

WEST DUNBARTONSHIRE COUNCIL

Report by the Returning Officer

Council Meeting: 30 August 2006

Subject: Update on Preparations for 2007 Elections

1. Purpose

- 1.1** The purpose of this report is to provide an update on preparations for the combined Scottish Parliament and local government elections. The Working Group on the Local Government Boundary Review and the Single Transferable Vote, at its meeting on 17 August, agreed that the issues raised should be considered by Council.

2. Background

- 2.1** The combined poll will be held on 3 May 2007 when the Single Transferable Vote (STV) using the Weighted Inclusive Gregory (WIG) method will be introduced for local government elections. The Scotland Office/Scottish Executive have agreed that electronic counting can be used for the first time for both polls.

3. Main Issues

- 3.1** The 2007 poll will be very different from previous elections. There have been major reviews of electoral legislation. Both the Electoral Administration Act 2006 (EA Act) and the Local Electoral Administration and Registration Services (Scotland) Act 2006 (LEARS) will bring extensive changes to the way elections are conducted. This is in addition to the introduction of STV for local elections and of electronic counting.

Progress with Electronic Counting

- 3.2** The Scotland Office and Scottish Executive have selected an approved contractor (DRS) to provide electronic counting for the combined polls. Councils are required to contract individually with DRS.
- 3.3** It has now been agreed that councils can have individual count centres unless they wish to share with another Council. The contract manager of DRS has visited the Play Drome and has confirmed that it will be a suitable count centre, although electrical works will be needed to accommodate the kit (scanners, PCs, screens, printers, servers) needed for an electronic count.
- 3.4** Two test sessions have already been carried out by the Scotland Office/Scottish Executive. Officers and members of the Council were able to attend. Enhancements have been made to the system as a result of feedback from these sessions. A volume test to process more than 90,000 ballot papers will be held in October this year in Glasgow, Edinburgh and Aberdeen. Representatives of every Council area will be invited to attend.

Ballot Papers, Ballot Boxes and the Timing of the Count

- 3.5** A number of important decisions still have to be made by Ministers in relation to the style of the ballot papers, the number of ballot boxes to be used at each polling station and the timing of the counts. These are interconnected.
- 3.6** Consideration is being given to combining the two Scottish Parliament ballots on a single voting paper. A consultation on the form of the ballot paper closed on 4th August and a qualitative report following a public consultation has been prepared for the Electoral Commission by Cragg Ross Dawson, a public relations company. The consultation also considered options for the ranking of candidates and for the matching of entries on the papers. (A copy of this report has previously been issued to all members.)
- 3.7** There is also uncertainty over the number of ballot boxes to be used in each polling station – options being one (for all polls combined), two (one for both of the Scottish Parliament ballots – this would be facilitated by the adoption of a single ballot paper- and the second for the local government paper) or three (one for each of the Scottish Parliament ballots and the third for the local government ballot paper).
- 3.8** The final decision on the timing of the Counts has yet to be announced although it is understood that Ministers favour an overnight count for the Scottish Parliament elections with local counts commencing either directly after the Scottish Parliament counts or later on Friday 4 May.
- 3.9** The Scotland Office/Scottish Executive have indicated that they expect straightforward scanning of Scottish Parliament papers to take about 4 hours, plus an hour for electronic adjudication of doubtful papers. The adoption of a single Scottish Parliament ballot paper would be key to this timing, but even so, it may be an optimistic estimate. A straightforward overnight count is therefore unlikely to be concluded before 4 a.m. with the papers for the local count still to be scanned, verified and counted.
- 3.10** If ministers opt for two ballot boxes and an overnight Scottish Parliament count, there will have to be a rummage of council ballot boxes conducted at the same time as the Scottish Parliament boxes are verified. This will reduce the efficiency of the electronic counting process and will increase the time taken to count and the number of staff required.
- 3.11** Returning Officers throughout Scotland have consistently campaigned for a next day count for both polls as the electronic equipment can scan and count ballot papers for both polls in one exercise. The counts could run simultaneously, with the Scottish Parliament result being prioritised and declared first. Working hours for election staff would be reduced to a reasonable level and the risk of operator error would decrease considerably.
- 3.12** Initially, London Mayoral electronic counts were held overnight, but in light of that experience, the counts for their most recent elections were moved to the next day.

- 3.13** Whatever the decisions on ballot papers, ballot boxes and the timing of counts, the introduction of electronic counting will make a radical difference to the way counts look and are conducted. The traditional role of enumerators will be replaced by PC and scanner operators and by scanner marshals who will move the boxes through the various phases of the count. Counting agents will no longer see the votes tipped out on counting tables for the verification, which will be conducted electronically, nor will they see the votes stack up on trays for individual candidates as the count proceeds. Dubious papers will be adjudicated live on screen in full view of those present at the count.

New Legislative Changes

- 3.14** The EA and LEARS Acts 2006 will bring a wide range of legislative changes which it is not proposed to consider here in detail, but which include the following:-
- Deadlines for postal vote applications will revert to 11 days before the poll.
 - Emergency proxies will be able to be granted up until 5pm on polling day.
 - Lost or spoiled postal votes will be able to be replaced up to polling day.
 - New arrangements will apply for tendered votes.
 - Provisions for anonymous registration will be introduced.
 - Organisations and individuals will be able to apply to be accredited observers at the postal vote proceedings, the poll and the count.
 - Counterfoils on ballot papers will give way to a corresponding votes list.
 - Returning Officers will have to prepare a marked register of returned postal votes; and
 - Returning Officers will have a duty (or a power, depending on the type of election) to encourage voters to participate in elections.

These are only a few of the innovations under the Acts. As a result, the administration of the election will be even more complex than in recent years.

- 3.15** Other aspects of the new legislation may not be introduced before May 2007. Decisions still have to be taken a number of important issues, including decisions on commencement dates for the following:-
- the implementation of personal identifiers for verifying postal votes;
 - the requirement for voters to sign for their ballot papers in the polling station; and
 - the new duty on the Returning Officer to conduct formal and consultative reviews of polling schemes.

The Election Rules cannot be finalised until these decisions have been taken, which could delay preparations for the poll.

Training and Education

- 3.16** The scope of the changes will impose an additional burden on central and local government, Returning Officers and Electoral Registration Officers to educate and inform voters, candidates, agents and election staff in the new arrangements. This is a significant responsibility and its importance must not be underestimated.

4. Personnel Issues

- 4.1** The extent of electoral change for 2007 will inevitably require additional staff time and resources which will impact on the quality of other services delivered by the authority. This should receive early consideration.

5. Financial Implications

- 5.1** The extent of the financial implications for the authority are not yet known but could be considerable. This matter will be kept under review.

6. Recommendations

- 6.1** It is recommended that the Council:
- a) considers the contents of this report:
 - b) makes representations to Ministers on the desirability of holding a next day election count; and
 - c) acknowledges that additional financial and staffing resources will have to be committed to the elections and that further reports will be submitted to Council when the financial and staffing implications become clear.

Mr Tim Huntingford, Returning Officer

Background Papers

Electoral Administration Act 2006

Local Electoral Administration and Registration Services (Scotland) Act 2006

Scottish Parliament Elections May 2007 – Consultation Paper by Scotland Office

Qualitative Research Survey for the Electoral Commission by Cragg Ross Dawson on Scottish Parliament Ballot Paper Design 2007

Report by the Returning Officer to the Working Group on Local Government Boundaries and the Single Transferable vote on 17 August 2006 and minute thereof.

Wards Affected: All wards

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