Standards, Procedures and Public Appointments Committee

Thursday 30 January 2020

The Scottish Parliament
Pàrlamaid na h-Alba

Thursday 30 January 2020

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STANDARDS, PROCEDURES AND PUBLIC APPOINTMENTS COMMITTEE
3rd Meeting 2020, Session 5

CONVENER

*Bill Kidd (Glasgow Anniesland) (SNP)

DEPUTY CONVENER

*Mark Ruskell (Mid Scotland and Fife) (Green)

COMMITTEE MEMBERS

*Neil Findlay (Lothian) (Lab)
*Jamie Halcro Johnston (Highlands and Islands) (Con)
*Tom Mason (North East Scotland) (Con)
*Gil Paterson (Clydebank and Milngavie) (SNP)
*Maureen Watt (Aberdeen South and North Kincardine) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Graeme Dey (Minister for Parliamentary Business and Veterans)
Maria McCann (Scottish Government)

CLERK TO THE COMMITTEE

Katy Orr

LOCATION

The James Clerk Maxwell Room (CR4)

Scottish Parliament

Standards, Procedures and Public Appointments Committee

Thursday 30 January 2020

[The Convener opened the meeting at 09:30]

Subordinate Legislation

Representation of the People (Annual Canvass) Amendment (Scotland) Order 2020 (Draft)

Representation of the People (Data Matching) (Scotland) Regulations 2020 (Draft)

The Convener (Bill Kidd): Welcome to the third meeting in 2020 of the Standards, Procedures and Public Appointments Committee. Agenda item 1 is an evidence-taking session on the draft Representation of the People (Annual Canvass) Amendment (Scotland) Order 2020 and the draft Representation of the People (Data Matching) (Scotland) Regulations 2020. Joining us are Graeme Dey, the Minister for Parliamentary Business and Veterans and his Scottish Government officials, Ewan McCaig, Maria McCann and Kenneth Pentland. I invite the minister to make a short opening statement.

The Minister for Parliamentary Business and Veterans (Graeme Dey): Thank you, convener. I think that we would all agree that the current annual canvass process is heavily paper-based, complex to administer, inefficient and confusing for some citizens. It can be summarised as being a bit cumbersome. In light of that, we have worked with the United Kingdom and Welsh Governments to modernise and streamline the annual canvass to ensure that it is fit for purpose for all the elections in which our citizens are involved. That collaboration demonstrates the shared importance that all three Governments place on maintaining accurate and complete electoral registers so that our citizens are more readily able to participate in democracy.

Ultimately, the reforms will give electoral administrators greater discretion to target their resources at properties where additions or deletions to the register are more likely to be required. That will make the annual canvass process simpler and clearer for citizens and maintain the completeness and accuracy of the electoral register. The draft order that is being considered paves the way for us to introduce regulations in March to amend the annual canvass for Scottish Parliament and local government elections.

I turn to the data matching regulations. There are plans to run a one-off test in early March, before the reformed canvass starts in July 2020. The test will in effect be a practice run of what will happen annually following implementation of the reforms. The purpose of conducting the test is to enable electoral registration officers to gain a better understanding of the match results that they are likely to achieve in their area and, therefore, how many properties are likely to be canvassed using the matched and unmatched property routes. That will allow them to plan and budget accordingly.

The reforms to the annual canvass have been consulted on and have received strong support from stakeholders, including the Scottish Assessors Association and the Electoral Commission. I ask members to add their support for the legislation so that we can continue to modernise our electoral processes, strengthen our democracy and, we hope, facilitate greater voter participation.

The Convener: Thank you. I invite questions from members.

Mark Ruskell (Mid Scotland and Fife) (Green): Minister, you mentioned that there are issues around simplicity and accuracy with the current canvass. Will you expand on what those practical issues are?

Graeme Dey: One of my officials will give you a detailed answer.

Maria McCann (Scottish Government): At the moment, the process for the annual canvass is set out very rigidly and EROs have to follow a prescribed path involving a certain number of communications followed by visits. It is all paper based. One of the main aims is to modernise the process and enable electronic communications to be used, reflecting the way that life is lived now and giving more flexibility.

The idea is that matching will be done first, as far as possible, which will save EROs from having to communicate needlessly with people whose circumstances have not changed, often not for a long time. We have all experienced that feeling when we keep getting the registration form. The main purpose of the reforms is to modernise the process, making it more efficient and more friendly for the voter, while maintaining the ability to communicate with people to check the accuracy of the registers.

Graeme Dey: It is about avoiding a one-size-fits-all approach and providing the opportunity for voters to communicate, if they so choose, by

providing a telephone number or email address. That will cut down on a lot of the bureaucracy.

Mark Ruskell: Is it one of the objectives of the reform to increase the number of people who register? Will that be monitored in the pilot roll-out, if you will? What are your expectations around that?

Graeme Dey: Clearly, the purpose of the reform is to have more people register, or at least, to give them the opportunity to register. The system is being rolled out in sequence—first in England, then Wales, then Scotland—so, over the next few months, we will develop a good feel for how it is working in practice. As ever, I am happy to keep the committee apprised of anything around that.

Mark Ruskell: Are there particular expectations of an upsurge in registration for certain groups, such as students? Is there a target for that, or is it very much "let's reform the process and see what happens"?

Graeme Dey: I think it is a case of reforming the process and seeing what happens. We anticipate that there will be an upturn: students would be one group; perhaps care homes would be another. We want to increase people's opportunity to vote; thereafter, it is up to them whether they exercise that right.

Gil Paterson (Clydebank and Milngavie) (SNP): The joint consultation was held by the UK, Welsh and Scottish Governments between 5 October and 30 November 2019. To what extent was that an effective way of consulting on the proposed reform of the annual canvass?

Graeme Dey: The subject does not attract a huge degree of attention, to be honest. However, we did attract more than 80 responses across the UK. Scotland led on that for the three Governments; our officials were very much at the forefront on behalf of the whole of the UK. Beyond that, we reached out directly to some of our own stakeholders; the Electoral Management Board and the EROs in Scotland were able to feed into the process, so there was a distinctively Scottish slant.

Gil Paterson: I see; that was additional. You have pre-empted my second question.

Graeme Dey: I am sorry.

Gil Paterson: Do not apologise; it was a good answer. That is what we are looking for. Thank you.

Maureen Watt (Aberdeen South and North Kincardine) (SNP): Can you explain a bit more about the purpose of allowing EROs to test the data-matching process in advance of the initiation of the annual canvass?

Graeme Dey: We all know that, with new systems, there are sometimes unexpected problems. The idea is to test it in advance for two reasons. The first is to iron out any issues that might arise. England and Wales are ahead of us; we have information that one or two minor problems arose early on but that it now works very effectively. However, the main reason is to give the electoral registration officers a feel for exactly what the new system will look like and how many households are liable to be captured by the different approaches when the full process begins later in the year. That will leave them well-placed at the outset to understand the likely challenges, and to budget and allocate resources accordingly.

Maureen Watt: You alluded to the fact that you do not have targets. However, you have some idea of the number of households, compared with the number of people who are registered, have you not? Have you an idea of how many people should be on the register but are not?

Graeme Dey: I refer that to an expert.

Maria McCann: It is difficult to give an exact figure. The committee recently looked at the Electoral Commission's "2019 report: Accuracy and completeness of the 2018 electoral registers in Great Britain"; there is quite a way to go. Everyone involved in registration is very much aware of that, and of the relevant groups.

At the moment, there is a consultation on performance standards for electoral registration officers. The focus is going to be more on outputs, and on EROs considering what they are aiming for. We could send a copy of the consultation document to the committee, so that you can see the direction of travel of greater focus on outcomes and on what is going to happen in terms of increases in numbers. Perhaps that would help the committee.

Maureen Watt: How confident are you of the reliability of the Department for Work and Pensions data set? Will that be part of the testing process that is foreseen by the regulations?

Graeme Dey: The DWP data set is fed into by, for example, Her Majesty's Revenue and Customs, so it appears to be quite robust. It is already used for identity verification, and we believe that the accuracy rate is 90 per cent. We are optimistic that the data set will be a useful contributor to the process.

Maureen Watt: How robust is the process for securing people's data?

Graeme Dey: We are fully conversant and compliant with the general data protection regulation. If the committee wants, we can go into detail on that, but safeguarding people's data is clearly a very important aspect of the process.

Maureen Watt: We often hear about barriers to helping people—youngsters, for example—because we cannot share data between different departments, yet we are sharing data with the DWP.

Graeme Dey: I will give an example. Earlier, we talked about the use of email addresses and telephone numbers. That information would not be sourced from another data set; it would be provided by the person completing the electoral form. They would have to say, "Here is an email address and a phone number that you may use to contact us." There is no way that such information would be sourced from another data set. The information is used simply to double-check and to confirm the likelihood of individuals being resident in a property.

The Convener: I have a quick question about the volume of business that will be generated. You will be dealing with EROs, the DWP and other bodies, and a large volume of data will need to be transferred. Is everyone ready for that? It is important not only that we have the computers but that we have enough staff with the expertise to be able to deal with all that. Will the system be able to be introduced without unsettling the existing process?

Graeme Dey: That is a good point.

Maria McCann: That is why the data testing step is very important. That will give people the chance to see how things go. Everything has been carefully considered and set up, taking into account all the points that you have made. Once the electoral registration officers have the test data, they will be able to budget and plan accordingly for the canvass in July.

The Convener: That is very useful.

Tom Mason (North East Scotland) (Con): I want to ask about uniformity with England and Wales. Uniformity is ideal, but will there be circumstances in which Scotland will go its own way in some way?

Graeme Dey: Do you mean in the future?

Tom Mason: Yes.

Graeme Dey: Any responsible Government would take account of anything that came forward, for example, from EROs. If, as the process develops over a number of years, the people at the coalface come back to the Government and say, "There might be slightly different and better ways to do this," the Government will, of course, listen. I suspect that that will be the case across the UK, and suggestions that come from Wales, for example, might be relevant to Scotland, too.

It is difficult to answer the question about what we will do in the long term. We have taken a sensible and pragmatic approach, and it holds out hope for improving the current registration system.

Jamie Halcro Johnston (Highlands and Islands) (Con): I have a couple of questions. Is the new process seeking to address any geographical differences in registration? If so, how will it address them, particularly in remote and rural areas, island communities and so on?

The other aspect that I want to ask about is the protection of newly enfranchised voters. Are there any specifics that would help with contacting them and ensuring that they are covered while protecting some of the younger people who are coming on to the register, perhaps in advance of their full involvement in the process?

09:45

Graeme Dey: I will deal first with the last point, on attainers. Absolutely, they are specifically protected, and it is important that we ensure that.

On your point about geographical differences, I suppose that the measures should, by their very nature, bring about improvement in urban settings more immediately. We might think about care homes, student halls of residence and other properties that are regularly occupied by students.

Have we done anything specific about rural settings, Maria?

Maria McCann: That question relates to the ability to tailor the approach, which will help in all the different settings. It would have been compulsory to send someone to visit a very remote property, but now that might not be required, because the other routes could be used.

Neil Findlay (Lothian) (Lab): I hesitate to ask this one brief question, but do we need any new information technology? I hope not.

Graeme Dey: We talked about ironing out any other issues.

Maria McCann: We do not know the absolute detail of the electoral management systems that are used, but preparations have been made for the new approach. It has not been alerted to us that there is an issue with IT at all.

Graeme Dey: Our work has very much been informed in consultation with EROs, so issues such as that are teased out.

Neil Findlay: We do not need to go over the track record of failed and failing IT projects.

Mark Ruskell: Will the reforms save money? I am thinking about the costs of mailing, for instance.

Graeme Dey: It is not about saving money, primarily; it is about making the system more

efficient. The Cabinet Office has a projection that, over the next eight years, I think it is, there could be a projected saving of up to £31 million across the UK. However, that is a projection. It is not about saving money as such; it is about making the system better.

The Convener: Under agenda item 2, I invite the minster to move motion S5M-20563.

Motion moved,

That the Standards, Procedures and Public Appointments Committee recommends that the Representation of the People (Data Matching) (Scotland) Regulations 2020 [draft] be approved.—[*Graeme Dey*]

Motion agreed to.

The Convener: Are members content for me to sign off the committee's report on the draft regulations?

Members *indicated agreement.*

The Convener: Under agenda item 3, I invite the minister to move motion S5M-20564.

Motion moved,

That the Standards, Procedures and Public Appointments Committee recommends that the Representation of the People (Annual Canvass) Amendment (Scotland) Order 2020 [draft] be approved.—[*Graeme Dey*]

Motion agreed to.

The Convener: Are members content for me to sign off the committee's report on the draft order?

Members *indicated agreement.*

The Convener: That ends the public part of the meeting. I thank the minister and his officials for attending. Thank you, Maria, for going through those points with us.

09:50
Meeting continued in private until 10:00.

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