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Board minutes: 24 February 2021 You are in the Electoral Commission Board section Home How we make decisions Electoral Commission Board On this page Who was at the meeting Apologies and introductions Declarations of interest Minutes of the previous Board Meeting (EC 11/21) Update on elections (Oral) Business Plan and Main Estimate 2021/22 (EC 12/21) Regulatory support strategy (EC 13/21) Performance report quarter three 2020/21 (EC 14/21) UK Government Electoral Integrity Bill (EC 15/21) Update from the Chair of Audit and Risk Committee (Oral) Chief Executive's update (EC 16/21) Commission Board action tracker (EC 17/21) Forward plan of Board business (EC 18/21) First published: 14 October 2021 Last updated: 14 October 2021 Meeting summary Date: Wednesday 24 February 2021 Time: 9.30am to 1pm Location: By video conference Date of next scheduled meeting: Wednesday 31 March 2021 Who was at the meeting Who was at the meeting Board Members: Rob Vincent, Meeting Chair Sue Bruce - As a participating observer pending receipt of Royal Warrant confirming term of office being extended Alex Attwood - As a participating observer pending receipt of Royal Warrant confirming term of office Sarah Chambers Elan Closs Stephens Stephen Gilbert Alasdair Morgan Joan Walley In attendance: Bob Posner, Chief Executive Craig Westwood, Director, Communications, Policy and Research Louise Edwards, Director, Regulation Ailsa Irvine, Director, Electoral Administration and Guidance Kieran Rix, Director, Finance and Corporate Services Binnie Goh, General Counsel Carol Sweetenham, Head of Projects (item 5) Niki Nixon, Head of External Communications (item 8) Laura Mcleod, Public Affairs Manager (item 8) Chantelle Shokar, Legal Assistant (all items) Zena Khan, Senior Advisor, Governance Apologies and introductions There were no apologies received. The Meeting Chair welcomed all to the meeting in particular Alex Attwood, appointed as the new Commissioner for Smaller Parties. The Board noted an update on the Speaker's Committee's 'preferred candidate' for Commission Chair with the process underway. The preferred candidate has now been invited to a session with the Speaker's Committee on Monday 1 March, which will be public. Declarations of interest There were no new declarations of interest. Minutes of the previous Board Meeting (EC 11/21) Resolved: That the minutes of the Commission Board meeting on 20 January 2021 be approved. Update on elections (Oral) The Board received an oral update from the Chief Executive, Director, Electoral Administration and Guidance, Director, Regulation and Director, Communications, Policy and Research. The Board noted that we continue to use the objectives for well-run elections in the current public health context to ensure that they can still be delivered, and are continuing to work with everyone across the electoral community to make sure this can be delivered in practice. The Board noted the UK Minister's statement confirming their intention for elections in England and PCC elections in Wales to proceed, and alongside this, the publication of a delivery plan setting out the arrangements for the polls. The Board noted that following statutory consultation with the Commission, secondary legislation has been brought forward to reduce the numbers of subscribers required on nomination papers for those elections taking place across England and for the PCC elections in Wales; this is a sensible change in the circumstances and supports one of our objectives that those who wish to stand for election should have access to reasonable options for completing and submitting the necessary nomination papers that minimise the risk of transmission of the virus to or by them, and appears to have broad support. The Board noted that the main points of concern from the electoral community continue to be around staffing and venues. The progress being made to address these was discussed. It was noted that we've been considering our approach to observing at the polls, ensuring we have sufficient people out on polling

day to inform our election reporting while also managing the safety of our staff and recognising the challenges of local authorities in accommodating additional attendees at key election processes. Board members who want to observe on polling day or at a count were invited to indicate their interest so that risk assessments can be completed and practical arrangements made. It was noted that this year we saw 65 new applications to register parties or amend party details, the highest we have ever recorded prior to an event. We will take decisions on all of these before close of nominations. The Board noted that as of 23 February we had considered 15 instances where our intervention was needed to manage the risk of non-compliance. The predominant issue was missing or incomplete imprints on campaign material, with the additional area of digital material in Scotland. In all cases our aim is to support campaigners into compliance, with enforcement action only when appropriate and proportionate. It was noted that voter-facing plans are proceeding to schedule across a range of strands to drive voter registration and support safe participation in the polls. Particular activity is focussed on known under-registered and hard-to-reach audiences, those new to the franchise in Scotland and Wales, and those more at risk from contracting Covid-19. The Board continued to seek assurances around the delivery service of Royal Mail in the context of the pandemic and the extra demand on postal votes expected in the current climate. It was noted that we have a close working relationship with Royal Mail, and will continue regular dialogue throughout the election period and bring any specific issues to their attention. Resolved: That the oral updates be noted. Business Plan and Main Estimate 2021/22 (EC 12/21) The Board received the report following agreeing an outline approach closely based on previous business plans at the February Board meeting. The Board thanked the report authors for their contribution especially Carol Sweetenham (Head of Projects) for a delivery focussed, diligent paper. Resolved: That the approach is endorsed of meeting pressures within the original overall funding envelope. Resolved: That the Board agreed the current and capital budgets as set out in Tables 2 and 3 of the report. Resolved: That the Board agreed the Business Plan 2021/22 and that this should be submitted to the Speaker's Committee, the Scottish Parliament Corporate Body and the Llywydd's Committee of the Senedd for their approval. Resolved: That the Board agreed the Main Estimate 2021/22 (with Parliamentary Control Totals set out in Table 4), in line with budgets, and that this should be submitted to the Speaker's Committee for their approval. Resolved: That the Board delegated authority for the Chief Executive as Accounting Officer, with anything other than minor changes to be in consultation with the acting lead Commissioner (in the absence of a Commission Chair) and the Chair of the Audit and Risk Committee, to amend the Business Plan and Main Estimate in non-major ways to reflect unforeseen developments between approval by the Board and submission. Regulatory support strategy (EC 13/21) The Board received the report on progress made by the new Regulatory Support team on embedding itself in our proactive compliance work. The Board considered plans to develop a strategy to offer a range of proactive tools and methods to support parties and campaigners comply with campaign finance law. The Board firmly supported the approach and requested to be kept regularly informed of progress. Resolved: That the Board is content with the proposed approach to and timings for developing the strategy. Performance report quarter three 2020/21 (EC 14/21) Resolved: That the report be noted. UK Government Electoral Integrity Bill (EC 15/21) The Board received a report providing an overview of the expected Bill, and of our approach to engaging with the parliamentary process of its consideration. It was noted that the Board would return to this discussion once the Bill had been published. There were several elements of the Bill around

content, including likely provisions directly related to the Commission and more broadly how the Commission engages in the process. The Bill and work arising from it from enactment through to the practical implementation of changes in electoral law will be a significant workstream for the Commission over a number of years. Resolved: That the report be noted. Update from the Chair of Audit and Risk Committee (Oral) The Audit and Risk Committee Chair gave a brief update of the last Committee meeting on 23 February 2021, highlighting the following topics: National Audit Office update Risk management Risk Maturity Review Annual review of Risk Framework Risk improvement plan It was noted that a discussion on the Board's understanding of identifying risks is being scheduled in the Board Forward Plan Internal audit – Budget Management and Monitoring Internal audit strategy 2021-2024 Risk deep dive – presentation on Covid-19 risk measures and impact It was noted that the presentation could be shared with the wider Board as it responded to Covid-19 and the impact, thoughtfulness and pastoral care of colleagues with practical implications on the organisation, taking positive lessons learnt from working in a pandemic. Schedule of audit recommendations Government Cards Registers of interests, donations, gifts and hospitality It was noted that the Audit and Risk Committee should not be asked to agree these registers but to note, as the onus is on the individual Commissioner to self- declare. A recommendation was to change the report template to not the report. Resolved: That the work of the Audit and Risk Committee be noted. Chief Executive's update (EC 16/21) The Chief Executive introduced the report, drawing attention to the approved motion recommending the appointment of Alex Attwood as the new nominated Commissioner for the 'smaller parties', the Speaker's Committee process for appointments of a new Commission Chair and that a new Commissioner with lead responsibilities for Northern Ireland, is progressing. The Board noted the annex to this update, on the work which is underway in partnership with other organisations to reach under-registered groups, those new to the franchise and those more at risk from Covid-19. The Board was provided with an update from the General Counsel on discriminatory incidents from members of the public against some staff and the likelihood of similar as we move towards the May polls, with possible heightened emotions. Resolved: That the report be noted. Commission Board action tracker (EC 17/21) Resolved: That the Commission Board action tracker be noted. Forward plan of Board business (EC 18/21) Commissioners asked that we think about more strategic discussions coming to Board with individual Commissioners supporting members of the Executive Team on specific topics. The General Counsel provided an update on the scheduling of the next Board Effectiveness Review. It was decided to defer the review from spring 2021 to autumn 2021 which will give us an advantage of having the new Commissioner Chair in post to provide input into the review and the arranging items of business onto the Forward plan. Resolved: That the forward plan of Board business be noted.