Board indicated that they would welcome the opportunity to consider a range of detailed options for the potential future management of elections and electoral registration. AS undertook to consider the points raised and report back to a future meeting of the Board. The Board considered the issues for inclusion in the July report.
- 5.8 **Party and election finance**
- There had been a large demand for advice and guidance, and a high level of participation. The Commission had made proactive contact with potential third party campaigners, all of whom responded
 - Advice work and campaigning activity had highlighted the inherent complexity of identifying when third party campaigning activity was regulated by PPERA
 - Party descriptions and emblems would be considered further during the Board discussion in July on party and election finance issues
 - The intention to publish quarter 1 donations and loans to political parties earlier than usual because of the election had been raised at the Parliamentary Parties Panel in February, but one major party had apparently regarded this as late notice. It might be preferable to give longer notice of similar plans at future elections.

Agreed:

(a) That the proposed structure and recommendations of the July election report be agreed, and that it include:

1. Reference to the range of partners in the election process, such as Royal Mail and the Police, and an indication of the impact of the election arrangements on their service provision and ability to meet demand;

2. To quantify wherever possible how many people were disenfranchised by different issues (delays in postal voting, local authorities failing to deal with the late surge in registrations, insufficient supply of ballot papers, wrong instructions etc), to be used in the report to evidence the benefits of suggested changes in terms of numbers of votes;
3. A clear indication of when the Commission would review and report further on the implementation of the recommended changes, and their impact;
4. Case studies of ROs' planning and decision-making processes including well managed and badly managed examples.
5. Analysis of the reasons for the lateness of counts starting and declarations;
6. The role of tellers and counting agents, and whether there had been a rise in complaints, whether parties were clear in their understanding of the rules;
7. The different experiences in devolved nations;
8. The views of electoral administrators, EROs and ROs themselves; and
9. A summary to set the context of a trust-based system which needs to be supported by adequate legislation, and to say that (i) this and previous reports confirmed a picture of an electoral system under strain, (ii) giving a brief reiteration of the principles of a good electoral system, what components and conditions were necessary to achieve it, and (iii) confirmation that the Commission would work up proposals on how to take these changes forward.

(b) General:

That the following be circulated to Commissioners for information: background material on the role and structure of the Scottish EMB and the Chief Electoral Officer and his management structure; and a summary of issues arising from the post-election seminars.

6 2009–10 Performance, Risk and Finance Report (EC 49/10)

- 6.1 LP introduced the report and highlighted the key performance issues that had arisen during 2009–10. Commissioners discussed the objective (1) public confidence indicator (p.4) which had fallen by 10 percentage points in 2009–10, against the background of the MPs' expenses scandal; and the background to the under-spend against the budget profile (p.44).
- 6.2 There was a discussion of how successful the Commission's work had been to develop monitoring systems to identify where there was a risk of poorly run elections, in view of problems experienced in some constituencies during polling day; there was clearly more work to do. Commissioners asked staff to revisit the report in the light of these comments.

- 6.3 The Board noted that the current overall risk rating for the organisation was at amber and commented that the level of risk for 2010–11 could be higher, given the heavy agenda of change in the political and constitutional area, together with new public spending controls. It was noted that the strategic risk register and risk framework would be seen by the Audit Committee on 30 June and by the Board at its meeting on 7 July. It was suggested that the risk register should also be distributed to the Board.
- 6.4 PW commented on the Reference Group meeting prior to the Board meeting which considered proposed improvements to the format of performance reporting in the future. The Board welcomed the changes made to the report.

Agreed: That

- (a) subject to the changes discussed in 6.2, that the report be noted, and
(b) the strategic risk register be presented to the Board at its 7 July meeting.

7 Chair's Report (EC 50/10)

JW reported that she had had a positive meeting with the Speaker, who had proposed to arrange a meeting with MPs so that the Commission could present some of its key issues.

Noted

8 Minutes of the Boundary Committee for England meeting of 18 March 2010 (EC51/10)

- 8.1 MC confirmed that the 18 March minutes would be the last set of minutes presented to the Board following the establishment of the Local Government Boundary Committee for England on 1 April.

Noted

9 Meeting wash-up (Commissioners only)

The meeting ended at 2.40pm.

