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Date: Wednesday 4 December 2019   Time: 10am to 12:15pm   Location: Boothroyd Room, 3 Bunhill Row, London   Date of next scheduled meeting: Wednesday 22 January   Who was at the meeting   Who was at the meeting   John Holmes, Chair   Alasdair Morgan Alastair Ross (Video conference)   Anna Carragher   Elan Closs Stephens (Video conference)   Joan Walley   Rob Vincent   Sarah Chambers   Stephen Gilbert   Sue Bruce   Bob Posner, Chief Executive   Craig Westwood, Director, Communications, Policy and Research   Kieran Rix, Director, Finance and Corporate Services   Louise Edwards, Director, Regulation   Ailsa Irvine, Director, Electoral Administration and Guidance   Amanda Kelly, General Counsel   David Bailey, Head of Strategic Planning and Performance   David Meek, Senior Adviser, Governance   Petra Crees, Planning, Performance, and Governance Manager   Tom Hawthorn, Head of Policy   Katy Knock, Policy Manager (for item 4 only)   Kate Engles, Policy Manager (for item 4, 5 and 6 only)   Priyani Peruma, Lawyer (for item 4 only)   Ben Rayner, Regulations Assistant (for item 4 only)   Tracey Blackman, Financial Controller (for item 5 and 6 only)

Apologies and introductions   No apologies. The Chair introduced the staff observing the Board.   Declarations of interest   No new declarations of interest.   Minutes of the Commission Board meeting of 25 September 2019 (EC 67/19), note from the informal session on 25 September 2019 (EC 68/19), the Commissioner Day on 30 October 2019 (EC 69/19), and the Audit Committee on 30 October 2019 (EC 70/19)   Resolved: That the minutes of the Commission Board meeting on 25 September 2019 be agreed. The records of the informal session on 25 September 2019 and of the Commissioner Day on 30 October 2019 were noted.   Update on electoral events and related matters (oral update)   The Chief Executive gave an update on the work of the Commission in supporting the delivery of the UK Parliamentary General Election (UKPGE) on 12 December 2019. The Chief Executive noted that there had been a strong reliance on us from registration and returning officers, as well as their teams, throughout the election period. The Board was reminded of the information it had received in the regular updates from directors during the election campaign. The Chief Executive advised the Board of the work we had done with law enforcement agencies around the country to seek to support candidate safety, as well as measures that had been introduced to keep staff safe and secure. The Chief Executive informed the Board of the Commission's participation in the National Defending Democracy Election Cell. This cell included government and other public officials tasked with ensuring a well-run election process. Our involvement helped ensure that the Cell had the correct information on how elections work, to ensure that they got their interventions right, including appropriate responses for a number of potential scenarios that could affect the election. The Board discussed other upcoming electoral events, including the likelihood of an assembly election in Northern Ireland early in 2020, and forthcoming likely changes to electoral law in Wales and Scotland. The Chief Executive highlighted that some of our policy recommendations had been taken on board in new legislation. The Chief Executive noted the progress the

Commission had been able to make on our existing work while also administering recent electoral events, including the European Parliamentary Election. The Director of Electoral Administration and Guidance advised the Board of the large number of electoral queries we had responded to so far – significantly more than in the past. Some errors had been reported to us by local authorities but so far they were minor and localised. We had used our electoral coordination and advisory board forum to discuss the high volume of registration applications received by local authorities, and the number of duplicate applications they had received, and the impacts of this. We were unable to confirm the number of duplicates received at this stage, although anecdotal evidence suggested it would be close to figures seen at the UKPGE in 2017. The Board heard that the guidance for the 2020 local elections would be published before the end of the year. The Electoral Administration and Guidance directorate were also preparing for possible assembly elections in Northern Ireland. There would be further work on canvass reform after the legislation was passed in Westminster before the election, but the devolved administrations still had to pass their necessary legislative changes. The Board discussed the planned observations of polling stations on election day, and the desire of Commissioners to contribute to this. The Director of Electoral Administration and Guidance noted that we had scaled back observations significantly in the last 10 years, as we focused on providing support from the office to ensure we were able to respond to the needs of election teams. Commissioners were also advised not to observe at polling stations on election day this time round, due to heightened security warnings it would be irresponsible to ignore. We would stay in contact with local authorities on polling day and had a team on stand-by to observe if the need arose. There were over 1,000 accredited observers from a range of organisations, including international observers, which was significantly higher than in recent General Elections. The Board discussed the security advice given to candidates and political parties. The Director of Regulation noted that this advice came from the Police. Where the Parliament Security Team was provided to former Members of Parliament (MPs), this was not an election expense. But other candidates for office were required to report any expenditure on private security contractors as an election expense, even if the Police had advised them to do this. The Board discussed the merits of introducing an exemption on this spending, similar to that in place for candidates with disabilities. This would require legislative change. The Board discussed the fact that a candidate who decided to hold a campaign event in their constituency that required security might also incur significant election expenses. The Director of Communications, Policy and Research outlined the media engagement work the Commission had undertaken. The focus had now shifted from registration promotion to regulatory work two weeks out from polling day. The week leading up to polling would be used to promote information relating to polling day. The Board heard about the efforts of social media companies to spot misinformation and disinformation. The Policy and Research teams were meanwhile beginning to focus on preparing for post-poll reporting. The research team had set up a number of surveys that would be distributed to various stakeholders, with results contributing to post-poll reporting. The team had undertaken an analysis of the manifestos of the major parties on areas that affected electoral law, and would circulate this to Commissioners. The Director of Regulation advised the Board of the work the Commission had done with newer parties and campaigners to ensure they complied with their regulatory requirements. The issues dealt with were broadly comparable to the 2017 General Election. We had received a number of comments from the public about the content of campaign material, and had taken time to ensure that

the public were aware of what we were responsible for and what was outside our remit. There had been an increase in the number of non-party campaigners, with an impact on the administrative work of the team. The Director noted that the deadline for the larger parties to declare their spending on the European Parliamentary Election fell within the timeframe of this campaign, and scrutiny work had begun on these returns. The Director of Finance and Corporate Services advised the Board of our routine contact with the National Cyber Security Centre (NCSC), which had been reassuring. The NCSC had not identified any areas where we should be doing additional work. The Director also confirmed the continued contingency planning for any effect of a Brexit date before elections in 2020. Supplementary Estimate (EC 71/19) The Director of Finance and Corporate Services outlined the need for a supplementary estimate. In addition to the spending required to administer the General Election, the Director highlighted areas of pressure on the budget during the current financial year, including the late confirmation of participation in the European Parliamentary Election and the number of recall petitions. Resolved: The principle of the estimate and delegated responsibility to the Chief Executive to make any appropriate changes before the Supplementary Estimate was submitted be agreed. Corporate and business planning (EC 72/19) The Chair explained the statutory requirement to prepare business and corporate plans, noting that this work needed to continue before the outcome of the election and the policy agenda of the new Government was known. The Board would obviously need to take a further close look in January, when the context would be clearer. The Chief Executive noted that the Board had a clear strategic agenda for the Commission. We also needed to ensure that we were ready to respond to the policy programme set by a new government. The Board heard of pending changes to reporting requirements, in the context of changes to accountability to the devolved administrations. The Chief Executive advised the Board of the progress made against the commitments made in the most recent business plan, which had provided for some growth. The Director of Finance and Corporate Services explained that the Commission was required by law to produce a new five-year corporate plan for consideration by the Speaker's Committee by March following a general election. In this instance, there was insufficient time to prepare a new comprehensive five-year plan in time for submission in early 2020. The Director proposed a two-stage process, where an outline corporate plan would be submitted in March 2020, and the Speaker's Committee would be recommended to require a full new corporate plan from us later in the year. This would allow us the necessary time to prepare a comprehensive plan. The Board endorsed this approach. The Board was interested in understanding the different areas to which we could allocate our resources, including the expected impact of any changes. The Director of Communications, Policy and Research highlighted the areas of new activity covered in the draft corporate plan. The Board agreed that efforts to improve digital literacy were worthwhile, but wanted to see more about how this could best be done in practice. The Chief Executive confirmed that the Commission would aim to work in partnership with other organisations, with each focussing on areas of their particular expertise. Initial contacts suggested support from such organisations for this approach. Electoral commissions in other countries had taken similar action in this area. The Board recognised the scope of our public awareness role and remit and how this had changed over time. The Board requested greater clarity on the link between the four themes previously agreed for possible new areas of work, and the proposed budget requests. Each theme was discussed in turn: promoting local authority resilience, promoting compliance, promoting voter confidence, and responding to governments' initiatives. The approaches suggested for each were broadly endorsed,

but more details were requested about both the inputs being proposed, and the expected outputs. The Director of Communications, Policy and Research provided further context for the proposed Open Data Initiative. The General Counsel provided an update on the proposed changes to the Legal team. The Director of Finance and Corporate Services updated the Board on proposed improvements resulting from the Ways of Working project, including updating the video-conferencing and hot-desking facilities, and new roles to support the digitisation work that the Commission was undertaking. Action: The Executive Team consider the scrutiny points raised by the Board and reflect them in a refined version of the proposed business and outline corporate plans, for approval at the Board meeting on 22 January 2020. Resolved: That the paper be agreed. Forward plan of Board business 2019/20 (EC 73/19) The Chair of the Audit Committee proposed scheduling a risk workshop for the whole Board. This would assist in the creation of the new corporate plan. Action: A risk workshop for the Board be scheduled as part of the creation of the new corporate plan. Resolved: That the paper be noted. Commission Board action tracker (EC 74/19) Resolved: That the paper be noted Chair and Chief Executive's meetings and meetings of note in Scotland, Wales, and Northern Ireland (EC 75/19) Resolved: That the paper be noted. The chair invited the General Counsel to provide an update on an ongoing case.