Board minutes: 5 December 2018 | Electoral Commission Search Board minutes: 5 December 2018 You are in the Electoral Commission Board section Home How we make decisions Electoral Commission Board On this page Apologies and introductions Declarations of interest Minutes of the Commission Board meeting of 19 September 2018 Project overview 2019/20 Draft Budget and Business Plan Chief Executive's update Q2 Performance and finance report Forward plan of board business 2018/19 Action tracker Chair and Chief Executive's meeting and meetings in devolved legislatures Conclusion of the meeting Meeting wash-up (commissioners only) First published: 18 July 2019 Last updated: 18 July 2019 Meeting overview Date: 5 December Time: 9:30am to 2pm Location: Boothroyd Room, 3 Bunhill Row, London Date of next scheduled meeting: 13 February 2019 Who was at the meeting Who was at the meeting John Holmes (JH), Chair Anna Carragher (AC) Sarah Chambers (SC) Elan Closs Stephens (ECS) Alasdair Morgan (AM) Rob Vincent (RV) Stephen Gilbert (SG) Alastair Ross (AR) Joan Walley (JW) Claire Bassett (CB), Chief Executive Ailsa Irvine (AI), Director, Electoral Administration Bob Posner (BP), Director, Political Finance and Regulation Craig Westwood (CW), Director, Communications and Research Kieran Rix (KR), Director, Finance and Corporate Services Carol Sweetenham (CS), Head of Projects Tracy Blackman (TB), Financial Controller Louise Footner (LF), Head of Legal Louise Edwards (LE), Head of Regulation David Meek (DM), Senior Adviser, Governance David Bailey (DB), Head of Strategic Planning and Resourcing Petra Crees (PC), Planning, Performance and Governance Manager Apologies and introductions Apologies from Sue Bruce were noted. JH welcomed the new Commissioners, noting their observer status, pending the confirmation of their appointments, and asked staff to introduce themselves. Declarations of interest No new declarations of interest were made at the meeting. New Commissioners' declarations would need to be recorded at the first meeting following Royal Assent. Minutes of the Commission Board meeting of 19 September 2018 The minutes of the Commission Board meeting on 19 September were approved and the record of the Commission informal day of 24 October was noted. Project overview CB introduced the paper, explaining that the Commission started working on a project basis to help broaden the work of the Commission and make progress on the outcomes of the Strategic Review. CS explained that larger projects were managed using the Programme and Project Management framework, while smaller projects were managed through operational plans. The Executive Team signed off all projects. Larger projects had assigned project managers. Al discussed the projects aimed at supporting free and fair elections and referendums. On the project to modernise the electoral observer scheme, she noted that feedback on the consultation on suggested improvements had been positive. She expected the updated Code of Practice to be laid before the UK and Scottish Parliaments before the end of the year, in line with the project plan. Al also updated on the delivering modern guidance project. While current guidance was well respected, it was not easy to navigate or maintain. The project would make the Commission's guidance more straightforward to use and update. The first tranche of guidance in the new format would be published on the new website in June 2019, with further roll-outs to follow through to 2020. On the Returning Officer/Electoral Registration Officer engagement and good practice project, Al explained that this was focused both on how we worked internally and how we worked with the electoral community to support them to deliver electoral services. This work would over time be embedded into normal business delivery. All explained that we had also been working on modernising electoral registration through a project. This had explored the feasibility of various recommendations to improve registration such as integrating it into other public

service transactions. Good progress had been made. RV expressed an interest in how we made the most of local authorities' knowledge and experience to ensure the Commission knew what was happening nationally. He suggested that a review of the challenges, risks and issues around frontline delivery, in the light of continuing very tight resources, be considered at a future Board meeting. BP discussed projects underway to support trusted and transparent regulation. We continued to push for an update to primary legislation, but while waiting for this we had produced draft codes of practice, and had consulted on the proposed changes with political parties. All the major political parties had responded to this consultation. BP noted the ICT system for political finance transparency required updating. 10 years ago our system was world leading, but it was now out of date. We had worked closely with political parties on the features of a new system. SC asked about the transition between the current system and the proposed new system. BP confirmed that this was a key risk that we were managing, for example by moving data into the new system in tranches. He also confirmed that stakeholders across the UK would test the system before the formal launch. BP recalled that the Commission was also looking at developing its role as a prosecutor. We would focus initially on prosecutions for process offences such as failure to provide information. We had been building up our skill-base and resources internally to support this change. The next step was to consult with political parties and other stakeholders on this proposal. BP noted proposed improvements to delivery of party statements of accounts, party descriptions, and regulatory casework. We would be looking to standardise statements of account by making statutory regulations, so that comparisons across parties could be made more easily. There would be a cost to parties associated with this change, but implementation would start with the larger parties and there would be a long lead-in period. We expected to begin consultations with political parties on all this in late 2019. BP advised that we no longer register party descriptions that did not clearly identify the party and were just slogans. CW provided an update on the work to support our third goal, and our role as an independent, respected centre of expertise. He noted that our website was hard to navigate, not mobile device friendly, or fully accessible. We were redeveloping the site to address these issues, with the launch planned for June 2019. This was so far on time and on budget. CW also explained the project aimed at improving democratic engagement, which was the most 'blue sky' of all, noting that the outcome of this work would be brought back to Board in the spring. ECS noted the importance of getting 16 year olds engaged and registered in Wales and the importance of engaging them in a pilot project. On tackling electoral fraud, CW noted that this incorporated the evaluation of the UK Government's voter ID pilots plus our wider response to fraud prevention. KR provided an update on our work ensuring we delivered value for money. He noted that the Ways of Working project was not just about the possibility of a new building but was also looking at culture and working practices, technology utilisation, and the working environment. The project on accountability to the devolved administrations was moving forward well. ECS acknowledged the amount of work and consultation that had gone into the projects, and noted the substantial changes that had already been achieved. RV supported this but also questioned how we could ensure consistent commissioner engagement in the areas of work covered by the projects. CB agreed that commissioner involvement had been valuable. SC noted the importance of keeping projects under review and moving the work into normal business at the right moments. AC noted that the move to project working had been a significant culture change for many staff, and needed to be watched. JH also thanked everyone for their work and requested a further

update on project work in a year's time, alongside the more regular quarterly reports. (Stephen Gilbert (SG) joined the meeting at this point.) Agreed: That a future informal Board meeting would focus on a review of the challenges, risks and issues around frontline delivery That an update on work to improve democratic engagement would be provided in Spring 2019 That there would be a further update on the progress of the projects in a year's time. 2019/20 Draft Budget and Business Plan CB introduced the item, and noted that the commissioners were being included earlier in this process than previously to get their steer on the proposed overall approach. The Commission had an ambitious outlook for the future, rather than just trying to do more with less resources. We had up to now found capacity to do project work within existing budgets, but we now had challenges in what more we could achieve without extra resources. The idea was therefore to ask for a little more money to meet the demands on us resulting from changes in the environment in which we operated and new responsibilities since the development of the Corporate Plan. For example the amount of contingency planning we had to do had gone up a good deal, as had the resources needed to deal with rising FOI demands. 5.2 DB confirmed that this was the second annual plan to deliver the five year Corporate Plan and that our four goals remained current and valid. Originally spending for 2019/20 had been planned to be the lowest of the five years at £16.2 million, but some assumptions had now changed, for example about likely pay rises, in line with what was happening elsewhere in the public sector, and there were new needs for both capital and current spending. If all these new activities were included the budget would be around £18.5 million, which was higher than the original projection, but not much different from 2018/19. CB confirmed that the Board would have a more detailed discussion on the Budget at the February meeting. This discussion was to explain the proposed new initiatives. DB reported that the new initiatives were additions to existing projects or new activity and that they broadly fell into two groups - building regulatory compliance and responding to government-led change. BP discussed options to build regulatory compliance. Existing litigation would flow through to the next financial year and had significant cost implications. Building internal legal capacity would cut our external spend in this area. We also needed to invest in the financial reporting side, how we audited political parties, our skills base on the digital side, and compliance accounting. We were not anticipating more major investigatory activity but this could not be excluded. There were also proposals to upgrade the casework management system. A little extra money could also be needed for research to support improving transparency in Northern Ireland. All this could cost around an extra £800,000. ECS questioned how we would respond to no extra funding in this area; CB confirmed that this would require reprioritisation. However she suggested that there was an important opportunity to broaden our agenda to respond to additional demand. AM asked about contingency and legal funding. CB explained that at the time of writing the corporate plan we could not have anticipated the amount of litigation currently underway. Al provided an overview of proposed new initiatives responding to Government led change. Some of these built on existing planned work, such as canvass reform; others related to ensuring we could respond appropriately to Scottish and Welsh Government-led electoral reform, including through additional policy support. CW noted the need for qualitative research on the projects that we were doing, such as canvass reform and evaluating the ID pilots. CW also updated the Board on consultation on ballot paper design in Scotland, a cost-neutral piece of work (because we would be reimbursed by the Scottish government) that nevertheless had capacity implications. KR noted that the Ways of Working project and the IT

improvements also involved additional cost. AM asked whether the Board would see projected figures for future financial years. CB noted that we needed to re-profile the forward years' budget figures. AC said it would be helpful to see the projected figures, and a cost-benefit analysis, such as savings from bringing resources inhouse. SC strongly supported the more ambitious approach, and recommended the case for increases should focus on the need to respond to new technology opportunities and risks. AC and RV agreed with the proposed initiatives. RV suggested the Commission should note the degree of financial discipline it had applied, and the discipline of focusing on different projects. We needed to articulate clearly that we were discerning in what we chose to push. JH strongly supported the proposed more ambitious approach, and noted that we were not talking about substantial sums of money compared with the importance of the issues involved. BP noted that we could well be asked if we were seeking sufficient funding, rather than being challenged about asking for too much. CB commented that we should not go even bigger, as we would need to increase our management capacity, but we did need to ensure we communicated our ambitions effectively. Agreed, That the paper was noted and the overall approach was agreed. The Board looked forward to seeing the figures in due course. Chief Executive's update CB explained the purpose of these updates for the new commissioners. JH invited each director to comment on issues in their area. Al highlighted our response to the three governments' consultation on canvass reform, which had been published on 30 November. CB noted our need to be in a robust place to be ready for any future unscheduled poll, including a future referendum. We had a list of legislative reforms we would like in this area, which we had broken down to what was needed and what was aspirational. There were also contingency plans in place for UK Parliamentary and Northern Ireland Assembly elections in the coming months. LE updated on the investigative efforts arising from the EU referendum campaigns, and the 2017 UK general election, which were both near completion. We would then move on to working with the political parties on compliance to try to ensure similar issues did not arise in future. LF updated on current legal proceedings. AC asked about the plans to use Instagram influencers as part of the voter registration campaign. CW advised that we approached this with caution, using the same robust process as we did when we engaged celebrities and voice actors, in order to ensure impartiality. RV asked for an update on Northern Ireland Assembly elections. AC explained that the legislation allowed for a further 5 months postponement to required elections if progress on restoring power-sharing had been made. If there were still no progress, there would need to be an election, possibly in autumn 2019. There would be a review of the donation transparency regime in 2019, but the government would probably want a focus on forward transparency, rather than retrospective transparency. Agreed, That the paper was noted. Q2 Performance and finance report AM asked about the 7% underspend in Quarter 2. CB accepted that the report could be worded better to more accurately reflect the situation. AM also asked about the challenge of publishing routine financial returns from parties and campaigners within 30 working days of receiving them. BP reported that we were not meeting our targets due to the volume of smaller party accounts and the redirection of resources to meet increasing demand for key investigations. BP explained that this capacity issue would be resolved with an updated online system. JH thanked the team for their efforts in preparing the Q2 report and continuing to improve the format. Agreed, That the paper was noted Forward plan of board business 2018/19 Agreed, That the paper was noted. Action tracker Agreed, That the paper was noted. Chair and Chief Executive's meeting and meetings in devolved legislatures Agreed. That the paper was noted. Conclusion of the meeting The

formal meeting of the Board closed. There was then an informal session on simplifying and modernising electoral law across the UK. At the conclusion of the meeting, the Chair expressed his warm gratitude, and that of the Commission as a whole, for the commitment, integrity and enthusiasm of the departing Chief Executive, CB, and wished her well for the future. He noted that CB had moved the Commission a long way in a good direction in her time, and left the Commission in a strong place for the future. Meeting wash-up (commissioners only) The meeting ended at 14.00.