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Parliamentary Parties Panel minutes: 4 July 2017 You are in the Party panels
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meeting and actions arising (ECPPP 21/02/2017) Experiences of the May and June
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Commission Update Report Any other business Actions First published: 4 July 2017 Last
updated: 2 September 2019 Who was at the meeting Who was at the meeting Conservative
Party: Andrew Stedman (AS) Megan Tucker (MT) Democratic Unionist Party: Christopher
Montgomery (CM) Labour: John Stolliday (JS) Andrew Whyte (AW) Liberal Democrats:
David Allworthy (DA) Darren Briddock (DB) Scottish National Party: Scott Martin (SM)
Electoral Commission: Claire Bassett, Chief Executive (CB) Craig Westwood, Director
of Communications & Research (CW) Melanie Davidson, Head of Support & Improvement,
(MD) Louise Edwards, Head of Regulation (LE) Tom Hawthorn, Head of Policy (TH) Ben
Wilkinson, Head of External Communications (BW) Carol Sweetenham, Head of Guidance
and Strategy, (CS) Cary Mitchell, Communications Officer (CM1) Minutes of the last
meeting and actions arising (ECPPP 21/02/2017) The minutes from 21/02/2017 were
agreed. SM raised that 'Guidance and support for Returning Officers' had been agreed
at the last meeting as a future agenda item for this meeting but that it did not
appear on the issued agenda. MD clarified that due to the unexpected general election
this project had been delayed and had been included in the update report circulated
before the meeting. CB said feedback would be welcomed from the Panel to support the
project to evaluate and improve the performance standards frameworks for ROs and
EROs. DA noted that, when recently surveyed, ROs did not see political parties as
part of their customer base and stated his opinion that ROs often see parties as
problems to be dealt with. CB committed to involving political parties in the
consultation process when creating new guidance on RO's performance standards. SM
suggested the Information Commissioner's Office (ICO) be involved to help provide
guidance. CB suggested the ICO should be invited a future Panel meeting in December
and it was agreed that a request would be made. Experiences of the May and June
elections SM suggested covering this item in a series of subjects including electoral
registration; nominations; postal votes; polling day; election counts; campaigning;
integrity issues. SM said the main focus was likely to be the UKPGE rather than local
elections and asked whether there were any matters to raise that were not covered in
this list. DA said there were some issues relating to the local elections in May,
mainly to do with commonwealth and EU citizens and their rights to vote but that he
intended to raise the cases by email with relevant persons. DA also raised an
inconsistency in law with an issue where a candidate who was registered anonymously
on the electoral register was able to be nominated to stand in the UKPGE without
releasing her address but her address was made public in her nomination to stand in
local elections. SM mentioned Perth & Kinross Council's approach to Notices of Poll,
which was to publish a redacted version online which did not include candidates'
addresses. He noted that the full version was still available upon request. AS asked
whether the Electoral Commission could provide template certificates for EROs to use
to provide proof of permissibility for donations as some local authorities'
certificates are too vague. MD indicated that this would be looked into. SM asked
whether there were any problems to be reported around electoral registration. CW
responded that the problems had already been reported and in the public domain and
there was not anything further to report to the Panel. He noted the Commission's
reports on the administration of the elections were currently being drafted and that
(on the issue of duplicate registration applications) we will be reviewing messaging

around registrations and working with the Cabinet Office on our recommendations for improvements. SM asked about the idea of a system to allow voters to check their registration status online and CW confirmed that although the Cabinet Office has reiterated that the Government does not intend to pursue this, it remains a Commission recommendation, that it would support a number of positive innovations in the administration of elections. SM asked whether anyone had anything to raise regarding candidate nominations. DA raised commonly used names and the particular case of Elizabeth Evans, a candidate in Ceredigion. DB explained that the RO would not accept her nomination as Elizabeth is her middle name but they would accept her nomination as Liz. He said it seems to be a particular problem in Wales as similar names are very common. CB agreed the Wales office would look into the issue. JS raised the issue of deposits and said many ROs refused to accept deposits paid by certified cheque because the legislation uses the wording 'banker's draft'. He said that although the Electoral Commission provided guidance to help, the short timescale for this election meant many candidates decided to pay the deposit in cash from their own pockets. DB agreed that this was a common issue. CB said we would take another look at our guidance on this subject to see if it was possible to make it clearer for ROs. SM asked whether there were any issues around postal voting to be discussed. DB noted that secrecy requirements at postal vote openings were being interpreted by ROs more rigorously at each election and there were cases where agents were not even allowed in the same room as the opening and therefore could not perform their function of observing that postal vote packs were being opened correctly and checked according to the rules. DA explained that candidates have a right to object if agents cannot see the process but that some ROs did not seem to understand that this right existed. MD said we are more than happy to address the issues if specific examples are provided and we would look at the guidance on this matter. SM asked if anyone had any issues to raise about polling day. DB said Sutton council had issued 'emergency regulations' to ban tellers from talking to voters on their way into polling stations in the borough and was concerned that this caused confusion and made it difficult for tellers to do the task as many voters discard their poll cards once they vote. CB asked whether there had been an incident that led to the council's decision and DB said the RO cited past incidents but did not give any specific examples. MD confirmed that we would look into this with the RO and clarify our guidance. SM said there should be proportionality and that restrictions should only be used if there is a history of issues at a particular location. SM, moving on to election counts, raised that he felt there was a general feeling that there should be more guidance on recounts and potentially even a number when recounts should take place. He suggested a difference of 50 votes between the leading candidate and the one with the next most votes. DB said the doubtful ballots guidance issued by the Commission for recent elections has been incredibly successful and that more guidance around recounts would be welcome. He also suggested guiding ROs on a time at which it was expected that the count would be adjourned to start again the following day, preferably with a fresh set of counting agents, if no result had been reached. DA and DB pointed out that nobody operates well if they are tired whether they are counting or scrutinising or making decisions. SM suggested that there equally needs to be finality, particularly where successive recounts came to the same figure, and that multiple recounts should be avoided where possible. AS returned to the suggestion of a number at which a recount is expected and suggested that 50 was too low as 50 votes could easily be lost when ballots are counted in bundles of 100. SM said that a suggested figure for re-counts would depend on whether there had been a bundle check in front of agents.

SM noted that at the North East Fife count, the RO had switched to counting in 20s, which was a good method of dealing with very close contests. DA noted that he would like to see guidance that specifies the candidates' right to request bundle counts and that this does not constitute a recount. SM noted that the next subject is campaigning but suggested that could be covered later unless any of the panel had anything they would like to raise. DA mentioned an incident where a candidate was refused entry to their count because they did not have photo ID and was only allowed entry when a copy of the candidate's leaflet was produced. Post-election regulatory assurance plans LE introduced the item and explained we will be conducting assurance work to reassure voters that they can be sure campaign spending and political donations are transparent and that our regulations are clear. She explained we will be looking at spending by non-party campaigners, spending on digital campaigning and spending on and services received from non-UK companies and that these areas have been chosen not because we expect anything against the rules has occurred, but because they are areas that are in the media and public interest, and where we might be able to reassure the public that the rules were being followed. LE asked the Panel to feed back whether they think these are the right areas to be looking at and to help feed into the work itself. DB said he would like to share how difficult it is for parties to complete their spending return given the large numbers of volunteers and temporary staff involved in collecting the required information. LE said she would be happy to meet with DB to go through the process used in his party, and hear his perspective. AS agreed that the number of staff and volunteers increases during election periods and JS explained that often these people leave as soon as the election is over, often leaving invoices and important information locked in their temporary email accounts. AS asked for more information about the mention of overseas companies and LE explained that we were not responding to particular concerns. Instead, we wanted to ascertain what if any such spending took place, how it was recorded and what was reported. CB suggested that there was a perception about what has been called 'dark money' in the media and that we were looking to reassure voters on this. DA mentioned 'dark ads' which he said are so-called because they are targeted and not everyone is supposed to see them. LE replied that this is another thing we hope to address in this work, to explain to voters that just because something is targeted it does not make it illegal. AS raised that often non-party campaigners are not fully aware of all the rules and DA mentioned that he had found it useful to remind parties that had withdrawn candidates that they still had spending limits. SM questioned why splitting spending between national and local campaigns had not been included on the list of issues given the media and public interest in this. DA said he found the Commission's guidance really useful, and that it was particularly helpful to meet with the Commission at an early stage in the campaign to discuss the issue. This helped the party make decisions during the campaign. LE said she was glad to hear it was useful and that we would repeat the early meeting at future elections. SM raised regulated periods and the fact that the unexpected UKPGE meant that spending incurred a year before the election now needs to be included in spending returns. There is also the added factor that local elections had recently taken place and spending for those campaigns falls within the UKPGE regulated period. DB noted that the issue for them is they need to be able to clearly tell their volunteers in the field exactly what they need to tell the central party about and JS concurred that the task of coordinating information gathering from local parties is complex. LE explained that the law set out what was and was not party campaign spending. However, we would look at whether we could provide assistance on

the factors parties might want to consider when taking decisions and what had to be reported in spending returns this year. DB asked whether LE would be available to meet with each party to provide advice on spending returns and LE confirmed that we were already intending to meet with each of the Panel on our assurance work. CB said our preference is to meet early in the process to make sure everyone has the understanding to get it right. SM raised concerns about the fact that local election campaigns incurred spending before the UKPGE announcement without authorisation for national spending from central parties but the back-dated regulated period for the general election means that some of that spending that was not authorised in advance must be included in national spending returns. AW agreed and suggested an element of pragmatism from the Commission would be welcomed as it would not be ideal to have to issue a blanket authorisation to all local parties to incur national spending. LE agreed to look at our position on this. SM said that there were questions over whether the 365 day regulated period of UK Parliamentary general elections remained appropriate and fit for the purpose. DB pointed out that regulated period for EU elections is just four months. SM raised the issue of spending limits for Scotland. All current party spending limits are based on the estimated party spending at the 1997 General Election, so are now 20 years out of date. The figure for Scotland was originally calculated based on 72 MPs. There are now 59, and this is set to be reduced again. The spending figures for Wales will be considerably reduced if the boundary review is implemented. The fixed costs for high cost items such as PEBs and PPBs can be absorbed in the much higher England figure, but now less easily in the figures for other nations, which have separate parties and a practice of UK parties producing nation-specific broadcasts in Scotland and Wales. The Scotland figure has become a pinch point in spending and there is no longer any reflection of these fixed costs (as there was in 2000 when there were 72 MPs in Scottish constituencies, which was more MPs than population share). Delivering Modern Guidance Project CS introduced the project. The aim is to make it easier for people to navigate and use our guidance as well as making it easier for us to produce and amend it. We are planning, for example, to identify what is redundant, what needs to be added and what can be removed or simplified. We are also looking at the online presentation of the guidance. Initial decisions are likely to be taken around the turn of the year. CS asked Panel members to help by joining groups or participating in individual interviews to aid our evidence gathering and assist with user testing. DA suggested this project would benefit from a wider perspective of how parties actually use the guidance. He explained that party candidates are generally unlikely to go direct to the Commission's guidance: they are usually directed to candidate or agent handbooks produced by the party that incorporate it but put it in the context of the party structure and campaign. AS agreed that this was common practice and CB suggested that it would be useful for us to see copies of party handbooks to understand how we can produce guidance in the most useful way. DA also suggested that his preference is to have one manual to refer to that can be annotated and entries found quickly, rather than the current guidance provided in a number of separate PDF documents. DB commented that it is currently difficult to be sure that you have the most recent version and older versions often remain available online. This point was echoed by MT. DB also expressed a preference for guidance to be provided as a Wiki, to allow easier searching and make sure old guidance can be completely removed. CB thanked the Panel for their feedback and said it is important for us to understand how the guidance is actually used. DA suggested independent candidates and smaller parties should also be involved in the project as they may use guidance differently. CS

confirmed that we will be seeking discussion with independent candidates. DA and AS confirmed they would be happy to take part and provide feedback and user testing. DB noted the quick turnaround of guidance produced by the Commission for the snap general election. Commission Update Report SM asked whether anyone had anything to raise from the update report circulated before the meeting. AS asked for parties to be involved in reviewing performance standards for ROs and CB agreed. DA mentioned that ROs often seem to perceive party campaigning to sign voters up for postal votes as an interference in the registration process rather than parties helping to increase voter turnout. Any other business There was no other business. Actions Action Owner Status Invite ICO to December PPP meeting. CM1 Complete Electoral Commission to contact RO in Ceredigion to clarify commonly used names guidance. MD Complete Electoral Commission to contact Sutton RO regarding guidance for tellers at polling stations. MD Complete Electoral Commission to meet with parties to provide advice and guidance on the spending return process for the UKPGE. LE Incomplete Related content Party registration decisions View our decisions on political party names, descriptions and emblems View current applications View the political party names, descriptions and emblems which we are currently considering as part of our assessment process Donations and loans Find out about donations and loans to a political party, individual or other organisation Registers of unincorporated associations Download and view the registers of unincorporated associations