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Chair and Chief Executive's meeting and meetings of note in Scotland, Wales, and

Northern Ireland (EC 49/19) First published: 27 November 2019 Last updated: 27 July

2021 Meeting overview Date: Wednesday 26 June 2019 Time: 9:30am to 1.03pm Location:

Boothroyd Room, 3 Bunhill Row, London Date of next scheduled meeting: Commissioner

Day, Wednesday 17 July 2019 Who was at the meeting Who was at the meeting Board

members John Holmes (Chair) Alasdair Morgan Alastair Ross Anna

Carragher (Videoconference) Elan Closs Stephens Joan Walley Rob Vincent Sarah

Chambers Stephen Gilbert Sue Bruce (Videoconference) In Attendance: Attendees Role

Bob Posner Chief Executive Ailsa Irvine Director, Electoral Administration and

Guidance Craig Westwood Director, Communications, Policy and Research Kieran Rix

Director, Finance and Corporate Services Amanda Kelly Legal Counsel David Bailey Head

of Strategic Planning and Performance David Meek Senior Adviser, Governance Petra

Crees Performance, Planning and Governance Manager (for items 1 to 7) Phil Thompson

Head of Research (for item 8) Tom Hawthorn Head of Policy (for item 8) Tracey

Blackman Financial Controller (for item 7) Dan Adamson Head of Monitoring and

Enforcement Niki Nixon Head of External Communications (for item 7 and 8) Billy

Proudlock Communications Officer (for item 8) Rachel Stephenson Policy Advisor (for

item 8) Katy Knock Policy Manager (for item 8) Mel Davidson Head of Support and

Improvement (for items 8 and 9) Apologies and introductions Louise Edwards gave her

apologies. Declarations of interest No new declarations of interest. Minutes of the

Commission Board meeting of 5 June 2019 (EC 38/19) Resolved: That the minutes of the

Commission Board meeting on 5 June 2019 be agreed. Annual Review of Complaints

2018/19 (EC 39/19) The Board heard about the additional resource needed to address

the high volume of complaints that had been received recently. At the time of the

European Parliamentary Election, the Commission received a large number of

complaints. The majority of these complaints were from European Union citizens

resident in the UK who were unable to complete their registration in advance of the

election and were thus unable to cast a vote. A significant number of these

complainants used a standard template developed by a third party to lodge their

complaint. The Board heard that experienced staff drafted a common response to these

complaints. Where the standardised response did not answer all the issues raised in

the original complaint, additional wording was added. Kieran Rix provided an overview

of how responses to complaints were developed and the sign-off process that they went

through before a response was issued. He advised the Board on work to develop an

approach to addressing repeated, offensive, and vexatious complaints. There was

ongoing work with other teams across the organisation to ensure a smoother working

practice when responding to complaints in a timely manner. The Board acknowledged the

hard work of the staff in ensuring that we responded to this large volume of

complaints within our 20-day deadline. The Board were assured that complaints were

not investigated by the person being complained about. The Board heard that there was

contingency for either the Chair of the Board or the Independent Adviser to the Audit Committee to conduct a review of the complaint if it was about the Chief Executive. The complaints policy would be updated to ensure that this process was clear. Action: Include more detailed information on any complaints that were not responded to within the 20 working day deadline in future reports. Update complaints policy to clarify the role of the Board Chair or the Audit Committee Independent Adviser in, where appropriate, reviewing complaints about the Chief Executive. Resolved: That the paper be noted. Audit Committee annual report 2018/19 (EC 40/19 and 41/19) Sue Bruce, Chair of the Audit Committee, introduced the item and drew the attention of the Board to the key areas of work undertaken by the Committee. There was agreement that appointing an independent adviser rather than an independent chair had benefited the Committee. Some comments from the National Audit Office needed to be added to the final report, as well as the assurance report details. The Audit Committee agreed to add an additional audit meeting in the new financial year to ensure that the workload of the Committee remained balanced. There was a discussion about changing the remit of the Committee to an audit and risk committee, and extending its scope to include areas such as environmental performance. The Chief Executive noted that the number of days that the internal auditors spend auditing the Commission had been stable for a number of years, and suggested that this might need to increase to reflect the increased breadth of the Commission's work. Kieran Rix added that this might also involve a change so that the internal auditors provided more advisory work. Action : Kieran Rix to amend the report to incorporate the comments from the National Audit Office and the assurance report details. Resolved: That the paper be approved, subject to final changes being made by Kieran Rix working to the Chair to the Audit Committee, and approved by the Audit Committee by correspondence. Remuneration and Human Resources Committee annual report 2018/19 (EC 42/19) Rob Vincent, Chair of the Remuneration and Human Resources Committee (RemCo), introduced the paper, and noted the high-quality support provided to the Committee by staff. He highlighted the key areas that the Committee had considered during the year, including staff turnover and the pay awards. In the coming year, the Committee would focus on equality and diversity, increase its involvement with the staff survey, and support better talent management. The Chief Executive restated that previous assumptions regarding recruitment had been reversed; all positions would be filled permanently unless there was a persuasive business case for a fixed-term contract. The turnover of permanent staff was higher than we would like, but only slightly outside the range of what was expected. The Board discussed the low level of sickness absence, which had dropped dramatically since the start of the year, as a relevant indicator of positive staff engagement and care. The Commission's levels of sickness absence were below the public and private sector averages. Kieran Rix provided a brief overview of the pay award for this year. The Chief Executive explained why the salary for some positions was market-based, and how, as the organisation grew, we had recruited new skills, which required reviewing the salary offered. This trend was likely to continue and was similar to the approach taken by other regulators. The Board discussed whether it should be made aware sooner and receive a note of, the cost of living award. The Chief Executive suggested that as part of the RemCo consideration, the Board could be informed. Action: The Director of Finance to consider the pay award report being brought to the attention of the Board as part of the RemCo consideration. Resolved: That the paper be agreed. Adoption of 2018/19 Annual Report and resources accounts (EC 43/19 and EC 44/19) The Chair introduced the item and the Chief Executive gave a brief overview of the document. Kieran Rix confirmed that the National Audit Office's

draft opinion was unqualified, and that they had a few minor recommendations. He then explained the final stages necessary before sign-off, with the intention that the report be presented to Parliament on 18 July. The Board suggested improvements to the wording of the foreword, and some of the explanations around the performance measurements. The Board also discussed adding further information to the foreword to emphasise the further changes to electoral law that we would like to see made. The Board suggested emphasising that this had been a challenging year for the Commission, and adding more information in areas where the performance standard had changed during the year. Kieran Rix explained the accounts in greater detail, noting that they were consistent with the management accounts, and subject to a small number of minor amends. The accounts showed an 8.5% underspend. This underspend was overwhelmingly due to unused contingency funding for the European Parliamentary Election. Action: That the Chief Executive and Chair reflect the comments made by Commissioners during the course of this item in the final version of the Annual Report to be laid in Parliament. Resolved: That the paper be agreed, subject to the amendments discussed and final agreement with the National Audit Office.

Voter identification pilots (2019) evaluation (EC 45/19) The Chief Executive introduced the item and reminded the Board that we had a statutory duty to evaluate the voter identification (ID) pilot schemes that ran across ten local authorities on 2 May 2019. The data was still being analysed, so the final picture might still change. The Board heard that the 2019 pilots were better-designed schemes, and covered a greater range of constituencies. Phil Thompson provided more context on the findings of the research. He explained that the percentage of voters who were refused a ballot paper for not having suitable ID and did not subsequently return to cast a ballot, ranged between 0.03 – 0.7%. It was noted that this number, while small, could still affect the outcome of an election. The Board noted that the turnout at local elections was different to a United Kingdom Parliamentary General Election (UKPGE), and there was a risk that the proportion of people unable to provide sufficient ID would increase at a UKPGE. The pilots did not collect evidence of why people did not return after being turned away. This data would be difficult to collect and would require researchers to insert themselves into the process in a more active way. We also had no evidence to determine if there was an increase or decrease in personation in the pilot areas, as we had no strong evidence of the number of personations outside of the pilot areas to compare any data against. The research found high levels of reported awareness that the trials were taking place, which was similar to previous pilots, although there was a lower level of awareness among people from demographic groups that are typically less likely to vote. There was some evidence within these pilots of a potentially negative impact on turnout among some populations, but the findings were inconclusive. The Board discussed the evidence that indicated an increase in the number of people polled who felt that electoral fraud was a less serious problem than before the trial period. While there was no strong evidence of impact on reducing voter fraud, there was evidence of a shift in perception of the strength of the system. Part of our analysis was informed by findings from a security analyst who assessed the different types of voter identification used. This analysis found that bank cards did not offer any additional assurance over a poll card. However, the analysis did recommend that changes could be made to the poll card to strengthen its security. The trials also identified areas where polling station procedures could be strengthened to provide greater assurance, including changes to the ordering of the process of issuing ballot papers to electors. The security analyst confirmed that photo identification would provide the greatest assurance. About 7.5% of voters would

not currently be able to provide any form of acceptable photo ID if this was a requirement. The Board discussed the merits of recommending issuing photo ID free of charge. The Board also asked if evidence from Northern Ireland, where photo ID had been required to vote for some time, would be used to inform the report to the government. Further evidence was required to determine whether the level of security offered by voter ID cards would be better than that offered by poll cards. The balance between security and accessibility is relevant in this regard. The Board noted that one potential draw-back of requiring polling cards is the time delay between when polling cards were issued and polling day, which could be as long as three weeks. The Board was interested in assessing the money spent on voter ID cards against addressing the other known vulnerabilities in the system. Sarah Chambers left the meeting at this point. Action: That the Head of Research ensure that the final report to the Government include the key points raised in the discussion by the Board. That the Head of Research circulate the report to all Commissioners for comment. That the Chief Executive in consultation with the Chair have final say over the wording of the report. Resolved: That the paper be noted. Chief Executive's update (EC 46/19) The Chief Executive introduced the item, and began by noting the significant agenda in Scotland and Wales where there are positive signs that some of our policy recommendations would be reflected in legislation. He also provided an update on system upgrades that were being developed, including the website and the PFR (Political Finance Regulation) online system. Ailsa Irvine provided an update on the different pieces of legislation that were being taken forward by the Scottish Government and the Welsh Government. This included legislation relating to any future referendum in Scotland, as well as legislation extending the franchise. Dan Adamson provided an update on the monitoring of parties that had filed late returns, and those that had not yet filed returns. We are evaluating the monitoring of the European Parliamentary Election, particularly the advert libraries that social media companies created. The Board heard that we had, with the police, issued guidance for candidates on how to handle intimidation. The Board received an update on the various different litigation cases in which we were involved. Craig Westwood updated the Board on the high profile events happening in July, including appearing before the UK Parliament's Public Administration and Constitutional Affairs Committee on their electoral law inquiry, as well as the All Parties Parliamentary Group on electoral campaigning transparency. The new Commission website was expected to launch in late July. Kieran Rix provided a brief update on the Bunhill Row lease negotiations, which had begun. Joan Walley asked if we would extract issues about environmental reporting during the lease negotiations. Kieran Rix confirmed that we would raise this in the negotiations. Actions: That Kieran Rix will raise the issue of environmental reporting in the lease negotiations Resolved: That the paper be noted. Forward plan of Board business 2019/20 (EC 47/19) The Chair reminded Commissioners that the 17 July meeting would be in the afternoon, followed by a reception in the State Rooms, Speaker's House, House of Commons, to celebrate the 2019 Four Countries' Conference. Resolved: That the paper be noted. Action tracker (EC 48/19) Action: The Executive Team to schedule all of the actions. Resolved: That the paper be noted. Chair and Chief Executive's meeting and meetings of note in Scotland, Wales, and Northern Ireland (EC 49/19) Resolved: That the paper be noted.