

Title of Report: Midlothian Council Elections, 5 May 2022

Report by Dr Grace Vickers, Returning Officer

Report for Decision and Information:

1 Recommendations

The Council is recommended:

- (a) To approve and note for its interest the arrangements for the forthcoming Midlothian Council Elections to be held on Thursday 5 May 2022; and
- (b) To authorise the Chief Executive, as Returning Officer, to make the appropriate financial arrangements and to authorise payments in respect of the Midlothian Council Elections.

2 Purpose of Report/Executive Summary

The purpose of this report is to update Members on the arrangements currently being made for the Midlothian Council Elections to be held on Thursday 5 May 2022. The proposals in the report, if agreed, will enable the Returning Officer to deliver and properly staff these Elections.

Date

Report Contact:

Gill Smith, Election Officer

Gillian.smith@midlothian.gov.uk

3 Background/Main Body of Report

3.1 Election Framework - To ensure consistency and a 'best practice' approach to the delivery of the elections throughout Scotland the Convener of the Electoral Management Board for Scotland is using his statutory powers to issue guidance and formal directions to Returning Officers and these will be inclusive of the minor changes to election legislation which have occurred since the Local Elections in 2017.

3.2 Notice of Election - The Notice of Election will be published on Monday 14 March 2022 and candidates have from Tuesday 15 March 2022 until 4.00pm on Wednesday 30 March 2022 to lodge their nomination papers at the Election Office, Midlothian House, Buccleuch Street, Dalkeith.

(Note – It is intended that a briefing meeting for potential election candidates and their agents will be held virtually on 9 March 2022)

Key documents for the elections will be posted on the Council's web site including the 'Notice of Election', 'Election Timetable', 'Scheme of Polling Districts and Polling Places' (including electoral ward maps), 'Administrative Arrangements for Candidates and their Agents', 'Notice of Poll', etc. (The nomination forms will be available online at www.midlothian.gov.uk/elections by Monday 7 March 2022).

3.3 Electoral Arrangements - In terms of the Local Governance (Scotland) Act 2004, the Election will be contested using the single transferable vote. In Midlothian there will be six electoral wards each returning three Councillors.

The Council, on 17 December 2019, approved the Scheme of Polling Districts and Polling Places to be used. This Scheme has operated successfully since then although there have been minor changes which have had to be made by using powers delegated to the Chief Executive to cover certain situations which have arisen eg - the non-availability of a privately owned premise or the unsuitability of a premise because of COVID safety regulations. The draft Scheme of Polling Places is attached at Appendix B.

3.4 Electoral Registration - The closing date for applications for inclusion in the Register of Electors for the 5 May Elections is 18 April 2022 at midnight. The easiest way to register is to go on line at www.gov.uk/register-to-vote. Registration forms are also available from the Lothian Valuation Joint Board.

3.5 Poll Cards - The current target date for the release of the Poll Cards by the Council's printers to the Royal Mail has still to be confirmed by the Electoral Management Board.

3.6 Postal Votes - The deadline for applications for postal votes is 5.00pm on 19 April 2022 at the Electoral Registration Office, Lothian Joint Valuation Board, 17A South Gyle Crescent, Edinburgh or Midlothian House Reception, Buccleuch Street, Dalkeith.

The main issue of Postal Ballot Papers is expected to be released to the Royal Mail on 14 April 2022 and delivered by first class post.

As in previous elections/referendums a ballot box will be available at Midlothian House Reception Desk to receive any postal packs that are returned by hand. On polling day postal packs can be returned by hand to any polling station in the Midlothian Council area.

The opening of the returned Postal Ballot Envelopes and the verification of the Postal Vote Identifiers will take place in the Council Chambers, Midlothian House on a daily basis (Mondays to Fridays) with a provisional commencement date of Tuesday 19 April 2022.

- 3.7 Voter Awareness and Participation** - Legislation places a duty on the Electoral Registration Officer and the Returning Officer to encourage electoral participation. In this regard various initiatives will take place within Midlothian including a prominent election presence on **www.midlothian.gov.uk**, the use of print and radio media reminders, social media and other outreach initiatives to augment the national campaign to be run by the Electoral Commission on behalf of the Scottish Government.

The Electoral Commission will promote initially voter registration and then voter information (and in particular the need to improve voter understanding of the STV system).

Their campaign includes, multi media advertising (TV, video on demand and digital) and an information booklet with a strong 'how to vote' element distributed to all households in Scotland via a door drop.

In addition, as the franchise for the local government elections in Scotland covers 16 and 17 year olds, this age group will be particularly targeted. The Electoral Commission will target this age group with a specific campaign, "Welcome to Your Vote" which will include bespoke advertising and education resources for schools and youth organisations to use. This campaign will launch in Welcome To Your Vote Week (24-29 January). The digital and social media elements of the campaign are currently being updated and will be shared with local authority communications teams.

As the franchise has recently expanded to include all foreign nationals resident in Scotland the Electoral Commission will also be producing resources specifically for this audience and working with partner agencies such as the Scottish Refugee Council and the COSLA resettlement network to reach out to New Scots communities.

- 3.8 Political Publicity** – This is subject to a separate report before today's Council meeting. I would however wish to take this opportunity to make the following points on street furniture.

Council policy is that the fixing of bills, banners, etc to any part of a polling place, ie walls, railings, fences, etc is not be allowed. Bills on 'A' Boards and similar free standing signs would normally be allowed

on the pavements outside a polling place provided that they were positioned so as not to cause any obstruction to pedestrian or vehicular traffic.

In regard to political/posters/banners on Council lighting columns/street furniture, etc it is Council policy to prohibit this.

With regard to Purdah, please note that for the purposes of this election the pre-election period starts on Tuesday 01 March 2022.

3.9 Candidates' Election Expenses - There has been a further update to the expenses limit allowed by election candidates (The Representation of the People (Variation of Limit of Candidates' Local Government Election Expenses) (Scotland) Order 2016).

The maximum permitted expenditure is now £806 plus 7p per elector. However, where there are two joint candidates the limit is reduced by a quarter for each candidate or if more than two by one-third for each.

3.10 Polling Day - The hours of poll will be from 7am to 10pm.

The deadline for applying for the replacement of lost or a spoiled postal ballot paper is 10pm.

The latest time for the Electoral Registration Officer to receive new applications to vote by proxy on the grounds of medical emergency only is 5pm.

The Electoral Registration Officer has powers to correct a clerical error in the Register up to 9pm.

3.11 The Count - The electronic count will take place in the Main Sports Hall at The Lasswade Centre, Eskdale Drive, Bonnyrigg. The count will commence on Friday 6 May 2022 with the unused ballot papers being counted at 8am and the Count itself starting at 9am.

The Count is an electronic count using electronic scanners to scan the ballot papers. The main contractor for the provision, installation and supervision of the e-count equipment is Fujitsu who have been appointed in a national contract awarded by The Scottish Government.

Training for the staff to be employed at the Midlothian count is also being provided by Fujitsu.

It is anticipated that the Candidates and their Agents will have the opportunity of attending a briefing and demonstration session at The Lasswade Centre after the contractors have set up and tested the count equipment. This is likely to be held on the Tuesday afternoon or the Wednesday morning before the poll.

3.12 Staffing - It is intended to resource the elections using the bank of staff that has been established over recent elections. Payments for election duties which include the polling, postal and count staff, would be at

similar levels to that made at the Scottish Parliament Election held in May 2021.

4 Report Implications (Resource, Digital and Risk)

4.1 Resource

The cost of the Local Government Elections will fall on the Council and provision has been made in the Council's budget for this expenditure. (Note: Costs which are directly attributable to the e-count will be met by the Scottish Government in terms of their contract with Fujitsu.)

4.2 Digital

The Council's Digital Services Unit has allocated appropriate staff resources to deliver the elections and in particular the postal vote verifications.

The IT requirements for the counting of votes are the responsibility of Fujitsu in terms of its contract with the Scottish Government.

4.3 Risk

The election is being conducted using the Electoral Commission recommended project planning approach, accompanied by a comprehensive Risk Plan which has been produced on the basis of in-depth risk analysis

4.4 Ensuring Equalities (if required a separate IIA must be completed)

The equalities guidelines as outlined by the Electoral Commission are being observed.

4.5 Additional Report Implications

See Appendix A.

Appendices

Appendix A – Additional Report Implications

Appendix B – Draft Scheme of Polling Places

APPENDIX A – Report Implications

A.1 Key Priorities within the Single Midlothian Plan

Not applicable

A.2 Key Drivers for Change

Key drivers addressed in this report:

- Holistic Working
- Hub and Spoke
- Modern
- Sustainable
- Transformational
- Preventative
- Asset-based
- Continuous Improvement
- One size fits one
- None of the above

A.3 Key Delivery Streams

Key delivery streams addressed in this report:

- One Council Working with you, for you
- Preventative and Sustainable
- Efficient and Modern
- Innovative and Ambitious
- None of the above

A.4 Delivering Best Value

The report does not directly impact on Delivering Best Value

A.5 Involving Communities and Other Stakeholders

As part of this election there will be a Communications Plan which will target encouraging voter registration and participation in the voting process.

A.6 Impact on Performance and Outcomes

The report does not directly impact on Midlothian Council's performance and outcomes

A.7 Adopting a Preventative Approach

Not applicable

A.8 Supporting Sustainable Development

Not applicable