



**Cabinet Office Elections Policy and Co-ordination Group**

**10<sup>th</sup> Meeting, 15.15-16.50, Wednesday 23 January 2013  
Electoral Commission, 3, Bunhill Row EC1Y 8YZ**

**Attendees**

**UK Government**

**Alex Thomas** Head of Elections and Democracy Division, Cabinet Office (Chair)  
**David Olima** Electoral Registration Transformation Programme (Cabinet Office)  
**Matt Carey** Elections and Democracy Division, (Cabinet Office)  
**Eileen Vagg** Elections and Democracy Division, (Cabinet Office)  
**Ian Barber** Department for Communities and Local Government  
**Alex Doyle** Home Office  
**Ashton Cotier** (Home Office)  
**Roddy Angus** Scotland Office  
**Peter Newbitt** Wales Office

**Welsh Government**

**Hugh Rawlings (HR)** Director, Constitutional Affairs and Inter-Governmental Relations, Department for the First Minister and Cabinet, Welsh Government

**Returning Officers (and/or representatives)**

**Michelle Chard (MC)** Manchester City Council (by telephone)  
**Robert Connelly (RC)** Birmingham City Council  
**Keith Hathaway (KH)** Deputy Greater London Returning Officer  
**Mark Heath (MH)** Southampton City Council  
**Laura Lock (LL)** Huntingdonshire District Council  
**Paul Morris (PM)** Borough of Poole Council  
**Bryn Parry-Jones (BPJ)** Pembrokeshire County Council  
**Mary Pitcaithley (MP)** Convener of Electoral Management Board (Falkirk) (by telephone)  
**Shirley Plenderleith (SP)** Kettering Borough Council  
**Barry Quirk (BQ)** Lewisham Council

**Association of Electoral Administrators**

**John Turner** Association of Electoral Administrators (AEA)

**Electoral Commission**

**Peter Wardle** Chief Executive  
**Andrew Scallan**– Director of Electoral Administration  
**Tom Hawthorn** Head of Electoral Policy

## **Apologies**

**John Bennett** Greater London Returning Officer

**Sir Howard Bernstein** Manchester City Council

**David Cook** Kettering Borough Council

**Paul Docker** Cabinet Office

**Trevor Holden** Luton Borough Council

**Stephen Hughes** Birmingham City Council

**Joanne Roney** Wakefield Council

**Philippa Saunders** Northern Ireland Office

**Graham Shields** – Chief Electoral Officer for Northern Ireland

**Dave Smith** Sunderland City Council (and SOLACE representative)

**Rebecca Waite** Department for Environment, Food and Rural Affairs

## **Minutes**

### **1. Welcome, Introductions and Minutes**

1.1 The minutes of the previous meeting were agreed. CO updated the Group on progress against actions from the previous meeting. In particular:

- the Home Office was keen to receive any further feedback on the rules / arrangements for the Police and Crime Commissioner (PCC) elections
- the Home Office had sent letters of thanks to Police Area Returning Officers (PAROs) and their local authorities for their work on the recent PCC elections, which also reminded PAROs of the need to submit timely expenses claims.

### **2. Update on the Electoral Registration and Administration Bill**

2.1 CO confirmed that the Electoral Registration and Administration (ERA) Bill was about to enter Report and Third Reading stages in the House of Lords.

### **3. Planning for the European Parliamentary Elections in 2014**

3.1 CO introduced a presentation on the work it is undertaking to prepare for the 2014 European Parliamentary elections. The presentation was in three parts and CO invited comments on each in turn.

## **i. Update on project planning**

- (i) Work on the legislative amendments to the Conduct Rules is underway. CO confirmed that the Welsh Forms Order would be in place in good time in advance of the polls. It was queried whether the provision allowing forms to be drafted 'to like effect' could cover Welsh translations. CO agreed to confirm the legal position to the Group, including the Parliamentary procedure which would apply to a Welsh Forms Order.  
**Action: CO**
- (ii) Date of poll not yet confirmed – discussions at a working level continue between Member States;
- (iii) Commencement Order made providing for polls to be run on a Local Authority Area basis;
- (iv) Commencement Order also provides for GLRO to be eligible to apply to be designated as a RRO;
- (v) RRO recruitment process underway, with interviews scheduled for mid-February so that RROs may be designated 12 months in advance of the poll. CO expects to bring forward the order in April 2013;
- (vi) CO, along with the South West RRO, has met with officials from the Gibraltar Government and engaged with them on the legislative and planning preparations for Gibraltar to form part of the South West region of England at the 2014 polls;
- (vii) The EPCG will act as the lead forum to advise Government on preparations for the 2014 European polls. Particular tasks will include commenting on the funding assumptions and guidance for the polls; the conduct rules and legislation for the polls; and will play a key role in identifying risks, issues and solutions;
- (viii) Attendees sought a policy decision on whether or not the 2014 local elections would move to coincide with the European Elections, as this was regarded as helpful in planning terms. CO acknowledged this point, and noted that DCLG is responsible for any change to the date of the local polls in a European elections year, and any such change will be subject to the outcome of a consultation on the matter.

3.2 The EC noted that it will need to undertake a review of the allocation of MEPs' seats and suggested this could be included in the Cabinet Office's high-level plan for the polls. CO agreed and invited the EC to set out the timescales for inclusion in the plan. **Action: Electoral Commission**

3.3 The EC also asked CO to set out the timescales and terms of reference for its review of elections funding, and how that fits with the preparation of guidance and assumptions for the European polls. CO agreed to produce and circulate its terms of reference and time-scales. MH also suggested the RROs' expenses assumptions from 2009 could be looked to as a model in 2014. CO confirmed it would consider past assumptions and guidance in coming to a view on the 2014

assumptions, and particular regard would be paid to the actual amounts claimed at past polls. **Action: CO**

## ii. Issues and learning from 2009

- 3.4 CO sought the Group's views on a number of issues, including the insurance and indemnity arrangements which had operated at past polls, the use of Royal Mail sweeps and ballot paper printing issues which had arisen at past European elections, as well as any other feedback of relevance to the next European polls.
- 3.5 RRO members raised concerns about the length of the ballot paper, in folding and in printing, which led to supplier capacity issues at past polls. There was a suggestion that the candidates' names should be removed from the ballot paper and could instead be displayed in polling stations. MH suggested early clarity on the colour of ballot papers should be given. CO confirmed it would consider these issues. **Action: CO**
- 3.6 MC relayed a number of points from the experience of running the 2009 polls in Manchester. It was suggested that the RRO should be able to direct re-counts, as it was argued leaving the power to local agents and LROs could be potentially problematic if a candidate wished to request a recount centrally. Clarity was also desirable on: whether or not payment of candidates' deposits is acceptable by credit or debit card; the split of responsibilities between the RRO and LROs; and whether or not RROs must go beyond the requirements of legislation where such action was required to meet a performance indicator. CO agreed to consider these points. **Action: CO**
- 3.7 Other issues raised included: whether results could be announced sooner than 9pm if counting has ceased; whether postal service providers other than the Royal Mail could be used by LROs/RROs; and whether postal vote application forms might be prescribed to ensure it is in a consistent format for PVI checking. CO confirmed that the role of the universal service provider is set out in electoral legislation, and said it would relay those provisions to the Group, along with the rationale for a consistent point at which results are declared, and a view on whether or not the postal vote application form should be prescribed. **Action: CO**
- 3.8 On the subject of insurance and indemnity, MH suggested that the priority must be effective cover for LROs and RROs, regardless of the mechanism(s) used. RRO members commented that the results collation system used by Sunderland and shared with other authorities at the recent PCC elections had been particularly effective and suggested that could perhaps be used at future polls such as the European Parliamentary elections. **Action: RROs**
- 3.9 There was a discussion of the publicity arrangements around the polls. The EC indicated it was not minded to send publicity leaflets to households, and asked CO whether there were any plans to follow the practice at the PCC elections of using a website for candidates' addresses rather than funding the production of mailings. CO confirmed that the law accommodated the funding of mailings.

### **iii. Conduct Rules for the polls**

3.10 CO explained that it has started to review the conduct rules for the polls. The key consideration was to apply as necessary those changes brought forward to the rules governing other polls since 2009, most notably areas covered by the Electoral Registration and Administration Bill and associated secondary legislation. There was discussion around new arrangements for confirming the eligibility of candidates standing in the UK who are nationals of other European Union countries and the need to set out changes to the conduct rules for the polls which manage the consequences of disqualified candidates potentially remaining on the ballot paper. CO confirmed that overall, no major changes were envisaged, just changes on points of detail. CO thanked the group for its feedback and the group agreed that CO should take forward discussions on the details of the changes envisaged with the Elections, Referendums and Registration Working Group. **Action: CO**

## **4. Update on Individual Electoral Registration (IER)**

4.1 CO outlined the progress of the Electoral Registration and Administration Bill. CO also set out the latest thinking around the date of the 2013 canvass and noted the amendments which had been made to the ERA Bill in the House of Lords including around the date of transition to IER. With reference to an amendment to the ERA Bill then before the House, HR asked whether a decision to make the transition to IER either in 2015 or 2016 would have any impacts on the National Assembly elections scheduled for 2016. CO would check this point and report back to the Group. **Action: CO**

4.2 CO sought views on a proposal to invite those individuals designated as RROs at the 2014 European Parliamentary elections to act as 'regional champions' for the implementation of IER. There was broad support for this amongst the RROs present, and there was interest in hearing more details about the proposal, including how the regional champion role would fit with others such as regional delivery managers and county-leads. It was also noted that any RROs designated in that role for the first time may wish to receive particular support in taking forward responsibilities as a regional champion. CO committed to set out further details for the group to consider. **Action: CO**

## **5. Update on Potential Polls for 2013**

5.1 CO and DCLG gave an update on the potential polls for 2013. In addition to those polls scheduled for May – most notably County Council elections and two local mayoral elections – there is the potential for neighbourhood planning referendums to occur on an ad-hoc local basis. DCLG confirmed that there will be a residential planning referendum on 7 March in Eden, Cumbria. Work on the conduct rules for the corresponding business referendums which can occur in areas which are wholly or predominantly business in character, is being finalised. DCLG explained that there is potential for council tax referendums to occur if any local authorities decide to implement a rise in council tax in excess of the principles set by the Secretary of State. DCLG committed to inform the

Group outside of committee whether the principles had yet been set for 2013.

**Action: DCLG**

5.2 CO relayed a message from DEFRA that there are no National Park Authority elections scheduled for May 2013 and an announcement on the way forward was expected soon.

## **6. Any other Business**

6.1 The next EPCG is scheduled for 14 March. CO will confirm with delegates three weeks prior to this date, as to whether this meeting is going ahead.