

From: [FOI](#)
To: [REDACTED]
Subject: FOI 145-20 - Response
Date: 23 December 2020 09:59:06
Attachments: [image003.png](#)

Dear [REDACTED],

Our Ref: FOI-145-20

Thank you for your email to the Electoral Commission dated 17 November 2020.

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 shown below followed by our response.

I am writing to you under the Freedom of Information (Scotland) Act 2002 to request the following information from the Electoral Commission regarding the registration of Alliance for Independence/Action for Independence - a new political party in Scotland.

I would like to know how many objections the EC received regarding the party's first application for registration which was refused on October 6 2020; did these objections come from individuals or otherwise; can you identify any of them publicly?

I would also like to know why it has taken nearly two months for an amended application under the name Action for Independence to be considered by the EC and how that compares to the average for a similar new party application?

Please provide the information in the form of a Word document or similar, such as PDF.

If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits, please provide advice as to how I can refine my request to be included in the scope of the Act.

In any case, if you can identify ways in which my request could be refined please provide further advice and assistance to indicate this.

I look forward to your response within 20 working days, as stipulated by the Act.

Our response is as follows:

We hold the information you have requested.

I would like to know how many objections the EC received regarding the party's first application for registration which was refused on October 6 2020; did these objections come from individuals or otherwise; can you identify any of them publicly?

In responding to this part of the request, we are assuming that you are referring to the application to register "Alliance for Independence", which was the first application submitted by the party. The decision was taken to refuse the application on 1 September 2020 and not 6 October 2020.

For that application, seven comments were made in opposition to the application from six individuals.

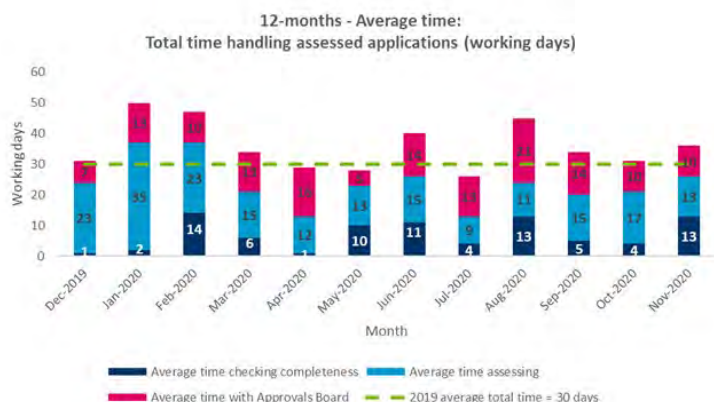
We are unable to release the names of these individuals to you. This is because this information is exempt under section 40(2) of the Freedom of Information Act 2000. Section 40(2) provides for an exemption where the information requested constitutes personal data and releasing the information would breach one of the data protection principles under the GDPR. As the names of these individuals is personal information, releasing it would be a breach of the GDPR principles, and so we cannot comply with this part of your request.

I would also like to know why it has taken nearly two months for an amended application under the name Action for Independence to be considered by the EC and how that compares to the average for a similar new party application?

We outlined to the party the reason for delay in reaching a decision on the application. The following is a quote from an email sent to the party on 17 November 2020:

"Unfortunately we have not been able to complete this assessment within our aimed for 6 weeks which passed on 13 November. This is in part because we have been dealing with an increased work load relating to the renewal deadlines for several hundred parties and because of the relatively complexity of this assessment compared to most assessments."

I think the average over the preceding two months would be interesting but the average over 2020 would provide more context I think.



The above chart shows the average time taken (in working days) to process registration applications for each month as taken from a recent internal data report. The data for each month concerns decisions taken on applications to register new parties, or change identity marks (i.e. names, descriptions, or emblems) for existing parties, in each month. We do not hold this data specifically with regards to time to take decisions on new party applications only.

We have clarified the following terms referenced in the chart for your information:

- “Average time checking completeness” = the average time taken on each application to check that it contains all of the information required under the Political Parties, Elections and Referendums Act 2000 (PPERA). Where we receive an application (e.g. to register a new party), it may not contain all of the information required under PERA – for instance, it may not contain a required fee or signature. We usually give parties a short period of time to rectify any missing information before we formally assess the application in full. We do not consider that an application has been properly made unless it contains all of the information required under PERA.
- Our assessment process consists of an assessment being undertaken by a member of the Registration Team which culminates in a recommendation being put to the Decision Maker, either to refuse or approve the application. The Decision Maker then takes an initial view on that recommendation. The Commission’s internal Approvals Board consider the recommendation and initial view and provide their comments on both. These comments are then put back to the Decision Maker who takes the final decision on the application.
- “Average time assessing” = the average time from the point where we consider an application to be complete, to the point where the assessment has been finalised and sent to the Decision Maker for an initial view.
- “Average time with the Approvals Board” = the average time from the point where a recommendation on an application is put to the Decision Maker for an initial view to where a final decision is taken by the Decision Maker.

For clarity, we aim to process applications within six weeks of receipt of a complete application. In measuring our performance, we do not consider that the “Average time checking completeness” contributes to the six week target window.

So that you can compare the time taken to consider the application to register Action for Independence against the monthly average over 2020, I have included the corresponding dates for the Action for Independence application:

Title	Date application received	Date application considered complete	Date sent to the Decision Maker for an initial view	Date Finalised
Action for Independence	02/10/2020	02/10/2020	20/11/2020	TBC

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority, but in some circumstances we cannot responsibly release requested information, and we ask for your understanding in this regard.

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: <https://www.electoralcommission.org.uk/freedom-information/make-a-freedom-information-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: <https://ico.org.uk/>.

Yours sincerely

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